

Attachment H

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COUNTY OF MONTEREY

HOUSING AND COMMUNITY DEVELOPMENT

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



INITIAL STUDY

BACKGROUND INFORMATION

Project Title:	Pedrazzi James N Trust et al and Pedrazzi Peter N Trust et al
File No.:	PLN210158
Project Location:	800 and 808 River Road, Salinas, Toro Area Plan
Name of Property Owner:	Pedrazzi James N Trust et al
Name of Applicant:	David Pedrazzi
Assessor's Parcel Number(s):	167-031-003-000, 416-461-037-000, and 416-441-015-000
Acreage of Property:	378.19-acre parcel, 38.54-acre parcel, and 5.76-acre parcel (422.49 acres total) under Williamson Act Contract
General Plan Designation:	Permanent Grazing, 10-160 Acre Minimum
Zoning District:	F/40-D, PG/40-D, and PG/40-VS
Lead Agency:	County of Monterey Housing and Community Development (HCD-Planning)
Prepared By:	Kayla Nelson, Associate Planner
Date Prepared:	April 2025
Contact Person:	Kayla Nelson, Associate Planner, nelsonk@countyofmonterey.gov
Phone Number:	(831) 796-6408

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

- A. Description of Project:** The Pedrazzi project (HCD-Planning File No. PLN210158) proposes to subdivide three (3) legal lots of record (totaling approximately 423 acres) into six (6) parcels ranging in size from approximately 11 to 174 acres each, zoned as Permanent Grazing with a 40-acre minimum and Farmland 40-acre minimum with a Design Control and Visually Sensitive overlay or “F/40-D, PG/40-D, and PG/40-VS”. This agricultural subdivision includes no changes to the existing land/agricultural uses or development of structures.

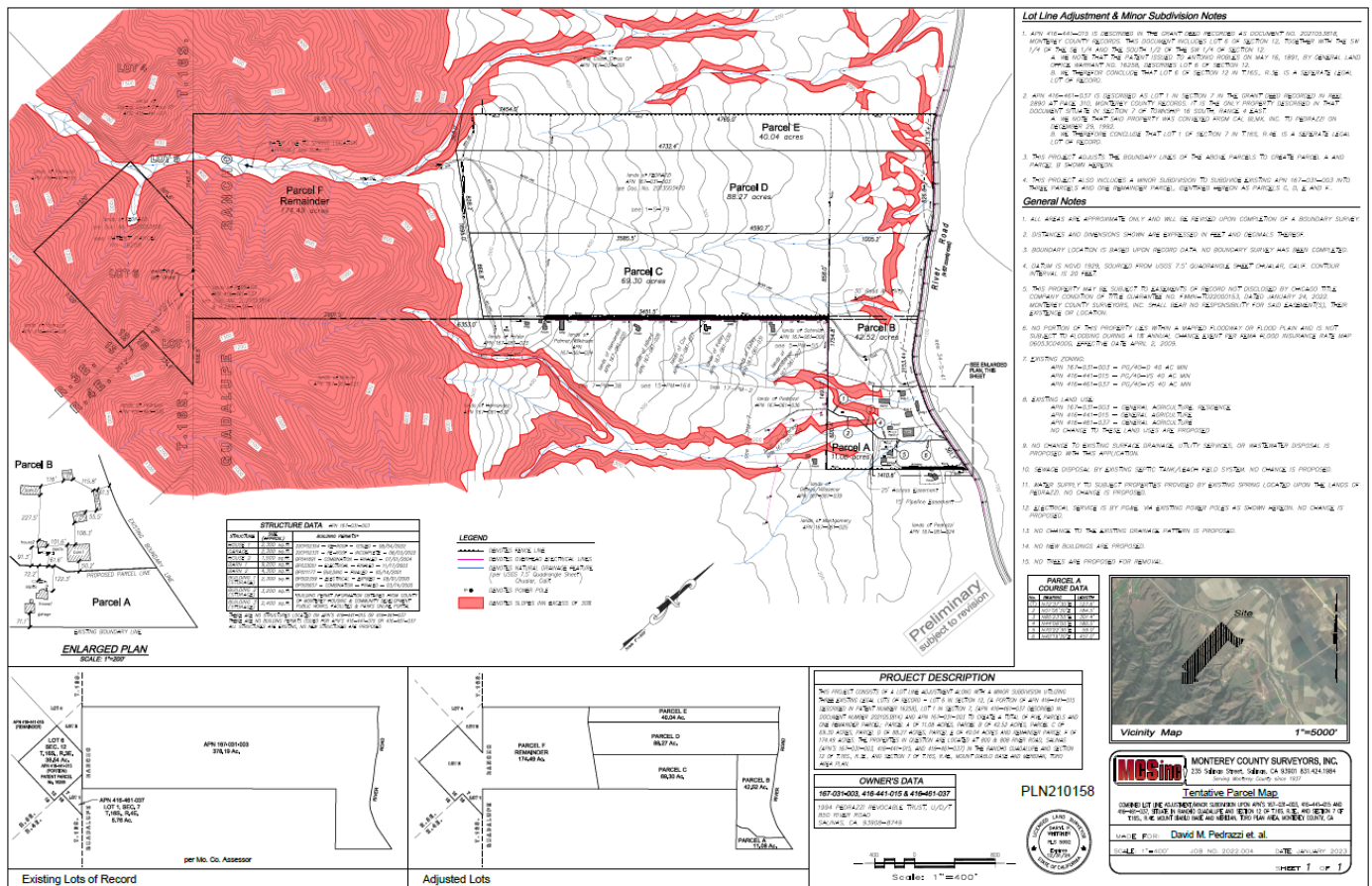
The properties are located at 800 and 808 River Road, Salinas (Assessor's Parcel Numbers: 167-031-003-000, 416-461-037-000, and 416-441-015-000), Toro Area Plan.

The applicant submitted an initial application package on June 21, 2021; requesting a Standard Subdivision Tentative Map for division of three parcels consisting of a 378.19-acre parcel, a 38.54-acre parcel, and a 5.76-acre parcel all under Williamson Act Contract (Board of Supervisors Resolution No. 73-34-12, Agricultural Preserve Contract No. 73-12) into six parcels ranging from 11.08 to 174.49 acres (see Figure 1 – Site Plan and Vicinity Map):

1. Parcel A - 11.08 acres,
2. Parcel B - 42.52 acres,
3. Parcel C - 69.30 acres,
4. Parcel D - 88.27 acres,
5. Parcel E - 40.04 acres; and
6. Remainder Parcel F -174.49 acres

(All parcels are currently and are proposed to remain under an amended Williamson Act Contract.)

FIGURE 1 – SITE PLAN AND VICINITY MAP



B. Surrounding Land Uses and Environmental Setting: The approximately 423 acres are located off River Road in the Toro Area Plan within Monterey County. The topography of the three parcels ranges from flat and slightly sloped grazing land to heavily steep slopes exceeding 30 percent (see Figure 1 – Site Plan). Existing structural development includes an approximately 2,300 square foot single family dwelling (House 1) with a 2,300 square foot detached garage, a 1,500 square foot single family dwelling (House 2), a 9,200 square foot barn (Barn 1), a 4,300 square foot barn (Barn 2), a 2,300 square foot storage building (Building 1), a 3,200 square foot storage building (Building 2), and 2,400 square foot storage building (Building 3). The land consists of oak woodland and grassland, which are utilized for cattle grazing. Additionally, the property is under Williamson Act Contract which restricts the land from development (Board of Supervisors Resolution No. 73-34-12, Agricultural Preserve Contract No. 73-12).

C. Other public agencies whose approval is required: Subsequent to approval of the required discretionary permit (entitlement) identified above in Section A, the Applicant would not require other approvals from agencies outside the County of Monterey. Condition compliance would include a requirement for deed restrictions and an amended Williamson Act contract.

D. Application Background: The lands proposed for subdivision were court-ordered to be subdivided on March 29, 2013. The Order resulted from a judicial partition action filed by one of the owners. The subject property, comprised of ranchlands, farmlands, and potential farmlands, was ordered to be subdivided in response to the judicial partition action. The sole purpose of the partition and this proposed subdivision is to separate ownership of the lands. The court's order does not contemplate nor authorize an application by the court-appointed Referee for any change in existing use or intensification of existing use. Should any of the owners desire to change or intensify uses in the future, they would need to independently apply for the appropriate entitlement(s) following the completion of the subdivision.

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/Area Plan	☒	Air Quality Mgmt. Plan	☒
Specific Plan	☐	Airport Land Use Plans	☐
Water Quality Control Plan	☒	Local Coastal Program-LUP	☐

General Plan/Area Plan. *The project was initially deemed inconsistent however, application of an existing County General Plan Agricultural Wine Corridor Plan policy allows the project to come into conformance.*

The proposed agricultural subdivision was reviewed for consistency with the 2010 Monterey County General Plan, Toro Area Plan, and the Monterey County Code (MCC) Title 21 Zoning Ordinance. The project consists of subdividing agricultural land for continued agricultural purposes within Farmland and Permanent Grazing with a minimum 40-acre zoning district. The proposed lots range in size from approximately 11 to 88 acres, with a 175-acre remainder parcel, and the project would not involve any new structural development. Staff reviewed the project and found the proposed 11.08-acre Parcel A inconsistent with the underlying zoning and land use regulations for the minimum 40-acre lot size. Although the proposed subdivision stems from a court-ordered partition, California Statute does not give courts the authority to invalidate local zoning laws in a partition action.

Application of the Agricultural Wine Corridor Policy. The 2010 General Plan Land Use Policy LU-3.1 defines Farmlands and Permanent Grazing as a 40 to 160-acre minimum lot size. However, the property is also located within the Central/Arroyo Seco/River Road segment of the Agricultural and Winery Corridor Plan (AWCP).

Pursuant to AWCP development standards, AWCP Policy 3.5 allows an exception for subdivision of land to a minimum of 5 acres (in zones requiring minimum larger lot sizes), subject to meeting strict AWCP requirements.

Staff reviewed the project in relation to the AWCP and found proposed Parcel A's size (approximately 11 acres) to be consistent with the AWCP's overall intent for development of agricultural and winery-related uses within specific County areas. Applying mitigated Conditions of Approval to the project addressing the AWCP, a recommendation can be made for approval of the proposed subdivision, including the 11-acre Parcel A. See Sections IV.2 (Agriculture and Forest Resources) and IV.11 (Land Use and Planning) below for additional analysis regarding consistency with this Policy.

Furthermore, the existing parcels are currently under Williamson Act Contract (Board of Supervisors Resolution No. 73-34-12, Agricultural Preserve Contract No. 73-12), which would allow continued agricultural use under an amended contract.

The project was referred to the Monterey County Agricultural Advisory Committee (AAC) (Pursuant to General Plan Policy AG-1.8) because the proposed subdivision consists of agricultural land requiring a discretionary permit. On August 24, 2023, the AAC reviewed the project and unanimously recommended approval to the decision-making body.

The project was referred to the Toro Land Use Advisory Committee (LUAC) because the project requires a public hearing by the Planning Commission for approval. On October 23, 2023, the LUAC reviewed the project and unanimously recommended the project as proposed without any public concerns.

County staff reviewed the project plans and visited the site to analyze possible development alternatives. The proposed lots have also been reviewed for consistency with the design/development standards listed in MCC Section 19.10, Title 19, Subdivision Inland Ordinance.

Initially, the subdivision proposal was found to be inconsistent with the land use categories, policies, and standards of the plans and ordinances identified above. See Sections IV and VI below for additional information regarding policy consistency. Given the analysis under AWCP, the project is now determined to be **CONSISTENT**.

Air Quality Management Plan. The applicable Air Quality Management Plan (AQMP) addresses the attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB). The Monterey Bay Unified Air Pollution Control District (MBUAPCD) incorporates the Association of Monterey Bay Area Governments (AMBAG) population and housing forecasts in its preparation of regional air quality plans, and consistency of a project with the regional population and employment forecast would result in consistency of the project with the applicable AQMP. AMBAG prepares new population and employment forecasts for the tri-county areas approximately every 3-4 years. The tri-county area includes San Benito, Monterey and Santa Cruz counties. These forecasts provide a common planning base for the regional air quality management plan, regional transportation plans, regional water quality improvement plans, and other regional planning programs. The current AMBAG forecast, air quality guidelines, and AQMP are the following: 2022 Regional Growth Forecast, adopted by AMBAG on June 15, 2022 [(also known as the Regional Growth Forecast for Population, Housing, and Employment (2022)]; California Environmental Quality Act (CEQA) Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008; and the 2012-2015 Triennial Plan Revision to the *2008 Air Quality Management Plan for the Monterey Bay Region*, adopted March 15, 2017. Section IV.3 of this Initial Study (Air Quality) discusses whether this particular project conflicts or obstructs implementation of air quality plans, violates any standard or contributes to air quality violations, results in cumulative non-attainment of ambient air quality standards, exposes sensitive receptors to pollutant concentrations or creates objectionable odors affecting many people. Based on the county's population information and land use categories, pending, and approved projects, the proposed project is considered consistent with AMBAG'S 2022 Regional Growth Forecast. The

proposed project would not increase the population of the area nor generate additional permanent vehicle trips. Therefore, the proposal would not alter any population or housing forecasts, also making the proposed project consistent with the applicable AQMP. **CONSISTENT**

Water Quality Control Plan. The project is consistent with the 2010 General Plan and AMBAG'S 2022 regional population and employment forecast. The Regional Water Quality Control Board (RWQCB) incorporates these documents in its preparation of regional water quality plans; therefore, the proposed project is consistent with the Regional Water Quality Control Plan. Section IV.10. (Hydrology and Water Quality) discusses whether this project violates any water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes substantially with groundwater recharge, substantially alters the existing drainage pattern of the site or area or creates or contributes runoff water which would exceed the capacity of existing or planned stormwater drainage. **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.

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

Some proposed applications that are not exempt from 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: Due to prior disturbance of the site from agricultural activities, and no construction associated with the subdivision proposal, many of the above topics

on the checklist do not apply. No impacts are identified for aesthetics, air quality, biological resources, cultural resources, energy, geology/soils, greenhouse gas emissions, hazards/hazardous materials, noise, public services, recreation, transportation/traffic, and wildfires.

The subdivision of this agricultural land into five parcels and a remainder parcel of no less than 40 acres each could result in up to 15 future residences under the Farmland or “F/40” and Permanent Grazing or “PG/40” zoning classifications for parcels under individual ownership without a Williamson Act Contract (see Figure 2 - Zoning).

However, the Williamson Act allows only three single family dwellings per contract. Parcel A, approximately 11.08 acres, is currently zoned F/40. Parcel A does not conform to the required 40-acre minimum, but this parcel is already developed with a single family dwelling accessory to the existing agricultural use. Parcel A will remain under an amended Williamson Act Contract.

This land division was the result of a Monterey County Superior Court Partition action. The court, in the past few years, have considered two separate subdivisions of the Pedrazzi family-owned and operated agricultural lands. The first action being the consisting prime farmland for row crops northeast of River Road (Planning Commission Resolution No. 15-002, HCD-Planning File No. PLN130552), and the second action, of cattle grazing land southwest of River Road, the subject of this Initial Study (HCD-Planning File No. PLN210158).

Six family members are receiving their share of land from the two subdivisions through this partition. Non-conforming Parcel A includes the residence of one family member, providing the reasoning behind the 11-acre size of Parcel A.

Additionally, two of the three existing parcels (38.54-acre parcel and 5.76-acre parcel) are non-conforming to the underlying zoning. This subdivision will create parcels closer in conformance to the underlying zoning (Parcel A, 11.08 acres and Parcel E, 40.04 acres). A third, adjacent area (proposed Parcel B) is split-zoned F/40 and PG/40; Parcel B also includes an existing single family dwelling and accessory structures related to the agricultural use of the land.

This new Parcel B, will be approximately 42.5 acres in size, conforming to the existing zoning. Other parcels are planned to be 69.3 acres (Parcel C), 88.3 acres (Parcel D), and 40.04 acres (Parcel E).

The largest parcel is a 175-acre remainder parcel (Parcel F). Parcels C through F are used for cattle grazing.

All lands within the proposed subdivision are currently under a Williamson Act Contract. All parcels A-F are intended to remain under the existing Williamson Act Contract (with any required amendments to the Contract).

Speculation regarding future development potential is considered inconsequential to the environmental analysis because:

- a) No such development is proposed and is not necessarily foreseeable. The intent and objective of the proposed agricultural subdivision are to divide the property for estate settlement purposes. There is no proposal to change the existing agricultural use of the property. Proposed Parcels A and B which include two single family dwellings will remain under the amended Williamson Act Contract and are considered accessory to the existing agricultural operation.
- b) Forty-acre minimum parcels are a size recognized by the County of Monterey as large enough to preserve and maintain agriculture in the County, while minimizing impacts to urban service systems. Forty-acre minimums presume continued agricultural use of the land. Allowable residential development is considered accessory to the agricultural use in Farmland or “F” and Permanent Grazing or “PG” zoning districts. “F” and “PG” districts support neither urban densities nor associated urban impacts.
- c) Any specific proposals for future residential uses on the resulting parcels will require rigorous site-specific environmental review, where a meaningful evaluation of potential impacts could be made. Typical impacts of rural development at this density involve water wells and wastewater systems, both of which are regulated by state law as well as county standards.

Bases for the “No Impact” conclusions are stated below:

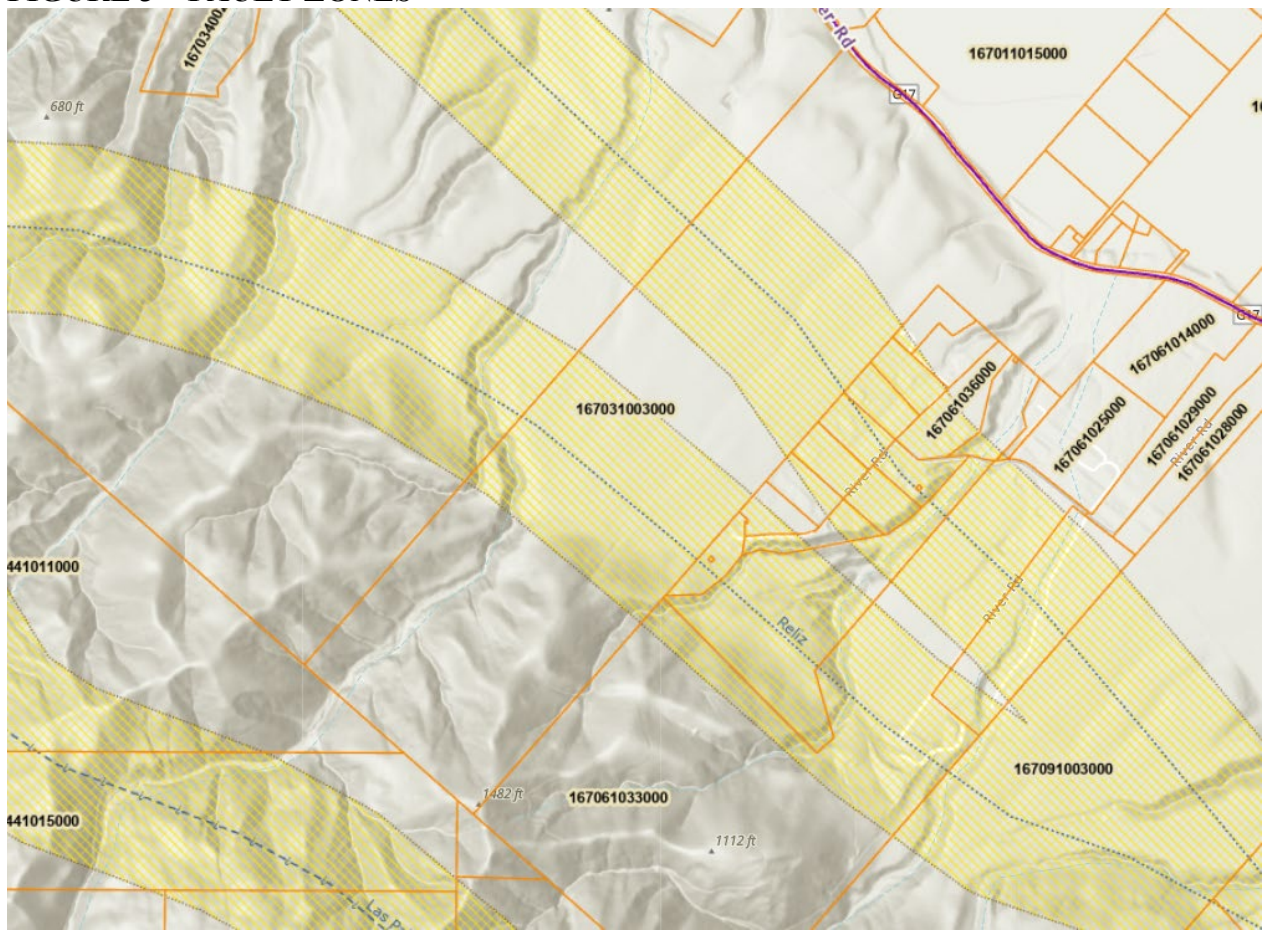
1. Aesthetics. The project proposal consists of subdividing agricultural land for continued agricultural purposes and would not alter the physical appearance of the landscape. The proposed lots would range in size from approximately 11 to 88 acres, with a 175-acre remainder parcel, and the proposal involves no new structural development. The existing visual character would remain unchanged as a result of this project, or what is allowed under the current conditions and zoning. Although the project increases the potential for residential development, the development of up to three main dwelling units would be allowed only if associated with the commercial agricultural use of the site. In addition, an existing Williamson Act Contract would also limit incompatible land uses (see also Sections IV.2 and IV.11 resources). The proposed subdivision is not intended for urban densities, and therefore will not degrade existing visual character or create any new sources of light or glare. (Source: IX.1, 2, 6, 7)
2. Agriculture and Forest Resources. See Section VI.2.
3. Air Quality. The project will not conflict with or obstruct the implementation of an applicable air quality plan or guidelines. The project is consistent with the 2010 Monterey County General Plan, the Toro Area Plan, the Monterey Bay Unified Air Pollution Control District (MBUAPCD) CEQA Air Quality Guidelines, and the 2012-2015 Triennial Plan Revision to the 2008 Air Quality Management Plan for the Monterey Bay Region. The project does not propose the construction of any structures; therefore, this project results in no impact on the implementation of the air quality management plan

and would result in no changes to the population. No significant traffic-related air quality thresholds will be met, and no violations will occur as a result of this subdivision, either cumulatively or individually. The project would not result in any construction-related air quality impacts, and the land is proposed to remain in agricultural use. The project would not create objectionable odors affecting a substantial number of people or expose sensitive receptors to substantial pollutant concentrations. As such, the project would not result in a net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or state ambient air quality standards. (Source: IX.1, 2, 5, 6)

4. Biological Resources. Current agricultural uses on the property include grazing activities on approximately 423 acres southwest of River Road. The proposed subdivision involves no tree removal, no structural development (e.g., demolition or construction), and no clearing and/or grading. Therefore, as proposed, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special-status species, or have a substantial adverse effect on any riparian habitat or other sensitive natural community. Any future development proposal would require review and evaluation of potential impacts to biological resources. As proposed, the project would have no impact on biological resources. (Source: IX.1, 2, 4, 6, 7)
5. Cultural Resources. The project would not cause any change in a significant historical or cultural resource, directly or indirectly destroy a unique paleontological resource, or disturb any human remains. The project site is in an area identified in County records as having a moderate archaeological sensitivity and is not within an existing cultural resources buffer zone. Approximately ninety percent of the property is already extensively under a grazing operation. No changes or modifications are proposed to the existing structures or agricultural uses. The project, as proposed, will have no impacts related to historic or prehistoric cultural resources, paleontological resources, or a unique geologic feature, nor will it disturb any human remains. (Source: IX.1, 6)
6. Energy. The project site is served by Pacific Gas & Electric (PG&E) through an existing connection via power lines along River Road. The agricultural subdivision does not propose any new structures or expansion of the existing agricultural operation. Therefore, the project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources and would not conflict with a state or local plan for renewable energy due to current baseline conditions. (Source: IX.1, 2, 4, 6)
7. Geology/Soils. According to the County's Geographic Information System (GIS) database, the project area has a low risk for landslides and a low risk for liquefaction. However, the majority of the project area has a moderate to high risk of erosion with a variable erosion hazard along River Road. The database identifies the seismic nature of the site to be at risk-level V, with a risk-level III for proposed Parcel F, and an undetermined risk-level traversing through the rest of the property.

The Reliz fault and 660-foot fault buffer traverse the center of the property with the Las Palmas fault crossing through the rear of the property (see Figure 3 – Fault Zones). Although the project site would be exposed to ground-shaking from any of the faults that traverse Monterey County, the project does not propose any new structural development and would not place persons at additional risk of hazards. Therefore, the project would not result in impacts on geology and soils regarding landslides, liquefaction, expansive soils, erosion, or disposal of wastewater. See also Section VI.14 (Population and Housing) regarding the Monterey County Environmental Health Bureau (EHB) requirement for a deed restriction to inform any potential buyer (or future owner) that wastewater feasibility must be demonstrated prior to any structural development beyond that required for the existing agricultural operations. (Source: IX.1, 2, 6)

FIGURE 3 – FAULT ZONES



8. Greenhouse Gas Emissions. The proposed project would not create any new air/pollutant emissions beyond those associated with current agricultural uses established on the property. Therefore, the project would not conflict with any local or state greenhouse gas (GHG) plans or goals, would not result in a net increase of greenhouse gas emissions, either directly or indirectly, and would not create any new impacts on GHG emissions. (Source: IX.1, 2, 5)

9. Hazards/Hazardous Materials. The project does not propose any change to the existing agricultural uses, so it does not propose any additional transportation, use, or disposal of hazardous materials that would constitute a threat of explosion or other significant release of materials that would pose a threat to neighboring properties above the existing baseline agricultural uses. Pesticides, herbicides, and fertilizers have likely been used on the site for ongoing agricultural operations; however, the use of such products is consistent with commercial agriculture, and the proposed subdivision will not conflict with such use or result in any hazardous material conflicts above the existing baseline condition. The proposed project would not involve stationary operations, create hazardous emissions, or handling of hazardous materials. The site is not included on a list of hazardous materials sites, and the site location would have no impact on emergency response or emergency evacuation. The site is not located within two miles of an airport or airstrip. Although portions of the parcel are identified in County records as having a high and very high fire risk, the project does not propose any new structural development. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildfires. Additionally, the project would not result in impacts from hazards or hazardous materials. (Source: IX.1, 2, 4, 6, 7)
10. Hydrology/Water Quality. See Section VI.10.
11. Land Use and Planning. See Section VI.11.
12. Mineral Resources. The project site has no known significant mineral resources; therefore, no mineral resources would be affected by the proposed agricultural subdivision. (Source: IX.1, 2, 6)
13. Noise. The project does not propose to change the existing agricultural uses of the property, it would not expose the surrounding properties to additional noise levels that exceed County standards, nor result in vibration from construction activity. The project would not result in an increase to permanent or temporary ambient noise levels. Additionally, the project site is not located in the vicinity of an airport or private airstrip. The project, as proposed, would not result in any noise impacts. (Source: IX.1, 2, 4, 6)
14. Population/Housing. See Section VI.14.
15. Public Services. The project involves the subdivision of agricultural lands and does not propose any change in the agricultural uses served by existing services and utilities following the subdivision. The project would have no measurable effect on existing public services and would not require expansion of any services to serve the project. As proposed, the project would have no substantial adverse physical impacts associated with the provision of 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. Emergency response is provided by the Monterey Regional Fire Protection District and the Monterey County Sheriff's Department. The County departments and/or service providers who reviewed the project application did not identify any impacts and

applied standard Conditions of Approval as necessary. Therefore, the project would not result in additional impacts on public services. (Source: IX.1, 2, 6, 7)

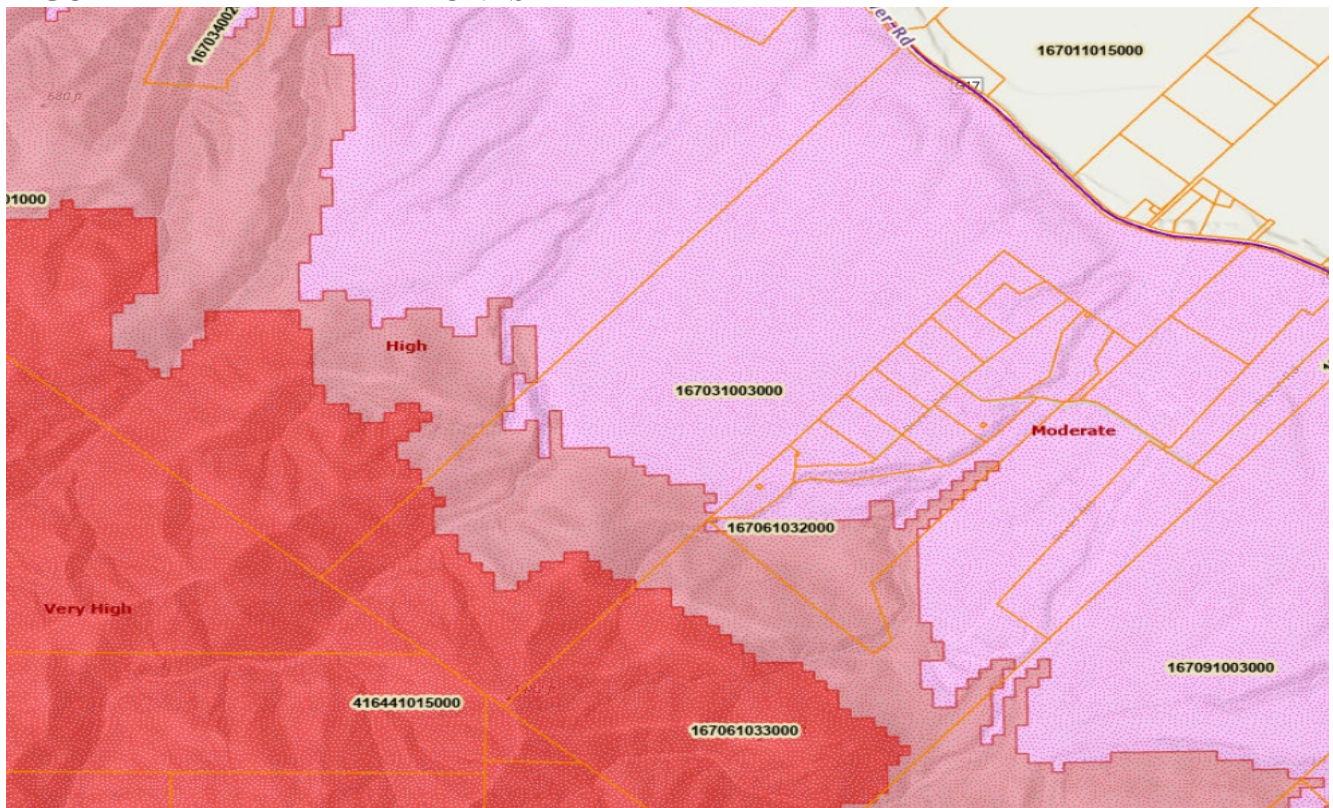
16. Recreation. Based on the review of County records and a Housing and Community Development (HCD-Planning) staff site visit on February 13, 2024, the proposed project does not include any new development that would increase the use of existing recreational facilities causing substantial physical deterioration, nor create any demand for the construction of new recreation facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project. Therefore, the proposed project would have no impacts related to recreation. However, per the Monterey County Subdivision Ordinance, Inland (Title 19), Section 19.12.010, the project would be required to either dedicate land, pay a standard in-lieu fee, or both for recreation requirements pursuant to Condition of Approval No. 23 – Recreation Land Dedication or In-Lieu Fee. (Source: IX.1, 2, 3)
17. Transportation/Traffic. The proposed agricultural subdivision involves the creation of six new parcels located on a relatively low-traffic county road. However, the project does not involve any new structural development or uses that would generate new traffic or increase the number of vehicle trips above the existing baseline (i.e., no change in roadway level of service is anticipated). The roadways in the immediate area are not at degraded levels of service, and the proposed project would not cause any roadway or intersection level of service to be degraded. The project would also not result in a change to air traffic patterns. Access to the proposed parcels would remain unchanged, so the subdivision would not increase hazards due to a design feature (e.g., there are no sharp curves or dangerous intersections near the project site), nor exacerbate any conflicts due to incompatible uses (i.e., the site is zoned for farming and grazing uses and the continued use of existing farm equipment/vehicles). The proposed subdivision would not impact emergency access, nor would it result in inadequate parking. The project also would not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g.; public transit, bicycle, or pedestrian facilities), or otherwise decrease the performance or safety of such facilities. Therefore, the proposed project would have no new impacts related to transportation or traffic. (Source: IX.1, 2, 3, 6, 7)
18. Tribal Cultural Resources. California Assembly Bill (“AB”) 52, in effect since July 2015, provides CEQA protections for tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California Public Resources Code Section 21074, tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a tribe and that are eligible for or listed on the California Register of Historic Resources or a local historic register, or that the lead agency has determined to be of significant tribal cultural value. The information contained in this discussion is supplemented with additional information provided by Native American representatives as part of the Tribal consultation process undertaken by the County of Monterey in accordance with AB 52. On May 10, 2024, the Ohlone/Costanoan-Esselen Nation (OCEN) was formally notified. Then, on May 14, 2024, representatives of the OCEN had

a formal consultation with County staff regarding the project. During the consultation, OCEN expressed no issues with the proposed agricultural subdivision since the land is under a Williamson Act Contract and no new development is proposed at this time. If development is to occur in the future, a site-specific archaeological report would be required in addition to obtaining discretionary permit(s) from HCD-Planning. (Source: IX.1, 2, 3, 4, 6)

19. Utilities/Service Systems. See Section VI.19.

20. Wildfire. The proposed agricultural subdivision is located predominantly in a Moderate Fire Hazard Zone within the State Responsibility Area. Two portions of the property are within the High and Very High Fire Hazard Zones where the parcel slopes toward Mount Toro, which is a known historical fire area (See Figure 4 – Fire Hazard Zones). The Monterey County Regional Fire Protection District provides fire protection services to the project site and has a station approximately 11 miles away off Highway 68 on Portola Drive. The area surrounding the project contains mostly grazing and agricultural uses. The project does not propose any development other than the court-ordered subdivision of land in response to the judicial partition action. The sole purpose of the partition and this proposed subdivision is to separate the ownership of this land. Therefore, the proposed project would not result in any new wildfire-related impacts. (Source: IX.1, 2, 3, 4, 6, 7)

FIGURE 4 – FIRE HAZARD ZONES



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.

Kayla Nelson

Signature

Kayla Nelson

April 11, 2025

Date

Associate Planner

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 will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, 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 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 a "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 mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 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		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

2. AGRICULTURAL AND FOREST RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☒	☐	☐

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
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: Current agricultural uses on the property include cattle grazing on approximately 423 acres southwest of River Road under an existing Williamson Act Contract (Board of Supervisors Resolution No. 73-34-12, Agricultural Preserve Contract No. 73-12). The proposed subdivision is consistent with the restrictions of the Williamson Act because the subject contract area is large enough to remain economically viable for agricultural use. HCD-Planning staff have reviewed the proposed subdivision and applied a standard condition requirement to amend the current Williamson Act Contract upon approval of the proposed subdivision.

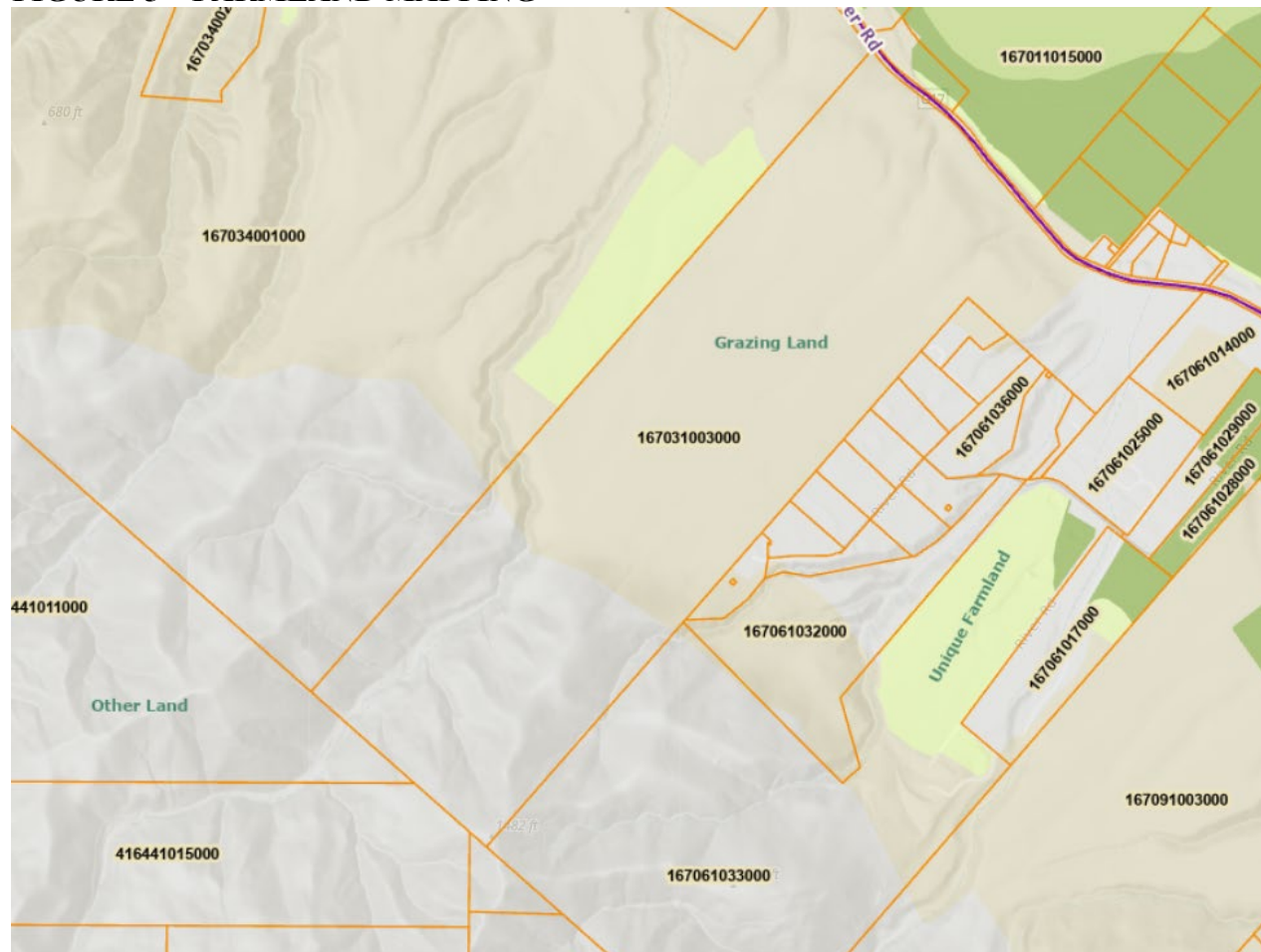
Agricultural and Forest Resources Impacts (a, c, d, e) No Impact: Forty-acre (40) minimum parcels are a size recognized by the County of Monterey as large enough to preserve and maintain viable agricultural operations. In California, the Farmland Mapping and Monitoring Program (FMMP) produced the California Important Farmland (CIF) database in 2018. The main categories of farmland consist of Prime, Statewide Importance, Unique, and Local Importance Farmland which are ideal for growing row crops. Pursuant to General Plan Policy AG-1.10, the County's Geographical Information System (GIS) uses this database to identify areas of farmland in the County (see Figure 5 – Farmland Mapping). County GIS also identifies Grazing Land, Other Land, Urban and Built-Up Land, as well as bodies of water.

The property predominantly contains Grazing Land where the active agricultural grazing operation is occurring; the rest of the property is classified as Other Land where steep terrain exists, along with two single family dwellings with supporting agricultural structures. The property does not contain any Prime Farmland (see also Section VI.10, Hydrology and Water Quality) and does not propose to convert any Farmland or Grazing Land to non-agricultural use.

The property's back portion (proposed remainder Parcel F) consists of oak woodland, to be preserved, remain undeveloped, and not proposed for rezoning to a residential zoning district.

The property will remain under an (amended) Williamson Act Contract, restricting future development with a standard Condition of Approval No. 5 – “Williamson Act”, which requires the current Williamson Act Contract to be amended after approval of the subdivision. Therefore, the proposed agricultural subdivision would not result in impacts to Prime or other types of farmlands, nor will it result in the loss of forest land or conversion of forest land into non-forest use. (Source: IX.1, 2, 4, 6, 7)

FIGURE 5 – FARMLAND MAPPING



Agricultural and Forest Resources Impacts (b) Less than Significant with Mitigation: The proposed Parcel A (approximately 11 acres) conflicts with the existing underlying zoning for agricultural use because the parcel is under the 40-acre minimum. As mentioned previously, the

property is located within the Central/Arroyo Seco/River Road segment of the Agricultural and Winery Corridor Plan (AWCP). The development standards for AWCP Policy 3.5 provides an exception to subdivide lots (minimum 5 acres) from a legal non-conforming lot not meeting the minimum lot size for the land use designation (e.g. 10-acre lot with 40-acre minimum designation) may be allowed based on substantial evidence that this action would: 1) reduce the number of conforming agricultural lots from being subdivided; 2) limit development in a manner to retain the rural character of the corridor; and 3) development of the lot must be in conformance with allowable uses only identified in the AWCP. Staff found this exemption to be consistent with the intent of the AWCP overall plan for the development of agricultural and winery-related uses. Through the use of mitigated Conditions of Approval, the AWCP exemption can be applied to support a recommendation for approval of the proposed subdivision.

Additionally, a Williamson Act non-conforming parcel may be allowed under the Subdivision Map Act pursuant to Government Code (GC) §66474.10 et seq. If the 11-acre parcel can be considered agriculturally viable, pursuant to GC §66474.4 (c), a legislative body may approve a subdivision with smaller parcels if the legislative body makes either of the following findings:

- 1) The parcels can nevertheless sustain an agricultural use permitted under the contract or easement or are subject to a written agreement for joint management pursuant to Section 51230.1 and the parcels that are jointly managed total at least 10 acres in size in the case of prime agricultural land or 40 acres in size in the case of land that is not prime agricultural land (GC §66474.10 et seq).
- 2) One of the parcels contains a residence and is subject to §428 of the Revenue and Taxation Code; the residence has existed on the property for at least five years; the landowner has owned the parcels for at least 10 years; and the remaining parcels shown on the map are at least 10 acres in size if the land is prime agricultural land, or at least 40 acres in size if the land is not prime agricultural land.

Pursuant to GC §66474.4 (c)(2), the project meets the second finding because the existing development has been on the property since 1889 which exceeds the 5-year minimum requirement, the landowner has owned the parcels well over 10-years, and the remaining parcels shown on the proposed subdivision map are 40 acres or more.

Furthermore, pursuant to GC §66474.4(d) regarding subdivision of Williamson Act land, no other homesite parcels as described in paragraph (2) of subdivision (c) may be created on any remaining parcels under contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (Commencing with §51200) of Division of 1 of Title 5) for at least 10 years following the creation of a homesite parcel pursuant to this section.

Staff's analysis of the applicable Government Code Sections, Subdivision Map Act, and the AWCP Policies led to the requirement for Parcels A through F to be deed

restricted from further development for the next 10 years pursuant to GC §66474.4(c)(2). The following Mitigation Measures have been made Conditions of Approval to reduce project impacts to a level less than significant:

Condition of Approval No. 6, Mitigation Measure No. 1 - Deed Restriction for Parcel A (Agricultural Wine Corridor Plan Consistency): Pursuant to the 2010 Monterey County General Plan and the Agricultural and Wine Corridor Plan (AWCP) Policy 3.5, subsequent development on the 11.08-acre Parcel A shall be in conformance with allowable uses identified within the AWCP. The Owner/Applicant shall record a deed restriction as a condition of project approval stating the following: “Future development of the 11.08-acre Parcel A shall conform to the Agricultural and Wine Corridor Plan development policies and plans in conjunction with meeting proper permitting requirements from HCD-Planning.”

Mitigation Action: Prior to recording of the Final/Parcel Map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit proof of recordation of the deed restriction document to HCD – Planning.

Condition of Approval No. 7, Mitigation Measure No. 2 - Deed Restriction for Homesites on Parcels B through F: Pursuant to Government Code §66474.4(d), no other homesite parcels may be created on any remaining parcels under Williamson Act contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (Commencing with §51200) of Division of 1 of Title 5) for at least 10 years following the creation of a homesite parcel pursuant to this section. The Owner/Applicant shall record a deed restriction as a condition of project approval stating the following: “Future development on Parcels B through F shall be restricted for the next 10 years after recordation of the Pedrazzi Subdivision Final Map pursuant to GC §66474.4(c)(2).”

Mitigation Action: Prior to recording of the Final/Parcel Map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit proof of recordation of the deed restriction document to HCD – Planning.

Therefore, the agricultural subdivision, as conditioned and mitigated, would not conflict with the existing zoning for agricultural use or the Williamson Act Contract. (Source: IX.1, 2, 4, 6, 7)

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.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX.1, 2, 3, 4, 5, 6, 7)	☐	☐	☐	☒
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.1, 2, 3, 4, 5, 6, 7)	☐	☐	☐	☒
c) Result in significant construction-related air quality impacts? (Source: IX.1, 2, 3, 4, 5, 6, 7)	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX.1, 2, 3, 4, 5, 6, 7)	☐	☐	☐	☒
e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source: IX.1, 2, 3, 4, 5, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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, 6, 7)	☐	☐	☐	☒
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, 6, 7)	☐	☐	☐	☒

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 6, 7)	☐	☐	☐	☒
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, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

5. CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

6. ENERGY				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

7. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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.1, 2, 3, 4, 6, 7) Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
iv) Landslides? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒

7. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
f) Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

8. GREENHOUSE GAS EMISSIONS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: IX.1, 2, 3, 4, 5, 6, 7)	☐	☐	☐	☒
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, 4, 5, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

9. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See 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, 2, 3, 4, 6, 7)	☐	☐	☒	☐
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, 2, 3, 4, 6, 7)	☐	☐	☒	☐
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: The property is currently served by a natural spring box water system located on proposed Parcel F, approximately one mile from the two single family dwellings (Parcels A and B) that support the existing on-site residential and agricultural uses. The natural spring is considered groundwater under the direct influence of surface water. The existing water supply was found to be out of compliance with the Monterey County Environmental Health Bureau's (EHB) water quality standards for small water systems pursuant to MCC Chapters 15.04 and 15.08. The project includes Conditions of Approval to help bring the current water system into compliance with local and state regulations to ensure water quality and wastewater discharge are addressed prior to Parcel Map recordation.

Hydrology and Water Quality Impact (a and b) Less than Significant: On July 12, 2023, water quality results were submitted to EHB, which demonstrated that E. coli and total coliform

bacteria were no longer present in the current water supply. However, disinfection is required for the small water system since the main source of water is a natural spring.

EHB applied a standard Condition of Approval No. 13 – Deed Restriction and Installation of Chlorinator on Well for Parcel F, which requires the project to install a chlorinator on the distribution system prior to the use of a water tank and any domestic service connections.

The proposed project will be required to comply with EHB's non-standard Condition of Approval No. 9 – Deed Restriction/Map Recordation – Agricultural Subdivision: Onsite Wastewater Disposal, and Condition of Approval No. 10 – Deed Restriction/Map Recordation – Agricultural Subdivision: Water, which deed restricts parcels C, D, and E, and notifies future potential buyers of these parcels created from this agricultural subdivision are not guaranteed to have a viable site for an onsite wastewater disposal system or water system to serve future development. All future development would be required to undergo a separate review for a potable water source and wastewater disposal system.

Additionally, the project includes a standard Condition of Approval No. 11 – New Water System Permit Application, and Condition of Approval No. 12 – Well Lots/Water System Easements prior to filing the Final Map. The treatment submittal received by EHB Drinking Water Protection Services (DWPS) for an ozone treatment system was revised to include a residual in the disinfection process (chlorinator). DWPS advised that the water system is feasible and will work with the applicant to satisfy the chlorinator and water system conditions prior to filing the Final Map.

As mentioned in Section VI.2 for Agriculture and Forestry Resources, the property contains Grazing Land and Other Land over the grazing operation and existing development. Given the existing soil types, the property does not possess Prime Farmland soil that is suitable for growing crops, and there are no proposals to convert the land into row crop production.

In October 2021, the property owner of proposed Parcel A submitted a well application on file with EHB (Permit No. 21-13551). The proposed well would provide an additional water source for agricultural irrigation and domestic use with an anticipated rate of 800 gallons per minute (GMP). The proposed well would serve the existing domestic and agricultural uses onsite, but will be located closer to Parcel A's existing single-family dwelling. As mentioned previously, this subdivision does not propose any new structural development or changes in the current land use.

The property is located within the Salinas Valley groundwater basin which includes the 180/400-foot aquifer subbasin within the designated benefit assessment Zone 2C (Board of Supervisors, Resolution No. 03-017) for the Salinas Valley Water Project (SVWP) (see Section VI.11, Land Use and Planning). The Monterey County Water Resources Agency (WRA) is responsible for managing the groundwater basins and groundwater recharge areas within the County.

On October 26, 2021, the well application was reviewed by WRA, and comments were submitted to EHB for consideration. The WRA requires that the well construction design be approved once the WRA has completed a review of the geophysical and lithologic logs for the new well. Additionally, any abandoned wells on the property shall be destroyed in accordance

with the procedures outlined in Bulletin 74-81, *Water Well Standards: State of California* of the California Department of Water Resources (DWR) and its subsequent updates. The Well Completion Report (DWR Form 188) shall include the depth to “first” water below the surface expressed in feet, and the “static” water level depth after the well is drilled and a pump test is completed. (Source: IX.1, 4, 6, 7)

Hydrology and Water Quality Impacts (c, d, e) No Impact: The proposed subdivision does not involve any new construction, so the project would not violate water quality standards or waste discharge requirements, nor conflict with Monterey County Code (MCC) Chapter 16.16, Regulations for Floodplains in Monterey County.

The property is not located within the 100-year floodplain of the Salinas River (Zone A). EHB and HCD-Environmental Services have reviewed the project application and, as conditioned, deemed that the project complies with applicable ordinances and regulations. As proposed, the project would not expose people or structures to a significant risk involving flooding.

The proposed agricultural subdivision would not alter the existing drainage pattern of the site or area, nor create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. Since the project proposes no structural development, it would not create additional sources of polluted runoff or degrade water quality or place a structure within an area that would impede or redirect flood flows. The proposed subdivision would not result in increased flood heights or velocities, nor alteration of natural floodplains, stream channels, or natural protective barriers.

The property is located approximately 16 miles inland from the coast and would not be subject to inundation by a tsunami, nor is it located near a body of water that is anticipated to threaten a seiche. There are no areas within the property that could be subject to dam inundation and no persons would be subject to such risk since the project does not propose the construction of any structures. (Source: IX.1, 4, 6, 7)

11. LAND USE AND PLANNING		Less Than Significant			
		Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Physically divide an established community? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☒	☐	☐

Discussion/Conclusion/Mitigation: The approximately 423-acre property is zoned Farmland, 40 acres per unit, with a Design Control District Overlay or “F/40-D”, Permanent Grazing, 40 acres per unit, with a Design Control District Overlay or “PG/40-D”, and Permanent Grazing, 40

acres per unit, with a Visually Sensitive District Overlay or “PG/40-VS”. The surrounding parcels consist of zoning classification and land use designations with Farmland to the north and west, Low Density Residential to the east, and Permanent Grazing to the south.

Existing structural development on the property includes:

- a. a 2,300 square foot single family dwelling (House 1) with a 2,300 square foot detached garage
- b. a 1,500 square foot single family dwelling (House 2), a 9,200 square foot barn (Barn 1), a 4,300 square foot barn (Barn 2), a 2,300 square foot storage building (Building 1), a 3,200 square foot storage building (Building 2), and 2,400 square foot storage building (Building 3).

Parcel B (42.52 acres), Parcel C (69.30 acres), Parcel D (88.27 acres), Parcel E (40.04 acres) and Remainder Parcel F (174.49 acres), meet MCC Subdivision Ordinance (Title 19 - Inland) development standards, MCC Zoning Ordinance (Title 21), the 2010 General Plan, and Toro Area Plan policies.

Parcel A of 11.08 acres would not conform to the 40-acre minimum for the Farmland zoning district. However, Government Code Section 66474.4(c)(2) states a legislative body may approve a subdivision with smaller parcels if 1) one of the parcels contains a residence and is subject to §428 of the Revenue and Taxation Code, 2) the residence has existed on the property for at least five years, 3) the landowner has owned the parcels for at least 10 years, and 4) the remaining parcels shown on the map are at least 40 acres in size. As mentioned previously, the land has been under Williamson Act Contract and will remain under the same contract after project approval. The existing residential development has existed since the 1800s, which greatly exceeds the 5-year requirement for living onsite, and the landowner has owned the property for well over 10 years. All remaining parcels shown on the proposed subdivision map are 40 acres or more. Additionally, the 11-acre parcel has been found to meet the development standards outlined in the AWCP.

Land Use and Planning Impacts (a) No Impact: The proposed agricultural subdivision is consistent with, and would have no impact on, the land use designation, zoning classification, or existing land use. The subject property and surrounding properties currently support ongoing agricultural operations with the exception of one small residential subdivision. Therefore, the proposed subdivision would not physically divide, disrupt, or otherwise have a negative impact upon an established community, the existing neighborhood, or adjacent properties.

Additionally, the project would not conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site. Therefore, the project would not result in impacts to land use and planning regarding an established community or conservation plan. (Source: IX.1, 2, 3, 4, 6, 7)

Land Use and Planning Impacts (b) Less than Significant: The majority of the property is located within the Monterey County Water Resources Agency’s Zone 2C benefited-assessment zone of the Salinas Valley Water Project. Since the project does not propose any changes to the

existing agricultural use, County staff has determined that the proposed subdivision falls under the exemption regarding a long-term sustainable water supply provided by 2010 General Plan Policy PS-3.1c, as amended March 11, 2013 (see Section VI.14, Population and Housing).

Additionally, the 2010 General Plan Policy LU-1.19, while identifying a requirement to establish a Development Evaluation System for projects involving five or more lots or units, is intended to address urban-type development that could introduce or result in a concentrated population center in an area without adequate infrastructure. Policy LU-1.19 is not intended to prohibit agricultural subdivisions that could allow and benefit continued agricultural use of the property. Allowing agricultural subdivisions can also contribute to the protection of Prime Farmlands and Grazing Lands by affording farmers and ranchers the opportunity to obtain refinancing in support of existing agricultural operations. Furthermore, Policy LU-3.2 directs that land use in areas designated for agricultural use shall be guided by the policies of the Agricultural Element of the 2010 General Plan, and Policy AG-1.7 encourages housing related to the agricultural use of the property. Therefore, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation for the purpose of avoiding or mitigating an environmental effect. (Source: IX.1, 2, 3, 4, 6, 7)

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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See 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, 6, 7)	☐	☐	☐	☒
b) Generation of excessive groundborne vibration or groundborne noise levels? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

13. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See 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, 4, 6, 7)	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: The proposed project involves a court-ordered partition of land currently under an existing Williamson Act Contract (Agricultural Preserve Contract No. 73-12) with no proposed structural development. The inherent nature of these contracts is to restrict land from development for the sole purpose of agricultural use. After the proposed subdivision, the land will remain under an amended Williamson Act Contract.

Population and Housing Impact (a) – Less than Significant. The proposed agricultural subdivision into five parcels and a remainder parcel of no less than 40 acres each could result in up to 15 total residences (three residences per 40-acre parcel) accessory to agricultural uses under the F/40 and PG/40 zoning districts. However, under a Williamson Act Contract, only three single family dwellings accessory to agricultural use are allowed under one contract. Furthermore, the 40-acre minimum presumes the continued agricultural use of the land; allowable residential development is considered accessory to the agricultural use. In addition, the approximately 423 acres under Williamson Act Contract would be limited to residential development that supports the agricultural operations.

Any specific proposal for future residential uses on the resulting parcels would be required to undergo site-specific environmental review, where a meaningful evaluation of potential impacts

could be made. Typical impacts of rural development at this density involve water wells and wastewater systems, both of which are regulated by state law as well as county standards. EHB reviewed the proposed project and determined that wastewater feasibility studies, as well as water quality and quantity testing, would not be required; however, EHB applied a non-standard condition requirement for deed restrictions to inform any potential buyers (or future owners) that wastewater feasibility and water quality/quantity must be demonstrated prior to any structural development. The proposed subdivision would not directly induce substantial population growth and is intended to allow continued agricultural use of the property. Therefore, the project would result in less than significant impacts on population growth. (Source: IX.1, 2, 4)

Population and Housing Impacts (b) – No Impact. The proposed agricultural subdivision 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. The project would not result in impacts to existing housing or people since no new structural development is proposed. However, the project is subject to the County’s Inclusionary Housing Ordinance, Number 5175, and General Plan Land Use Policy LU-2.13, which require the project to contribute an in-lieu fee equal to 0.75 Affordable/Inclusionary Housing Unit pursuant to Condition of Approval No. 8 – Affordable/Inclusionary Housing. (Source: IX.1)

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:					
a)	Fire protection? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
b)	Police protection? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
c)	Schools? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
d)	Parks? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
e)	Other public facilities? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

16. RECREATION				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

17. TRANSPORTATION/TRAFFIC				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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, 4, 6, 7)	☐	☐	☐	☒
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
d) Result in inadequate emergency access? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

18. TRIBAL CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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, 2, 3, 4, 6, 7)		☐	☐	☐	☒
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.1, 2, 3, 4, 6, 7)		☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Source: IX.1, 2, 3, 4, 6, 7)		☐	☐	☒	☐
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, 2, 3, 4, 6, 7)		☐	☐	☒	☐

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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, 2, 3, 4, 6, 7)					
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Source: IX.1, 2, 3, 4, 6, 7)		☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Source: IX.1, 2, 3, 4, 6, 7)					

Discussion/Conclusion/Mitigation: The proposed project would be served by two onsite wastewater treatment systems (OWTS) for the existing two single family dwellings and a natural spring for irrigation and potable water for domestic use. No new structural development is proposed with this agricultural subdivision.

Utilities and Service Systems Impacts (a and b) Less than Significant: The property is currently served by a natural spring that supports the existing agricultural operations. Utilities (i.e., electricity and water) are already in place, and the proposed project would not generate additional demand nor warrant the expansion of the current infrastructure. The proposed agricultural subdivision would not add any new structures or uses that would require increases to service from existing utility systems. However, once the property is subdivided, Parcel A proposes to drill a well for agricultural irrigation and domestic use since the parcel contains a separate single-family dwelling from Parcel B (see Section VI.2, Agriculture and Forestry Resources). Proposed Parcel A will remain under an amended Williamson Act contract, and therefore, would be allowed to have a well for the agricultural use of the property. (Source: IX.1, 2)

Utilities and Service Systems Impacts (c, d, e) No Impact: The proposed subdivision would not contribute to any existing wastewater treatment facilities and would not generate any increase in solid waste. The Monterey County EHB reviewed the proposed project and determined that wastewater feasibility studies would not be required; however, EHB has applied a requirement for deed restrictions (see Section VI.14, Population and Housing) to inform any potential buyers (or future owners) that wastewater feasibility and water quality/quantity must be demonstrated prior to any structural development beyond that required for the existing agricultural operations. Therefore, the project would have no impacts related to wastewater treatment facilities and solid waste systems. (Source: IX.1, 2)

20. WILDFIRE			Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:		Potentially Significant Impact			
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: IX.1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See 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 environmental impact report (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? (Source: IX. 1, 2, 3, 4, 6, 7)	☐	☐	☐	☒
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)? (Source: IX. 1, 2, 3, 4, 6, 7)	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX. 1, 2, 3, 4, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Mandatory Findings Impact (a, b, and c) Less than Significant with Mitigation Incorporated: Based on the analysis throughout this Initial Study, the project was not found to have the potential to substantially degrade the environment, impact plant or animal species, nor cause adverse effects on human beings since no new structural development or changes in the current land use or Williamson Act Contract are proposed. The project was conditioned and mitigated to restrict development for at least the next 10 years after project approval. Although not proposed at this time, the project could potentially result in individual or cumulative impacts to agricultural and forest resources, land use/planning, population and housing, if future development for residential or commercial purposes is proposed. Any future development must be analyzed under a separate environmental review to assess possible impacts on the environment. Therefore, the project, as proposed and mitigated, would reduce impacts on the environment to a level of less than significant.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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.

Evidence: Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN210158 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. SOURCES

1. Project Application/Tentative Parcel Map
2. Monterey County 2010 General Plan and Toro Area Plan
3. Title 19 (Inland) of the Monterey County Code (Subdivision Ordinance)
4. Title 21 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2022 Monterey County Geographic Information System (GIS)
6. Site Visit conducted by the project planner on February 13, 2024.

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