

Exhibit E

This page intentionally left blank

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #**Project Title:** ABERNETHY

Lead Agency: Monterey County RMA - Planning

Contact Person: Jacquelyn M. Nickerson

Mailing Address: 1441 Schilling Place, 2nd Floor

Phone: 831-755-5240

City: Salinas

Zip: 93906

County: Monterey

Project Location: County: Monterey

City/Nearest Community: Carmel

Cross Streets: 26263 Scenic Road

Zip Code: 93923

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: 0.144

Assessor's Parcel No.: 009-432-026-000

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: HWY 1

Waterways: _____

Airports: _____

Railways: _____

Schools: Carmel River Elementary

Document Type:

CEQA:

☐ NOP☐ Draft EIR

NEPA:

☐ NOI

Other:

☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) _____

☐ Draft EIS☐ Other: _____☒ Mit Neg Dec

Other: _____

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☒ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other: _____**Development Type:**☒ Residential: Units 2 Acres 1☐ Office: Sq.ft. _____ Acres _____ Employees _____☐ Transportation: Type _____☐ Commercial: Sq.ft. _____ Acres _____ Employees _____☐ Mining: Mineral _____☐ Industrial: Sq.ft. _____ Acres _____ Employees _____☐ Power: Type _____ MW☐ Educational: _____☐ Waste Treatment: Type _____ MGD☐ Recreational: _____☐ Hazardous Waste: Type _____☐ Water Facilities: Type _____ MGD☐ Other: _____**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☐ Recreation/Parks☐ Vegetation☐ Agricultural Land☐ Flood Plain/Flooding☐ Schools/Universities☐ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☐ Biological Resources☐ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☒ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☒ Toxic/Hazardous☐ Cumulative Effects☐ Economic/Jobs☐ Public Services/Facilities☒ Traffic/Circulation☐ Other: _____**Present Land Use/Zoning/General Plan Designation:**

Carmel Area Land Use Plan/MDR/2-D(18)

Project Description: (please use a separate page if necessary)

Combined Development Permit consisting of: 1.) Coastal Administrative Permit and Design Approval to allow construction of 686 square feet of additions to an existing 2,135 square foot single family dwelling with an attached garage; and 2.) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

☐ Air Resources Board
☐ Boating & Waterways, Department of
☐ California Emergency Management Agency
☐ California Highway Patrol
☐ Caltrans District # _____
☐ Caltrans Division of Aeronautics
☐ Caltrans Planning
☐ Central Valley Flood Protection Board
☐ Coachella Valley Mtns. Conservancy
☒ Coastal Commission
☐ Colorado River Board
☐ Conservation, Department of
☐ Corrections, Department of
☐ Delta Protection Commission
☐ Education, Department of
☐ Energy Commission
☐ Fish & Game Region # _____
☐ Food & Agriculture, Department of
☐ Forestry and Fire Protection, Department of
☐ General Services, Department of
☐ Health Services, Department of
☐ Housing & Community Development
☒ Native American Heritage Commission

☐ Office of Historic Preservation
☐ Office of Public School Construction
☐ Parks & Recreation, Department of
☐ Pesticide Regulation, Department of
☐ Public Utilities Commission
☐ Regional WQCB # _____
☐ Resources Agency
☐ Resources Recycling and Recovery, Department of
☐ S.F. Bay Conservation & Development Comm.
☐ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
☐ San Joaquin River Conservancy
☐ Santa Monica Mtns. Conservancy
☐ State Lands Commission
☐ SWRCB: Clean Water Grants
☐ SWRCB: Water Quality
☐ SWRCB: Water Rights
☐ Tahoe Regional Planning Agency
☐ Toxic Substances Control, Department of
☐ Water Resources, Department of

☐ Other: _____
☐ Other: _____

Local Public Review Period (to be filled in by lead agency)

Starting Date October 4, 2018 Ending Date November 5, 2018

Lead Agency (Complete if applicable):

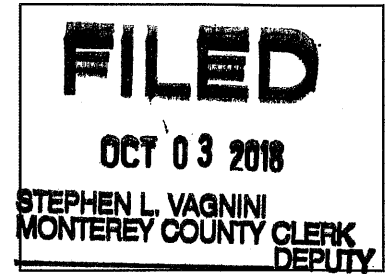
Consulting Firm: _____ Applicant: AL SAROYAN
Address: _____ Address: 760 REDWOOD AVE
City/State/Zip: _____ City/State/Zip: SAND CITY CA 93955
Contact: _____ Phone: 831-393-1800
Phone: _____

Signature of Lead Agency Representative:  Date: 10/3/18

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION



| | |
|-----------------------------|--|
| Project Title: | Abernethy 201603 LLC |
| File Number: | PLN170851 |
| Owner: | Abernethy 201603 LLC |
| Project Location: | 26263 Scenic Road, Carmel |
| Primary APN: | 009-432-026-000 |
| Project Planner: | Jacquelyn M. Nickerson |
| Permit Type: | Combined Development Permit |
| Project Description: | Combined Development Permit consisting of: 1.) Coastal Administrative Permit and Design Approval to allow construction of 686 square feet of additions to an existing 2,135 square foot single family dwelling with an attached garage; and 2.) Coastal Development Permit to allow development within 750 feet of known archaeological resources. |

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

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

| | |
|------------------------------|---------------------|
| Decision Making Body: | Planning Commission |
| Responsible Agency: | County of Monterey |
| Review Period Begins: | October 4, 2018 |
| Review Period Ends: | November 5, 2018 |

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

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING

1441 SCHILLING PL SOUTH 2ND FLOOR, SALINAS, CA 93901

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



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

NOTICE IS HEREBY GIVEN that Monterey County Resource Management Agency – Planning has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit consisting of a Coastal Administrative Permit and Design Approval and a Coastal Development Permit (Abernethy 201603 LLC, File No. PLN170851) at 26263 Scenic Road (APN 009-432-026-000) (see description below).

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

<http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/resources-documents/environmental-documents/pending> .

The Planning Commission will consider this proposal at a meeting on November 14, 2018 at 9:00 a.m. in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from October 4, 2018 to November 5, 2018. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of: 1) Coastal Administrative Permit and Design Approval to allow construction of 686 square feet of additions to an existing 2,135 square foot single family dwelling with an attached garage; and 2) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

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

CEQAcomments@co.monterey.ca.us

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

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

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

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

County of Monterey
Resource Management Agency – Planning
Attn: Jacqueline R. Onciano, RMA Chief of Planning
1441 Schilling Place South, 2nd Floor
Salinas, CA 93901

Re: Abernethy 201603 LLC; File Number PLN170851

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

____ No Comments provided
____ Comments noted below
____ Comments provided in separate letter

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. California Coastal Commission
4. California America Water Company
5. Native American Heritage Commission, Sacramento Office
6. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esslen Nation
7. Cypress Fire Protection District C/O Sichel Young
8. Abernethy 201603 LLC, Owner
9. Sara Edwards C/O BSI Holdings Inc, Applicant
10. Al Saroyan or Casey Torres C/O Saroyan Master Builder, Agent
11. The Open Monterey Project
12. LandWatch Monterey County
13. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

14. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: galacatos@usace.army.mil)
15. Emilio Hipolito (ehipolito@nccrc.org)
16. Molly Erickson (Erickson@stamplaw.us)
17. Margaret Robbins (MM_Robbins@comcast.net)
18. Michael Weaver (michaelrweaver@mac.com)
19. Monterey/Santa Cruz Building & Construction (Office@mscbctc.com)
20. Tim Miller (Tim.Miller@amwater.com)

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING

1441 SCHILLING PL SOUTH, 2nd FLOOR, SALINAS, CA 93901

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



Project Title: Abernethy 201603 LLC

File No.: PLN170851

Project Location: 26263 Scenic Road, Carmel

Name of Property Owner: Abernethy 201603 LLC

Name of Applicant: Abernethy 201603 LLC

Assessor's Parcel Number(s): 009-432-026-000

Acreage of Property: 0.144

General Plan Designation: Carmel Area Land Use Plan, Coastal Zone

Zoning District: MDR/2-D (18) (CZ)/Medium Density Residential, 2 units per acre with a Design Control overlay and 18-foot height restriction

Lead Agency: County of Monterey, Resource Management Agency – Planning

Prepared By: Jacquelyn M. Nickerson, Assistant Planner &

Anna V. Quenga, Senior Planner

Date Prepared: September 13, 2018

Contact Person: Jacquelyn M. Nickerson, Assistant Planner

Phone Number: 831-755-5240

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The project application (herein after referred to as “Project”), consists of a 219 square foot addition and remodel to an existing 2,135 square foot two-story single family dwelling and attached garage. As illustrated in **Figure 1** below, site improvements include the reduction of deck and stairs from 219 square feet to 190 square feet, the reduction of an exterior patio and steps from 1,206 square feet to 579 square feet, and the increase of driveway surface from 495 square feet to 1,011 square feet. Existing site walls will also be reduced from 188 square feet to 63 square feet. An existing rock wall and stone patio on the southeast corner of the of subject property will be replaced with an ornamental dry creek/bridge landscape feature.

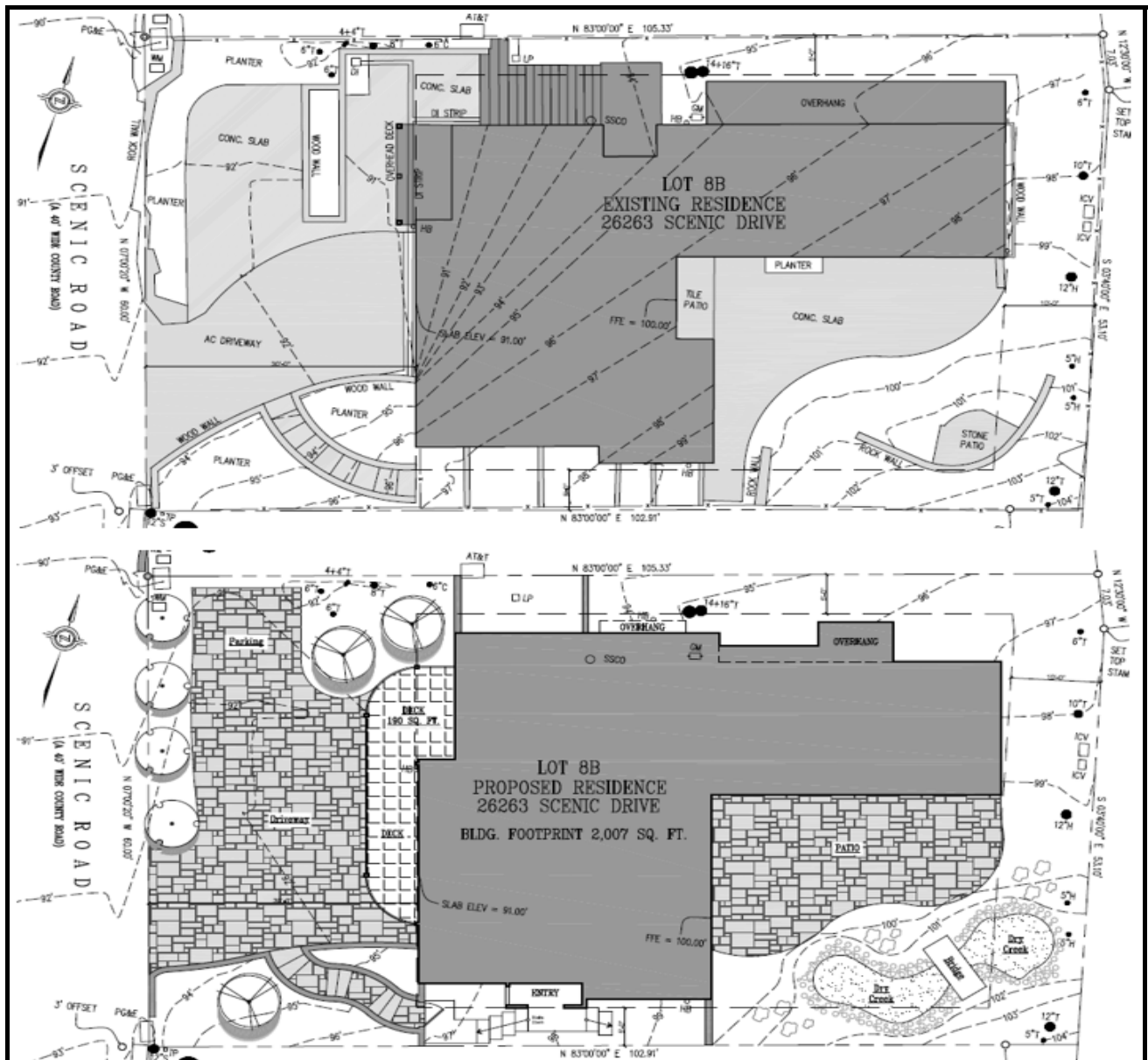


Figure 1 – Existing and Proposed Site Comparison

The main floor includes the removal of 233 linear feet of exterior walls, stairs and an entry deck at the northern elevation, and a side deck at the western elevation and the addition of approximately 64 square feet. Internal walls will also be modified to provide reallocation of living spaces. See **Figure 2** below.

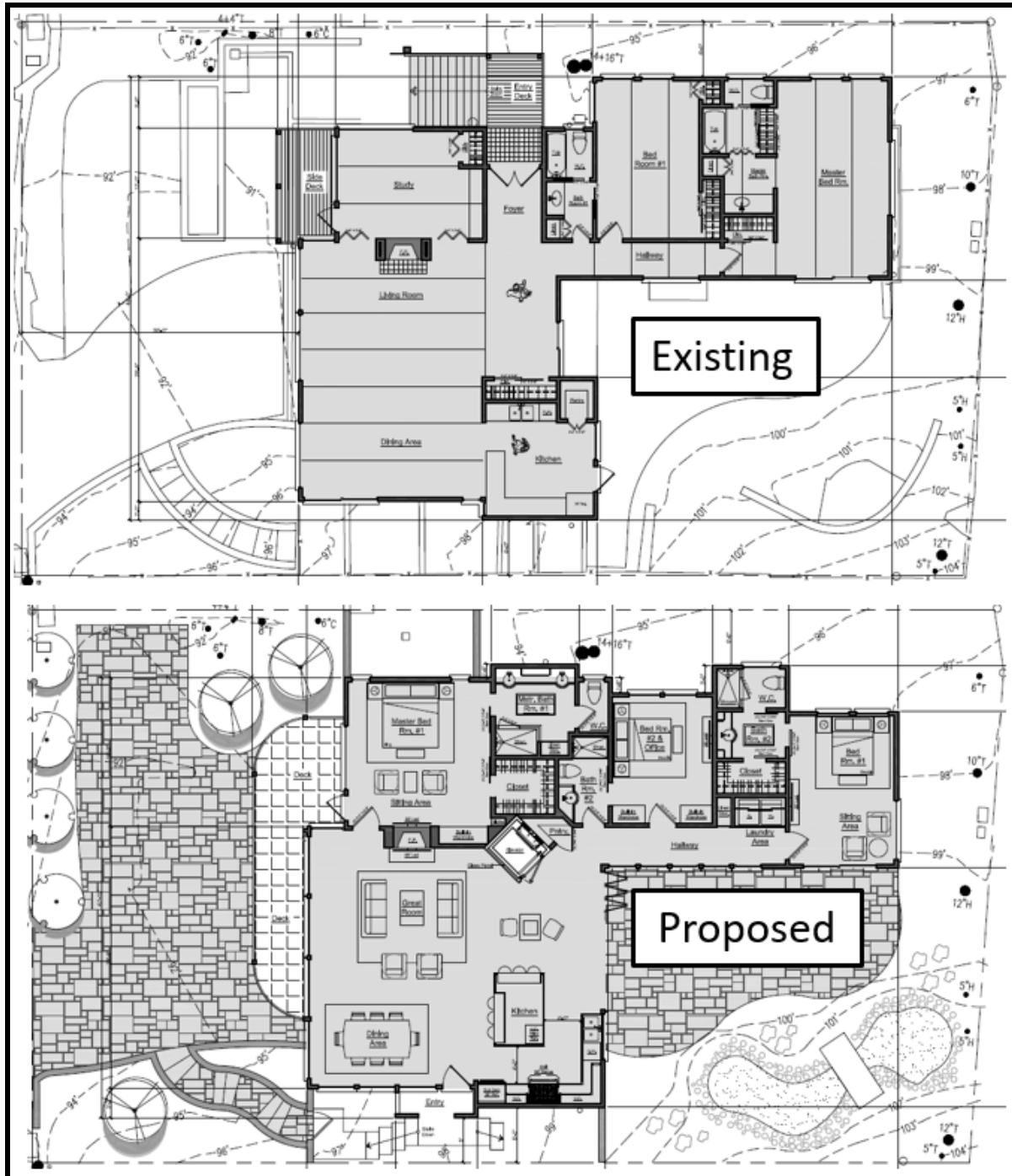


Figure 2 – Existing and Proposed Main Floor Comparison

The garage and bedroom at the lower level, or basement, will be maintained in the same location and approximately 155 square feet will be added to enlarge and modify the bathroom and add a wine cellar and elevator for access to and from the main level. See **Figure 3** below.

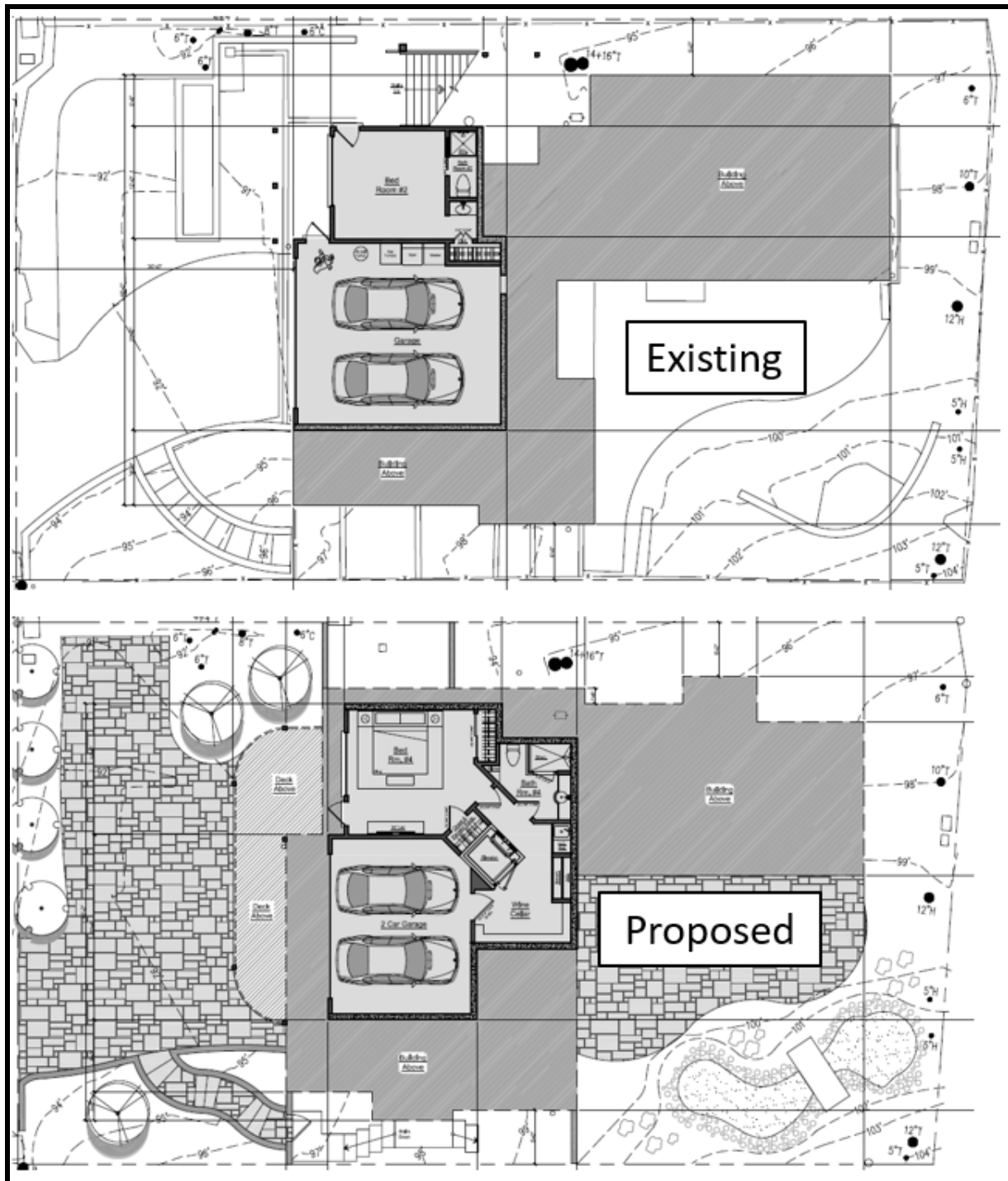


Figure 3 – Existing and Proposed Lower Floor Comparison

Surface grading for the above ground improvements will be minimal. Excavation for the lower floor addition will be approximately 15 cubic yards of dirt. To address potential erosion issues during earth movement, the project plans also include Construction Best Management Practices and a Proposed Storm Water Drainage Plan (**Figure 4**). The project plans also include general notes addressing construction management.

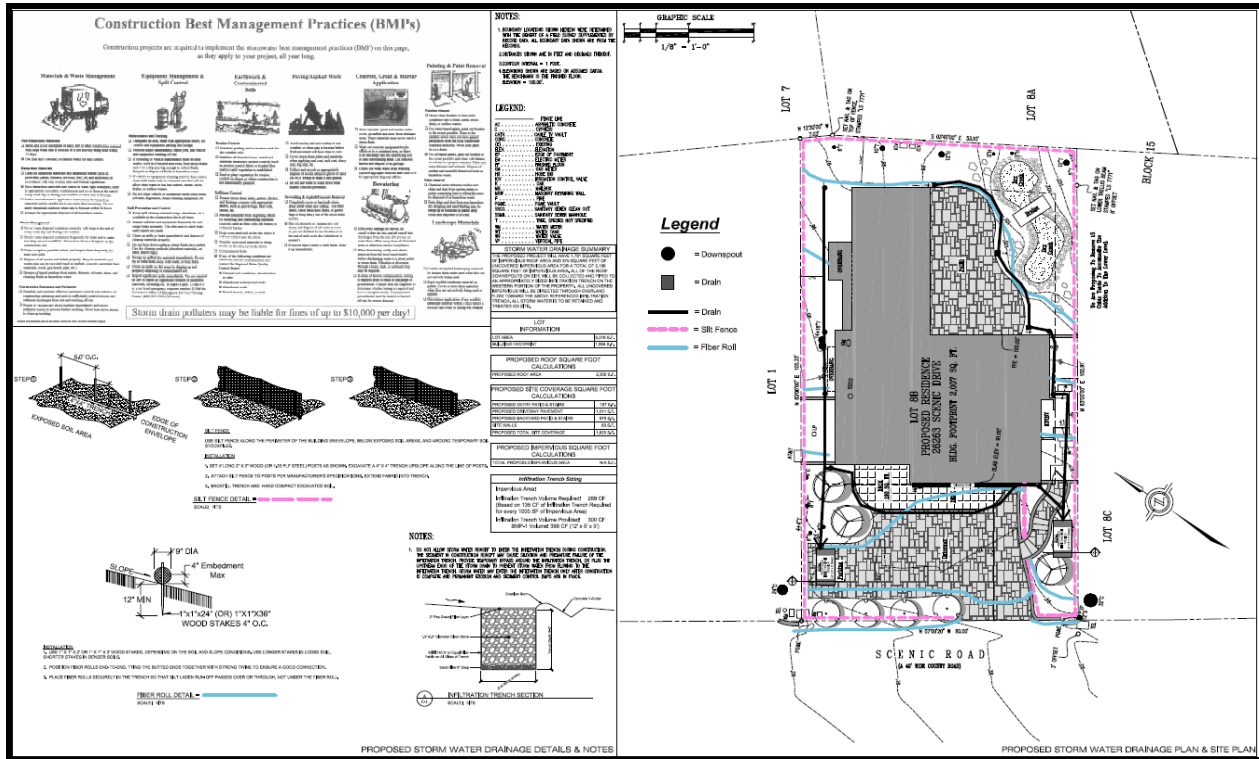


Figure 4 – Construction BMPs and Proposed Storm Water Drainage Plan

The subject property is governed by policies and regulations contained in the 1982 Monterey County General Plan (General Plan), the Carmel Area Land Use Plan (CAR LUP), the Monterey County Coastal Implementation Plan, Part 4 (Carmel CIP), and the Monterey County Coastal Zoning Ordinance, Part 1 (Title 20). Implementation of the project requires approval of a Combined Development Permit (CDP) consisting of a Coastal Administrative Permit and Design Approval for the addition and remodel to an existing single family dwelling and Coastal Development Permit for development within 750-feet of a known archaeological site.

Pursuant to Section 20.44 – Design Control District of the Title 20, design review of structures is required to assure the protection of the public viewshed, neighborhood character, and the visual integrity of certain developments without imposing undue restrictions on private property. The existing single-family, wood-frame dwelling follows a shed style and was constructed in 1968 (**Figure 5**). Because the existing structure is more than fifty (50) years old, a phase-one Historical Report for the subject parcel was reviewed to assure that the property/structure is not associated with: 1) Events that have made a significant contribution to the broad patterns of national, state or local history or 2) With a significant individual in the US.

The proposed design will incorporate standing seam metal roofing and eaves of moderate overhang. Stone ply exterior wall panels are proposed for the body with cottage white trimming of the residence. Staking and flagging was installed for the project. Subsequently, staff conducted a site visit on September 25, 2018.



Figure 5 – Existing Structure and Staking and Flagging

B. Surrounding Land Uses and Environmental Setting:

The subject property is a 6,276-square-foot (0.144 acre) parcel located at 26263 Scenic Road in Carmel (Assessor's Parcel Number 009-432-026-000) zoned Medium Density Residential, 2 units per acre with a Design Control overlay and 18-foot height restriction or "MDR/2-D(18)(CZ)". The subject property is located on a residential subdivision created by a Record of Survey of Division of Lot 8, shown on "Jeffers Estates," and recorded on April 19, 1965 in Volume X-3 of Maps, Page 209. The project site is within an established residential neighborhood located on the southwestern portion of the Carmel Point area, south of the intersection of Scenic Road and Bay View Avenue. The parcel is approximately 1.3 miles west of Highway 1 and 925 feet south of the incorporated city of Carmel-by-the-sea (Figure 6).



The Site Plan (**Figure 7**) shows existing site conditions. The proposed development does not constitute ridgeline development; however, the development is within the public viewshed as defined in the CIP. The developed lot fronts Scenic Road and is designed in a way that is consistent with the surrounding neighborhood character and environment.

The house was constructed in 1968 for Frances Wicks Bliss and was irregular in plan (Kirk, Source 11) and the proposed residential development would continue to meet the site development standards for MDR/2-D(18).

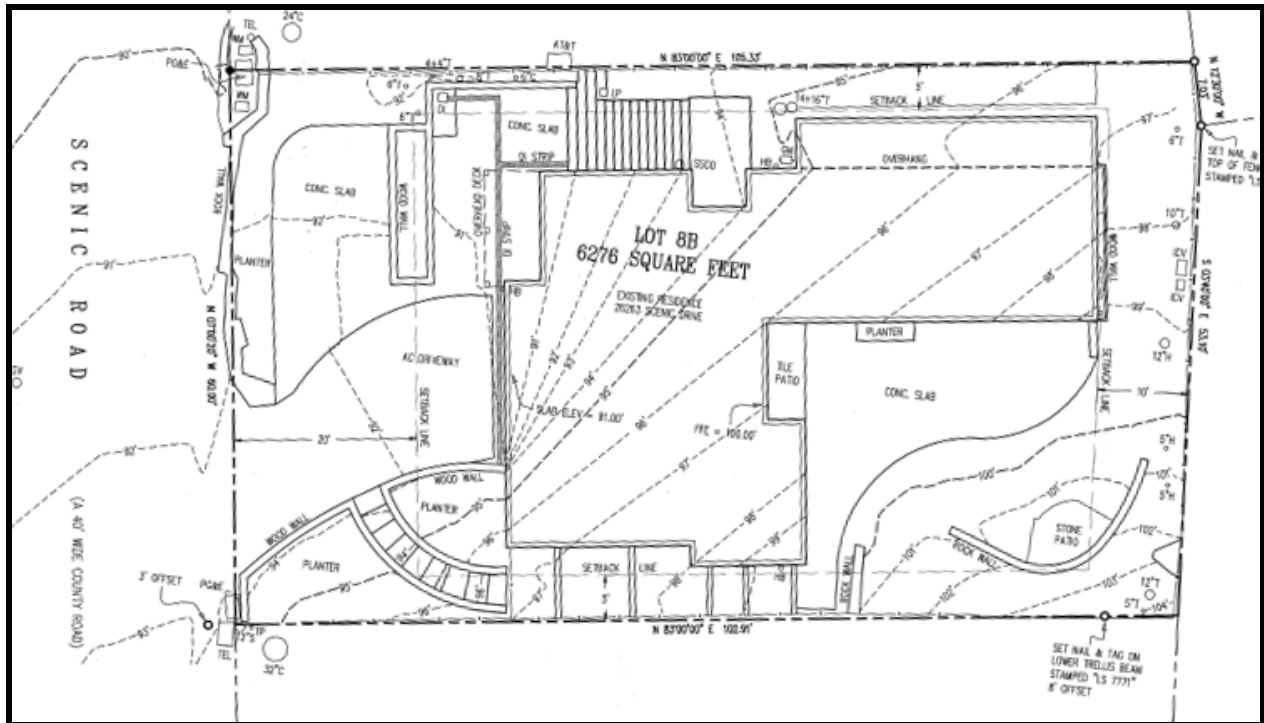


Figure 7 – Site Plan of Existing Conditions

Per County records, the property is located in an area of “High” archaeological sensitivity, and an area of potential geologic hazards.

Carmel Point is extremely sensitive to archaeological resources and has been an area of archaeological study for at least thirty years. In 2012, Breschini and Haversat (Breschini, Source 16) prepared a comprehensive report with an overview of archaeological investigations and a summary of findings for the Point covering 114 parcels. The earliest radio carbon date from the site is in excess of 9,400 years before present. **Figure 8** shows the subject parcel in a cluster of archaeological buffers. The buffers represent 750-foot buffer zones from a known/positive archaeological finding. The people indigenous to the Monterey Bay Region were known as: Rumsen, Esselen/Excelen, Guacharrones/Wacharon, Ecclemachs, Sakhones, Sureños, and Carmeleños (Morely, Source 17). Today, anthropologists continue to refer to these early inhabitants and their living descendants as ‘Ohlone,’ a name adapted from Latham in 1856 and first consistently applied by Levy in 1978 (Morely, Source 17). Early habitation is considered to have been semi-sedentary and occupation sites can be expected most often at the confluence of

streams, other areas of similar topography along streams, or in the vicinity of springs. Resource gathering and processing areas and associated temporary campsites are frequently found on the coast (Breschini, Source 16).

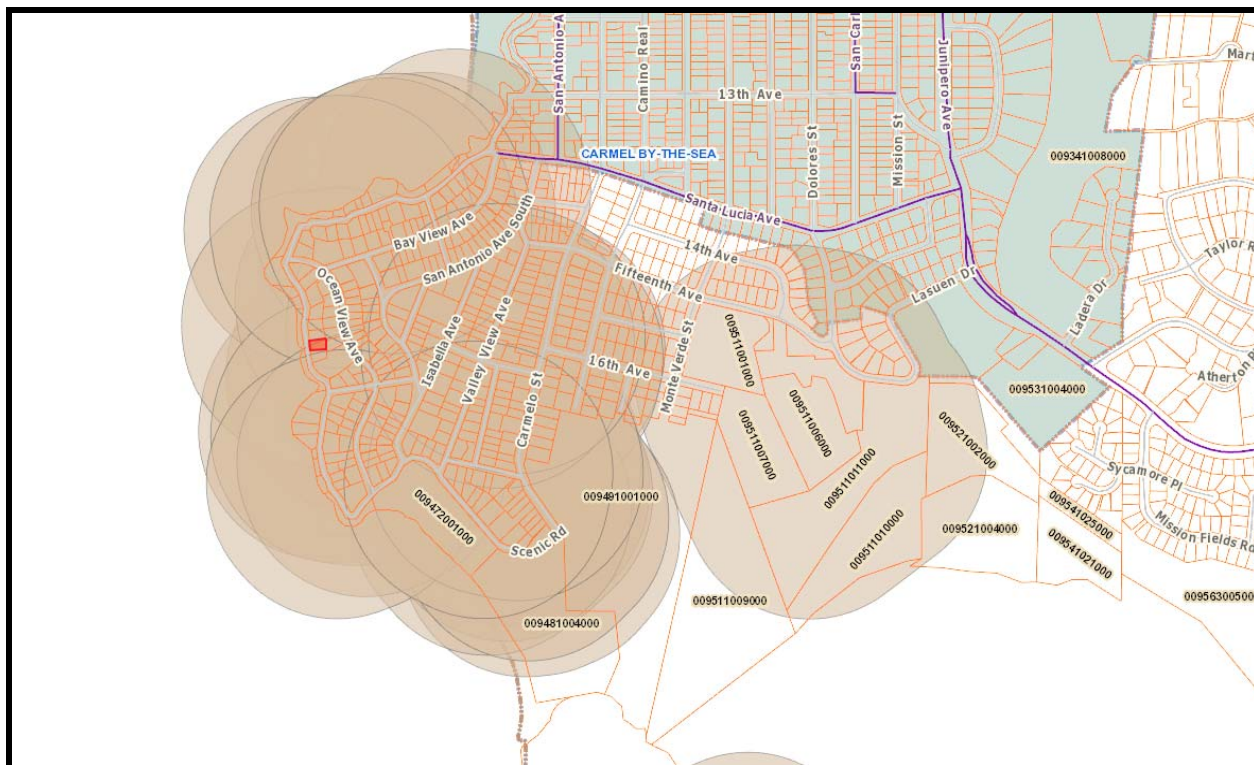


Figure 8 – Carmel Point: Archaeological 750-foot buffer, subject parcel outlined in orange

The parcel is located within 750-feet of a known archaeological resource and is part of a recorded archaeological site: CA-MNT-16. Pursuant to Section 20.146.090 of the Carmel Coastal Implementation Plan, a Coastal Development Permit is required for development proposed within 750-feet of a known archaeological resource. According to site records, the project area lies within the currently recognized ethnographic territory of the Costanoan (more commonly known as Ohlone) linguistic group. The boundary of prehistoric site CA-MNT-16 includes the project parcel. Since adoption of CEQA in the 1970s, various studies have been conducted and boundaries of sites in the neighborhood have been expanded.

Lead agencies must now evaluate under CEQA a project’s potential impact to a “tribal cultural resource.” Pursuant to Public Resources Code Section 21080.3.1 *et seq.*, the County shall request a consultation of the project’s potential impact on tribal cultural resources prior to the release of a negative declaration, mitigated negative declaration or environmental impact report for a project. Assembly Bill 52 (Native Americans: California Environmental Quality Act) applies only to projects that have a notice of preparation, or a notice of intent for a negative declaration or mitigated negative declaration, filed on or after July 1, 2015. There are two tribes in the County’s jurisdiction that the County confers with, the Salinan Tribe and the Ohlone/Costanoan-Esselen Nation (OCEN). On September 24, 2018, a formal notification to the OCEN tribe was sent notifying them of the County’s intent to prepare a CEQA document and requesting

consultation. Subsequently, a consultation took place on September 26, 2018. OCEN's priority is that their ancestors' remains be protected, undisturbed, and the site be preserved. If excavation is unavoidable, OCEN requests all cultural and sacred items be left with their ancestors on site or where they are discovered. See Section V. – Tribal Cultural Resources for specific mitigation measures proposed by OCEN.

The primary CEQA issue involves cultural resources. Based on the archaeological reports, this resource could potentially be affected by the proposed project. However, evidence supports the conclusion that impacts will be less-than-significant with mitigation incorporated. Detailed analysis for this issue can be found in Section VI. – Environmental Checklist.

According to Monterey County's GIS information on active/potentially active faults, the subject site, as well as many parcels on the Point, lies within the path of the nearby Cypress Point Fault line (**Figure 9**). The subject site currently has an existing single family dwelling and the addition would not make significant impact than the existing state of the property. No further geotechnical evaluation was requested.

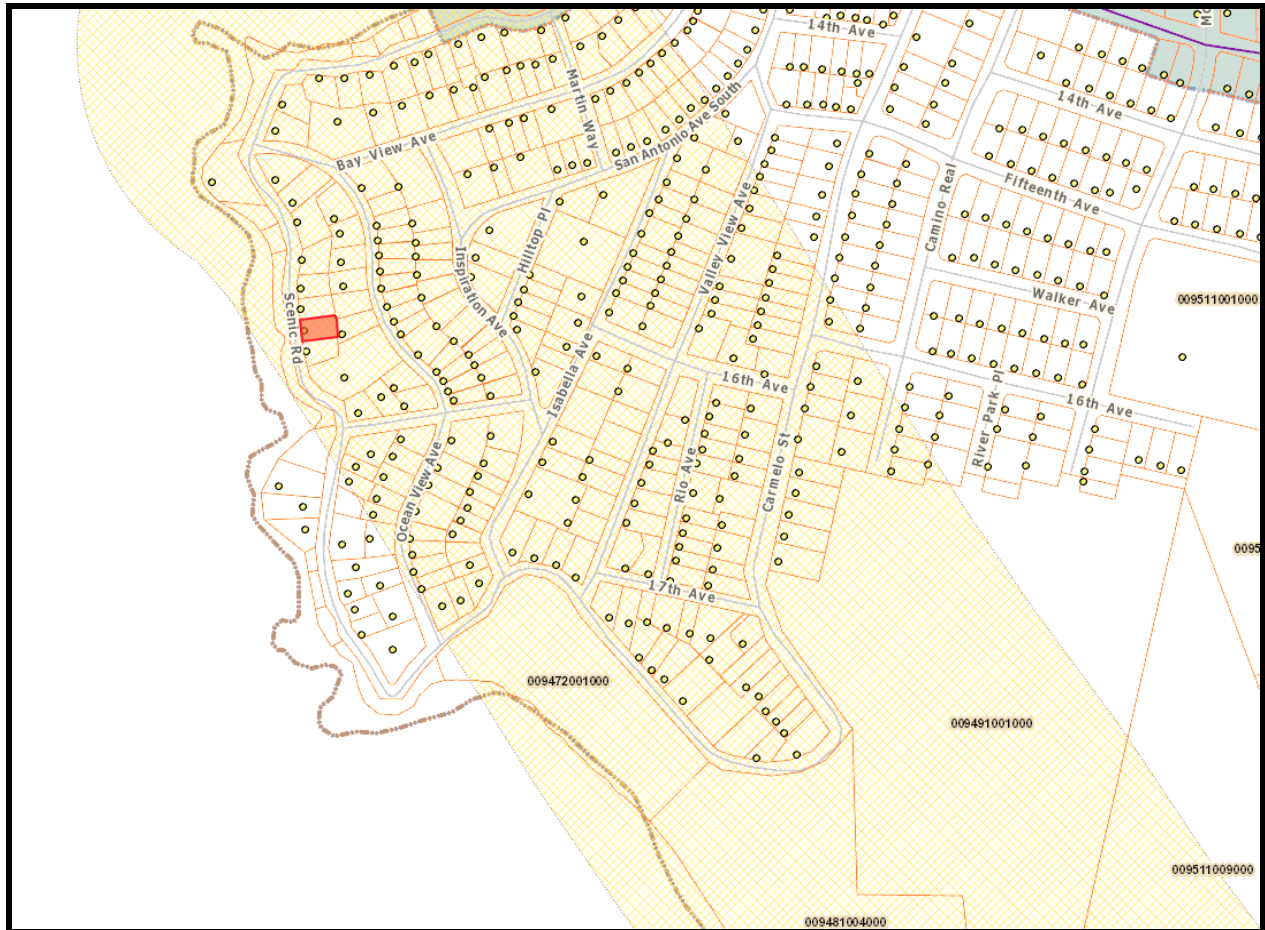


Figure 9 – Active/Potentially Active Faults 660-foot buffer (Parcel Outlined in Orange)

The Monterey County GIS (Source 6) indicates the site is located within a zone that is designated as having a low potential for liquefaction. The subject site is located within a zone

designated as having a low potential for seismically-induced land sliding. The site has minimal topographic relief and there are no slopes located near the site.

The Carmel Point neighborhood is a coastal community in close proximity to the Carmel River State Beach/Pacific Ocean. As such, it provides unique habitat for the many plant and animal species that thrive near the ocean. The California Natural Diversity Database is an inventory of the status and locations of rare plants and animals in California. **Figure 10** is representative of the most current species of concern available on Monterey County's GIS. These are: Monterey Pine tree, marsh microseris, Santa Lucia bush-mallow, Jolon clarkia, Kellogg's horkelia, sandmat manzanita, fragrant fritillary, and Eastwood's goldenbush. Pursuant to Section 20.146.040 (Environmentally Sensitive Habitats Development Standards) in the CIP, sensitive plant communities of the Carmel coastal area include: rare/endangered, threatened and sensitive plants, northern coastal prairie, Chamise-Monterey Manzanita dwarf coastal prairie, Gown Cypress woodland, Redwood forests, and Monterey Cypress and pine forests. The subject parcel is just beyond the buffer for the black legless lizard but does fall within the Monterey Pine habitat layer. As stated above, the proposed development will not require tree removal. On developed parcels, RMA-Planning staff has the discretion to waive the Biological Survey requirement for existing residential areas of Carmel Point. Therefore, a Biological Survey was not required for the subject parcel.

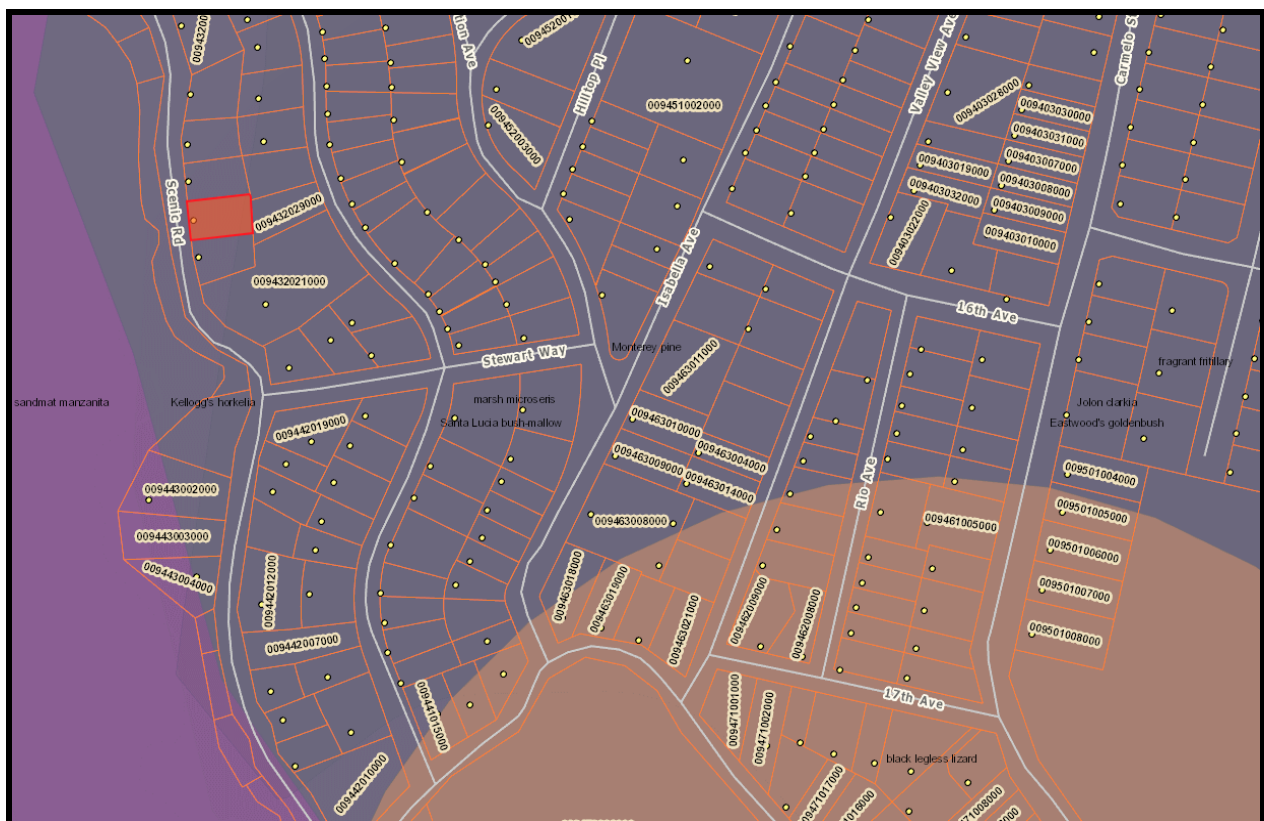


Figure 10 – California Natural Diversity Database (Parcel Outlined in Orange)

C. Other public agencies whose approval is required:

Prior to obtaining the necessary discretionary permit approvals, the project will require ministerial approval from the following agencies: Environmental Health Bureau, RMA-Public Works, RMA-Environmental Services, Monterey County Water Resources Agency, and Cypress Fire Protection District. In addition, any conditions of approval required by the reviewing agencies will require compliance prior to issuance of permits. The subject parcel is also within the appeal jurisdiction of the California Coastal Commission (CCC). No other public agency permits would be required under this request.

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

1982 Monterey County General Plan

The project site is subject to the *1982 Monterey County General Plan* (General Plan) which provides regulatory framework, through goals and policies, for physical development. The proposed project is consistent with the medium density land use designation of this residential site, continuing the existing land use at a density of two units per acre. The proposed project is an addition and remodel on a developed parcel. Therefore, the project proposal is consistent with the General Plan.

CONSISTENT.

Carmel Area Land Use Plan

The project site is subject to the *Carmel Area Land Use Plan* that provides development standards and policies for unincorporated Carmel. The subject parcel (0.144 acres) includes the addition to an existing single-family dwelling which has been considered within the policies for existing residential development. Pursuant to Table 4.6-Residential Development Density, two units per acre is the allowed density for this parcel. Chapter 2.7 (Hazards), includes a key policy which requires that development permitted by the County in areas of high geologic, flood, and fire hazard be carefully regulated through the best available planning practices in order to minimize risks to life and property and damage to the natural environment. Chapter 2.8 (Archaeology), includes a key policy with respect to Archaeology, whereby those areas considered to be archaeologically sensitive, be maintained and protected for their scientific and cultural heritage values; all site planning and design features necessary to minimize or avoid impacts to archaeological resources are to be incorporated. According to the review and analysis of multiple reports prepared at applicant's expense, Monterey County has identified that the Carmel Point area, as a site, contains historic archaeological resources; archaeological reports prepared at the applicant's expense have been used to analyze parcels discretely. The subject parcel yielded one negative finding for evidence of archaeological resources on-site (Breschini, Source 10). However, another report yielded positive for archaeological significance (Schlagheck, Source 12). Therefore, the project proposal for an addition to an existing single-family dwelling (including a lower-level expansion) is consistent with the Carmel Area Land Use Plan with the mitigation measures. **CONSISTENT.**

Air Quality Management Plan

The 2012-2015 and the 2008 Air Quality Management Plan (AQMP) for the Monterey Bay Region address attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring site in Carmel Valley has given no indication during project review that implementation

of the single-family residence would cause significant impacts to air quality or greenhouse gas emissions (GHGs). **CONSISTENT.**

Water Quality Control Plan

The subject property lies within Region 3 of the Central Coast Regional Water Quality Control Board (RWQCB) which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. Operation of the implemented project would not generate pollutant runoff in amounts that would cause degradation of water quality. Therefore, the proposed project is consistent with the requirements of the RWQCB regulations. **CONSISTENT.**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input checked="" type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources | <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: VI.2 Agricultural and Forest Resources – Data contained within the Monterey County Geographic Information System (GIS) indicates that the subject property does not contain farmland that is Prime, Unique, or of Statewide or Local Importance; nor is it encumbered by a Williamson Act contract. As described in the Section II.B – Surrounding Land Uses and Environmental Setting of this Initial Study, the subject property contains an existing residential structure on a residentially zoned property, within an established residential neighborhood. There were no ongoing agricultural uses on the property, or in the vicinity, observed during staff’s onsite visit. The subject property is not considered a forest or timber resource inventoried with the State of California as a “Demonstration State Forest”. Therefore, Project would not result in conversion of prime agricultural lands to non-agricultural uses or impact agricultural resources and would have no impact on forest resources. (Source: 1, 3, 6, and 7) *No Impact*.

VI.9 Biological Resources – Data contained within the Monterey County Geographic Information System (GIS) indicates that the subject property does not contain sensitive biological vegetation such as coastal terrace prairie, dune scrub, maritime chaparral, Monterey pine forest, oak savanna, redwood forest, or valley needlegrass grassland. Critical habitat for special status animal species is not identified on the site. This information was confirmed during staff’s onsite visit. Therefore, Project would not result in impacts to biological resources. (Source: 1, 3, 6, and 7) *No Impact*.

VI.4 Hydrology/Water Quality – Residential water would be provided through a connection to a water system operated by California American Water Company; water credits have been obtained through the Malpas Water Company. The existing property already has a connection to the public sewer service (Carmel Area Wastewater District (CAWD)). (Source: 1, 3, 6, and 7) *No Impact*.

VI.11 Mineral Resources – The Monterey County Geographic Information System (GIS) and a site visit conducted by staff verifies that there are no mineral resources for commercial use on the site. Therefore, implementation of the Project would have no impact on mineral resources. (Source: 1, 6 and 7) *No Impact*.

VI.13 Population and Housing – Implementation of the Project would add square footage to an existing single family residence, resulting in no additional residential units or the displacement of existing housing units. Therefore, the Project would not cause an increased demand for additional housing or substantially induce population growth in the area, either directly or indirectly, as no new public

infrastructure would be extended to the site. Therefore, the Project would have no significant impacts related to population and/or housing. (Source: 1 and 7) *No Impact*.

VI.14 Public Services – As described in Section II.A – Description of Project of this Initial Study, the Project includes the remodel and addition to an existing single family dwelling. This modification to the structure would not result in impacts to existing public services provided by the Cypress Fire Protection District, Monterey County Sheriff Department, schools within the Carmel Unified School District, or public parks (also see subsequent evidence for Recreation below). The project would not result in the expansion of other public facilities such as public roads (also see Section VI.16). Therefore, the project would have no impact to public services. (Source: 1 and 7) *No Impact*.

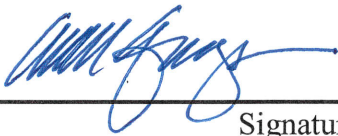
VI.15 Recreation – As described in Section II.A – Description of Project of this Initial Study, the Project includes the remodel and addition to an existing single family dwelling. This proposed improvement does not trigger the need to provide park or recreation land and/or in-lieu fees established by the 1975 Quimby Act. Therefore, the Project would not result in a significant increase of the use of existing neighborhood and regional parks or other recreational facilities, causing substantial physical deterioration. The Project does not include or require construction or expansion of recreation facilities. The Project would not create significant recreational demands. (Source: 1 and 7) *No Impact*.

VI.18 Utilities and Service Systems – Potable water for the existing residence is provided by California American Water (Cal-Am) company, which supplies water from the Carmel Valley Alluvial Groundwater Basin (Carmel River System). Monterey Peninsula Water Management District (MPWMD) allocates and manages available water supplies to the region, including those of Cal-Am. The Project was reviewed by the Water Resources Agency to ensure sufficient water credits from the MPWMD exist. Existing wastewater service is provided by Carmel Area Wastewater District (CAWD). The remodel and addition to the single family dwelling would not result in a substantial increase to the production of wastewater on the site. Existing solid waste disposal is provided by the Monterey Regional Waste Management District and the operational component of the project would not result in the substantial increase of solid waste production. Any excess construction materials from the project would also be hauled to landfill. However, the minimal amount of construction waste produced would not affect the permitted landfill capacity. (Source: 1) *No Impact*.

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

Anna Quenga

10/3/2018

Date

Senior Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

| 1. AESTHETICS | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------|---|--------------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | | |
| a) | Have a substantial adverse effect on a scenic vista? (Source: 1, 3, 4, 5, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 3, 4, 5, 6, 7 & 11) | <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? (Source: 1, 3, 4, 5, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 3, 4, 5, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion/Conclusion/Mitigation:

Scenic qualities of the Carmel area are an aesthetically important part of the Monterey coast. Policies contained in the Carmel Area Land Use Plan or “CAR LUP” (Source 3) and regulations found in the Monterey County Coastal Implementation Plan, Part 4 or “Carmel CIP” (Source 4) call for the protection of scenic resources of the Carmel area requiring all future development within the viewshed to harmonize and be clearly subordinate to the natural scenic character of the area. Map A of the CAR LUP illustrates that the subject property is located within a Viewshed area as seen from Scenic Road and public lands within the Carmel segment, consistent with data contained within the Monterey County Geographic Information System or “GIS” (Source 6), indicating that the subject property is located within a Visually Sensitive area. Zoning of the subject property includes a Design Control district overlay. Pursuant to Monterey County Coastal Implementation Plan, Part 1 or “Title 20” (Source 5), the purpose of this district is to regulate the location, size, configuration, materials, and colors of structures to assure protection of the public viewshed, neighborhood character, and assure the visual integrity of certain developments.

The subject property contains an existing two-story single family dwelling (see **Figure 5**) with an attached garage. The exterior comprises wooden board and batten vertical siding painted light brown and exposed wooden rafters painted dark brown. The chimney style is stovepipe and is also painted dark brown. The proposed primary elevation (Source 1), facing Scenic Road, contains one large clerestory window and a garage door matching the exterior siding on the first floor, and four large clerestory windows and an exterior glass door on the second. This door leads to a 12-foot exterior balcony with horizontal wood posts.

The Project includes an update to the exterior of the structure, resulting in changing the existing shed architectural style to a contemporary design, which would be consistent with the surrounding neighborhood character.

1(b). Conclusion: No Impact.

The Project does not involve the removal of trees or rock outcroppings. The Project includes above-ground additions that are minor in nature that would be visible from Scenic Road, a common public viewing area but not considered a state scenic highway. The phase-one Historical Report (Kirk, Source 11) prepared and submitted with the application evaluated the structure for architectural and historical significance under the criteria of the National Register of Historic Places, the California Register of Historic Resources, and the Monterey County Local Register of Historic Resources. Kirk concluded that the property does not meet the criteria of the above registers and does not comprise a historical resource as defined by CEQA. Therefore, the project would result in no impact to scenic resources, including trees, rock outcroppings, and historic buildings within a state highway.

1(a), (c), and (d). Conclusion: Less Than Significant Impact.

The Project would have the potential to create a substantial adverse effect on a scenic vista. The subject property fronts along Scenic Road in Carmel, a roadway commonly used by the public for both visual and physical access to shoreline and Pacific Ocean (see **Figure 11** below). However, the proposed development would result in the replacement of a structure similar in size and volume to what exists. Although the project would result in the modification of an existing structure, it would be limited to the same general footprint. Visual and physical access to the site would not be affected, and the project would have a less than significant effect on a scenic vista.



Figure 11 – Common Public Viewing Areas

As discussed in Section II.A – Description of Project of this Initial Study, the Project includes the remodel and addition to an existing single family dwelling. Implementation of the Project

would result in a significant change to the exterior. As demonstrated below (**Figure 12**), the proposed contemporary architectural design could have the potential to degrade the existing visual character of the neighborhood and introduce new light and glare, adversely affecting day or nighttime views in the area.



Figure 12 – Existing and Proposed Comparison

To determine the level of impact, if any, analysis of the Project included visual inspection of the existing dwelling and structural improvements in the vicinity in order to place the proposed design in context with the surrounding neighborhood. The proposed bulk, mass, and location on the property is consistent with the existing conditions of the site and local area. The dwellings along Scenic Road are both single story and two-story. Frontage along Scenic Road also varies between approximately 10 to 20-feet. The community character of the area is somewhat eclectic as the architectural designs of the residences vary from the Shed, tudor, gothic, California Ranch, Spanish Revival, and contemporary style. See **Figure 13** for examples.



Figure 13 – Existing Neighborhood Character

As illustrated in **Figure 14** below, the Project includes proposed materials and colors consisting of light beige stucco and stone panels for the exterior walls, dark brown wood framed windows, a glass garage door with muntins arranged in a 4x8 grid pattern, glass handrails on the exterior balcony, and a standing seam metal roof.

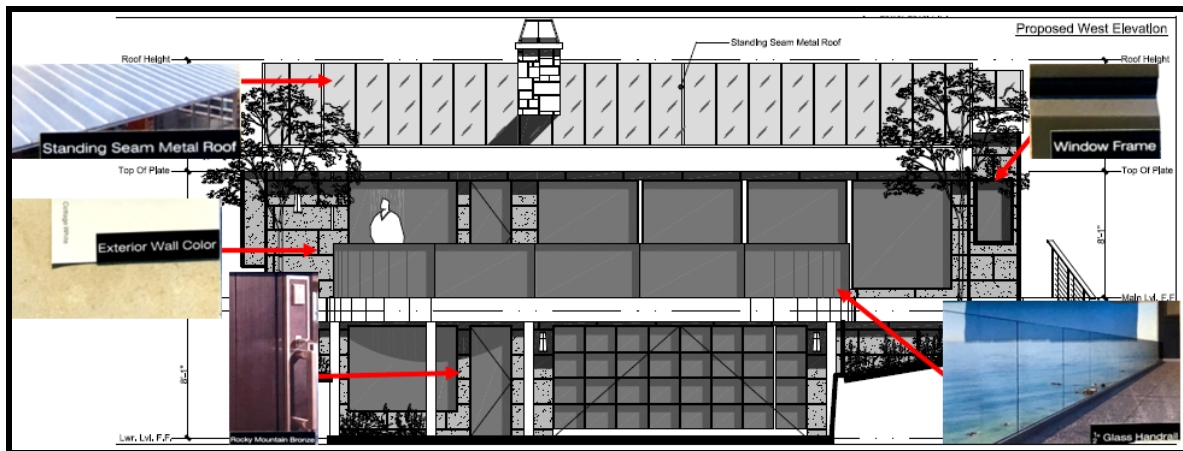


Figure 14 – Proposed Exterior Elevation and Colors and Materials

The architectural style of the proposed dwelling is consistent with development found within the area. The materials and colors are consistent with the architectural style of the house, which adds to how the structures fits within the neighborhood. Due to the distinct change of the exterior as noted above, impacts to the existing visual character or quality of the site and its surroundings is found to be less than significant.

Although the project siting and design has reduced visual impacts and the proposed development fits within the neighborhood character as discussed above, the CAR LUP places great importance on the protection of scenic resources, and the adopted policies provide for careful siting and design of structure. Therefore, consistency with these policies justifies further design control to reduce potential aesthetic impacts through conditions of approval.

Point Lobos State Reserve is just under 1.5-miles south of the project; therefore, it is unlikely that the structure would create a visual impact when viewed from Point Lobos with unaided vision. However, as previously discussed, the subject property fronts along Scenic Road and the western elevation faces said roadway and shoreline. This prominent elevation includes a large expanse of clerestory windows and light fixtures. This design would have the potential to create a new source of glare which would adversely affect both daytime and night time views. Addressing this potential impact would be accomplished by implementation of CAR LUP policies and Carmel CIP regulations. Therefore, a non-standard condition of approval has been incorporated within the project which would require submittal and approval of a final lighting plan showing all exterior lights to be downlit and unobtrusive, specify the manufacture for light fixtures to be used, and demonstrating the use of windows with a lower visual transmittance of light. Implementation of this condition would result in a less than significant impact to day or nighttime views in the area.

2. AGRICULTURAL AND FOREST RESOURCES

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

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 3, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 3, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: 1, 3, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: 1, 3, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: 1, 3, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

3. AIR QUALITY

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

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|-------------------------------------|-------------------------------------|
| | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1, 8 & 9) | <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? (Source: 1, 8 & 9) | <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)? (Source: 1, 8, 9 & 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in significant construction-related air quality impacts? (Source: 1, 8, 9 & 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 8, 9 & 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Create objectionable odors affecting a substantial number of people? (Source: 1, 8 & 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. The subject property is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). The MBARD is responsible for producing a management plan that reports air quality and regulates stationary sources throughout the NCCAB. In this case, it is the 2012-2015 Air Quality Management Plan (AQMP), including the 1991 AQMP and the 2009-2011 Triennial Plan Revision (Source 9). Monterey County is within the federal and state attainment standards for carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), lead, and fine particulates (PM_{2.5}), and within the federal attainment standards for ozone (O₃) and respirable

particulates (PM₁₀). The 2012-2015 Air Quality Management Plan (AQMP) addresses only attainment of the State zone standard.

3(a), (b), and (f). Conclusion: No Impact.

The Project includes the replacement of a single family dwelling which would not result in a population increase not already accounted for in the 2018 Regional Growth Forecast adopted by the Associate of Monterey Bay Area Governments. The Project would include the use of large vehicle and construction equipment; however, emissions from these sources have been accounted for in the AQMP. Therefore, the Project would have no impact caused by conflict or obstruction of the AQMP. The residential use, as part of the Project's operational component, and temporary odors produced during construction would not result in uses or activities that produce objectionable odors that would affect a substantial number of people.

3(c), (d) and (e). Conclusion: Less Than Significant Impact.

The NCCAB is in nonattainment status of state standards for Ozone (O₃) and respirable particulates (PM₁₀) (Source 9). Therefore, projects resulting in a substantial increase in particulates PM₁₀ emissions would cause a significant impact to air quality. In addition, ambient ozone levels depend largely on the number of precursors, nitrogen oxide (NO_x) and reactive organic gases (ROG), emitted into the atmosphere. Implementation of the project would result in temporary impacts resulting from construction and grading activities caused by dust generation and fuel combustion of construction vehicles (major sources of primary PM₁₀) and NO_x and ROG emittance.

Earth disturbance is limited to grading and excavation needed for the 155 square foot basement addition (approximately 15 cubic yards), site work for the 64 square foot addition to the main level and driveway, patio and steps, and site walls. The proposed earth movement is well below the 2.2 acres of disturbance threshold established by the CEQA Air Quality Guidelines (Source 8). The preliminary construction management plan (Page 13, Source 1) does not specify whether or not the grading materials would remain onsite or hauled offsite. Therefore, this analysis is based on the assumption of the worst-case-scenario where all soils would be hauled offsite. The project has been reviewed by RMA-Environmental Services (RMA-ES). In accordance with the regulations contained in Monterey County Code Chapter 16.12, a condition of approval has been incorporated requiring stabilization of disturbed areas and implementation of temporary erosion and sediment control measures to the satisfactory of RMA-ES.

The Project includes demolition of portions of the residence that was built in 1968, an era where lead paint and asbestos were found in building materials. The Historic Report (Kirk, Source 11) found that dwelling has not been altered since its initial construction. In accordance with MBARD Rule 439, a standard condition of approval has been incorporated with the project requiring the applicant to obtain any necessary permits from the Air District and implementation of best management practices during demolition.

Demolition/construction-related air quality impacts would be controlled by implementing the above mentioned conditions. Therefore, implementation of the proposed project would result in less than significant impacts to air quality caused by pollutants currently in nonattainment for

NCCAB and construction-related activities. Air pollutants would increase temporarily and return to normal after project completion. Therefore, impacts due to exposure of sensitive receptors to pollutant concentrations would be less than significant.

| 4. BIOLOGICAL RESOURCES | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 3, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 3, 6 & 7) | <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? (Source: 1, 3, 6 & 7) | <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? (Source: 1, 3, 6 & 7) | <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? (Source: 1, 3, 6 & 7) | <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? (Source: 1, 3, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 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? (Source: 3, 4, 10, 12, 16, 17, 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 3, 4, 10, 12, 16, 17, 18) | <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? (Source: 3, 4, 10, 12, 16, 17, 18) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion/Conclusion/Mitigation:

The subject property is located on Carmel Point, or “the Point”, an area well known to be inhabited by the aboriginal peoples of the area for thousands of years. The Carmel Area Land Use Plan (CAR LUP) cites that “[T]he Carmel area experience intensive prehistoric use.” These aboriginal people, referred to as “Costanoans” in the CAR LUP, lived a semi-sedimentary life with semi-temporary village sites that moved depending on seasons and food availability. One constant is that occupation sites have almost always found near bodies of water, such as streams, rivers, and the Pacific Ocean. This is consistent with what is found on the Point. Historical data shows that the first known village site dates back approximately 9,000 years ago. Within a current residential block, evidence of occupation could found on one or two parcels but not on the third or fourth. This can be attributed to the occupations of sites established over thousands of years. Therefore, the physical setting of the cultural (and tribal cultural discussed in Section VI.17 of this Initial Study) and analysis of impacts are not limited to the confines of the boundaries of the subject parcel, but Carmel Point as a whole.

That being said, there are a number of recorded sites on the Point discovered during earth movement associated with development. One of which, Archaeological site CA-MNT-16, has been found to extend into subject parcel. This site is characterized as an expansive and moderately dense accumulation of weathered marine shell fragments (Schlagheck, Source 12). CA-MNT-16 is a large and diffuse site which appears to be a Late Period Coastal Gathering site presumed to be an Ohlone settlement dating to at least 4,000 years ago (Morley, Source 17). Archaeologists are alerted to prehistoric sites in the area by the presence of midden soils darkened from accumulation of organic remains and sometimes, the presence of various shell remnants (Morley, Source 17).

On October 17, 2017, a Phase 1 Archaeological Assessment (Breschini, Source 10) was prepared for the subject parcel. The field assessment consisted of general surface reconnaissance for any

visible cultural resources that can be identified without any excavation or vegetation removal. The findings indicated that CA-MNT-16 extended within the subject parcel and the site contained very limited surface evidence of potentially significant archaeological resources. Based on the evidence found onsite, adjacent parcels with subsurface archaeological investigations, and the Point being rich with cultural resources, mitigations were recommended.

On May 3, 2018, an Archaeological Subsurface Test was done by John Schlagheck. The testing suggests that the CA-MNT-16 does not extend into the subject parcel beyond sparse shell remains (Schlagheck, Source 12). Five (5) hand auger test probes were completed within a portion of the project area. Four (4) probes reached a depth of 4.3 feet and one (1) probe stopped at 1.5 feet due to an existing utility line. All probes were found to be negative, and the report concluded that the area in which the project is proposed would also be negative due to lack of evidence of archaeological resources. Even so, Schlagheck recommends mitigation measures to reduce potential impacts to a less than significant level. According to Morley (Source 17), archaeological sites are most often discrete entities. In other words, close proximity to known sites does not mean that cultural resources would be encountered on the project. On the other hand, this cannot be ruled out either.

The Project involves the addition and remodel to an existing single family dwelling that includes the expansion of the lower level by approximately 155 square feet with associated excavation of approximately 15 cubic yards. Based on the positive findings on the subject property and adjacent parcel and excavation within the Point, the mitigation measures proposed in the Phase 1 Archaeological Assessment (Breschini, Source 10) and Archaeological Subsurface Testing (Schlagheck, Source 12) have been incorporated to ensure impacts to cultural resources are reduced to a less than significant level.

CEQA (Section 15064.5, Source 9) defines the term “historic resource” as the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources
2. A resource included in a local register of historical resources, meeting the requirements of the Public Resources Code, shall be presumed to be historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provide the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant if the resource meets the criteria for listing on the CA Register of Historical Resources including the following:
 - a. Is associated with events that have made a significant contribution to the broad patterns of California history and cultural heritage.
 - b. Is associated with the lives of persons important in our past;
 - c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

- d. Has yielded or may be likely to yield, information important in prehistory or history.
4. The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources of the Public Resources Code, or identified in an historical resources survey of the PRC, does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC sections 5020.1 or 50241.1.

At the time of this proposal, Monterey County had not determined that Carmel Point, as a whole, is an historic resource. Instead, the County's practice has been to analyze the potential effects of proposals on a case-by-case basis. Basement proposals, specifically, have been processed in several ways: Categorical Exemption, environmental document together with a Mitigated Negative Declaration/Negative Declaration. In the CIP, Section 20.146.090, development on parcels with an archaeological site as identified through an archaeological report prepared for the site shall be subject to certain conditions of approval (Source 4). The subject site has yielded one (1) positive and one (1) negative report and mitigation measures have been recommended because the resources on the site, area, and most specifically, various artifacts found on a nearby parcel. CAR LUP Key Policy 2.8 on Archaeological Resources states that when development is proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids or substantially minimizes impacts to such cultural sites (Source 3). The General Policies continue "to this end, emphasis should be placed on preserving the entire site rather than on excavation of the resource, particularly where the site has potential religious significance" (Source 3).

There has been a question about what constitutes a "unique archaeological resource," especially when artifacts recovered from a site may seem "insignificant" or otherwise non-substantive. CEQA provides some guidance (Section 21083.2. g, Source 9): "unique archaeological resource means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Specific mitigation language has been developed to address the monitoring of the project during site disturbance and the actions to be taken in the case cultural artifacts are uncovered. The basement addition will likely result in 6-8 feet of excavation.

In addition to the standard cautionary language required (by State law) in the unlikely event human remains are inadvertently encountered, the archaeologist also recommends recovered cultural materials be curated in the public domain at a suitable research facility. Staff has not

incorporated this latter language within the mitigation measure as the Ohlone Costanoan Esselen Nation (OCEN) has requested a different course of action (see Section VI, 17 – Tribal Cultural Resources).

5 (a) and (c). Conclusion: No Impact.

Due to the age of the single-family dwelling (built in 1968), submittal of an Historic Report was required as part of the application to address any impact to a potentially historical resource. This report, prepared by Anthony Kirk, dated March 21, 2018 (Monterey County Library File No. LIB180132) concludes that the single family dwelling does not rise to the level of architectural distinction necessary to qualify for listing in the California Register or the Monterey County Register of Historic Resources at any level of significance because no architect of note has been identified with the property and the design of the residence cannot be considered to be historically significant (Kirk, Source 11). The project was not identified as containing a unique paleontological resource or site or unique geologic feature. Therefore, impacts to this resource are not anticipated. Therefore, the project would have no impacts to historical or paleontological resources.

5 (b) and (d). Conclusion: Less Than Significant Impact with Mitigation Incorporated.

Nine previously recorded archaeological sites are located within one kilometer (approximately 3,280 feet) of the subject property. Background information for the subject parcel and a previous Archaeological Assessment determined that no evidence of cultural resources exist on the parcel. However, evidence of an archaeological deposit was found during field reconnaissance on an adjacent parcel. Therefore, the archaeologist recommends the following mitigation measures to reduce the potential impact to a cultural resource to a less than significant level.

Mitigation Measure No. 1: Cultural Resources

In order to reduce potential impacts to archaeological resources that may be discovered during site disturbance, a qualified archaeological monitor shall be present during soil disturbing activities. These activities include, but are not limited to: grading or basement/foundation excavation. If at any time, potentially significant archaeological resources or intact features are discovered, the archaeological monitor shall temporarily halt work until the find can be evaluated by the monitor and/or principal archaeologist in consultation with the OCEN Tribal Monitor as specified in **Mitigation Measure No. 3**. If the find is determined to be significant, work shall remain halted until mitigation measures have been formulated, with the concurrence of the lead agency, and implemented. In order to facilitate data recovery of smaller midden components, such as beads or lithic debitage, the excavated soil from the project site shall be screened during monitoring.

Mitigation Measure Monitoring Action No. 1a: Prior to the issuance of grading or building permits, the owner/applicant shall include a note on the plans encompassing the language within **Mitigation Measure No. 1**. The owner/applicant shall submit plans to the RMA-Planning Department for review and approval.

Mitigation Measure Monitoring Action No. 1b: Prior to the issuance of grading or building permits, the owner/applicant shall submit to the RMA-Planning Department a copy of the contract between the owner/applicant and a qualified archaeological monitor.

The contract shall include: specific construction activities that the monitor shall be present for, any construction activities where the archaeological monitor will not be present for, how sampling of the excavated soil will occur, and any other logistical information such as when and how work on the site will be halted. The contract shall be submitted to the RMA-Planning Department for review and approval. Should the RMA-Planning Department find the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.

Mitigation Measure Action No. 1c: If archaeological resources are unexpectedly discovered during construction, work shall be halted on the parcel until the find can be evaluated and appropriate mitigation measures are formulated and implemented. Data recovery shall be implemented during the construction and excavation monitoring. If intact cultural features are exposed, they shall be screened for data recovery using the appropriate method for site and soil conditions. The owner/applicant shall allow the onsite Tribal Monitor (see **Mitigation Measure No. 3**) an opportunity to make recommendations for the disposition of potentially significant cultural materials found.

Mitigation Measure Monitoring Action No. 1d: A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to RMA-Planning and the Northwest Regional Information Center at Sonoma State University.

Mitigation Measure No. 2: Unidentified Cultural Resources

Due to the project site's proximity to a recorded prehistoric site and because the project includes excavation for an expanded basement, there is a potential for human remains to be accidentally discovered. If remains are uncovered, all work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

Mitigation Measure Monitoring Action No. 2a. Prior to the issuance of grading or building permits, the owner/applicant shall include a note on the plans encompassing the language within Mitigation Measure No. 2. The owner/applicant shall submit plans to the RMA-Planning Department for review and approval.

Mitigation Measure Monitoring Action No. 2b. If human remains are accidentally discovered during construction activities, there shall be no further excavation or disturbance within 50 meters (150 feet) of the find and the following shall occur:

- The owner, applicant or contractor shall contact the Monterey County Coroner to determine that no investigation of the cause of death is required;
- If the coroner determines the remains to be Native American:
 - The coroner shall contact the Native American Heritage Commission and the RMA – Planning Department within 24 hours.

- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/ Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.
- The most likely descendent may make recommendations to the landowner or person responsible for the excavation work, for means of treating or disposition of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993. When human remains are exposed, Health and Safety Code Section 7050.5 requires that no further excavation or disturbance occurs in the area and that the County Coroner is called so that the coroner can verify that remains are not subject to medical jurisprudence. Within 24-hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American. The Native American Commission reports to the most likely descendant (MLD). The MLD has 48-hours to respond. All work shall halt within 50-meter radius until an osteologist can examine the remains, and a treatment plan for any said remains has been provided by the MLD.

| 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? (Source: 1 & 6) Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? (Source: 1, 3, 4 & 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? (Source: 1, 3, 4 & 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? (Source: 1, 3, 4 & 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 3, 4 & 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| 6. GEOLOGY AND SOILS | | | | |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: 1, 3, & 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 3, & 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

The overview of geological hazards contained in Section 2.7.1 of the Carmel Area Land Use Plan (CAR LUP) states that the “Carmel coast, like many other areas in California, is located in an area of high seismic activity.” General Policy 2.7.3.1 of the CAR LUP requires all development to be sited and designed to minimize risk from geologic hazards. The Carmel Area Land Use Plan Hazards Map (Map D), the Carmel Area Land Use Plan Seismic Hazards Map, and the Monterey County Geographic Information Systems (GIS) (Source 6) indicate that the subject property is potentially located within 1/8th of a mile from the Cypress Point Fault. However, California Department of Conservation Earthquake Zones of Required Investigation map clearly shows the subject property is outside of an earthquake fault zone. In accordance with Section 20.146.080.B.e of the Monterey County Coastal Implementation Plan, Part 4 (Carmel CIP), the Project was not required to submit a geological report as it involves the use of existing structures.

6(a.i), (a.iii), (a.iv), and (e). Conclusion: No Impact.

Data contained in the Monterey County GIS (Source 6) indicates that the subject property is not located within an Alquist-Priolo Quake Zone or in proximity to an identified fault within an earthquake fault zone. Both landslide and liquefaction risks are determined to be low. Therefore, the project would have no impact related to exposing people or structures to rupture of an earthquake fault and hazards caused by landslide or liquefaction. Wastewater service for the subject property is provided by the Carmel Area Wastewater District (CAWD). Therefore, there would be no impact caused by soils supporting an onsite wastewater system.

6(a.ii), (b), (c), and (d). Conclusion: Less Than Significant Impact.

Monterey County GIS (Source 6) indicates that the seismic hazard zone of the property is undetermined and the erosion potential is moderate. Furthermore, the potential for seismic activity in the area is well known. As discussed in Section II.A – Description of Project of this Initial Study, the Project includes the remodel and addition to a single family dwelling (Source 1) and implementation of the Project would result in a minor change to an existing structure. Although the project would not result in exposing new populations or structures to these potential geologic hazards, new construction would be required to meet the provisions of the California Building Code which are adopted as Chapter 18.02 – Building Code for the County of Monterey, of the Monterey County Code. Section 1.1.2 – Purpose of Chapter 1 – Scope and

Administration of the 2016 California Building Code (Volume 1) states that “[T]he purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.” Implementation of Chapter 18.02 during the construction permit process would ensure potential impacts caused by the hazards described above would be reduced to a less than significant level.

| 7. GREENHOUSE GAS EMISSIONS | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------|---|--------------------------------|--|-------------------------------------|--------------------------|
| Would the project: | | | | | |
| a) | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1 & 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1 & 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion/Conclusion/Mitigation:

According to the United States Environmental Protection Agency (EPA), greenhouse gases (GHG) are emitted by natural processes and human activities such as electricity production, motor vehicle use, and agricultural uses. These gases trap heat in the atmosphere and the elevation of GHGs has led to a trend of unnatural warming of the earth’s climate, otherwise known as the “greenhouse effect”. In order to reduce the statewide level of GHG emissions, the State Legislature adopted California Assembly Bill 32 (AB 32) California Global Warming Solutions Act of 2006. AB 32 established a comprehensive statewide program of regulatory and market mechanisms to achieve reductions in GHG emissions, thereby reducing the State’s vulnerability to global climate change. The Monterey Bay Air Resources District (MBARD) is responsible for the monitoring of air quality and regulation of stationary sources throughout the North Central Coast Air Basin, where the proposed Project is located, by enforcing standards and regulating stationary sources through the *2012-2015 Air Quality Management Plan for the Monterey Bay Region* (AQMP) (Source 9) which evaluates a project’s potential for a cumulative adverse impact on regional air quality (ozone levels).

7(a) and (b). Conclusion: Less Than Significant Impact.

The Project includes the remodel and addition of an existing single family dwelling. From an operational GHG emission standpoint, this would result in no change the baseline of the surrounding area. Temporary construction activities of the proposed Project would be the main contributor to GHG emissions. Unfortunately, quantifying Project emissions at this time would be too speculative. Therefore, in lieu of State guidance or locally adopted thresholds, a primarily qualitative approach was used to evaluate possible impacts from the proposed Project.

Ambient ozone levels depend largely on the number of precursors, such as nitrogen oxide (NO_x) and reactive organic gases (ROG), emitted into the atmosphere. Implementation of the Project would result in temporary impacts resulting from construction and grading activities that require fuel combustion of construction vehicles, a primary source of NO_x and ROG emittance. Typical construction equipment would be used for the Project and NO_x and ROG emitted from that equipment have been accommodated within the AQMP. Therefore, implementation of the Project would produce no more than the threshold of significance of 82 pounds per day of GHG precursors and these precursor emissions would have a less than significant impact on GHGs.

| 8. HAZARDS AND HAZARDOUS MATERIALS | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1) | <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? (Source: 1, 6 & 14) | <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? (Source: 1, 6 & 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| 8. HAZARDS AND HAZARDOUS MATERIALS | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| Would the project: | | | | | |
| 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? (Source: 1 & 6) | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

The Project is for the remodel and addition to an existing residential structure within a residentially zoned site, surrounded by residential uses. Due to the nature of the project, hazards and hazardous materials would not be typically found with the intended use. However, based on the age of the existing single family dwelling, its demolition would have the potential to temporarily expose the immediate area to hazardous materials.

8(a), (c), (d), (e), (f), (g), and (h). Conclusion: No Impact.

The proposed use does not include routine transport or disposal of hazardous materials, produce hazardous emissions, nor is it located on a hazardous materials site nor within one-quarter mile of an existing or proposed school. In addition, the subject property is not located in proximity of an airport or private airstrip or located in an area that is considered a wildland. The Project on the subject property would not have an effect on the Multi-jurisdictional Hazard Mitigation Plan adopted by Monterey County. Therefore, implementation of the project would have no impact on the environment based on these hazards.

8 (b). Conclusion: Less Than Significant Impact.

The existing single family residence was built in 1968. This was during a time when construction materials typically contained asbestos and lead paint. Therefore, implementation of the project would have the potential to create a temporary impact during demolition. To address this impact, the project has been conditioned to incorporate work practice standards in accordance with Monterey Bay Air Resources District Rule 439. Compliance with these standards would ensure that any hazardous materials do not become airborne during demolition activities. Therefore, the project as conditioned, would have a less than significant impact to the environment due to potential release of hazardous materials.

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? (Source: 1, 2, 6) | <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)? (Source: 1, 2, 6) | <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? (Source: 1, 2, 6) | <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? (Source: 1, 2, 6) | <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? (Source: 1, 2, 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? (Source: 1, 2, 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: 1, 2, 6) | <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? (Source: 1, 2, 6) | <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? (Source: 1, 2, 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

9. HYDROLOGY AND WATER QUALITY

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 2, 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

10. LAND USE AND PLANNING

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? (Source: 1, 2, 3, 4, 6) | <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? (Source: 1, 2, 3, 4, 6) | <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? (Source: 1, 2, 3, 4, 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

As discussed in Section IV.5 – Cultural Resources of this Initial Study, Monterey County has not made a determination on whether Carmel Point, as a whole, is a pre-historic resource. RMA-Planning's practice has been to analyze the potential effects of proposals on the Point on a case-by-case basis. Basement proposals, specifically, have not been prohibited although in light of the whole record, there is evidence to suggest that CA-MNT-16, a recorded archaeological site, is significant.

Carmel Land Use Plan Key Policy 2.8 on Archaeological Resources is such that when development is proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids or substantially minimizes impacts to such cultural sites (Source 3). CEQA puts the onus on the lead agency to determine whether a project may have a significant effect on archaeological resources (Source 18, Section 21083.2 Archaeological Resources: Determination of effect of project; EIR or Negative Declaration; Mitigation Measures). A site that has yielded, or may be likely to yield, information important in prehistory

or history is just one of the ways CEQA defines historical resources (Source 18, Section 15064.5 Determining the Significance of impacts to Archaeological and Historical Resources). CEQA makes a distinction between non-unique and unique/significant archaeological resources. Section 21083.2 (g), describes a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Archaeological resources are non-renewable and easily damaged. Because of the small and scattered nature of the projects in Carmel Point, there has not been an overall synthesis of the data from the various projects (Source 16). Archaeologists only have the opportunity to investigate the sites when construction permits are sought resulting in a “piecemeal approach”. In accordance with the CIP (Section 20.146.090), RMA-Planning requires Archaeological Reports for any development within:

- a. A “High Archaeological Sensitivity Zone” as mapped on current County resource maps;
- b. In areas of moderate sensitivity, projects of 2.5 acres or larger will require a preliminary report;
- c. “Low or Moderate Archaeological Sensitivity Zone” as mapped on current County resource maps, which requires environmental assessment according to Monterey County CEQA guidelines;
- d. 750-feet of a known archaeological resource and;
- e. An area of suspected archaeological resources, as determined through the planner’s on-site investigation or through other available information
- f. All new subdivisions

In the case of Carmel Point, most development proposed (e.g. requiring land disturbance) would require an Archaeological Report if one is not already in the County database. The Archeological Survey Report may be waived by the RMA Chief of Planning under the following circumstances:

- a. A previous report was prepared for the site by a qualified archaeologist, as included on the County’s list of archaeological consultants or as a member of the Society of Professional Archaeologists; and
- b. The report clearly and adequately included the currently-proposed development site within the scope of the survey; or,
- c. The proposed development does not involve land clearing or land disturbance.

All development proposed on parcels with known archaeological resources, as identified through the survey report prepared for the project is subject to environmental assessment under the CEQA Guidelines. Although it is possible for a parcel to yield negative archaeological findings,

as is the case with the subject parcel, the likelihood of damage and/impact to the whole archaeological site is also likely.

Since the implementation of CEQA and especially, since Assembly Bill 52 (Native Americans: CEQA), onsite monitors have been used to mitigate impacts to cultural and tribal cultural resources to a less than significant level.

10(a) and (c). Conclusion: No Impact.

The Project would not result in the physical divide of an established community as the remodel and addition to an existing single family dwelling would not create a barrier, induce or reduce population, or introduce a new use inconsistent with existing uses in the area. There are no habitat conservation plans (HCP) or natural community conservation plans (NCCP) approved on the subject property or within the area. Therefore, the project would have no impact on an established community or on a HCP or NCCP.

10(b). Conclusion: Less Than Significant.

Implementation of subsections D.4 and D.5 of Section 20.146.090 of the Monterey County Coastal Implementation Plan (Carmel CIP) would mitigate impacts to cultural and tribal cultural resources to a less than significant level in the absence of the County's firm determination on whether Carmel Point constitutes an historic resource. These sections read as follows:

***20.146.090.D.4-**Where construction on or construction impacts to an identified archaeological or paleontological site cannot be avoided, as verified in the archaeological report prepared for the project, a mitigation plan shall be required by, submitted to and approved by the County. The plan shall be prepared at the applicants' expense. Included in the plan shall be the recommended preservation measures on accordance with the guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission. The Consulting Archaeologist shall file the report with the State Office of Historic Preservation.*

***20.146.090.D.5-**Where a mitigation plan has been prepared for a proposed development, a condition of project approval shall be that:*

- a. the preservation measures shall be undertaken and completed prior to the issuance of building or grading permits; or,*
- b. where appropriate, according to the recommendations contained in the mitigation plan, the preservation measures shall be undertaken concurrent with grading or other soil-disturbing activities and shall be undertaken in accordance with the mitigation plan, as a condition of the grading or building permit; and*
- c. the results of the preservation activities shall be compiled into a final report prepared by the archaeologist and submitted to the County prior to the issuance of building or grading permits. Two copies of the report shall be submitted.*

There have been opposing views on the disposition of resources. This is to be expected given the inherently different interests and objectives of the project Archaeologist and the Tribal Monitor. Through AB 52, the Legislature finds and declares that the former state law provided a limited

measure of protection for sites, features, places, objects, and landscapes with cultural value to California Native American tribes and that CEQA did not readily or directly include California Native American tribes' knowledge and concerns which has resulted in significant environmental impacts to tribal cultural resources and sacred places, including cumulative impacts, to the detriment of California Native American tribes and California's environment (Source 19). Therefore, RMA-Planning has consulted the appropriate tribe and incorporated their requests where appropriate. A discussion on Tribal Cultural impacts can be found in Section VI.17 – Tribal Cultural Resources of this Initial Study.

| 11. MINERAL RESOURCES | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1, 6 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 12. NOISE | | | | |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| 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? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| 12. NOISE | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project result in: | | | | |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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? (Source: 1, 6, & 7) | <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? (Source: 1, 6, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

The subject property is located within a medium density residential area where there are sensitive noise receptors are established. Although operational components of the project would have no impact on existing noise levels in the area, there would be temporary noise impacts during construction.

12(c), (e), and (f). Conclusion: No Impact.

The operational component of the Project would not result in the change or intensity of use of the existing single family dwelling. Therefore, implementation would not expose people to noise levels that exceed Monterey County standards and would not substantially, and permanently, increase ambient noise levels. Data contained in the Monterey County Geographic Information System (Source 6), and as observed during staff's site visit (Source 7), confirms that the subject property is not within an area subject to an airport land use plan, within 2 miles of an airport, or within the vicinity of a private airstrip. Therefore, the Project would not expose people residing or working in the area excessive noise levels associated with airports.

12(a), (b), and (d). Conclusion: Less Than Significant Impact.

Construction activities would produce noise not typically found in the area. In addition, excavation of the basement area would have the potential to create groundborne vibrations. Since these impacts would be temporary, they are not considered significant. Furthermore, Monterey County Code Chapter 10.60 establishes regulations for noise requirements and compliance with these regulations would ensure any noise impacts be reduced to a less than significant level.

| 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)? (Source: 1 & 7) | <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? (Source: 1 & 7) | <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? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 14. PUBLIC SERVICES | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| a) Fire protection? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 15. RECREATION | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1 & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 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? (Source: 1, 2, 3, 4, 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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? (Source: 1, 2, 3, 4, 5) | <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? (Source: 1, 2, 3, 4, 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| 16. TRANSPORTATION/TRAFFIC | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 2, 3, 4, 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? (Source: 1, 2, 3, 4, 5) | <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? (Source: 1, 2, 3, 4, 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

The Project includes the remodel and addition to an established single family dwelling. There would be no change to the residential use of the property. Implementation of the operational component of the project would not result in generation of high-volume long-term traffic trips. Construction, however, would result in a temporary increase of traffic on roadways in proximity of the subject property.

16 (b), (c), (d), (e), and (f). Conclusion: No Impact.

The Project does not include the use of aircraft or establishment of structures with heights or exterior lighting that would not result in a change in air traffic patterns. There are no needed improvements along Scenic Road and there would be no substantial increase of hazards due to a design failure, or result in inadequate emergency access or parking capacity. The Project for residential use would not conflict with adopted policies, plans, or programs supporting alternative transportation. The remodel and addition to the single family dwelling would not introduce new traffic to existing regional roadways. Therefore, and in accordance with regulations established by the Transportation Agency for Monterey County, the project is not required to pay their fair share portion for regional traffic impacts through the Regional Development Impact Fee.

16(a). Conclusion: Less Than Significant Impact.

Temporary construction impacts would have the potential to conflict with the effectiveness for performance of the circulation system. The subject property is approximately 6,200 square feet, most of which is covered by structure. This leaves little area for construction staging and off-street parking for construction personnel. The applicant has submitted a preliminary Construction Management Plan (Source 1) that does identify the intended haul routes, areas on the site where materials would be stockpiled, the maximum of construction workers on-site per day, maximum movement of cubic yards of dirt per day, and the maximum of truck trips per day.

In order to ensure construction logistics balance the needs of the workers onsite with additional workers for developments in the area and to ensure orderly staging of construction materials, the project has been conditioned requiring submittal of a Final Construction Management Plan. Implementation of this condition would address temporary traffic impacts caused by construction activities and reduce those impacts to a less than significant level.

| 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 (Source: 1, 2, 3, 4, 5, 10, 12, 15, 16,18, 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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. (Source: 1, 2, 3, 4, 5, 10, 12, 15, 16,18, 19) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion/Conclusion/Mitigation:

The subject parcel is located in the aboriginal territory of the Ohlone/Costanoan-Esselen Nation (OCEN). Pursuant to Assembly Bill 52 or "AB 52", tribal consultation took place regarding the proposed project. The outcome of the consultation with OCEN was a recommendation to have a Native American Monitor from OCEN, approved by the OCEN Tribal Council, be present onsite during any ground disturbance for the project. Although there is no listed historical resource, there is evidence that significant cultural resources exist for OCEN.

17(a.i). Conclusion: Less Than Significant.

An expert on the matter posits that CA-MNT-16 meets the criteria for significance under both state and federal laws. Monterey County, however, has not taken a position on CA-MNT-16's historic significance or specifically prohibited significant ground disturbance, including

basements, on the Point. Although the area is not designated as a historical resource, the project would have a less than significant impact from a conservative standpoint.

17(a.ii). Conclusion: Less Than Significant with Mitigation Incorporated.

AB-52 presents an interesting balance Monterey County must maintain between OCEN's requests/wishes to respectfully rebury recovered artifacts and the archaeologist's desire/duty to contribute to the body of knowledge. It has been Monterey County's policy to have the project archaeologist conduct testing and analysis on recovered artifacts and report on the findings in a Final Technical Report. In some instances, once artifacts have been fully assessed, the archaeologist retains them with the owner's permission for his/her personal collection. For example, in the past, the President to the Monterey Historical Society, Dr. Breschini would have curated artifacts in the public domain. This has created conflict with OCEN as the tribe's first priority is that their ancestors' remains be protected, undisturbed, and the site be preserved. If excavation is unavoidable, OCEN requests all cultural and sacred items be left with their ancestors onsite or where they are discovered.

The subject parcel is within a known archaeological site, CA-MNT 16. The subsurface testing completed by John Schlagheck was conducted in area where excavation will not be done. On September 26, 2018, RMA-Planning's consultation with OCEN took place. OCEN stated that the entire surrounding area is a sacred burial ground. Therefore, objecting to the expansion of the basement. Staff worked with OCEN to find a common ground while still understanding what is significant to the tribe. Further, the applicant must enter into a contract with an Archaeological consultant approved by the Monterey County RMA-Planning and OCEN to provide soil testing prior issuance of building permits. OCEN requested that if any artifacts are to be found, they must be returned back to the tribe.

Mitigation Measure Monitoring Action No. 3: Protection of Tribal Cultural Resources and Sacred Places.

In order to ensure that Tribal Cultural Resources incur less than significant impacts, an OCEN-approved Monitor shall be onsite during project-related grading and excavation of the described basement to identify findings with tribal cultural significance. This mitigation shall work in conjunction with the measures for the protection of archaeological resources listed in **Mitigation Measure No. 1**.

Mitigation Measure Action 3a:

Prior to issuance of a construction permit for grading and/building, Applicant/Owner shall submit evidence to the satisfaction of the Chief of RMA-Planning that an OCEN-approved onsite Cultural Resources Monitor has been retained to monitor the appropriate construction activities. This Monitor shall be retained for the duration of any project-related grading or excavation up to a depth of eight feet.

Mitigation Measure Action 3b:

Prior to issuance of construction permit for grading and/or building, include a note on all grading, demolition and construction plans. The note shall state: "Stop work within 50 meters (165 feet) of uncovered resource(s) and immediately contact Monterey County

RMA-Planning.” Prior to resuming any further project-related ground disturbance, Owner/Applicant shall coordinate with the project planner and the Monitor to determine a strategy for either return to the OCEN tribe or reburial.

Mitigation Measure Monitoring Action No. 4: Soil Testing

In order to ensure that Tribal Cultural Resources incur less than significant impacts, the applicant shall enter into a contract with an Archaeologist approved by the Monterey County RMA-Planning and OCEN to provide soil testing sites within the southeastern quadrant of the parcel.

Mitigation Measure Action 4:

Prior to issuance of a construction permit for grading and/building, Applicant/Owner shall submit evidence to the satisfaction of the Chief of RMA-Planning that a Monterey County and OCEN approved Archaeologist performed soil testing in the southeastern quadrant of the subject property. If the testing identifies artifacts or evidence of archaeological resources, Owner/Applicant shall coordinate with the project planner and the OCEN approved Monitor to determine a strategy for either return to the OCEN tribe or reburial.

| 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? (Source: 1) | <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? (Source: 1) | <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? (Source: 1) | <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? (Source: 1) | <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? (Source: 1) | <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? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| 18. UTILITIES AND SERVICE SYSTEMS | Less Than Significant | | | |
|---|--------------------------------|------------------------------|------------------------------|-------------------------------------|
| | Potentially Significant Impact | With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| Would the project: | | | | |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

| Does the project: | Less Than Significant | | | |
|---|--------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| | Potentially Significant Impact | 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? (Source: 1, 3, 4, 10, 12, 16, 17, 18) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have impacts that are individually limited, but cumulatively considerable? (Source: 3, 4, 10, 12, 16, 17, 18) ("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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 3, 4, 6, 7, 8, 9, 11, 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion/Conclusion/Mitigation:

VII.a – Based upon the analysis throughout this Initial Study, the project could result in significant impacts to Cultural and Tribal Cultural Resources. The cultural resources analysis (see Sections VI.5 and VI.17 above) indicates that the site could contain significant cultural, archaeological, or pre-historical resources, and could eliminate important examples of the major

periods of California prehistory. Mitigation measures have been incorporated to reduce potential impacts to a level of less than significant. (Sources: 1, 3, 4, 10, 12, 16, 17, 18)

As proposed, the project would not 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, or restrict the range of a rare or endangered plant or animal. The project would not result in impacts to Agriculture and Forest Resources or Biological Resources.

VII.b – Based upon the analysis throughout this Initial Study, the project could result in significant cumulative impacts to Cultural and Tribal Cultural Resources. The cultural resources analysis (see Sections VI.5 and VI.17 above) indicates that the site could contain significant cultural, archaeological, or pre-historical resources, and could eliminate important examples of the major periods of California prehistory. Mitigation measures have been incorporated to reduce potential impacts to a level of less than significant. (Sources: 3, 4, 10, 12, 16, 17, 18)

As proposed, the project would not cumulatively 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, or restrict the range of a rare or endangered plant or animal. The project would not result in impacts to Agriculture and Forest Resources, Biological Resources, Hydrology and Water Quality, and/or Mineral Resources.

VII.c – The project may result in less than significant impacts to Aesthetics, Air Quality, Greenhouse Gas Emissions, Geology and Soils, Hazards and Hazardous Materials, Noise, and Transportation/Traffic. Operation of vehicles during construction activities may generate airborne odors (e.g., diesel exhaust); however, such emissions would be localized to the immediate area under construction and would be short in duration. While the project site would be exposed to ground-shaking from any of the faults that traverse Monterey County, the project would be constructed in accordance with applicable seismic design parameters in the California Building Code. The primary source of criteria air pollutant and GHG emissions would stem from the use of equipment during construction activities. However, equipment use would be intermittent and limited to site preparation and construction activities. Pollutant emissions resulting from equipment used during construction would not exceed significance thresholds established by the CARB for GHG because the duration of use would be limited. Moreover, the project would not create any significant air emissions beyond those associated with current residential uses established on the property. Construction-related noise or vibration impacts would be minimized by the limited project scope. The proposed contemporary architectural design would have the potential to degrade the existing visual character of the neighborhood and introduce new light and glare, adversely affecting day or nighttime views in the area; however, application of County conditions of approval would reduce visual and aesthetic impacts to less than significant. (Sources: 1, 3, 4, 6, 7, 8, 9, 11, 14)

The project would not result in impacts to Agricultural or Forest Resources, Biological Resources, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, and Utilities and Service Systems.

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

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

Conclusion: The project will be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the RMA-Planning files pertaining to PLN170851 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. 1982 Monterey County General Plan
3. Carmel Area Land Use Plan
4. Monterey County Coastal Implementation Plan, Part 4 (Carmel CIP)
5. Monterey County Coastal Implementation Plan, Part 1 (Title 20 Zoning Ordinance)
6. Monterey County Geographic Information System (GIS)
7. Site Visit conducted by the project planner on September 25, 2018
8. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008
9. The 2012-2015 Air Quality Management Plan (AQMP), including the 1991 AQMP and the 2009-2011 Triennial Plan Revision
10. “Preliminary Archaeological Assessment of Assessor’s Parcel 009-432-026, Carmel, Monterey County, California” dated October 14, 2017 (Monterey County File No. LIB180091) prepared by Gary S. Breschini, Ph.D., RPA of Archaeological Consulting, Salinas, CA
11. “Historic Report”, dated March 21, 2018 (Monterey County File No. LIB180132) prepared by Anthony Kirk, Ph.D., Los Gatos, CA
12. “Archaeological Subsurface Testing on Assessor’s Parcel 009-432-026” dated May 2018 (Monterey County File No. LIB180245) prepared by John Schlagheck, M.A., RPA of Holman & Associates, San Francisco, CA
13. “Radiocarbon Dating and Cultural Models on the Monterey Peninsula, California”, dated 2002, prepared by Gary S. Breschini, Ph.D., RPA and T. Haversat, M.A., Pacific Coast Archaeological Society Quarterly, Volume 38, Number 1
14. Google Earth Imagery dated March 22, 2016, 36°32’31.06” N 121°55’56.46” W, Elevation at 51ft., Eye Alt. 1886ft.
15. Tribal Consultation dated September 26, 2018 with The Ohlone/Costanoan-Esselen Nation
16. “Overview of Archaeological Investigations and Summary of Findings for CA-MNT-17”, dated 2012 (Monterey LIB130343 Carmel, Monterey County, California. (2012). Breschini (PhD), Gary S. and Haversat (MA), T. (Archaeological Consulting)..
17. “Preliminary Cultural Resources Reconnaissance of APN: 009-463-016”, dated September 2015 (Monterey County File No. LIB150393) prepared by Susan Morley, M.A., RPA, Marina, CA

18. CEQA Statute and Guidelines 2017
19. California AB-52 Native Americans: California Environmental Quality Act 2014.
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52