

Exhibit D

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County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

AUG 22 2024

XOCHITL MARINA CAMACHO
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	ISNV LLC
File Number:	PLN220272
Owner:	ISNV LLC
Project Location:	26399 Scenic Road, Carmel
Primary APN:	009-441-017-000
Project Planner:	Zoe Zepp
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of a: 1) Coastal Administrative Permit and Design Approval to allow construction of a 2,842 square foot two-story single family dwelling, inclusive of a 436 square attached foot two-car garage; 2) a Coastal Development Permit to allow removal of one (1) landmark Monterey Cypress tree 3) and a Coastal Development Permit to allow development within 750 feet of archaeological resources.

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

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

Decision Making Body:	Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	August 22, 2024
Review Period Ends:	September 23, 2024

Further information, including a copy of the application and Initial Study are available at the Monterey County Housing & Community Development, 1441 Schilling Place South, 2nd Floor, Salinas, CA 93901/(831) 755-5025

COUNTY OF MONTEREY

HOUSING AND COMMUNITY DEVELOPMENT



Planning – Building – Housing
1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527
(831) 755-5025

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

NOTICE IS HEREBY GIVEN that Monterey County Housing & Community Development has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a combined development permit (ISNV LLC, PLN220272) at 26399 Scenic Rd, Carmel (APN 009-441-017-000) (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Housing & Community Development – Planning, 1441 Schilling Pl South 2nd Floor, Salinas, California. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:

<https://www.countyofmonterey.gov/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/recent-environmental-documents> .

The Planning Commission will consider this proposal at a meeting date to be determined in the Monterey County Board of Supervisors Chambers, 168 West Alisal St, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from **August 22, 2024 to September 23, 2024**. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of: 1) Coastal Administrative Permit and Design Approval to allow construction of a 2,842 square foot two-story single family dwelling, inclusive of a 436 square attached foot two-car garage; 2) a Coastal Development Permit to allow removal of one (1) landmark Monterey Cypress tree 3) and a Coastal Development Permit to allow development within 750 feet of archaeological resources. The property is located at 26399 Scenic Road, Carmel (Assessor's Parcel Number 009-441-017-000), Carmel Land Use Plan, Coastal Zone.

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

CEQAcomments@countyofmonterey.gov

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

comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Agency to ensure the Agency has received your comments.

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

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

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

County of Monterey
Housing & Community Development
Attn: Zoe Zepp, Assistant Planner
1441 Schilling Pl South 2nd Floor
Salinas, CA 93901

Re: ISNV LLC; File Number PLN220272

From: Agency Name: _____
Contact Person: _____
Phone Number: _____

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

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (1 copy of the Executive Summary & Notice of Completion)
2. County Clerk's Office
3. CalTrans District 5 (San Luis Obispo office)
4. California Coastal Commission
5. Association of Monterey Bay Area Governments
6. Monterey Bay Air Resources District
7. California Department of Fish & Wildlife, Region 4, Renee Robison
8. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esselen Nation
9. California American Water Company
10. City of Carmel-By-The-Sea
11. Cypress Fire Protection District C/O Pebble Beach Community Services District
12. Monterey County Agricultural Commissioner
13. Monterey County Water Resources Agency
14. Monterey County HCD-Engineering Services
15. Monterey County HCD-Environmental Services
16. Monterey County Public Works, Facilities & Parks
17. Monterey County Environmental Health Bureau
18. Monterey County Sheriff's Office
19. ISNV LLC, Owner
20. Carla Hashimoto C/O Eric Miller Architects, Agent
21. The Open Monterey Project
22. LandWatch Monterey County
23. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

24. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: galacatos@usace.army.mil)
25. Juan Barboza (jbarboza@nccrc.org)
26. Molly Erickson (Erickson@stamplaw.us)
27. Margaret Robbins (MM_Robbins@comcast.net)
28. Michael Weaver (michaelrweaver@mac.com)
29. Monterey/Santa Cruz Building & Construction (Office@mscbctc.com)
30. Garry Hofer (garry.hofer@amwater.com)
31. Jack Wang (Jack.Wang@amwater.com)
32. Jeana Arnold (jeana.arnold@pge.com)
33. Louise Miranda-Ramirez (Ramirez.louise@yahoo.com)
34. Mimi Sheridan (mimisheridan@msn.com)
35. California Department of Fish & Wildlife (r4ceqa@wildlife.ca.gov)
36. Michael Lozeau C/O Lozeau Drury LLP (michael@lozeaudrury.com)
37. Juliana Lopez C/O Lozeau Drury LLP (juliana@lozeaudrury.com)
38. California Department of Fish & Wildlife, Marine Region (r7ceqa@wildlife.ca.gov)

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INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	ISNV
File No.:	PLN220272
Project Location:	26399 Scenic Road, Carmel
Name of Property Owner:	ISNV LLC (Richard Garman, Trustee)
Name of Applicant:	Eric Miller Architects
Assessor's Parcel Number(s):	009-441-017-000
Acreage of Property:	6,354 square feet (0.146 acre)
General Plan Designation:	Medium Density Residential
Zoning District:	Medium Density Residential, two dwelling units per acre, with a Design Control Overlay limiting maximum height to 18 feet (Coastal Zone) [MDR/2-D(18) (CZ)]
Lead Agency:	Monterey County Housing and Community Development Department
Prepared By:	Harris & Associates (Alec Barton, AICP; David Mack, AICP; Joseph Sidor)
Date Prepared:	May 10, 2024
Contact Person:	Zoe Zepp, Associate Planner, Monterey County Housing and Community Development Department
Phone Number:	(831) 755-5198 zeppz@countyofmonterey.gov

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project: The proposed ISNV project (project) involves the construction of a 2,842-square-foot (SF), two-story single-family dwelling including a 436 SF attached garage on the vacant 6,354 SF parcel at 26399 Scenic Road in the Carmel Point area of unincorporated Monterey County (refer to **Figure 1a**, Vicinity Map). The proposed development includes two bedrooms, 2.5 bathrooms, an outdoor kitchen and patio, and perimeter fences and privacy walls. The project also includes installation of flatwork, driveway and stepping stones, and water efficient landscaping using native shrubs and trees. Exterior material finishes include horizontal teak wood siding; smooth stone and stucco; frameless glass walls, doors, and railings; metal frame windows; a rubber membrane flat roof; and a wood and glass garage door. Colors are neutral earth tones, primarily tans and beiges. Associated grading would involve approximately 315 cubic yards of cut and 85 cubic yards of fill. One 24-inch Monterey cypress would be removed during construction. Refer to the project plans in **Figures 1b-1f**.

The required Combined Development Permit consists of the following entitlements:

- 1) Coastal Administrative Permit and Design Approval to allow the construction of a 2,842 SF, two-story single-family dwelling inclusive of a 436 SF attached garage.
- 2) Coastal Development Permit to allow removal of one landmark Monterey cypress tree.
- 3) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

B. Surrounding Land Uses and Environmental Setting: The vacant 0.146-acre (6,354 SF) project site is in a residential area near the Pacific Ocean in Monterey County's Carmel Area Land Use Plan (LUP) area of the Coastal Zone (refer to **Figure 1b**, Proposed Site Plan).

Surrounding land uses consist primarily of single-family residences and accessory structures. The project site and surrounding area are zoned and designated for medium density residential use. Vegetation on site and on surrounding properties consists primarily of planted native, non-native, and naturalized shrubs, grasses, and trees, including ice plant, annual grasses, ornamental species, and Monterey cypress trees. Three Monterey cypress trees are on the project site perimeter.

The project site is in a residential neighborhood on a point surrounded on three sides (north, south, and west) by Carmel Bay in the Pacific Ocean. At its closest point, the ocean is approximately 200 feet south of the project site. The project site is in an area designated as Urban and Built-Up Land under the California Department of Conservation Farmland Mapping and Monitoring Program. Per Monterey County geographic information systems (GIS) data, the project site does not include sensitive vegetation and is not identified as critical habitat for Monterey spineflower, snowy plover, or western arroyo toad. Additionally, the project site is not an area of distribution for the San Joaquin kit fox, which is known to occur in inland parts of Monterey County.

The project site is in a documented area of high archaeological sensitivity, and is located within the known archaeological site (CA-MNT-17). A Coastal Development Permit is required to allow development within 750 feet of known archaeological resources. Although in an area of high sensitivity and known resources, the Archaeological Assessment Study (Monterey County Document No. LIB230165) prepared for the project site identified only scattered archaeological resources, primarily in the form of flaked stone debitage. Per the Archaeological Assessment Study, project work would have a less than significant impact on cultural resources with mitigation

measures incorporated. Refer to Section VI.5, Cultural Resources, and Section VI.18, Tribal Cultural Resources, for further discussion.

The project site is in a Local Responsibility Area and designated as a Non-Very High Fire Hazard Severity Zone. Therefore, additional measures are not required to reduce wildfire risk to the project site.

C. Other Public Agencies Whose Approval is Required: The Monterey County Local Coastal Program has been certified by the California Coastal Commission; therefore, the County is authorized to issue Coastal Development Permits. After approval of the required discretionary permits (entitlements) identified above, the applicant would be required to obtain ministerial permits (e.g., construction permit) from Monterey County Housing and Community Development (HCD) Building Services. No other public agency approvals would be required. However, approval of the proposed entitlements would be subject to appeal by the California Coastal Commission.

Figure 1a – Vicinity Map



Figure 1b – Proposed Site Plan

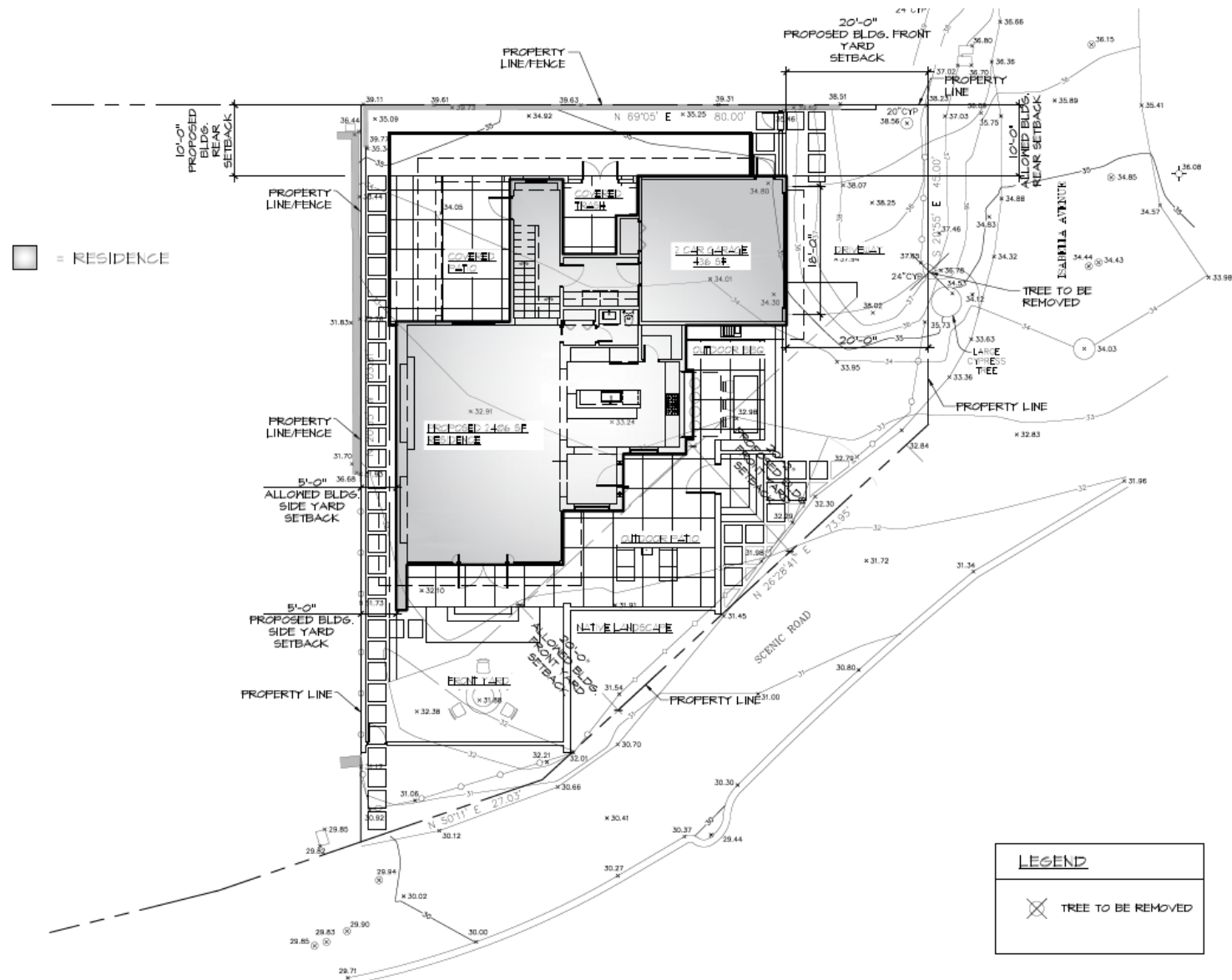


Figure 1c – Floor Plan Level 1

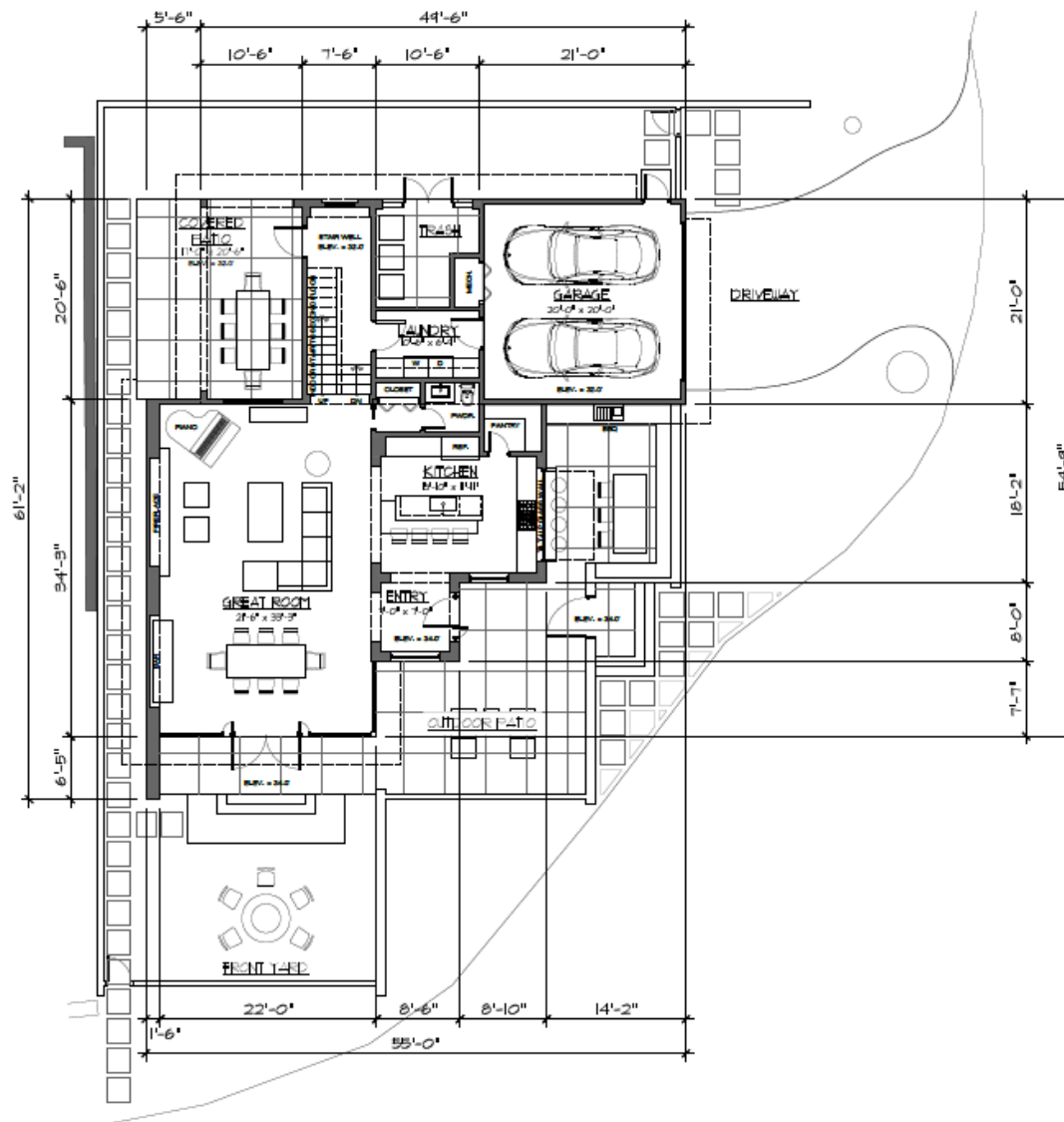


Figure 1d – Floor Plan Level 2

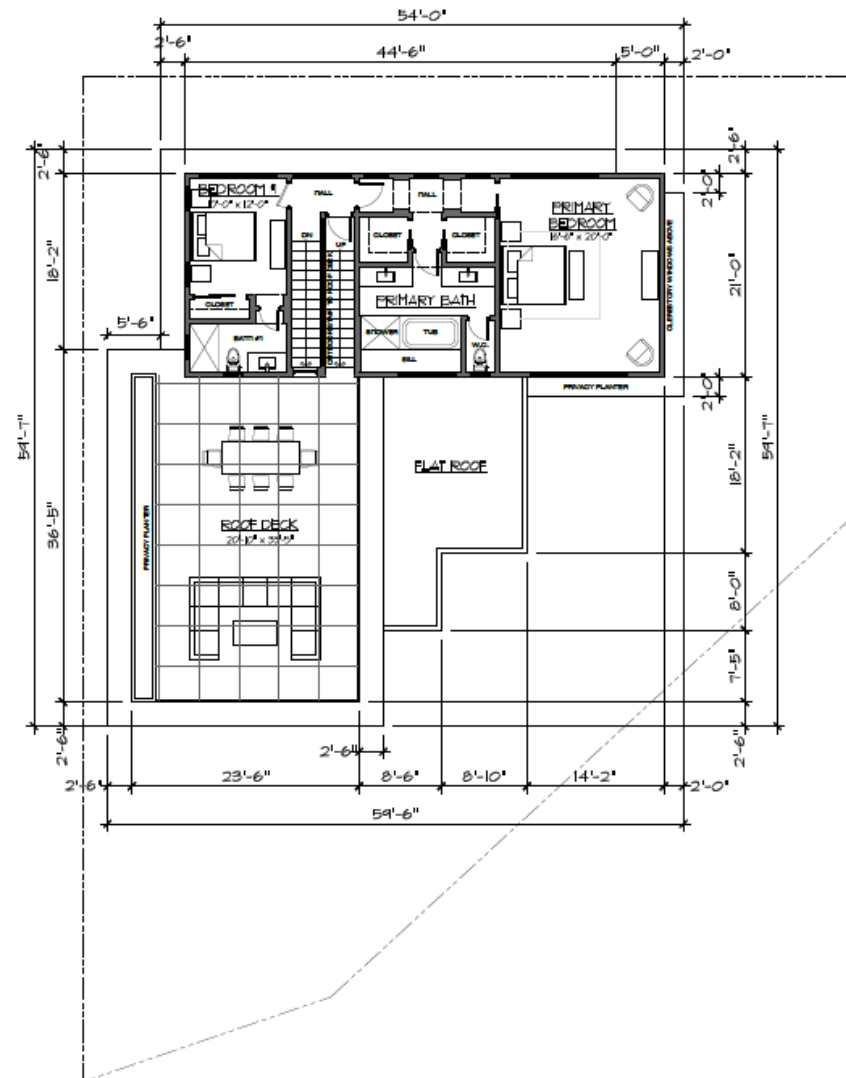


Figure 1e – Exterior Elevations – South & West

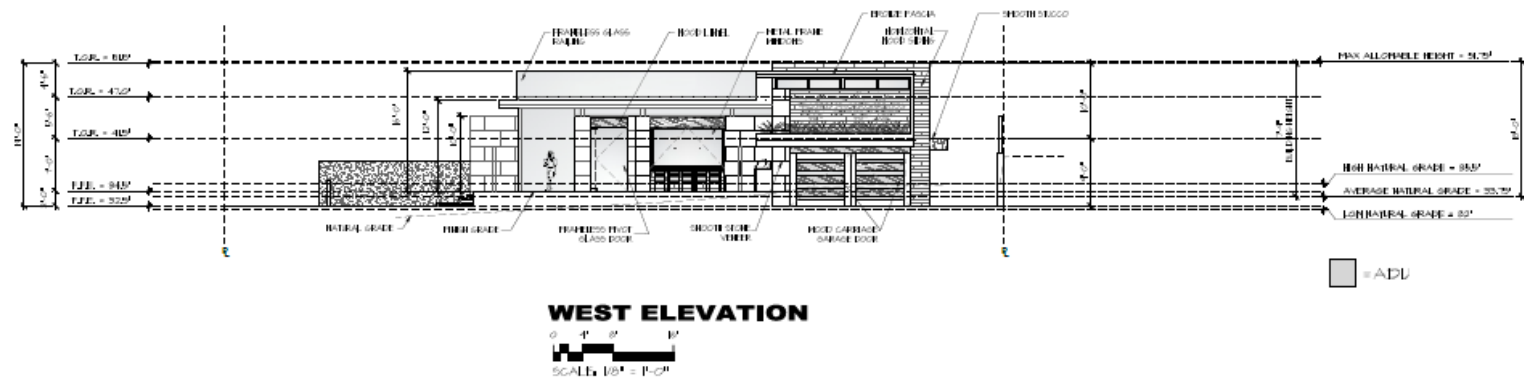
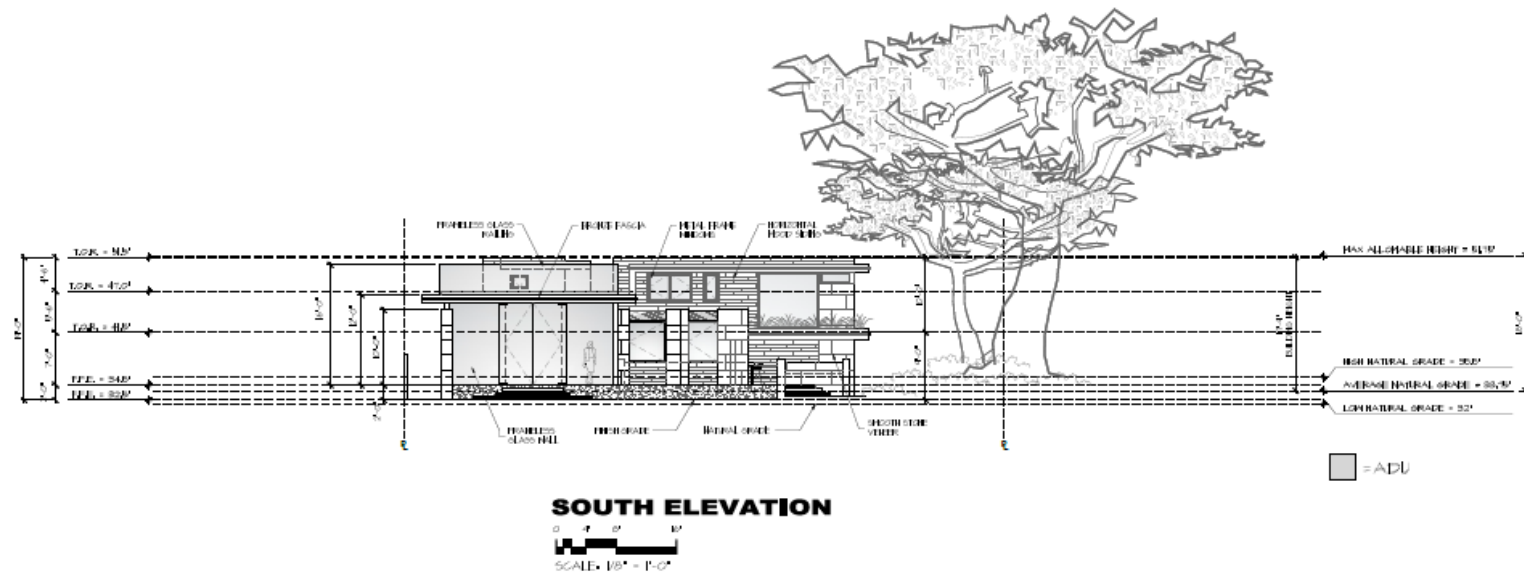
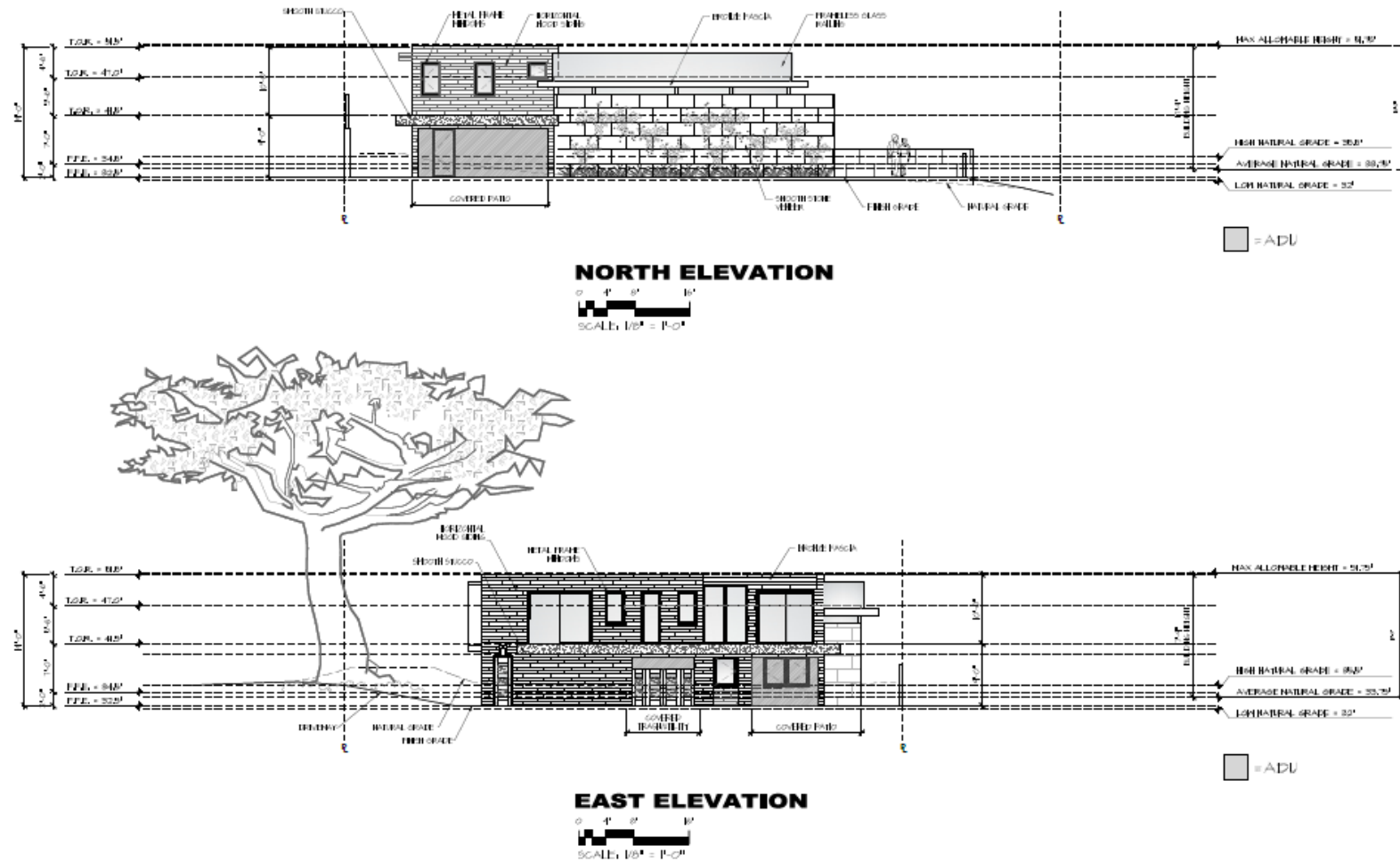


Figure 1f – Exterior Elevations – North & East



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

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

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

General Plan: Within the coastal areas of unincorporated Monterey County, the 1982 Monterey County General Plan policies apply where the Local Coastal Program is silent. This typically is limited to noise policies, as the Local Coastal Program policies contain the majority of development standards applicable to development in the coastal areas. The project would involve the construction of a 2,842 SF, two-story single-family dwelling including a 436 SF attached garage in the Carmel Point area. As proposed, the project would be consistent with the noise policies of the 1982 Monterey County General Plan and would not create any noise other than minor and temporary construction noise (Source: IX. 1, 2, 3). **CONSISTENT**

Air Quality Management Plan: The 2012–2015 Air Quality Management Plan for the Monterey Bay region addresses attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin, which includes unincorporated Carmel Point. California Air Resources Board uses ambient data from each air monitoring site in the North Central Coast Air Basin to calculate Expected Peak Day Concentration over a consecutive 3-year period. The closest air monitoring site in Carmel Valley has not indicated during project review that construction of a single-family dwelling in the Carmel Point area would cause significant impacts to air quality or greenhouse gas emissions (Source: IX.6). **CONSISTENT**

Local Coastal Program: The project is subject to the Carmel Area LUP, which is part of the Certified Local Coastal Program in Monterey County. This Initial Study discusses consistency with relevant LUP policies in Sections IV and VI. County staff reviewed the project for consistency with the policies of the Carmel Area LUP and the regulations of the associated Coastal Implementation Plan (CIP) (Part 4). In addition, staff reviewed the project for consistency with the site development standards required by the applicable zoning ordinance (Title 20; CIP, Part 1). As discussed herein, the project involves the construction of a 2,842 SF, two-story single-family dwelling inclusive of a 436 SF attached garage. The project also involves removal of a landmark Monterey cypress tree and development within 750 feet of known archaeological resources. The parcel is zoned Medium Density Residential, two dwelling units per acre, with a Design Control Overlay limiting maximum height to 18 feet (Coastal Zone) [MDR/2-D(18)(CZ)]. As proposed, conditioned, and mitigated, the project is consistent with the Carmel Area CIP (Source: IX. 3). **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

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

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

☐ Check here if this finding is not applicable

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

EVIDENCE:

1. Aesthetics: Refer to Section VI.1.
2. Agriculture and Forest Resources: The project site is in an existing residential subdivision zoned Medium Density Residential, two units per acre, with a Design Control Overlay limiting maximum height of structures to 18 feet (Coastal Zone) [MDR/2-D(18)(CZ)] and designated as Urban and Built-Up Land under the California Department of Conservation Farmland Mapping and Monitoring Program. No farmland would be converted to non-

agricultural uses as a result of the project, and the project site is not under a Williamson Act contract nor in or adjacent to agriculturally designated lands. One landmark Monterey cypress tree, 24-inches in diameter, is proposed for removal on the project site. The tree was evaluated by a certified arborist and found to be in poor condition (Tree Resource Assessment and Forest Management Plan prepared by Ono Consulting, Monterey County Document No. LIB230166). Protective measures would be put in place before, during, and after construction to prevent impacts to two other Monterey cypress trees on site via implementation of PD011, the County's standard condition of approval for tree and root protection. The arborist included additional recommendations within their report including hand trenching and monitoring of grading and construction activities adjacent to trees 92 & 94. These recommendations will be implemented through a Notice of Report (Condition No. PD016. An additional 5-gallon Monterey cypress tree would be planted along with several native shrubs on the project site as part of the project. Therefore, the project would not result in impacts to agriculture or forest resources. (Source: IX. 1, 3, 4, 8, 9, 11, 18)

3. Air Quality: The project site is within the North Central Coast Air Basin, which is under the jurisdiction of the Monterey Bay Air Resources District. Sensitive receptors are limited to the adjacent residences. Impacts to air quality from construction-related activities would be minor and temporary in nature. Construction would involve equipment typically involved in residential construction projects, such as excavators and trucks. The 2012–2015 Air Quality Management Plan for the Monterey Bay region addresses attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin, which includes unincorporated Carmel Point. California Air Resources Board uses ambient data from each air monitoring site in the North Central Coast Air Basin to calculate Expected Peak Day Concentration over a consecutive 3-year period. The closest air monitoring site in Carmel Valley has not indicated during project review that construction of a single-family dwelling in the Carmel Point area would cause significant impacts to air quality or greenhouse gas emissions (Source: IX.6). Temporary construction-related impacts would not violate any air quality standards or obstruct implementation of the Monterey Bay Air Resources District Air Quality Management Plan. Operational emissions would be minimal and consistent with similar single-family residences within the vicinity. Therefore, the project would not result in impacts to air quality. (Source: IX. 1, 6, 8, 9)
4. Biological Resources: Refer to Section VI.4.
5. Cultural Resources: Refer to Section VI.5.
6. Energy: The project would require energy during construction to operate construction equipment and worker vehicles to and from the project site. The proposed site improvements include the construction of a single-family dwelling with an attached garage, perimeter fences and walls, and an outdoor kitchen and patio. Due to the small scale of the project, energy use associated with construction would be nominal and short term and would not be considered wasteful, inefficient, or unnecessary. Operational energy demand would be minimal. Pacific Gas & Electric provides electricity to the project site. The project would be required to comply with the standards set in California Building Code, Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. California's Green Building Standards Code

(CALGreen; California Building Code Title 24, Part 11) requires implementation of energy-efficient light fixtures and building materials into the design of new construction projects. With implementation of these regulations, the project would not conflict with state or local plans for renewable energy or energy efficiency. Therefore, the project would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy. (Source: IX. 1, 5, 7)

7. Geology and Soils: Refer to Section VI.7.
8. Greenhouse Gas Emissions: The project would not result in significant increases in energy consumption on the project site or in traffic within the project site's vicinity. Temporary construction-related emissions from equipment and machinery would occur. Operational emissions associated with the project would be minimal and consistent with the Monterey County General Plan land use designation and zoning classification for the site. Monterey County does not have a Greenhouse Gas Reduction Plan by which consistency or conflicts can be measured; however, the 2010 Monterey County General Plan policies contain direction for the preparation of such a plan with guidance on what goals or measures should be accomplished in development of a plan. However, the project is in the coastal area, which is guided by the 1982 Monterey County General Plan. In addition, the project would not conflict with the policies in the Association of Monterey Bay Area Government's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy because the project only involves the construction of a single-family dwelling on a site zoned and designated for medium density residential use. Therefore, the project would not result in significant increases in greenhouse gas emissions or conflict with any applicable plan, policy, or regulation. (Source: IX. 1, 2, 3, 6, 7, 14)
9. Hazards/Hazardous Materials: Project implementation would require the use of construction equipment typical of residential construction projects, the operation of which could result in a spill or accidental release of hazardous materials, including fuel, engine oil, and lubricant. However, the use and transport of any hazardous materials would be subject to federal, state, and local regulations, which would minimize risk associated with the transport of hazardous materials. Operationally, the project would not involve the use or storage of hazardous materials beyond those typically associated with residential uses. The project site is not on or within 1,000 feet of a known hazardous materials site, within 0.25 mile of an existing or proposed school, or near an airport or airstrip. Given that the project would be consistent with the site's zoned and designated land use (medium density residential), it would not impair or interfere with an adopted Emergency Response or Evacuation Plan. The project site is in a Local Responsibility Area in a Non-Very High Fire Hazard Severity Zone. Refer to Section VI.20 for information regarding wildfires. Therefore, the project would not result in impacts related to hazards/hazardous materials. (Source: IX. 1, 8, 15, 20)
10. Hydrology/Water Quality: Refer to section VI. 10.
11. Land Use and Planning: Refer to Section VI.11.

12. Mineral Resources: No mineral resources have been identified on the project site or would be affected by the project. Therefore, the project would not result in impacts to mineral resources. (Source: IX. 1, 8, 9, 16)
13. Noise: Construction of the project would generate a temporary noise increase within the vicinity of the project site due to the use of heavy equipment and machinery typically used during residential construction projects. Construction activities would be required to comply with the Monterey County Noise Ordinance, as described in MCC Chapter 10.60. The ordinance applies to “any machine, mechanism, device, or contrivance” within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 A-weighted decibels (dBA) 50 feet from the noise source. Noise-generating construction activities are limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday; and no construction noise is allowed on Sundays or national holidays. Project construction could also generate a temporary increase in groundborne vibration levels during the excavation and grading phases of project construction. However, per the project scope and design, pile driving would not be required, and construction activities would not generate excessive vibration levels. The soils engineer, Belinda Taluban, did not recommend spread footings due to the depth of the loose, silty sand. Excessive excavation and recompaction of loose soils, to a depth of 12 feet, would be required for a standard spread footing foundation system. Instead, the engineer recommends helix anchors to reinforce the concrete grade beams. The use of helix anchors rather than standard spread footings will reduce the noise and ground vibration associated with subexcavation. Operationally, the project would not result in a substantial permanent increase in ambient noise given that the use (single-family residential) is consistent with existing surrounding uses in the Carmel Point area. The private residential use of outdoor spaces such as the outdoor kitchen and patio may result in a short-term increase in ambient noise levels when in use; however, property owners are required to comply with MCC Section 10.60.040, which limits “loud and unreasonable” sound during the hours of 9:00 p.m. to 7:00 a.m. The project is not within the vicinity of a public airport or private airstrip. Therefore, the project would not result in impacts related to noise. (Source: IX. 1, 2, 3, 4, 5, 8)
14. Population/Housing: The project would involve the construction of a single-family dwelling on a site zoned and designated for medium density residential uses. The project would potentially induce only limited population growth because it involves the construction of a single-family residence. The project would not displace; alter the location, distribution, or density of human population in the area in any significant way; or create a demand for additional or replacement housing. Therefore, the project would not result in impacts related to population and housing. (Source: IX. 1, 2, 3, 9, 17)
15. Public Services: The project site is in an established residential neighborhood served by the Cypress Fire Protection District, Monterey County Sheriff’s Department, and Carmel Unified School District. The project would not create substantial new demand for public services that would result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts to maintain acceptable service ratios, response times, or other performance objectives for any of the public services. The project would have no measurable effect on existing public services in that the project would not result in a significant increase in demand and would not require expansion of services to serve the project. County Departments and service providers

reviewed the project application and did not identify any impacts. Therefore, the project would not result in impacts related to public services. (Source: IX. 1, 8, 17)

16. Recreation: The project would not result in a significant increase in the use of existing neighborhood and regional parks and other recreational facilities and would not cause substantial physical deterioration to these facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the project based on review of Monterey County records and Figure 3, Local Coastal Program Public Access, of the Carmel Area LUP. The project would not create significant new recreational demands and would not result in significant impacts to recreation resources. Therefore, the project would not result in impacts related to recreation. (Source: IX. 1, 3, 8, 9)
17. Transportation: The project would not generate traffic nor increase the number of permanent vehicle trips beyond that accounted for in regional studies and the intended development of the site. The contribution of traffic from the project would not cause any roadway or intersection level of service to be degraded nor substantially increase vehicle miles traveled relative to existing conditions. Construction-related activities would temporarily increase traffic from trips generated by the workers on the construction site; however, no adverse impact is expected to occur due to the small scale of the project. A construction management plan was submitted with the project application. Temporary traffic increases were addressed in the plan. An estimated 15 total truck trips will occur over the span of six days. These truck trips include hauling materials offsite following vegetative clearing of the vacant lot, grading and soil export and import of engineering and construction materials. The haul route will utilize Highway 1, Rio Road, Santa Lucia Avenue and Scenic Road. If vehicle queueing is necessary, vehicles will not be left unattended while in a queue on Scenic Road. If material deliveries cause any streets along the haul route to be partially blocked by delivery trucks or loading/unloading operations, a flagman shall be present to direct traffic around the lane obstruction. The flagman shall be present at all times during which delivery/construction operations may impact traffic on the haul route and surrounding streets. The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The project would not substantially increase hazards due to a design feature (e.g., no sharp curves or dangerous intersections are near the project site) or incompatible uses since the site is zoned to allow residential uses, nor would it result in inadequate emergency access. The project would also not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The project would not intensify existing levels of traffic. Therefore, the project would not result in impacts related to transportation. (Source: IX. 1, 2, 3, 8, 9, 14)
18. Tribal Cultural Resources: Refer to Section VI.18.
19. Utilities/Service Systems: The proposed dwelling would be serviced by connections to existing infrastructure for potable water and wastewater treatment. Due to the small scope of the project, it would not impact the remaining capacity of a local wastewater treatment plant or provider. The project would not require expansion of current utility infrastructure or impact the area's solid waste collection and disposal facilities. Potable water service on the project site would be provided by California American Water, and wastewater

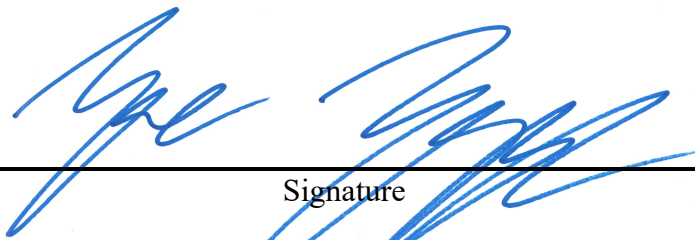
treatment would be provided by Carmel Area Wastewater District. Electricity would be provided by Pacific Gas & Electric. Solid waste disposal would be provided by the Monterey Regional Waste Management District, and the operational component of the project would not generate a significant amount of solid waste. Any excess construction materials from the project would be recycled as feasible with the remainder being hauled to a landfill, and the minimal amount of construction waste produced would not affect the permitted landfill capacity. Therefore, the project would not result in impacts related to utilities and service systems. (Source: IX. 1, 3, 8)

20. Wildfire: The project site is in a Local Responsibility Area and is designated as a Non-Very High Fire Hazard Severity Zone. The project would not impair an adopted Emergency Response Plan or Emergency Evacuation Plan because the project would involve the construction of a single-family residence on a site zoned and designated for medium density residential uses. The local roadway (Scenic Drive) that serves as primary access to the site is not an identified evacuation route, and the project is not expected to impair evacuation procedures along evacuation routes in the vicinity. The project would not require additional infrastructure nor impact existing infrastructure for fire safety. Because of its location in a Non-Very High Fire Hazard Severity Zone, the project would not expose people or structures to significant risks associated with wildfire, including downstream flooding, landslides, or drainage changes. Therefore, the project would not result in impacts related to wildfire. (Source: IX. 1, 3, 5, 8, 9, 15)

B. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Zoe Zepp, Assistant Planner
Monterey County Housing &
Community Development Department

August 20, 2024

Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level from earlier analyses.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) **Earlier Analysis Used:** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed:** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures:** For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., General Plans, Zoning Ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting information sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS					
Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX. 1, 3, 8, 9, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. (Source: IX. 1, 3, 8, 9, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 1, 3, 8, 9, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation: The project involves the construction of a single-family residence at 26399 Scenic Road in the Carmel Point area in an unincorporated area of Monterey County (refer to **Figure 1a**). Carmel Point is defined in the Carmel Area LUP as a visually sensitive area located in a viewshed as seen from public lands, such as the Carmel River State Beach and Scenic Road (refer to Carmel Area LUP Map A). Policies have been adopted to limit the impacts of development on scenic vistas. Although the project site is not visible from Highway 1, a designated state scenic highway, its proximity to the coast underscores the importance of careful, context-specific development. Furthermore, Scenic Road is identified as a scenic viewing corridor in the Carmel Area LUP.

The proposed development involves the construction of a 2,842 SF, two-story single-family dwelling including a 436 SF attached garage. Exterior material finishes would include horizontal teak wood siding; smooth stone and stucco; frameless glass walls, doors, and railings; metal frame windows; a rubber membrane flat roof; and a wood and glass garage door. Colors are neutral earth tones, primarily tans and beiges. The proposed main dwelling would have a top ridge height of 18 feet above average natural grade, consistent with the requirements of the Medium Density Residential Zoning District (MDR Zoning District). Additionally, as designed, the project would meet or exceed the required setbacks of 20 feet (front), 10 feet (rear), and 5 feet (sides). Harris & Associates staff conducted a site inspection on April 16, 2024, to verify that the project conforms to applicable visual resource policies of the Carmel Area LUP.

Aesthetics 1(a) – Less Than Significant Impact

The project site is in a developed residential neighborhood, and the proposed development would be consistent with other residential development on developed sites within the immediate vicinity.

No project elements would be visible from Highway 1, a designated scenic highway, due to the site's distance from the highway and vegetation between the project site and highway. Because the project is in a viewshed area, policies governing development outlined in the Carmel Area LUP and CIP apply. The project would comply with these standards since the structure would be subordinate to and blended into the environment, be on the portion of the parcel least visible from major public viewing areas, give the general appearance of natural materials, incorporate shielded and unobtrusive exterior lighting, and retain existing trees and native vegetation to the maximum extent possible (refer to CIP General Development Standards C1, LUP General Policy 2.2.3). The project design is also consistent with existing residential development within the immediate vicinity in terms of color, materials, mass, and height. Therefore, as proposed, the project would not have a substantial adverse effect on a scenic vista.

Aesthetics 1(b) – No Impact

No project elements would substantially damage scenic resources, including trees, rock outcroppings, and historic buildings within a state scenic highway. Highway 1, the closest designated scenic highway, is 1 mile southeast of the project site at its closest point. The project would involve the removal of one landmark Monterey cypress tree found to be in poor condition by a certified arborist (Tree Resource Assessment and Forest Management Plan prepared by Ono Consulting, Monterey County Document No. LIB230166). Protective measures would be put in place before, during, and after construction to prevent impacts to two other Monterey cypress trees on site via implementation of PD011, the County's standard condition of approval for tree and root protection. The arborist included additional recommendations which will be implemented through a Notice of Report (Condition No. PD016). A replacement 5-gallon Monterey cypress would be planted along with several native shrubs. No historic buildings would be impacted by the project, and development would occur away from rock outcroppings and other scenic features within the vicinity of the project site. Therefore, the project would have no impact on scenic resources.

Aesthetics 1(c) and (d) – Less Than Significant Impact

As described above, existing topography and vegetation effectively screen the proposed development from Highway 1, the closest designated scenic highway, and major public viewing areas. However, there are other public viewing areas nearby from which the new development would be visible. Scenic Road is adjacent to the project; therefore, the new single family dwelling would be visible to anyone driving or walking along the scenic corridor. The new dwelling would not block views of the ocean as it will be North of the road. Carmel River Beach is approximately 50 feet south of the project site, the new home would be visible from the State Beach but again, the structure would not block views of the ocean from the beach. Although private views are not regulated or protected under the MCC, members of the public and the Carmel Unincorporated/Highlands Land Use Advisory Committee felt that the project would have a positive impact on the neighborhood in that it would enhance the lot and the neighborhood, maintain privacy for residents of adjacent lots, and obscure vehicles and garbage containers from public view (Source: IX.19). Additionally, the project does not maximize floor area ratio or lot coverage, resulting in a higher percentage of open space than required by development standards. The project site is visible from numerous residences in the Carmel Point neighborhood; however, as previously discussed in this Initial Study, the proposed main dwelling would have a top ridge height of 18 feet above average natural grade, consistent with the requirements of the MDR Zoning District. Also, as proposed, the project would meet or exceed required setbacks of 20 feet (front), 10 feet (rear), and 5 feet (sides). Additionally, the project would be required to comply with County Standard Condition PD014(A), Lighting – Exterior

Lighting Plan, which directs installation of exterior lighting that does not result in excessive illumination or off-site glare. An additional measure to reduce potential glare is the use of non-reflective and glare-controlled glass. The rooftop deck will have a frameless glass railing and the dwelling will have multiple large windows facing south and west towards Scenic Road and the Pacific Ocean. As designed, the project would result in a less than significant impact to the existing visual character or quality of public views of the site, its surroundings, and the day or nighttime views in the area.

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: IX. 1, 3, 8, 9, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX. 1, 4, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: IX. 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX. 1, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: IX. 1, 3, 4, 8, 9, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Source: IX. 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in significant construction-related air quality impacts? (Source: IX. 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1, 6, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source: IX. 1, 6, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

4. BIOLOGICAL RESOURCES

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 2, 3, 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX. 1, 2, 3, 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: IX. 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 2, 3, 4, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: IX. 1, 2, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Per direction of Monterey County Planning Department staff, no biological report was required or prepared for the project. The project site is in an area designated as Urban and Built-Up Land under the California Department of Conservation Farmland Mapping and Monitoring Program. Monterey County GIS data indicates the project site does not include sensitive vegetation and is not identified as critical habitat for the Monterey spineflower, snowy plover, or western arroyo toad. The project site is within the Carmel Bay Area of Special Biological Significance (ASBS). The ASBS is monitored and maintained for water quality by the State Water Resources Control Board. The State Water Resources Control Board has established a compliance plan for jurisdictions within the ASBS, and no project-specific mitigations are required to limit impacts to the ASBS. The parcel is not included in any local, regional, or state Habitat Conservation Plans. Therefore, the project would not result in impacts to biological resources. (Source: IX. 1, 2, 3, 4, 8, 9)

Biological 4(a) (b) (c) – No Impact

The proposed project site does not contain habitat or species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Staff conducted a site visit on July 15, 2024 and did not observe any special status species or habitats onsite. The majority of the vacant lot is covered in non-native grasses and weeds. The property is located in a highly developed neighborhood and fronts two roads, both of which experience daily use by vehicle and foot traffic. Additionally, there are no riparian habitat, wetland habitat or other sensitive natural communities that extend into the property. The nearest riparian habitat area is the Carmel River Lagoon and Wetland Natural Preserve, which is approximately 750 feet east of the project site with multiple residences between it and the project site. The nearest protected wetland is the Pacific Ocean, approximately 200 feet south of the project site. There is a significant elevation change that separates Scenic Road from the beach. All construction materials will be contained onsite and proper drainage methods are in place to avoid potential runoff into the ocean. Due to the distance, intervening development and best management practices, there will be no impacts to the nearby habitats.

Biological 4(d) – Less Than Significant Impact

The project includes the removal of one large stem of a protected Monterey Cypress tree. To avoid impacts to nesting birds, the arborist recommended a migratory raptor survey prior to tree removal or pruning. With the incorporation of the County's standard Raptor Survey, condition of approval (PD050), the impacts to nesting birds will be less than significant.

Biological 4(e) – Less Than Significant Impact

As mentioned above, the project includes the removal of one stem of a protected Monterey Cypress tree. This tree species is considered a special status species, removal of this tree conflicts with local policies regarding tree preservation. The 1982 General Plan, Carmel Area Land Use Plan and Carmel Area Coastal Implementation plan all contain policies to protect native Monterey Cypress trees. Removal is only allowed when the finding can be made that there is no feasible alternative to complete the project without removing the tree. Or that the protected tree is dead, dying or hazardous. In this case the branch that is proposed for removal is mostly broken and the limb is hanging down above the proposed driveway.

Biological 4(f) – No Impact

The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plan as one does not exist for this area. Therefore, there will be no impacts to any conservation plans.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant	Less Than Significant Impact	No Impact
		With Mitigation Incorporated		
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Source: IX. 1, 8, 9, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Source: IX. 1, 3, 8, 9, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX. 1, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation: The project site is in a highly sensitive area containing archaeological and cultural resources. Although the subject parcel appears to be peripheral to the main site deposit of a documented archaeological site (CA-MNT-17), the potential for inadvertent impacts to previously undiscovered archaeological resources requires mitigation as discussed below.

Cultural Resources 5(a) and 5(b) – Less Than Significant With Mitigation Incorporated

Although the site does not contain any structures that may be considered historical resources eligible for listing, the vicinity of the project site is considered sensitive for archaeological resources due to the presence of known resources in the area and on the subject parcel, recorded archaeological site (CA-MNT-17). The Phase II Archaeological Evaluation prepared for the project (Albion Environmental, Inc., Monterey County Document No. LIB230165, Source 10)

concluded that as a whole, CA-MNT-17 is eligible for listing in the California Register of Historic Resources (CRHR) under criterion 4, as the site has yielded, or may be likely to yield, information important in prehistory or history. As such, CA-MNT-17 is considered a historical resource relative to CEQA. Albion's evaluation further explains that the site is large and extends over most of the Carmel Point area. Based on the size and evidence gathered over the last 75 years, the site has multiple components with 3 distinct loci. Locus CA-MNT-17A is identified as representing a "coastally-oriented" resource exploitation used mainly as an area for abalone processing. Locus CA-MNT-17B is identified as a transitional area between loci A and C containing sparse deposits of common artifacts. Locus CA-MNT-17C is identified as containing "lagoon-oriented midden" where a wide variety of artifacts were recovered. The proposed development is located within the CA-MNT-17B locus.

CEQA Guidelines Section 15064.5(c)(2) states that if a lead agency determines that an archaeological site is an historical resource, the agency shall refer to the provisions under Public Resources Code Section 21084.1 – Historical Resources and CEQA Guidelines sections 15064.5 – Determining the Significance of Impact to Archaeological and Historical Resources and 15126.4 – Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects.

Public Resources Code Section 21084.1 states that a project that may cause a substantial adverse change in the significance of an historical resources is a project that may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15064.5(b), a substantial adverse change in the significance of an historical resource means physical demolition, destruction or material alteration of the resource such that it would adversely impact those characteristics which conveys its historical significance and justify its eligibility for inclusion in the CRHR. The project, as designed, would require excavation in depths between 3 to 5 feet to level the site and install underground utilities. As part of Albion's evaluation, subsurface conditions were assessed through several exploratory units which were excavated to a maximum of 160 centimeters below surface. Multiple resources were uncovered, however they were identified as flaked stone debitage, which were not found to be unique characteristics of CA-MNT-17B or of CA-MNT-17 as a whole. As such, Albion's evaluation concluded that further excavations on the project site are unlikely to yield substantial quantities of identifiable subsistence remains given the limited scope of excavation (less than 5 feet depth). Although the Geotechnical Engineer (Geotechnical Investigation, Monterey County Document No. LIB180138, Source 12) recommends a helix anchor and grade beam foundation due to the soils conditions of the site, project implementation would still require rough grading (approximately 315 cubic yards of cut to a depth of less than 5 feet and 85 cubic yards of fill) to create a level building pad. Therefore, Albion's evaluation determined that there would be a potential for unanticipated discoveries due to the site's location within CA-MNT-17 with known archaeological resources and that a qualified archaeologist and Native American monitor should be present to monitor initial ground-disturbing activities.

To address the potential inadvertent discovery of cultural resources, the applicant would be required to implement standard Monterey County Condition of Approval PD003(B). The potential impact to archaeological resources would be less than significant with implementation of standard Monterey County Condition of Approval PD003(B), **Mitigation Measure CULT-1** (On-Site Qualified Archaeologist and Cultural Awareness Training, as described below) and **Mitigation Measure CULT-2** (On-Site Tribal Monitor, as described in Section VI.18).

Mitigation Measure No. CULT-1 – On-Site Qualified Archaeologist and Cultural Awareness Training:

To reduce potential impacts to cultural resources that may be discovered during development on site, a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists or a Registered Archaeologist under the supervision of an archaeologist registered with the Register of Professional Archaeologists) 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 soil disturbance for grading and excavation activities. If at any time potentially significant archaeological resources or intact features are discovered, the qualified archaeologist shall temporarily halt work until the find can be evaluated by the qualified archaeologist. 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 Services (HCD-Planning), and implemented.

Compliance Actions for Mitigation Measure No. CULT-1:

- 1a: 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 No. 1**, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.
- 1b: Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified archaeologist. The contract shall include, but not be limited to, a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities for which the qualified archaeologist shall not be present, how sampling of the excavated soil shall occur, and any other logistical information, such as when and how work on the site shall be halted. The contract shall include provisions requiring that 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 4 weeks of completion of the data recovery fieldwork. The contract shall be submitted to HCD-Planning for review and approval. Should HCD-Planning find the contract incomplete or unacceptable, the contract shall be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.
- 1c: Prior to ground disturbance, the owner/applicant shall submit evidence that a qualified archaeologist conducted a cultural resource awareness and response training for construction personnel before commencement of any grading or excavation activity. 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.
- 1d: If archaeological resources are unexpectedly discovered during construction, work shall be halted on the site until the resources 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 (refer to **Mitigation Measure No. 2** in Section VI.18) an opportunity to make recommendations for the disposition of potentially significant archaeological resources found.

- 1e: A final technical report containing the results of the analyses shall be completed within 1 year following completion of the fieldwork. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University.

Cultural Resources 5(c) – Less Than Significant Impact

No Native American human remains or significant cultural resources are known to exist on the project site. If unanticipated human remains are unearthed, California Health and Safety Code, Section 7050.5, requires no further disturbance to occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to the California Public Resources Code, Section 5097.98. If the remains are determined to be of Native American descent, the county coroner has 24 hours to notify the Native American Heritage Commission (NAHC), which will determine and notify the most likely descendant. The most likely descendant shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The project would also be required to implement Monterey County Condition of Approval PD003(B), which requires that there be no further excavation in the area surrounding the remains until the county coroner and the NAHC, if applicable, are contacted and the remains are treated in accordance with California Public Resources Code, Sections 5097.98–5097.994. Therefore, with adherence to existing regulations and the Monterey County Condition of Approval PD003(B), impacts to human remains would be less than significant.

6. ENERGY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Source: IX. 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: IX. 1, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX. 8, 12, 13) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking? (Source: 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: IX. 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides? (Source: IX. 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil? (Source: IX. 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX. 1, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: IX. 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: IX. 1, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Source: IX. 2, 3, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: According to the County's GIS database, the project site is within an area of moderate erosion hazard, low landslide risk, and low liquefaction risk. Per the Geologic and Geotechnical Reports prepared for the project by Nolan Associates (Monterey County Document No. LIB190001) and Soil Surveys Group, Inc. (Monterey County Document No. LIB180138), respectively, development of the project site would not create a geologic hazard or diminish the stability of the area. The reports identified and concluded that the site is underlain with older alluvium consisting of terrace gravels and sands from the Quaternary Period. The bluff upon which the project would be built is considered stable, with little documented erosion in the

57-year period (1939 to 1996) prior to completion of the Geologic Report. Excavation for new structures would not adversely impact or undermine the coastal bluff.

Geology and Soils 7(ai), (aiii), (d), (e), and (f) – No Impact

The Geologic Report noted that, between the years 1939 to 1996, little to no change in bluff location occurred. The report also noted that erosion rates at two sites south of the project site (Bird Island and Garrapata Beach) were less than 1 inch per year and concluded that sea cliff erosion in the area is proceeding “very slowly.” However, the report also noted that retreat rates are average and that retreat commonly occurs as individual cliff failures much larger but more widely spaced in time than the average retreat values. By calendar year 2100, an average of 5 feet of sea-level rise may occur. Based on this information, the area within the vicinity of the project site may encounter accelerated bluff erosion over the lifespan of the project; however, the proposed development would be in an area of the site not threatened by the projected amount of bluff recession, and the project site is well above the projected elevation of sea-level rise. As designed and located, the project would comply with applicable policies of the Carmel Area LUP Chapter 2.7, Hazards. Specifically, consistent with LUP General Policy 2.7.3.1, the reports demonstrate that the site would be stable for development. The analysis in these reports remains valid for the current development proposal.

Geology and Soils 7(aii), (aiv), (b), and (c) – Less Than Significant Impact

The project site is located in a region of moderate to high seismicity with potential for large seismic events. Although the project site would be exposed to ground-shaking from any of the faults that traverse Monterey County, the project would be constructed in accordance with applicable seismic design parameters in the California Building Code, and the project itself would not increase ground shaking hazards at adjacent properties.

No portion of the project site includes slopes exceeding 25 percent, and no development would occur within 50 feet of a coastal bluff. In addition, standard County measures would be applied to the project pertaining to grading, erosion control, and geotechnical certification.

The project entails grading and excavation of 315 cubic yards of cut (up to 5 feet deep) and 85 cubic yards of fill. During the construction permit phase, the project would be required to comply with MCC Chapter 16.12, Erosion Control, which sets forth required provisions for preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions to minimize erosion during construction. Consistent with MCC Section 20.64.230.E.1, during the construction permit phase, the contractor would be required to comply with applicable building code requirements (including those pertaining to health, life, and safety) and resource protection measures, such as erosion control plan review and approval, grading plan review and approval, inspections, and geotechnical plan review and certification.

The soils engineer recommended a non-standard helix anchor and grade beam foundation system, opposed to the standard spread footing design. Due to the depth of loose, silty, to clean fine grained sand encountered while conducting the boring samples, subexcavation was not recommended as it would require at least 12 feet of excavation and recompaction. The engineer does not consider such deep subexcavation, soil preparation and recompaction of the soil as practical. Instead, the helix anchors shall be augured into the ground and structurally connected to the new reinforced concrete grade beams. This design will minimize soil disturbance and provide a stable foundation for the proposed dwelling.

In summary, overall site development would be subject to current regulations regarding control of erosion and drainage and would be required to address post-construction requirements and runoff reduction. Therefore, no further special conditions of approval are necessary or required for the project, and the project would result in less than significant impacts to geology and soils.

8. GREENHOUSE GAS EMISSIONS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: IX. 1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: IX. 1, 2, 3, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

9. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX. 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX. 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (Source: IX. 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Source: IX. 1, 8, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

10. HYDROLOGY AND WATER QUALITY				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (Source: IX. 1, 3, 4, 5, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: IX. 1, 3, 4, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site? (Source: IX. 1, 3, 4, 5, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Source: IX. 1, 3, 5, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX. 1, 3, 5, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Source: IX. 1, 3, 5, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The project includes converting permeable surfaces to impermeable which may have less than significant impacts on erosion and drainage. The County has specific policies and regulations to ensure there will be no significant impacts to the environment or surrounding neighborhood due to the proposed development. Drainage will be controlled as to minimize the potential for any flooding on- or off-site.

Hydrology and Water Quality 10(a) (b) (c.iii) (d) (e) – No Impact

The project would not violate any water quality standards or waste discharge requirements because it would only involve the construction of one single-family residence and associated site improvements on a site that is zoned for such uses. The site is zoned and designated for medium density residential uses, and the construction of a single-family residence would not substantially increase water demand for the area. The Monterey County Environmental Health Bureau reviewed the project application and determined the project complies with applicable ordinances and regulations.

No groundwater was encountered in the borings to a maximum depth of 25 feet during geotechnical evaluation, and the project plans indicate that the depth of excavation for the project would not exceed 3.5 feet. Therefore, the project will not have an impact on groundwater supplies or interfere substantially with groundwater recharge.

The project would not expose people or structures to a significant risk involving flooding. The site is in Federal Emergency Management Agency Flood Zone X, which is the designation for areas of minimal flood hazard outside the special flood hazard area, and. According to the 1996 Geological Report prepared by Jeffery Nolan (LIB190001), the project site has 100-year flood protection from a levee.

The proposed structural development would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems and would not introduce new sources of polluted runoff or degrade water quality. The plans show water will be collected and retained onsite through an energy dissipater, that water will be conveyed into the drain inlet on Scenic Road. As stated previously, the project would be required to comply with relevant sections of the MCC that pertain to grading, erosion control, and stormwater management, including preparation and submittal of a drainage plan as part of the construction permit plan set that would address post-construction requirements and runoff reduction.

Tsunami and flooding vulnerability on the site is limited. In 2011, an earthquake off the coast of Japan created large and rapid changes in water level (up to 6 feet) in the Monterey Bay Area. The elevation of the proposed building site is approximately 35 feet above mean sea level, so the potential for inundation from a tsunami is low. The parcel is not near a freshwater lake or pond, so the potential for inundation from a seiche or mudflow is also low. Therefore, the proposed development would not result in negative impacts related to hydrology/water quality. (Source: IX. 1, 3, 4, 5, 8, 9, 12, 13)

Hydrology and Water Quality 10 (c.i) (c.ii)– Less Than Significant Impact

As designed and regulated by local policies, the project would not substantially alter the drainage pattern of the site. The proposed residence would be sited on slopes less than 25 percent and the project would limit development of impervious site coverage to approximately 52 percent of the parcel. Since the existing lot is currently undeveloped and does not contain and impervious coverage, there would be a significant increase in pervious coverage that would impact the existing site drainage. However, the implementation of specific regulations will ensure proper drainage is installed and there will be no significant flooding on site or offsite. Overall drainage characteristics of the project site would not be altered in a manner that would increase erosion or runoff. In addition, the project would be required to comply with relevant sections of the Monterey County Code (MCC) that pertain to grading, erosion control, and urban stormwater management (MCC Chapters 16.08, 16.12 and 16.14). In summary, overall site development create a less than significant impact as it would be subject to current regulations regarding control of drainage and erosion, and would be required to address post-construction requirements and runoff reduction.

11. LAND USE AND PLANNING				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: IX. 1, 2, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Source: IX. 1, 3, 4, 8, 9, 10, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation: The project site is a vacant lot within an established residential neighborhood designated and zoned for medium density residential uses. Proposed site improvements include the construction of a 2,842 SF, two-story single-family dwelling inclusive of a 436 SF attached garage. The proposed development includes two bedrooms, 2.5 bathrooms, an outdoor kitchen and patio, and perimeter fences and privacy walls. The project also includes installation of water efficient landscaping using native shrubs and trees. Associated grading would involve 315 cubic yards of cut and 85 cubic yards of fill. One landmark Monterey cypress tree, 24-inches in diameter, is proposed for removal.

The project site is zoned Medium Density Residential, two units per acre, with a Design Control Overlay limiting maximum height to 18 feet (Coastal Zone) [MDR/2-D(18)(CZ)], and the surrounding parcels have this same zoning and land use designation. The properties within the

surrounding vicinity have been developed with single-family homes and accessory structures. Development standards for the MDR Zoning District are identified in MCC Section 20.12.060.

Required setbacks for main structures in the MDR Zoning District are 20 feet (front), 10 feet (rear), and 5 feet (sides). As proposed, the main structure (the single-family dwelling with attached garage) would have a front setback of 20 feet, a rear setback of 10 feet, and side setbacks of 5 feet (west) and 20 feet (east). The project does not include any detached habitable or non-habitable structures. As designed, the proposed development is consistent with the setback standards for the MDR Zoning District.

The maximum allowed height for main structures in the MDR Zoning District is 18 feet above average natural grade. The proposed main dwelling would have a top ridge height of 18 feet above average natural grade.

The site (i.e., building) coverage maximum in the MDR Zoning District is 35 percent. The property is 0.146 acre (6,354 square feet), which would allow site coverage of 2,224 square feet. As proposed, the development would result in building site coverage of 2,215 square feet (34.9 percent). Per MCC, the MDR Zoning District has a maximum floor area ratio of 45 percent. The project would result in floor area of 2,842 square feet (32 percent). As designed, the proposed development is consistent with building coverage and floor area standards for the MDR Zoning District.

Land Use and Planning 11(a) – No Impact

As proposed and described previously, the project is consistent with and would have no impact on the land use designation and/or zoning. The project was reviewed for consistency with the 1982 Monterey County General Plan, Carmel Area LUP and the Carmel Area CIP. As designed and conditioned/mitigated, the project is consistent with applicable Monterey County General Plan and LUP policies as well as the CIP implementing regulations, as discussed throughout this Initial Study. Construction of a single-family residence on the site would be consistent with and continue the existing residential development pattern in the area and would not cut off connected neighborhoods or land uses from each other. No new roads, linear infrastructure, or other development features are proposed that would divide an established community or limit movement, travel, or social interaction between established land uses. As proposed, the project would not physically divide an established community, and no impacts would occur.

Land Use and Planning 11(b) – Less Than Significant With Mitigation Incorporated

The project would be subject to the policies and regulations of the Carmel Area LUP and CIP. Chapter 4 of the Carmel Area LUP contains policies that pertain to Land Use and Development in unincorporated areas of Carmel, including Carmel Point. Because the project would involve construction of a single-family residence with attached garage on a site that is zoned for such uses, the project would not conflict with land use policies specified in the Carmel Area LUP. Also, the project would not conflict with any Habitat Conservation Plan or Natural Community Conservation Plan because none are applicable to the project site. Prior to implementation, the project would require issuance of construction permits and Coastal Development Permits from the County of Monterey.

Chapters 2.3, 2.4, and 2.5 of the Carmel Area LUP also contain policies related to the protection of biological resources, including environmentally sensitive habitats, forest resources and water and marine resources. Consistent with these Chapters, the proposed project will not have significant

impacts on biological resources. The required permits have been applied and the required findings have been made to allow the pruning and removal of one branch of the protected Cypress tree onsite.

Chapter 2.2 contains policies regarding the protection and retention of visual resources. The proposed project is consistent with these policies as it is located outside of the public viewshed and will not block views of the ocean from scenic roads or public viewing areas. The dwelling has been designed to not detract from the natural beauty of the scenic shoreline and the undeveloped ridgelines and slopes in the public viewshed. Additionally, the structure has been designed to be subordinate to the environment and uses appropriate materials such as non-reflective glass and sand colored stone and stucco for the exterior walls of the dwelling to blend in with the existing neighborhood and natural setting.

Chapter 2.7 lists policies regarding siting and designing development to minimize risk from geologic, flood, or fire hazards. The proposed home is not located within a State Responsibility High Fire Zone. The home will be located 35 feet above mean sea level with a low risk of tsunamis. A drainage plan was submitted showing proper drainage will prevent a flooding hazard on the property. There are known geological hazards nearby. The home will be located within an eight mile of the Cypress Point Fault Line; with this in mind, the geotechnical engineers provided special recommendations to ensure the home will have a stable foundation. The recommended helix anchors to reinforce the concrete grade beams are a suitable foundation type for the geological hazards in the area. Per section 16.08.110 of the County's Zoning Ordinance, recommendations included in the report and approved by the Building Official shall be incorporated in the grading plans and specifications.

Consistent with the policies listed in Chapter 5 of the Carmel Area Land Use Plan, public access will not be impacted by this project. The vacant lot does not currently offer public access that would be eliminated or limited by the proposed development. The property is located on the corner of Scenic Road and Isabella Ave in Carmel. The proposed driveway will connect to Isabella Ave and would not block vehicle or pedestrian access to either street. Access to Carmel River Beach is accessible by walking or driving down Scenic Road, this access will not be impacted by the future development.

Mitigation has been required to ensure potential impacts to cultural resources will be less significant, per the County's Carmel Land Use Plan. Therefore, impacts related to conflicts with a land use plan would be less than significant with mitigation incorporated.

Chapter 2.8 of the Carmel Area LUP also contains policies related to the protection of archaeological resources. With implementation of **Mitigation Measure CULT-1** (On-Site Qualified Archaeologist and Cultural Awareness Training) as described in Section VI.5, Cultural Resources, the project would not conflict with applicable policies of the Carmel Area LUP. Therefore, impacts related to conflicts with a land use plan would be less than significant with mitigation incorporated.

As designed, the project has the potential to impact unknown or previously undiscovered archaeological or Cultural Resources. Implementation of the mitigation measures identified above would reduce potential impacts related to land use and planning to a less than significant level.

12. MINERAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX. 1, 8, 9, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: IX. 1, 8, 9, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

13. NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX. 1, 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX. 1, 2, 3, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

14. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX. 1, 2, 3, 9, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Source: IX. 1, 2, 3, 9, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

15. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services (Source: IX. 1, 8, 17)					
a)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

16. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

17. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Source: IX. 1, 2, 3, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Source: IX. 1, 3, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX. 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in inadequate emergency access? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: Refer to Sections II and IV.

18. TRIBAL CULTURAL RESOURCES

Would the project:	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Source: IX. 1, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Source: IX. 3, 8, 10, 19, 20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Due to the project site's location near known and recorded archaeological/prehistoric resource sites (described in Section VI.5), and because the project includes excavation and grading (approximately 315 cubic yards of cut up to 5 feet deep and 85 cubic yards of fill), there is a potential for human remains or Tribal Cultural Resources to be accidentally discovered. Therefore, Monterey County HCD-Planning consulted with local Native American tribes and incorporated their recommended actions into the mitigation measure below. Refer to Section 18(a.ii) for additional detail regarding the consultation process and mitigation measure.

Tribal Cultural Resources 18(a.i) and (a.ii) – Less Than Significant With Mitigation Incorporated

As stated above in Section 5 Cultural Resources, the vicinity of the project site is considered sensitive for archaeological resources due to the presence of known resources in the area and on the subject parcel, recorded archaeological site (CA-MNT-17). The Phase II Archaeological Evaluation prepared for the project (Albion Environmental, Inc., Monterey County Document No. LIB230165, Source 10) concluded that as a whole, CA-MNT-17 is eligible for listing in the California Register of Historic Resources (CRHR) under criterion 4, as the site has yielded, or may

be likely to yield, information important in prehistory or history. As such, CA-MNT-17 is considered a historical resource relative to CEQA.

Pursuant to California Public Resources Code, Section 21080.3.1, Monterey County HCD-Planning initiated consultation with local Native American Tribes on February 4, 2022. The Ohlone, Coastanoan, Esselen Nation (OCEN), and Esselen Tribe of Monterey County requested consultation on February 7 and March 4, 2022, respectively. HCD-Planning staff consulted with an OCEN representative on April 5, 2022, and with representatives of the Esselen Tribe on April 6, 2022.

During consultation, representatives of both OCEN and the Esselen Tribe requested the on-site presence of a Native American monitor to observe all excavation activities associated with development of the site. The Esselen Tribe representative also requested that construction crew members be provided cultural resources training. In addition, the OCEN representative requested that OCEN be included in any resource recovery program or reburial, and that the applicant send the archaeological report to OCEN.

After the consultation with County staff, OCEN and the Esselen Tribe submitted letters to memorialize the requests made during the consultation and OCEN made additional requests including the following: 1) OCEN's Tribal leadership be provided with archaeological reports/surveys, including subsurface testing, and presence/absence testing; 2) all cultural items found be placed with OCEN; and 3) an OCEN monitor, approved by the OCEN Tribal Council, be used within OCEN territory.

The project site is known to be sensitive for subsurface resources, as discussed in Section VI.5, Cultural Resources, of this Initial Study. Due to known resources within the project vicinity, a standard Monterey County Condition of Approval for protection of cultural resources, PD003(B), would be applied to all projects with ground disturbance in the area of Carmel Point. Additionally, mitigation is required to reduce potential impacts to unknown or previously undiscovered Tribal Cultural Resources to a less than significant level. **Mitigation Measure CULT-2** (described below) would require that, if Tribal Cultural Resources or human remains are discovered, these resources are treated with appropriate dignity and respect. With implementation of the Monterey County Condition of Approval for cultural resources, PD003(B) and **Mitigation Measure CULT-2**, the potential impact to Tribal Cultural Resources would be less than significant.

Mitigation Measure No. CULT-2 – On-Site Tribal Monitor:

To ensure that Tribal Cultural Resources incur a less than significant impact if encountered, a Tribal monitor who is approved by the appropriate Tribe traditionally and culturally affiliated with the vicinity of the subject parcel and who has consulted with Monterey County regarding Assembly Bill 52 requirements, or other appropriately Native American Heritage Commission-recognized representative, shall be on site and observe project-related grading and excavation to identify findings with Tribal Cultural Significance. This Tribal monitor shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features. If resources are discovered, the owner/applicant/contractor shall refer to and comply with the Monterey County Condition of Approval 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 Actions for Mitigation Measure No. CULT-2:

- 2a: 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 No. CULT-2**, including compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.
- 2b: Prior to issuance of building or grading permits, the owner/applicant shall submit evidence to the satisfaction of the Chief of HCD-Planning that a Tribal monitor has been retained to monitor the appropriate construction activities. The monitor shall be approved by the appropriate Tribe, traditionally and culturally affiliated with the vicinity of the subject parcel. Additionally, one who has consulted with Monterey County and designated one lead contact person in accordance with Assembly Bill 52 requirements, or other appropriately Native American Heritage Commission-recognized representative. This Tribal monitor shall be retained for the duration of any project-related grading and excavation.
- 2c: Prior to issuance of a construction permits for grading and/or building, an on-site preconstruction meeting shall be held between the applicant, the archaeologist, and Tribal monitor (as identified in action 2b above), and contractor to discuss and assure the understanding of the mitigation measures required of this permit and scheduling of construction with regard to monitoring.
- 2d: Any resources found that are not associated with a finding of human remains shall be cataloged by both the Tribal monitor and the qualified archaeologist. Once cataloged, the qualified archaeologist shall take temporary possession of the resources for testing and reporting purposes. Upon completion of these testing and reporting activities, resources, at the discretion of the property owner, shall be returned within 1 year to a representative of the appropriate local Tribe as recognized by the Native American Heritage Commission or the Monterey County Historical Society. Resources associated with a finding of human remains shall be reburied in accordance with state law and penalty for violation pursuant to California Public Resources Code, Section 5097.994.
- 2e: Prior to final building inspection, the Tribal monitor, or other appropriately Native American Heritage Commission-recognized representative, shall submit a letter to HCD-Planning confirming participation in the monitoring and provide a summary of archaeological and cultural finds or no finds, as applicable.

19. UTILITIES AND SERVICE SYSTEMS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Source: IX. 1, 3, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion/Conclusion/Mitigation: Refer to Sections II and IV.				

20. WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 3, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Source: IX. 1, 3, 8, 9, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Source: IX. 1, 5, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion/Conclusion/Mitigation: Refer to Sections II and IV.				

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this Initial Study as an appendix. This is the first step for starting the EIR process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance (a) – Less Than Significant With Mitigation Incorporated

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. Regarding cultural and tribal cultural resources, potential impacts to known prehistoric archaeological sites and any unknown or undiscovered resources on the project site would be reduced to a less than significant level by implementing the Monterey County Condition of Approval for cultural resources, PD003(B), Discovery of Cultural Resources; **Mitigation Measure CULT-1** (On-Site Qualified Archaeologist and Cultural Awareness Training, as discussed in Section VI.5); and **Mitigation Measure CULT-2** (On-Site Tribal Monitor, as discussed in Section VI.18).

Mandatory Findings of Significance (b) – Less Than Significant Impact

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. While the proposed development could result in minor impacts, which inherently contribute to cumulative impacts in some instances, the project would not result in substantial long-term environmental impacts and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development.

As stated in the archaeological report, Document No. LIB230165, the site has been studied multiple times by archaeologists and is unlikely to yield substantial quantities of identifiable subsistence remains. As such, past, current and future projects would not create a substantial impact as archaeologists have already extracted significant information to provide insight on prehistoric activities within the CA-MNT-17 site.

Scenic Resources would not be significantly impacted by the cumulation of past, present and future projects. The County has multiple policies and regulations to protect scenic resources, especially views from Scenic Road in Carmel. All new structures located adjacent to Scenic Road are subject to an 18 foot height limitation to control the size and massing of development. Design review is also required for all new structures that may be visible from Scenic Road. This provides the opportunity for the County to ensure all new development is consistent and compatible with the neighborhood character and would not distract from the existing natural environment. The subject parcel is one of the only vacant parcels left in this residential neighborhood. The addition of a single family dwelling to the highly developed area will blend in and not create a substantial impact to visual resources. This goes for future dwellings on the few other currently vacant lots. These lots are zoned for residential, therefore, residential development is anticipated, and expected, for this area.

Potential traffic and air quality impacts will be less than significant when considered cumulatively. The applicants provided the estimated traffic trips and truck route. The construction management plan provided states vehicles will be parked onsite to avoid impacted neighborhood street parking availability. If vehicle queueing is necessary, vehicles will not be left unattended while in a queue on Scenic Road. If material deliveries cause any streets along the haul route to be partially blocked by delivery trucks or loading/unloading operations, a flagman shall be present to direct traffic around the lane obstruction. Since these potential traffic impacts are temporary, they would not impact the neighborhood or environment past the completion of the project. Traffic impact fees will be paid to the County to compensate for the increased traffic use and potential damage to roads. At this time, staff is aware of one additional project in the neighborhood that is under construction, PLN210203, the remodel of an existing single family dwelling at 26398 Isabella Ave. This project is three lots down from the subject property and submitted a construction management plan showing all employee parking will be onsite. Additionally, the project at 26398 Isabella has already completed the internal and external shear walls. According to the construction schedule submitted to the County, they should be finishing up their project within the next 3 months. There is a chance they will be completed before construction begins at 26399 Scenic Rd. Conditions of approval including the requirement of a construction management plan (Condition No. PW0044) and payment of traffic impact fees (Condition No. PW0045) will ensure the project will create less than significant impact when considered cumulatively with the current projects in the area and reasonable foreseeable projects.

Potential impacts of the project would be less than significant and would not be cumulatively considerable.

Mandatory Findings of Significance (c) – Less Than Significant Impact

Effects on human beings are generally associated with impacts related to issue areas such as aesthetics, air quality, geology and soils, noise, hazards and hazardous materials, traffic, and wildfire. As discussed in Section IV.A, Factors, of this Initial Study, the project would have no impact on the resource areas related to air quality, noise, hazards and hazardous materials, and

traffic. As discussed in Section VI, Environmental Checklist, of this Initial Study, the project would have less than significant impacts related to aesthetics and geology and soils. Therefore, as proposed and analyzed in this Initial Study, the project would not cause substantial adverse effects on human beings, either directly or indirectly.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the California Department of Fish and Wildlife. Projects that were determined to have a “de minimis” effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of “de minimis” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the California Department of Fish and Wildlife determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the California Department of Fish and Wildlife. A No Effect Determination form may be obtained by contacting the Department by telephone at (916) 653-4875 or through the Department’s website at www.wildlife.ca.gov.

Conclusion: The project will be required to pay the fee unless the applicant can obtain a “no effect” determination from the California Department of Fish and Wildlife.

Evidence: Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN220272 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. SOURCES

1. Project Application Materials and Plans (Planning File No. 220272); Plan Set dated May 30, 2023.
2. Monterey County General Plan (1982).
3. Carmel Area Land Use Plan and Coastal Implementation Plan (Part 4).
4. Title 20 of the Monterey County Code (Coastal Zoning Ordinance).
5. California Building Code, Title 24.
6. 2012–2015 Air Quality Management Plan, Monterey Bay Air Resources District.
7. Monterey County Sustainability Program (accessed at <https://www.co.monterey.ca.us/government/departments-a-h/administrative-office/intergovernmental-and-legislative-affairs/sustainability> on March 20, 2024).
8. Monterey County GIS Information Database.
9. Site visit conducted by the project planner on April 16, 2024.
10. Phase II Archaeological Evaluation of CA-MNT-17 for the ISNV Property, dated March 2023 (Monterey County Document No. LIB230165), prepared by Albion Environmental, Inc., Santa Cruz, California.
11. Tree Resource Assessment and Forest Management Plan, dated February 2, 2023 (Monterey County Document No. LIB230166) prepared by Ono Consulting, Pacific Grove, California.
12. Geotechnical Investigation, dated February 13, 2018 (Monterey County Document No. LIB180138) prepared by Soil Surveys Group, Inc., Salinas, California.
13. Geologic Report, dated October 10, 1996 (Monterey County Document No. LIB190001) prepared by Nolan Associates, Santa Cruz, California.
14. 2040 Metropolitan Transportation Plan & the Sustainable Communities Strategy, Association of Monterey Bay Area Governments, June 2018.
15. Fire Hazard Severity Zones in SRA: Monterey County, CAL FIRE.
16. Mineral Lands Classification Data Portal, California Department of Conservation.
17. Population and Housing Estimates for Cities, Counties, and the State, California Department of Finance.
18. Farmland Mapping and Monitoring Program, California Department of Conservation.
19. Carmel Highlands Land Use Advisory Committee meeting minutes dated August 21, 2023.
20. California Department of Toxic Substances Control–Cortese List (accessed at <https://dtsc.ca.gov/dtscs-cortese-list/> on April 22, 2024).
21. OCEN Letter, dated April 5, 2022 (received by HCD-Planning on April 8, 2022).
22. Esselen Tribe of Monterey County Letter, dated April 12, 2022 (received by HCD-Planning on April 12, 2022).

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