

# Exhibit E

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## **EXHIBIT E**

### **Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164**

### **Lundquist Planning File No. PLN150150 Amendment to a Combined Development Permit**

#### **1. Introduction**

This technical Addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act (CEQA) Guidelines because some changes or additions are necessary to make minor technical changes to the Mitigated Negative Declaration (SCH No. 2012061087) prepared for a previously-approved Combined Development Permit (RMA-Planning File No. PLN110114/Lundquist), adopted by the Monterey County Planning Commission on March 13, 2013 (Resolution No. 13-007). None of the conditions described in Section 15162 calling for preparation of a subsequent Environmental Impact Report (EIR) or Negative Declaration have occurred.

A Mitigated Negative Declaration (MND) was prepared for PLN110114 and circulated between June 27, 2012, and July 26, 2012. The project was a Combined Development Permit consisting of:

- 1) Coastal Administrative Permit and Design Approval to allow the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall with six 12.5-foot sections of antique bronze open-design fencing and antique bronze fencing with stone pillars at the new driveway entrance, restoration of existing paths and driveway to native Monterey cypress habitat, and grading of approximately 550 cubic yards of cut and 200 cubic yards of fill;
- 2) Coastal Development Permit to allow removal of one 7-inch Monterey cypress;
- 3) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat;
- 4) Coastal Development Permit to allow development within 750 feet of known archaeological resources; and
- 5) Coastal Development Permit to allow development on slopes exceeding 30 percent.

The project was approved by the Planning Commission on March 13, 2013, and appealed by the California Coastal Commission (File No. A-3-MCO-13-019) on April 17, 2013. The appeal stated that the County's approval of the Combined Development Permit "...raises LCP issues with respect to protection of environmentally sensitive habitat areas (ESHA), visual resources, archaeological resources, forest resources, and marine resources..." The Applicant met with Coastal Commission staff to confirm that the project would increase both general Monterey cypress habitat and total critical root zone areas; resolve impacts to public

views from 17-Mile Drive; and further resolve ambiguities related to Del Monte Forest Land Use Plan Policy 20 (adopted in 2012). An amendment to Policy 20 has been processed under RMA-Planning File No. PLN150149. The amendment to Policy 20 was certified by the Coastal Commission on May 10, 2017, and adopted with modifications by the Monterey County Board of Supervisors on December 12, 2017. On February 7, 2018, the Coastal Commission concurred with the Commission's Executive Director determination of adequacy.

The Applicant proposes to amend PLN110114 to include demolition of the existing 2,083 square foot one-story single-family dwelling with 740 square feet of deck area and a 249-square foot attached carport, and construction of a 8,886 square foot two-story single-family dwelling with a subterranean basement and 1,296 square feet of balcony area and a 1,106 square foot detached garage. The approved fence/wall design has been revised to increase public forest, white water, and blue water views from 17-Mile Drive to the ocean. Additional excavation is required to accommodate the subterranean basement level. Construction of the proposed structures will require grading of approximately 1,360 cubic yards of cut and 30 cubic yards of fill. One dead Monterey cypress and the planted non-native Monterey cypress along the fence line are proposed for removal. The new residence will be constructed in the same general building and hardscape footprint as the existing single-family dwelling, with slight shifts to avoid Monterey cypress located near the building footprint.

## 2. Scope and Purpose of this Addendum

The purpose of this Addendum is to identify minor technical changes and provide clarification on the site-specific conditions for the proposed residential development. No substantial changes are proposed in the project which will require major revisions of the previously-considered MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The MND adopted for the previous project identified potential impacts to aesthetics, biological resources, cultural resources, geology/soils, greenhouse gas emissions, and land use/planning. The proposed project will have the same or fewer impacts than the previous project:

- No native trees will be removed; only one dead Monterey cypress and the planted non-native Monterey cypress along the fence line will be removed;
- The approved fence and wall design has been further modified to further increase public views from 17-Mile Drive;
- The proposed project will result in a net gain of 9,702 square feet of Monterey cypress habitat through the removal of hardscape, non-native cypress, and ice plant. This number also includes a net gain of 313 square feet of Monterey cypress critical root zone area that will be restored;
- The proposed project, with the adoption of Amended Policy 20, is consistent with the Del Monte Forest Land Use Plan; and
- The proposed project will require the modification of Mitigation Measure No. 8 to include the excavation of the area for the new house in addition to the new driveway, fence, and garage.

The previously recommended Mitigation Measure Nos. 1 (fence design), 2 (remove planted cypress), 3 (tree protection), 4 (protection of critical root zone during excavation), 5 (sensitive plant species), 6 (Monterey cypress restoration plan), 7 (biologist pre-construction survey), 8 (archaeological monitor during excavation), and 9 (fencing for archaeological site) continue to apply to the proposed project.

### 3. Conclusion

It has been determined that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent Initial Study (IS) or EIR have occurred, that there are no new significant environmental effects or increase in the severity of previously identified significant effects per Section 15162(a)(2) of the CEQA Guidelines. The modification to Mitigation Measure No. 8 merely clarifies that a qualified archeological monitor be present during the excavation for the new house, in addition to the excavation for the new driveway, fence, and garage. This mitigation measure is not considerably different from those adopted with the previous MND and therefore, does not constitute new information of substantial importance that was not known at the time the previous MND/IS was adopted, pursuant to Section 15162 (a)(3) of the CEQA Guidelines.

Documents reviewed included the IS/MND prepared and adopted for PLN110114 and associated technical reports, plans, site visits, and applications submitted for PLN110114 and PLN150150. Based upon this review, it has been determined that the project will not have the potential to significantly degrade the quality of the environment, will have no significant impact on long-term environmental goals, will have no significant cumulative effect upon the environment, and will not cause substantial adverse effects on human beings, either directly or indirectly.

Attachment: Mitigated Negative Declaration for Combined Development Permit; RMA-Planning File No. PLN110114/Lundquist

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