

Exhibit C

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MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING

1441 SCHILLING PLACE, 2nd FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025/FAX: (831) 757-9516



Project Title: Penn Landscape improvements

File No.: PLN170198

Project Location: 1536 Venadero Road, Pebble Beach

Name of Property Owner: Sally Penn

Name of Applicant: Sandra Dimas with Maureen Wruck Planning, LLC

Assessor's Parcel Number(s): 008-422-012-000 (Lot 1) and 008-422-013-000 (Lot 2)

Acreage of Property: Lot 1- 0.91 acres; Lot 2 – 0.62 acres

General Plan Designation: Low Density Residential

Zoning District: Low Density Residential, 1.5 acres per unit, with a Design Control Overlay, in the Coastal Zone [LDR/1.5-D (CZ)]

Lead Agency: County of Monterey

Prepared By: Craig W. Spencer

Date Prepared: October 25, 2017

Contact Person: Craig Spencer

Phone Number: (831) 755-5233

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project: The Penn project includes comprehensive landscape improvements on the exterior of an existing, historic, Spanish eclectic style, single family residence in Del Monte Forest. Landscape improvement include:

- Reconfiguration of an existing driveway to include a circular turnaround design with permeable paver surface in place of the existing driveway that contains decomposed rock over pavement;
- Resurfacing and reconfiguration of pathways surrounding the existing home in the front yard (along Venadero Road), side yard, and rear yards;
- Construction of a new patio and walkway connecting the reconfigured driveway at the front of the home with the patio at the rear of the home;
- Reconstruction of the rear patios and walkways;
- Relocation of a decorative well in the rear yard; and
- A new landscape planting palette and design with associated irrigation.

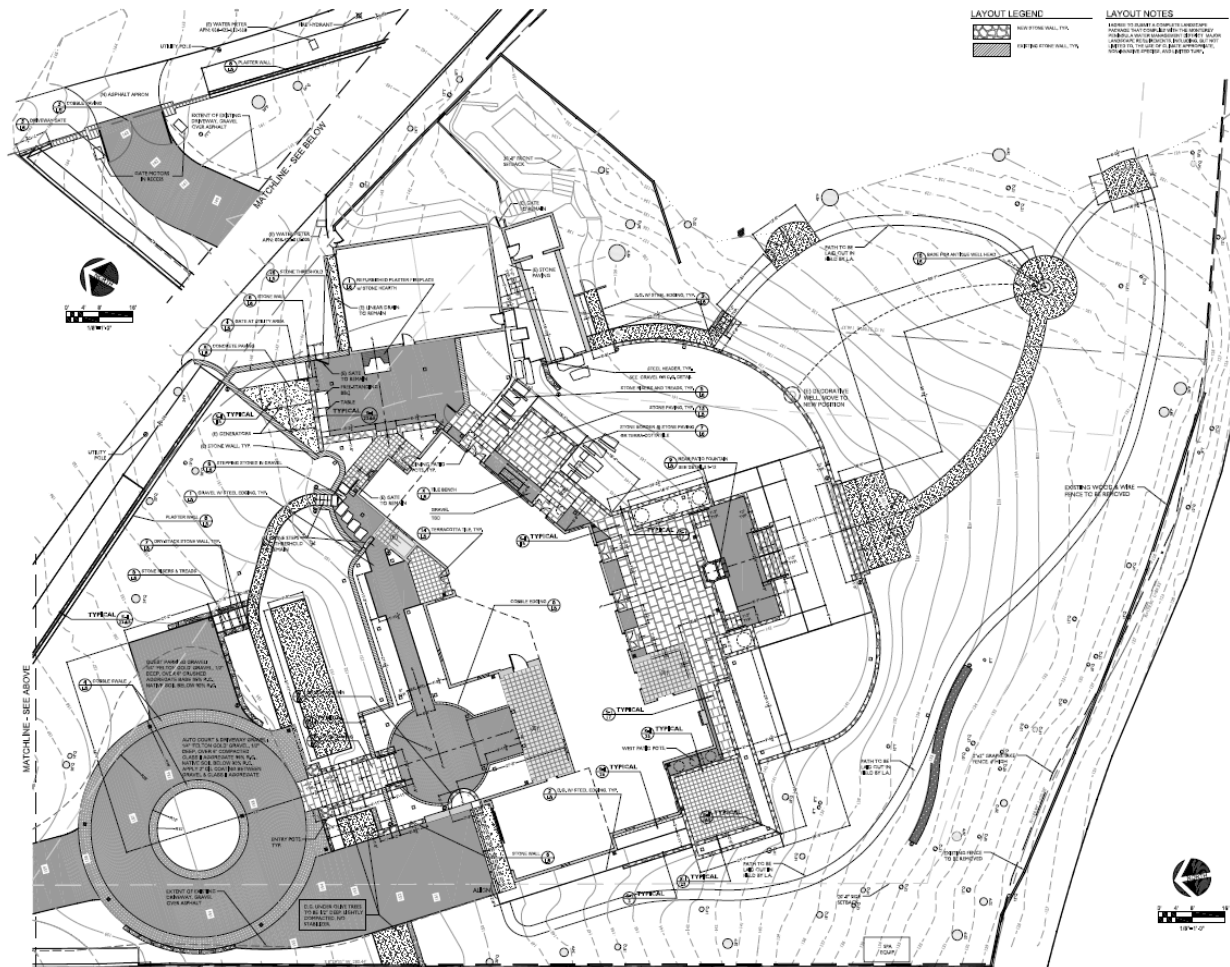
(See Figure 1)

The proposed landscape improvements involve “development” as defined in the Coastal Implementation Plan, Part 1 (“Title 20” of the Monterey County Code), including placement and erection of solid materials. The development requires a Coastal Development Permit pursuant to Title 20 because there is evidence of Native American activity in the area; a positive archaeological site.

The project site includes two separate legal lots of record each with a unique Assessor’s Parcel Number. The lots have been separately described in grant deeds dated March 13, 1923 which predate the state subdivision map act requirements. Assessor’s Parcel Number 008-422-012-000 (Lot 1) is approximately 0.9 acres in size and contains the majority of the existing improvements including the house, driveway, and most of the landscaping. Assessor’s Parcel Number 008-422-013-000 (Lot 2) is approximately 0.6 acres in size and contains a portion of the landscaping and the majority of the existing detached garage and greenhouse. The main residence on Lot 1 is connected by patios and walkways to a detached garage and greenhouse. The garage and greenhouse have been constructed over the property line which is not uncommon for structures built in the 1920’s and 30’s. These structures would be considered legal non-conforming because of their location.

The proposed project would require only minor improvements to existing conditions and are not anticipated to affect the existing historic use of the property. Minor trenching and scraping for footings, removal of existing surfaces, and ground preparation would be required to implement the proposed improvements. The proposed landscape plan would incorporate drought tolerant native or native-compatible plant species in place of the existing landscape palate.

Figure 1 – Site Plan

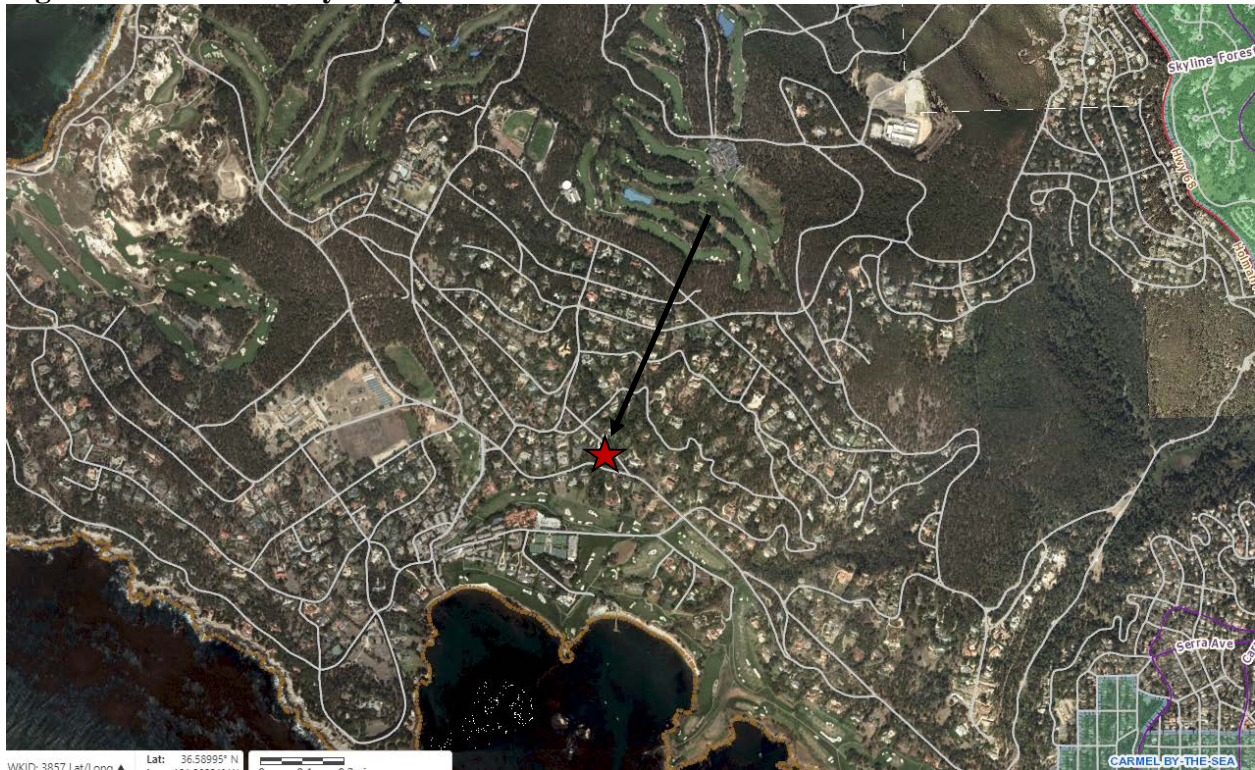


B. Surrounding Land Uses and Environmental Setting: The project site is located in the Del Monte Forest area within unincorporated Monterey County. Del Monte Forest, or Pebble Beach, is a private, mostly residential and visitor serving community on the southern side of the Monterey Peninsula along the central coast of California. Del Monte Forest is known for its high-end golf courses, its rugged coastline with views of the Pacific Ocean, its native Cypress and Monterey Pine forests, and its large-scale luxury residential development.

The subject property is specifically located near the intersection of 17-Mile Drive and Venadero Road. Access to the property is off Venadero Road. A fence and gate have been erected along Venadero Road so much of the existing development is not visible from Venadero Road and none of the development can be seen from 17-Mile Drive. Development on the property includes mature, non-native landscaping, an existing driveway, patios, walkways, an existing 3,749 square foot home that has been determined eligible for listing as an historic resource due to it's Spanish eclectic style architecture, a detached garage, a small greenhouse, a large area with non-native crab-grass, and some existing mature trees along the perimeters of the lot. The site is mostly flat with a very gentle decrease in elevation from north to south.

The site is zoned, and designated for low density residential use, which is the use that currently exists on the site. It is surrounded by other low density large residential structures and uses of with similar zonings and land use designations as well as private roads maintained by the Pebble Beach Company. Less than 1,000 feet to the south of the property is the second hole of the famed Pebble Beach Golf Links which carries a public/quasi-public recreational land use designation with the Pacific Ocean beyond that. Pine forest is intermixed with residential development on the northern side of 17-Mile Drive. On the southern side of 17-mile drive are lush green grasses of the irrigated golf-course, the Pebble Beach Lodge, and more large-scale residential development and uses.

Figure 2 – Ariel Vicinity Map



C. Other public agencies whose approval is required: The project has been reviewed and approved by the Pebble Beach Architectural Review Board. No other approvals are required for the proposed development; however, the California Coastal Commission maintains the authority to appeal the County's decision on the project and take permitted jurisdiction.

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

General Plan/Area Plan: Within the coastal areas of unincorporated Monterey County, the 1982 General Plan policies apply where the Local Coastal Program (LCP) is silent. This typically is limited to noise policies as the LCP policies contain the majority of development standards applicable to development in the coastal areas. The project includes residential landscape improvements in a residential area, is consistent with the policies of the 1982 General Plan, and will not create any noise other than minor and temporary construction noise.

Local Coastal Program-LUP: The project is subject to the Del Monte Forest Land Use Plan (LUP) and Regulations for Development with the Del Monte Forest Land Use Plan (CIP) which are part of the Certified Local Coastal Program in Monterey County. Again, the project includes landscape improvements associated with an existing residential use within a residentially designated area however, specific policies of the Del Monte Forest Land Use Plan dealing with water resources and runoff through impervious surface area limitations and policies dealing with archaeological resources requiring appropriate avoidance, minimization, and treatment are needed. This Initial Study discusses consistency with the relevant LUP policies in Section VI.10 and potential impacts to archaeological resources and/or tribal cultural resources in Sections VI.5 and VI.17 respectively.

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

| | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input checked="" type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |

- | | | |
|---|--|--|
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> 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:

1. Aesthetics. The project is limited to improvements that are at or near grade level. The landscape improvements, patios, and driveway surface will not change the visual appearance of the site or area. None of the structure or improvements can be seen from 17-Mile Drive which is a designated scenic road due to mature vegetation that screens all development on the property from view. In addition, the landscape improvements are minor in nature and will not adversely impact the historic resource on the property. *Therefore, the proposed project would not impact visual resources on the site or in the vicinity.* (Source: IX.1 & 7)
2. Agriculture and Forest Resources. The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance and project construction would not result in conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract. The project site is located within developed residential area and is not located adjacent to agriculturally designated lands. The site is designated for residential use, no trees are proposed for removal, and no significant forest resources are present at the site. *Therefore, the proposed project would not result in impacts to agricultural or forest resources.* (Source: IX.1 & 7)
3. Air Quality. Only minor and temporary impacts on air quality from construction-related impacts are anticipated. Landscape improvements are common on residential parcels and typically are not regulated by permits. There will be no long-term emissions, no new uses

or increase in the intensity of use of the property either directly or indirectly. The minor construction-related impacts will not violate any air quality standards or obstruct implementation of the Monterey Bay Air Pollution Control District air quality plans. *Therefore, the proposed project would not result in impacts to air quality.* (Source: IX.1 & 13)

4. Biological Resources. The proposed site does not contain any environmentally sensitive habitat areas. The site is currently developed and landscaped with no visible habitat. There are no trees proposed for removal. The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a sensitive or special status species and would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. (Sources II.B, Figure 2 and IX.1 & 7). *Therefore, no impact on biological resources is anticipated as a result of the project.*
5. Geology and Soils. The project includes only landscape improvements that are accessory to the existing residential use of the property. The site is flat and within a developed residential neighborhood. The landscape improvements will not affect the existing geologic or soil-related conditions and potential hazards to persons living at the site. *Therefore, the proposed project would not change hazards resulting from geologic or soils conditions resources.* (Source: IX.1)
6. Greenhouse Gas Emissions. The project is minor in scope and will not affect the existing residential use at the site including the existing energy needs of structures or related residential traffic impacts. No new long-term sources of greenhouse gas emissions are anticipated as a result of hardscape improvements and/or new landscape plants. Monterey County does not have a Greenhouse gas reduction plan by which consistency or conflicts can be measured; however, General Plan policies contain direction for the preparation of such a plan with guidance on what goals or measures should be accomplished in development of a plan. The proposed project does not conflict with the Policy direction contained in the 2010 General Plan. *Therefore, the proposed project would not result in significant increases in greenhouse gas emissions.* (Source: IX.1)
7. Hazards/Hazardous Materials. The proposal involves residential development where there would be no use of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. The project, given the nature of its use (single-family residential), would not involve the transport, use, or disposal of any hazardous materials. There are no known hazards or hazardous materials associated with this project. The proposed hardscapes and plants would not create stationary operations, hazardous emissions or involve handling hazardous materials. The site location and scale have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip. The Pebble Beach Community Services District reviewed the project application and had no comments (Source: IX.1). *Therefore, the proposed project would not result in impacts related to hazards/hazardous materials.*

8. Hydrology/Water Quality. The proposed project will not violate any water quality standards or waste discharge requirements. The Coastal Implementation Plan Part 5 (Regulations for Development in the Del Monte Forest area) limits impervious surfaces to 9,000 square feet per parcel in the area to protect the watershed that drains to the Carmel Bay Area of Special Biological Significance. Currently Lot 1 contains 15,666 square feet of impervious surfaces and Lot 2 contains 2,090 square feet of impervious surfaces. The project would remove the existing driveway pavement and replace it with permeable pavers that would allow water to penetrate through the surface. Overall, the proposal would reduce impervious surface area on the two lots by 3,700 square feet. A discussion of consistency with the relevant land use plan policies is provided in Section VI.10 of this document. Temporary erosion control measures will be required during construction as a standard condition of approval to prevent runoff. There is no water course, stream or river on site. The site is not located within the 100-year floodplain and the property is served by all public utilities, including public sewer (Carmel sanitary sewer district) and water (California American Water Co.). The Monterey County Water Resources Agency and Environmental Health Division have reviewed the project application and deemed that the project complies with applicable ordinances and regulations. (Source: IX.1 & 7). *Therefore, the proposed project would not result in any negative impacts related to hydrology/water quality.*
9. Mineral Resources. No mineral resources have been identified or would be affected by this project (Source: IX. 1, 7 & 8). *Therefore, the proposed project would not result in impacts to mineral resources.*
10. Noise. The construction of patios and resurfacing of the driveway and pathways on the property would not change any noise receptors or any existing noise conditions. The project site is not located in the vicinity of an airport or private airstrip. The project is located within a residential neighborhood and consists of the landscape improvements. There is no evidence that the persons residing or working near the project site would be significantly impacted by noise related to this project. Temporary construction activities shall comply with the County's noise requirements, as required in the County Code, Chapter 10.60. (Source: IX.1). *Therefore, the proposed project would not result in impacts to noise.*
8. Population/Housing. The proposed project would not induce substantial population in the area, either directly through the construction of landscape improvements within a residential area or indirectly as no new infrastructure would be extended to the site. The project would not alter the location, distribution, or density of human population in the area in any significant way, or create a demand for additional housing (Source: IX.1). *Therefore, the proposed project would not result in impacts related to population and housing.*
9. Public Services. The proposed project consists of the construction of one new single-family home which is being served by public services and utilities. The project would have no measurable effect on existing public services. The Monterey County Water

Resources Agency, Monterey County Public Works Department, the Environmental Health Division, and the Pebble Beach Community Services District have reviewed the project. These agencies provided comments on the project, which are incorporated into the project as conditions of approval. None of the County departments / service providers indicated that this project would result in potentially significant impacts (Source: IX.1). *Therefore, the proposed project would not result in impacts related to public services.*

10. Recreation. The project would not result in an increase in use of existing recreational facilities that would cause substantial physical deterioration. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project (Source: IX.1). *Therefore, the proposed project would not result in impacts related to recreation.*
11. Transportation/Traffic. The single-family use of the property will not change. The project is not located along a proposed trail as mapped in the County's Del Monte Forest Area Access Plan (Source IX. 1). *Therefore, the proposed project would not result in impacts related to traffic.*
12. Utilities/Services. Public utilities and services are provided by California American Water Company and the Carmel Sanitary Sewer District. Landscape improvements will not increase the need for services nor exceed the capacity of the utilities and services being provided (Source IX. 1). *Therefore, the proposed project would not result in impacts related to utilities/services.*

B. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal

standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Craig W. Spencer

Date

Senior Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

This Initial Study/Mitigated Negative Declaration has been prepared pursuant to Public Resources Code, Division 13, Section 21000 et. seq. (“The California Environmental Quality Act” or “CEQA”) and the California Code of Regulations, Title 14, Division 6, Chapter 3 (“Guidelines for Implementation of CEQA”).

This document is intended to inform the Zoning Administrator and the public of the potential environmental impacts that may result from the project. In general, the document attempts to identify foreseeable environmental effects, identify ways the potential impacts can be avoided or reduced, establish a threshold used to evaluate the severity of impacts, and identify measures that can be applied to reduce potential impacts (mitigation measures).

This document is focused only on those items where a potential impact to “resources” exist. A brief explanation for a “no impact” determination is provided above. More detailed discussion on potential impacts to cultural resources, land use resources, and tribal cultural resources are described below.

This document represents the independent judgement of the County of Monterey.

VI. ENVIRONMENTAL CHECKLIST

| 1. AESTHETICS | | | | | |
|--------------------|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| Would the project: | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) | Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

2. AGRICULTURAL AND FOREST RESOURCES

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

| Would the project: | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| 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))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

3. AIR QUALITY

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

| Would the project: | Potentially Significant Impact | Less Than Significant | Less Than Significant Impact | No Impact |
|---|--------------------------------------|------------------------------------|------------------------------------|-------------------------------------|
| | | With Mitigation Incorporated | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in significant construction-related air quality impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section 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 as defined in 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The subject property is located within a “high” archaeological sensitivity zone and contains a single-family residence that has been determined a historical resource eligible for listing at the local level of significance as a distinct architectural residence (Spanish eclectic style). Pursuant to Section 20.147.080 of the Coastal Implementation Plan, Part 5, an archaeological survey is required for a development within a high archaeological sensitivity zone as mapped on current county resource maps. A Preliminary Cultural Resources Reconnaissance prepared by Archaeological Consulting, dated May 7, 2016 found that the project area contains evidence of potentially significant archaeological resource. Staff requested a Phase II archaeological investigation including testing to determine the extent and location of resources. A Phase II report, dated July 2016 and revised June 2017, prepared by Holman & Associates Archaeological Consultants indicates, that mitigation and design features should be applied to the project. Testing confirmed the presence of historic Native American occupation in the area; however, there is obvious previous disturbance from construction of the historic home including existing structures and improvements as well as topographic conditions that seem to be remnants from a cut for the house construction with fill from the cut pushed toward the rear of the house under the existing rear patio. The archaeological testing results support the apparent site conditions including absence of resources in previously cut areas of the property and remnants of resources in the fill areas. To address the built historic conditions, a Phase II historic analysis was also prepared for the project by Kent Seavey, dated July 8, 2017 to analyze potential impacts to the historic building at the site. The Historic report concludes that the project appears consistent with the intent and direction of the Secretary of the Interior’s Standards for Rehabilitation and will not adversely affect the historic resource.

Cultural Resources 5(a) – Less than Significant Impact.

The property contains an existing single family residence that is considered an historic resource due to its unique architectural style and association with early development in Pebble Beach. If the proposed project were to destroy historic materials, features, or spatial relationships that characterized the historic association and feel of the property, it could result in an adverse change in the significance of the historic resource. As proposed, the project includes construction of new

patios, walkways, and landscape features surrounding the historic home. A Phase II Historic report was prepared for the project by Kent Seavey. The report analyzes the consistency of the project with the Secretary of the Interior's Standards for Rehabilitation and to determine if the project would adversely impact the significance of the historic resource. In his report, Mr. Seavey concludes that as proposed, the landscape improvements will not destroy the significance of the historic resources. The new terraces/patios will be constructed in a manner that is compatible with but distinguishable from the original historic materials and setting and will be removable in the future without significantly impacting the historic property. RMA- Planning staff have reviewed the Historic Report and the proposed project and concur with the determination. As proposed, the project meets the Secretary of the Interior's Standards for Rehabilitation and will not have a significant, adverse impact on the historic building (Source IX. 1, 7, & 11).

Cultural Resources 5(c)– Less than Significant Impact

The project is located within a developed residential area. There have been no paleontological resources discovered during development in the surrounding areas. In addition, the landscape improvements will require relatively shallow excavation for foundations and surface preparation (18 inches below existing grade). Other materials frequently associated with prehistoric cultural resources were not found during site inspections by both the RMA-Planning Division and the project archeologist, nor are they likely to occur at the site (Source: IX. 1, 7, 8, & 10). There is no indication that the project site contains any unique geological features (Source IX. 7). While there are no significant impacts to paleontological resources foreseen, recommended mitigation measures applied due to the potential archaeological impacts will provide a safeguard for unexpected paleontological resources encountered during construction (See 5(b) & 5(d) below).

Cultural Resources 5(b) & 5(d) – Less than Significant with Mitigation Incorporated

The site is located in an area that is mapped “high” in archeological sensitivity (Reference 4 & 7). An archaeological reconnaissance conducted for the project indicated a previously recorded archaeological site in the vicinity of the proposed project and found evidence that the site may contain archaeological resources. To determine the extent and location of potential resources, a Phase II archaeological investigation was conducted. As part of the Phase II investigation, 13 auger tests were drilled in and around the existing home. Based on the testing results, the archaeologist recommended that the project be redesigned to avoid portions of the site including avoidance of excavation for construction below depths where intact layers of resources may be present. Furthermore, the report recommended that if complete avoidance is not possible, impacts to resources should be mitigated through archaeological data recovery and archaeological monitoring during construction. Based on the information, and consistent with Del Monte Forest Land Use Plan policies, the project was redesigned to minimize the footprint of the proposed patios and walkways and hence minimize potential impacts to archaeological resources. Due to the nature of the improvements (patios, walkways, and driveways), improvements must be located near or adjacent to the existing residence. The proposed improvements are generally located within the footprint of the existing patios, walkways, and driveways with the exception of a patio/walkway that connects the front of the home with the rear patio. The new connection along the side of the existing residence provides accessible access to the house without more substantial improvements to the front patio area where stairs currently connect the driveway to the front door. One of the occupants of the home is wheel chair bound.

As it exists under current conditions, the home is not wheel chair accessible. The improvements would provide access through the rear patio and directly into a bedroom/bathroom that has been improved for wheel chair access. Despite the redesign to minimize impacts, and given the nature of the proposed improvements and existing conditions at the site, total avoidance of archaeological resources is not feasible. For this reason, mitigation measures are recommended to reduce potential impacts to resources to a less than significant level (Source IX. 1, 5, 6, 9, 10 & 12).

Recommended Mitigation:

Mitigation Measure #1: Require the contractors to sign and record an agreement created by an Archaeologist informing them of the potential for incidental impacts and requirements to contract the archaeologist for monitoring during earth disturbing activities associated with new construction on the parcel, such as grading, foundation excavations, etc. The monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features.

Monitoring Action #1A: Prior to issuance of a permits, the applicant shall provide the Chief of Planning with a copy of a written agreement demonstrating that an Archaeological monitor will be on-site during earth disturbing activities. The archaeological monitor shall be authorized to halt excavation activities until finds are properly evaluated. Prior to final building inspection, the applicant shall provide evidence of the presence of the Archaeologist on-site during demolition of existing structures and earth disturbing activities. Such evidence shall include measures taken for protection or analysis of resources during construction. The report shall be certified by the Archaeologist.

Mitigation Measure #2: Prior to footing excavation, archaeological data recovery, consistent with contemporary archaeological practices, shall be conducted within the areas of intact deposits that will be impacted by the Project. At a minimum, the data recovery should include the following:

1. One 1x1 meter test unit to be excavated in 10 centimeter levels from the surface to 20 centimeters below the cultural deposit and recovered material passed through a 1/8 – inch screen with any materials remaining in the screen transported to a laboratory for fine sorting. Professional analysis of specific categories of artifacts and ecofactual materials will be conducted as warranted by the type and amount of material recovered. Following testing, all items recovered shall be returned to the site and offered to the Native American tribal monitor for treatment and ultimate disposition.
2. At least two radiocarbon dates from single-specimens of mussel shell or other appropriate material shall be obtained with at least one specimen taken from the intact portion of the deposit.

Monitoring Action #2A: Prior to issuance of permits, the applicant shall provide the Chief of Planning with a copy of a written agreement that includes data recovery functions meeting the standards described in Mitigation Measure #2 above. Prior to final building inspection, the applicant shall provide evidence that the data recovery has been implemented and carried out in accordance with the required mitigation. The evidence shall also include a summary of the findings from the data recovery efforts.

Conclusion:

As designed the project will affect very small portions of larger Native American village site that covers several properties in the area and as mitigated, the project will have a less than significant impact on archaeological resource.

| 6. GEOLOGY AND SOILS | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Expose people or structures to 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? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

| 7. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

| 8. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| 8. HAZARDS AND HAZARDOUS MATERIALS | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:
See Section II and IV

| 9. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial <u>erosion or siltation</u> on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in <u>flooding</u> on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

9. HYDROLOGY AND WATER QUALITY

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| Would the project: | | | | |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

10. LAND USE AND PLANNING

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The project has been reviewed for consistency with the Monterey County Local Coastal Program including the Del Monte Forest Land Use Plan, the Coastal Implementation Plan, Part 5 (Regulations for Development in the Del Monte Forest Land Use Plan Area), and the Coastal Implementation Plan, Part 1 (Coastal Zoning Ordinance).

The project includes landscape improvements on a single family residential property. Single family residences are a principally permitted use of the property and the project will not change the nature of the residential use of the property. The project will not divide an established

community and no habitat conservation plan or natural community conservation plan encumbers the site (Source IX. 1, 4, 5, 6, & 7).

Some improvements at the site are currently considered “legal non-conforming.” The existing garage/guesthouse and greenhouse have been built across the property line and do not conform with currently required setbacks and the property containing the single-family dwelling currently does not conform to the impervious surface coverage limitations for the parcel (9,000 square feet allowed; 15,666 square feet existing). In addition, policies of the Del Monte Forest Land Use Plan dealing with cultural resources are applicable (Source IX. 1, 4, 5, 6, & 7).

The Coastal Implementation Plan, Part 1 allows legal non-conforming structures and uses to continue. Restrictions on the ability to alter or rebuild the non-conforming structure(s) apply unless the alteration conforms to the current regulations. In this case, there are no improvements proposed to the garage/guesthouse and greenhouse and the project would include maintaining the existing legal non-conforming structure location without alteration. Again, maintenance of non-conforming structures and uses is permitted (Source IX. 1 & 4).

~~Changes to the impervious surfaces are proposed. The alteration to the impervious surface area would not conform to the 9,000 square foot impervious surface coverage limitation; however, the project would substantially reduce the impervious surface area by approximately 3,646 square feet (from 15,666 sq. ft to 12,020 sq. ft.). Projects that are found to substantially improve the non-conforming conditions, specifically for the impervious surface areas, can be found, in specific cases, to meet the intent of the Del Monte Forest Land Use Plan policy by improving the potential for on-site water absorption and minimizing runoff from the site (Source IX. 1, 5, & 6). In this case, there are two properties involved. Lot 1 (Assessor's Parcel Number: 008-422-012-000) is the parcel that has a non-conforming impervious surface coverage. Lot 2 (Assessor's Parcel Number 008-422-013-000) contains a small portion of the existing development; 2,090 square feet, which is well under the 9,000 square foot impervious surface coverage limitation. Impervious surface area on Lot 2 is proposed to be reduced by 65 square feet. Because patios and driveways require location near the home, the proposed improvements are primarily contained on Lot 1 (where the historic home exists). Because of the historic nature of the structure, the proposed reduction in impervious surface areas overall, the fact that the two lots together would not exceed the cumulative coverage limitations, and given the lack of options for improvements that would meet the 9,000 square foot coverage limitations, this project could be found to meet the intent of the impervious surface coverage limitations in the Del Monte Forest Land Use Plan.~~

The site is located within the “Pescadero Watershed” area of the Del Monte Forest which is an area that drains to the Carmel Bay Area of Special Biological Significance (ASBS). The Del Monte Forest Land Use Plan calls for heightened concern of non-point sources of pollutants to the Carmel Bay ASBS. Specific policies to protect freshwater and marine resources are provided that require erosion control measures and stormwater runoff best management practices for all development projects in the watershed. This Penn project is required to implement erosion control measures during construction (Condition 6) and stormwater systems (Condition 10), consistent with the Del Monte Forest Land Use Plan policies and Monterey County Code.

Separately from the Freshwater and Marine Resource policies, the Del Monte Forest Land Use Plan contains a Land Use and Development Policy which states: “New residential development, including main and accessory structures, within the Pescadero Watershed and the smaller unnamed watersheds of the Pebble Beach Planning Area which drain into the Carmel Bay Area of Special Biological Significance (ASBS) and in the watersheds of Seal Rock Creek and Sawmill Gulch (see Figure 2b) shall be limited to a maximum of 9,000 square feet of site coverage. The site coverage limitation total shall include both structural and other impervious surface coverage.” [Policy 77]. It is staff’s interpretation that this policy is broadly intended to protect the Carmel Bay ASBS by applying a narrow, individual site development standard.

Consistent with the emphasis in the Del Monte Forest Land Use Plan for “heighted concern” for the protection of the ASBS and consistent with the interpretation that specific policy 77 is a “site development standard,” a Coastal Development Permit consideration is included in this permit for exceedance of the 9,000 square feet impervious surface limit in the Pescadero Watershed. With standard conditions implemented, and as proposed, the project would prevent erosion and effectively control stormwater runoff onsite consistent with marine resource protection policies. With regard to the 9,000 square foot limit, the site currently contains 15,666 square feet of impervious area (Lot 1) and this non-conforming situation would be substantially improved by removing more than 6,000 square feet of impervious surface area. The reduction is accomplished primarily by reducing the size of the existing driveway by over 1,000 square feet and changing the existing 5,566 square foot impervious driveway surface with a 4,387 square feet pervious driveway surface. This reduction represents edits made to the improvement plans during the planning review process and a balance of providing reasonable outdoor patios and living space while protecting resources.

Requiring strict conformance to the development standard is not recommended in this case as it may deprive the property owner of reasonable outdoor living space, would be disproportionate to the foreseeable impacts of the project, and could have adverse impacts on historic and cultural resources. Some existing impervious surfaces cannot and should not be modified to protect the historic integrity of the home including the structures and the front courtyard area. On the rear of the property, a deteriorating rear patio would be replaced. This patio connects the residence to the garage and greenhouse. The rear patio elevation is raised from grade to match the existing rear door thresholds on the historic home. Stone work on the patio is appropriate to compliment the historic architecture of the site. Potential impacts to archaeological resources outside of the existing disturbed areas have also been identified as a concern and the project has been designed to minimize potential impacts to those resources as well.

In all, with adequate protections for erosion and stormwater runoff, the balance of the project design with respect to cultural resources, and the significant reduction in impervious area, staff believes that the project has been sited and designed in such a manner as to protect and enhance coastal resources.

Cultural Resource policies of the Del Monte Forest Land Use Plan require that when developments are permitted on parcels where archaeological or other cultural resource sites are

located, project design shall be required which avoids or mitigates impacts to such sites. As described in the Cultural Resources analysis in Section VI.5 above, the project has been redesigned to avoid resources to the extent feasible. Mitigation measures and required conditions of approval including the requirement for an Historic Resource ("HR") zoning district overlay will be applied (Source IX. 1, 5, 6, 9, 10, 11 & 12).

Conclusion:

The project will not divide an established community; will not conflict with an adopted conservation plan; and as designed and mitigated will not conflict with the relevant policies of the Local Coastal Program. *Less Than significant.*

| 11. MINERAL RESOURCES | | | | | |
|------------------------------|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| Would the project: | | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

| 12. NOISE | | | | | |
|-------------------------------------|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| Would the project result in: | | | | | |
| a) | Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| 12. NOISE | | | | |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

| 13. POPULATION AND HOUSING | | | | |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Induce substantial 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

14. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

15. RECREATION

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

Discussion/Conclusion/Mitigation:

See Section II and IV

| 16. TRANSPORTATION/TRAFFIC | | | | |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? (| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

| 17. 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 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion

Pursuant to Public Resources Code Section 21080.3.1, on October 10, 2017, the Resource Management Agency – Planning Division consulted with the tribal chairwoman of the Ohlone-Coastanoan, Esselen Nation (OCEN) regarding the proposed project. OCEN is generally opposed to land disturbance that has the potential to impact archaeological resources but understands that development will occur on private property. In this case, OCEN is concerned with unearthing artifacts or human remains belonging to their tribal ancestors (Source IX. 1, 8, 9, 10, & 14). To mitigate potential impacts to these resources, OCEN requests a tribal monitor be present during all earth disturbing activities. Implementation of the mitigation measures described below would ensure that, if artifacts or human remains are discovered, these resources are treated with appropriate dignity and respect. These mitigations shall apply in addition to the mitigations described in the cultural resources section above.

Mitigation:

Mitigation Measure #3

A tribal monitor from the Ohlone-Coastanoan, Esselen Nation shall be present during all earth disturbing activities on the site including any pre-construction data recovery activities conducted by the archaeologist. The tribal monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. If resources are discovered, and following any carbon dating or analysis by the archaeologist, the property owner shall provide an area for reburial of resources on-site or provide an adequate off-site location for reburial. The tribal monitor shall be given the authority to determine the ultimate disposition of

any artifacts or remains on site. This mitigation is not intended to alleviate the property owner or applicant from contacting the coroner and complying with state law if human remains are discovered.

Monitoring Action #3a

Prior to final inspection, the applicant shall provide the Chief of Planning with photographs during construction and a written statement from the designated tribal monitor that the mitigation has been complied with.

Conclusion:

As designed and mitigated, the project will have a less than significant impacts on Tribal Cultural Resources.

| 18. UTILITIES AND SERVICE SYSTEMS | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See Section II and IV

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion/Conclusion/Mitigation:

Question (a)

The proposed landscape improvements are contained within a single family residential area that is already disturbed from active residential use. There will be no impacts to biological resources from implementation of the project. The project does have the potential to impact cultural resources including a historic building (the existing residence) and archaeological/tribal cultural resources. Mitigation measures are proposed that would reduce the potential impacts to cultural resources to a less than signification level by providing oversight from an archaeologist and from the local Native American Tribe. The oversight will ensure that any resources found are appropriately analyzed (data recovery) and that the resources are treated with appropriate dignity and respect.

Questions (b) and (c)

The project includes minor alterations to an existing residential landscape. Landscape improvements often do not require permits or can be categorically exempt from environmental review because they typically would not result in potentially significant environmental impacts. In this case, environmental analysis is required due to the potential impacts to cultural and tribal

cultural resources. There are no other foreseeable impacts either cumulatively or to human beings in the area.

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 unless a “no effect” determination can be obtained from the California Department of Fish and Wildlife.

Evidence: Based on the record as a whole as embodied in the RMA-Planning files pertaining to PLN170198 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application and Plans (PLN170198)
2. Ariel imagery of the site and surroundings from Google Maps and Google Earth
3. Monterey County General Plan (1982 as amended)
4. Monterey County Coastal Implementation Plan Part 1 (Title 20)
5. Del Monte Forest Land Use Plan
6. Coastal Implementation Plan Part 5
7. Site visit by planner August 31, 2017
8. Monterey County Planning Department GIS system and selected property report for Assessor's Parcel Number's 008-422-012-000 and 008-422-013-000
9. Preliminary Archaeological Assessment (May 17, 2016) by Gary Breshini
10. Archaeological Subsurface Testing report (July 2016, revised June 2017) prepared by Holman & Associates
11. Phase II Historic Report (July 8, 2017) prepared by Kent Seavey
12. Design Justification Letter and analysis (received August 4, 2017) prepared by Justin Pauly, Architect
13. "2012-2015 Air Quality Management Plan" and 2005 Particulate Matter Plan prepared and maintained by the Monterey Bay Air Resources District <http://mbard.org/programs-resources/planning/air-quality-plans/>
14. Consultation with Louise Ramierz, tribal chairwoman for the Ohlone-Coastanoan, Esselen Nation (September 12, 2017)

X. ATTACHMENTS

1. Site Plan and Elevations

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