

Exhibit C

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: MartinezLead Agency: County of MontereyContact Person: Cheryl KuMailing Address: 1441 Schilling Place - South, 2nd FloorPhone: (831) 796 - 6049City: SalinasZip: 93901County: Monterey**Project Location:** County: MontereyCity/Nearest Community: SalinasCross Streets: 473 Paradise Rd. and Gregory Ln

Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): 36 ° 49 ' 09 " N / 121 ° 41 ' 45.7 " W Total Acres: .729Assessor's Parcel No.: 129-091-071-000Section: --Twp.: --Range: --Base: --Within 2 Miles: State Hwy #: 101Waterways: noAirports: noRailways: yesSchools: yes**Document Type:**

CEQA:

☐ NOP☐ Early Cons☐ Neg Dec☒ Mit Neg Dec☐ Draft EIR☐ Supplement/Subsequent EIR

(Prior SCH No.) _____

Other: _____

NEPA:

☐ NOI☐ EA☐ Draft EIS☐ FONSI

Other:

☐ Joint Document☐ Final Document☐ Other: _____**Local Action Type:**☐ General Plan Update☐ General Plan Amendment☐ General Plan Element☐ Community Plan☐ Specific Plan☐ Master Plan☐ Planned Unit Development☐ Site Plan☐ Rezone☐ Prezone☒ Use Permit☐ Land Division (Subdivision, etc.)☐ Annexation☐ Redevelopment☒ Coastal Permit☐ Other: _____**Development Type:**☒ Residential: Units 1 Acres .73☐ Office: Sq.ft. _____ Acres _____ Employees _____☐ Commercial: Sq.ft. _____ Acres _____ Employees _____☐ Industrial: Sq.ft. _____ Acres _____ Employees _____☐ Educational: _____☐ Recreational: _____☐ Water Facilities: Type _____ MGD _____☐ Transportation: Type _____☐ Mining: Mineral _____☐ Power: Type _____ MW _____☐ Waste Treatment: Type _____ MGD _____☐ Hazardous Waste: Type _____☐ Other: _____**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Agricultural Land☒ Air Quality☒ Archeological/Historical☒ Biological Resources☒ Coastal Zone☐ Drainage/Absorption☐ Economic/Jobs☐ Fiscal☐ Flood Plain/Flooding☒ Forest Land/Fire Hazard☒ Geologic/Seismic☐ Minerals☒ Noise☐ Population/Housing Balance☐ Public Services/Facilities☐ Recreation/Parks☐ Schools/Universities☒ Septic Systems☐ Sewer Capacity☒ Soil Erosion/Compaction/Grading☒ Solid Waste☐ Toxic/Hazardous☐ Traffic/Circulation☒ Vegetation☐ Water Quality☐ Water Supply/Groundwater☐ Wetland/Riparian☐ Growth Inducement☐ Land Use☐ Cumulative Effects☐ Other: _____**Present Land Use/Zoning/General Plan Designation:**LDR/2.5(CZ)**Project Description:** (please use a separate page if necessary)

Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow the construction of a 2,456 square foot one-story single family dwelling with a 496 square foot attached two-car garage and a 180 square foot attached storage area, associated grading; and 2) Coastal Development Permit to allow the removal of three Oak trees; and 3) Coastal Development Permit to allow development within 100 feet of ESHA.

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".

<input checked="" type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District #5	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB #
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input checked="" type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region #4	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	Other: _____
<input type="checkbox"/> Housing & Community Development	Other: _____
<input type="checkbox"/> Native American Heritage Commission	

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

Starting Date September 28, 2018

Ending Date October 29, 2018

Lead Agency (Complete if applicable):

Consulting Firm: _____
Address: _____
City/State/Zip: _____
Contact: _____
Phone: _____

Applicant: David Martinez
Address: 813 Amarillo Way
City/State/Zip: Salinas, CA
Phone: (831) 238-2095

Signature of Lead Agency Representative: _____

Date: 9/26/18

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

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

SEP 27 2018

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Martinez David & Martinez Antonia
File Number:	PLN170705
Owner:	Martinez David & Martinez Antonia
Project Location:	473 Paradise Road, Salinas
Primary APN:	129-091-071-000
Project Planner:	Cheryl Ku
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of: 1) A Coastal Administrative Permit to allow the construction of a 2,456 square foot single family dwelling with a 676 square foot attached two-car garage and storage area, associated grading; 2) a Coastal Development Permit for the removal of three Oak trees; and 3) a Coastal Development Permit to allow development within 100 yards of Environmentally Sensitive Habitat.

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:	Monterey County Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	September 28, 2018
Review Period Ends:	October 29, 2018

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

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING
1441 SCHILLING PLACE – SOUTH, 2ND FLOOR
SALINAS, CA 93901



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 (David and Antonia Martinez; File# PLN170705) at 473 Paradise Road, Salinas (APN 129-091-071-000).

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 am in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 1st Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from September 28th to October 29th. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of: 1) A Coastal Administrative Permit to allow the construction of a 2,456 square foot single family dwelling with a 676 square foot attached two-car garage and storage area, associated grading; 2) a Coastal Development Permit for the removal of three Oak trees; and 3) a Coastal Development Permit to allow development within 100 yards of Environmentally Sensitive Habitat. The property is located at 473 Paradise Road, Salinas (Assessor's Parcel Number 129-091-071-000), Prunedale area, North County Land Use Plan, Coastal Zone.

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

CEQAcomments@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: Cheryl Ku, Senior Planner
1441 Schilling Place South, 2nd Floor
Salinas, CA 93901

Re: Martinez (File Number PLN170705)

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. CalTrans District 5 (San Luis Obispo office)
4. California Coastal Commission
5. Association of Monterey Bay Area Governments
6. Monterey Bay Air Resources District
7. California Department of Fish & Wildlife, Marine Region, Attn: Brandon Sanderson
8. North County Fire Protection Department
9. Monterey County Water Resources Agency
10. Monterey County RMA-Public Works
11. Monterey County RMA-Environmental Services
12. Monterey County Environmental Health Bureau
13. Monterey County Sheriff's Office, Donna Galletti
14. David & Antonia Martinez, Owner/Applicant
15. The Open Monterey Project
16. LandWatch Monterey County
17. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

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

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING

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

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



Project Title: Martinez

File No.: PLN170705

Project Location: 473 Paradise Rd, Salinas

Name of Property Owner: Martinez David & Martinez Antonia

Name of Applicant: David Martinez

Assessor's Parcel Number(s): 129-091-071-000

Acreage of Property: .73

General Plan Designation: Residential

Zoning District: LDR/2.5(CZ)

Lead Agency: County of Monterey – RMA Planning

Prepared By: Cheryl Ku – Senior Planner

Date Prepared: September 26, 2018

Contact Person: Cheryl Ku – Senior Planner

Phone Number: (831) 796-6049

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The proposed project involves development of a residential lot for construction of a single family dwelling and an attached garage. (Figure 1 – Site Plan) Necessary entitlements include a Combined Development Permit consisting of: 1) A Coastal Administrative Permit to allow the construction of a 2,456 square foot single family dwelling with a 676 square foot attached two-car garage and storage area, associated grading, 2) a Coastal Development Permit for the removal of three oak trees, and 3) a Coastal Development Permit to allow development within 100 yards of Environmentally Sensitive Habitat.

The proposed home will be two stories, with 1,776 square feet of living space on the first floor and a 627-square foot game room and bathroom on the second floor. A 676 square foot garage and storage area will provide parking for two vehicles. An 82-foot long by 12-foot wide gravel driveway will provide access to the home from the existing Paradise Road. An existing 240 square foot storage shed will be relocated from the front of the site to the back of the site. Preliminary grading information (Sheet G-1.1) indicates that 88 cubic yards of cut and 88 cubic yards of fill will be needed to create a level building site. A 100-foot long CMU retaining wall ranging in height from 4 feet to 8 feet will be constructed along the back of the house to provide slope stability.

Due to site constraints, an alternative on-site wastewater treatment system is required to serve the proposed home. The septic system will be placed in an open area on the highest portion of the property that is currently disturbed habitat with little vegetation. Water will be provided through a connection to an existing small connection water system, Paradise Road Water System #4.

Three oak trees are proposed for removal. Two 12 inch diameter oak trees are located within the footprint of the house, and one 18 inch diameter oak tree is in the proposed location of the retaining wall. Two Pajaro Manzanita (a sensitive plant species) and one Brittleleaf Manzanita are located within 100 feet of the proposed construction.

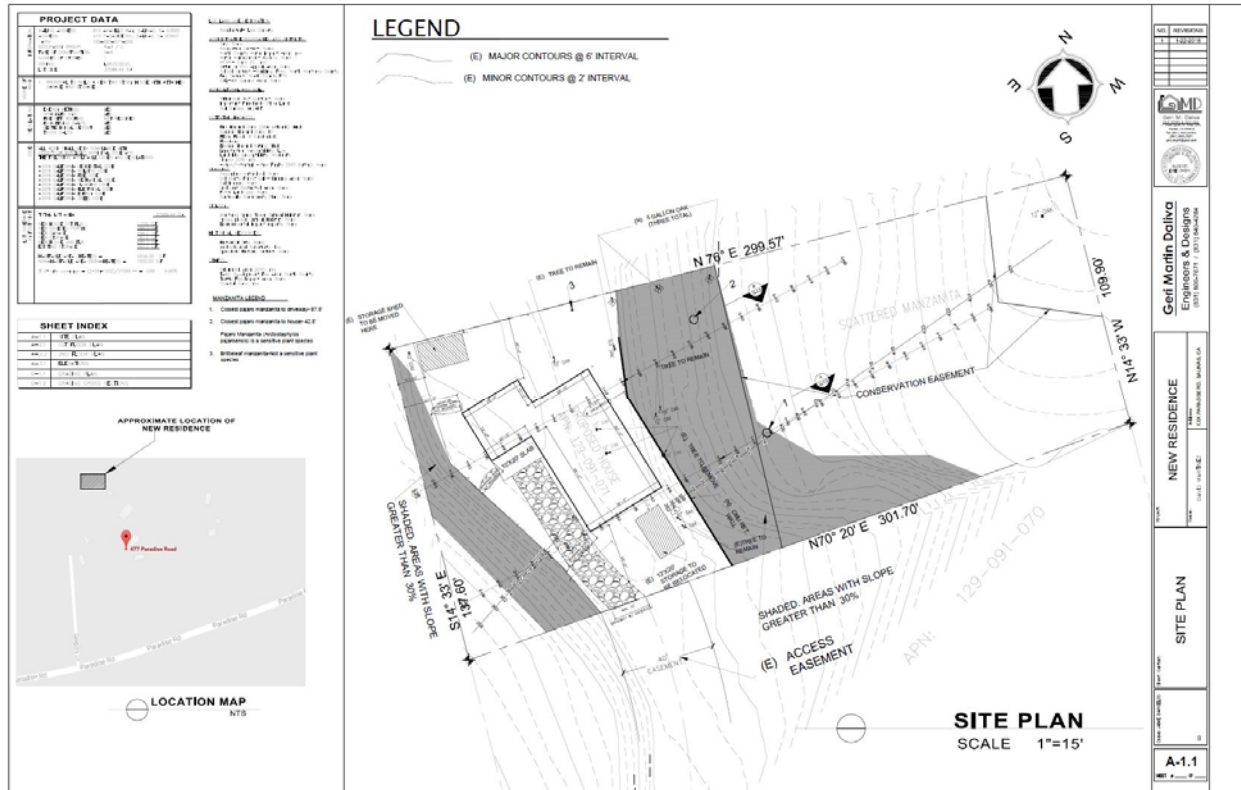


Figure 1. Site Plan

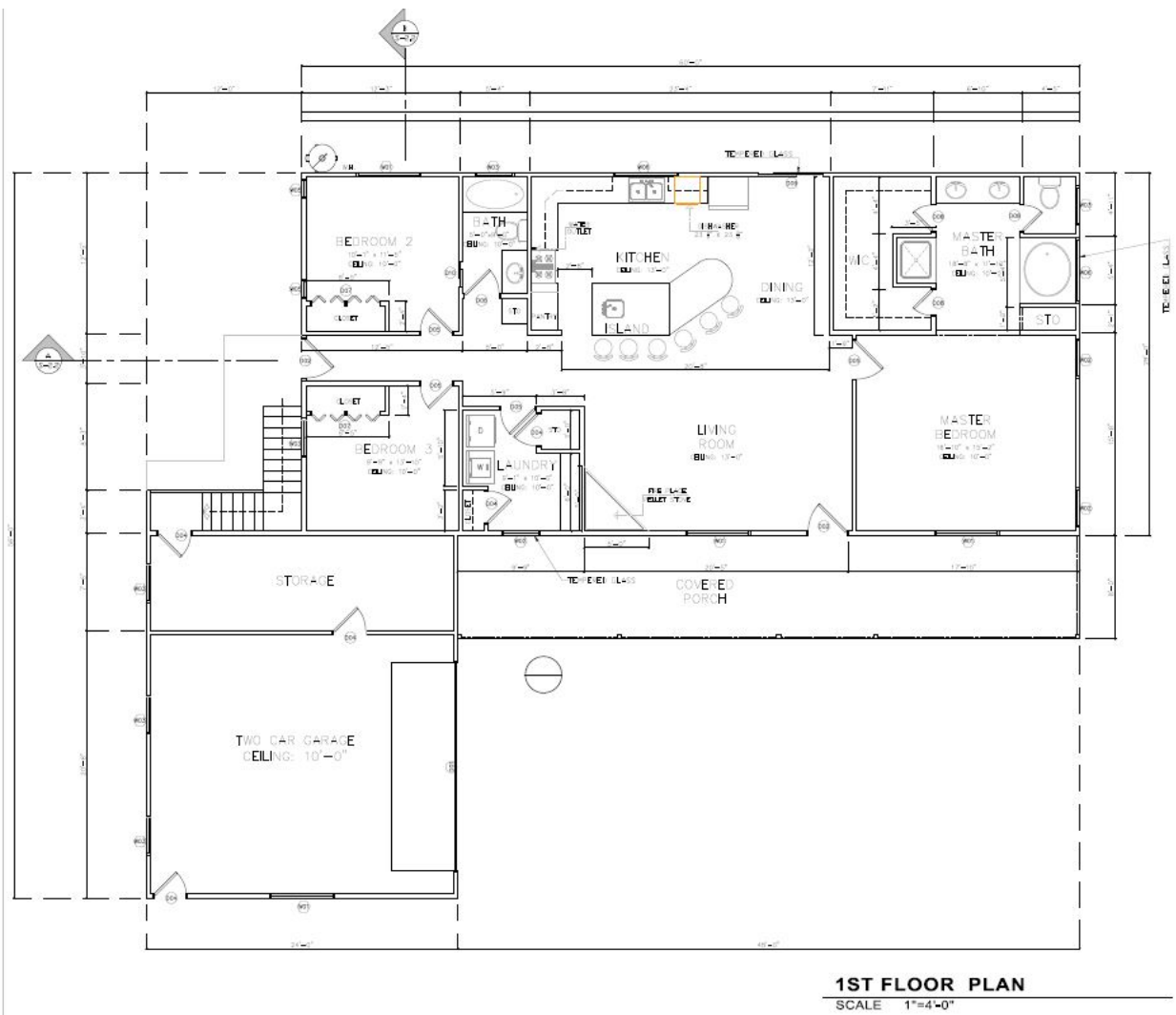


Figure 2: First Floor Plan

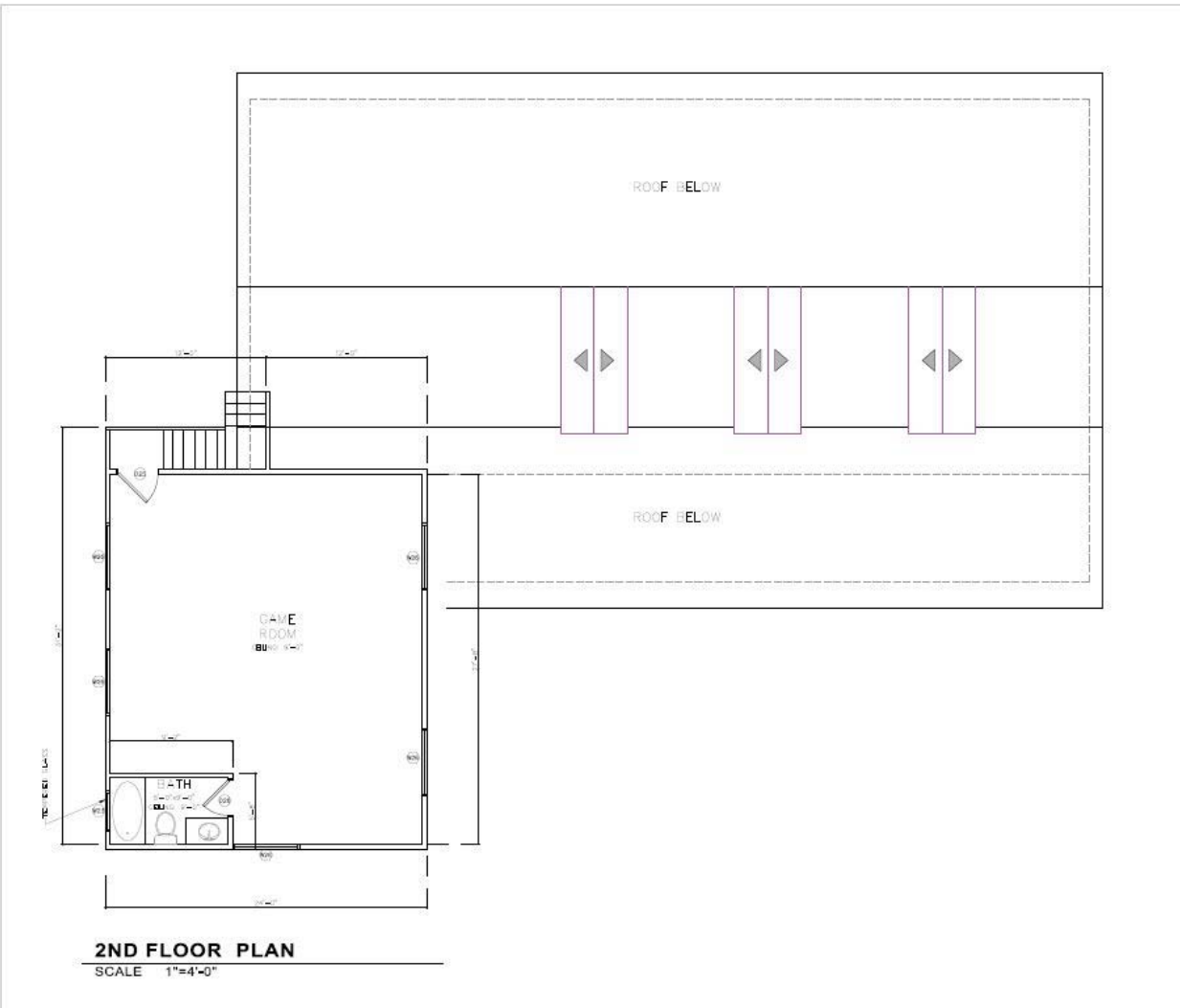


Figure 3: Second Floor Plan

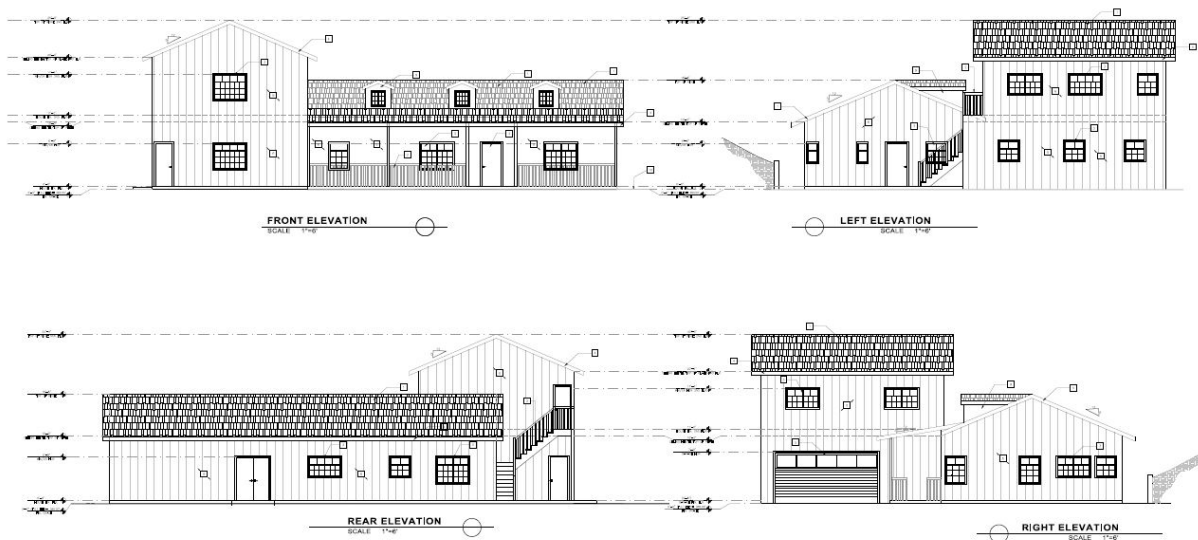


Figure 4: Elevations

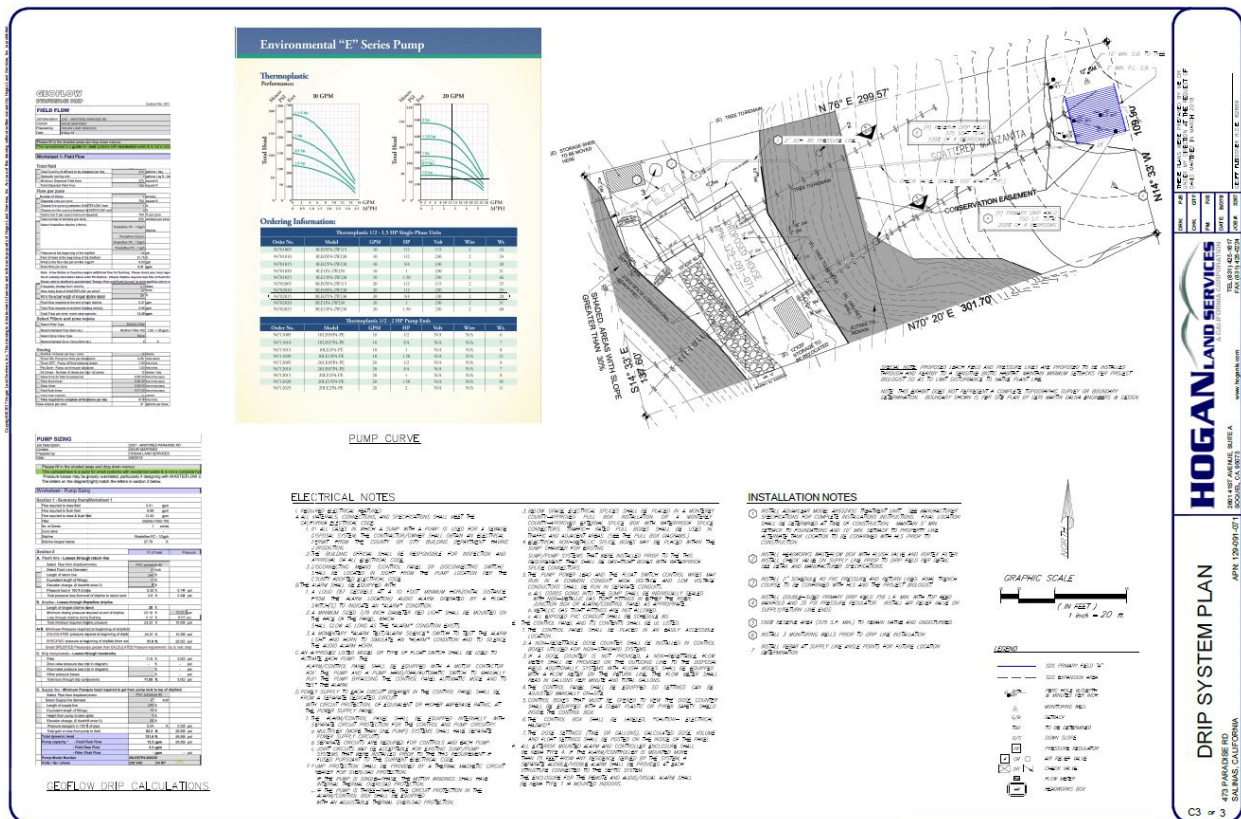


Figure 5: Preliminary Septic Plan

B. Surrounding Land Uses and Environmental Setting:

The property is an existing legal-non-conforming Low Density Residential 2.5 acres per unit (Coastal Zone) parcel. The property is the fifth and northernmost lot accessed via an existing easement from Paradise road serving five existing homes. The parcel is 0.73 acres and is bordered on the south by existing residential development and on the north by undeveloped, rural residential land containing thick vegetation. The east and west sides of the property are bordered by existing natural vegetation on other developed low density residential parcels. (See Figure 6 - (Vicinity Map and Surrounding Area))

The proposed home site is relatively level, but is bordered by a steep slope upward to the east behind the proposed retaining wall, and downward to the west behind the proposed driveway (see Figure 1). Beyond the northern property line the land slopes downward into vegetated open space.

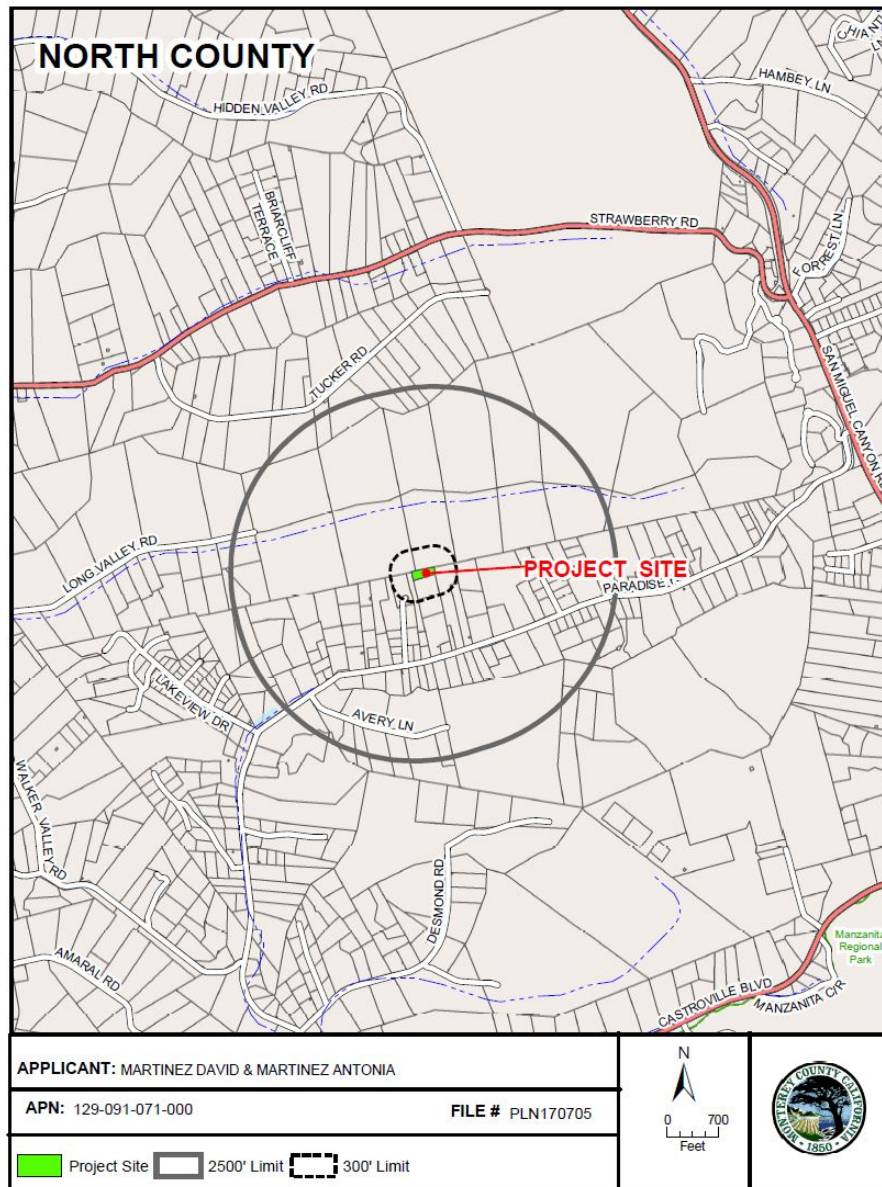


Figure 6. Vicinity Map

C. Other public agencies whose approval is required:

The project avoids taking of State and/or federally listed species; therefore, approval from any outside agencies is not required. County approval of the proposed permit is subject to appeal to or by the California Coastal Commission. In addition, obtaining ministerial construction permits would be required through the Monterey County Building Division, where review and approval by the North County Fire Protection Department, Water Resources Agency, and Resource Management Agency – Environmental Services Division would also occur.

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"/>

General Plan/Local Coastal Program LUP:

The proposed project was reviewed for consistency with the 1982 Monterey County General Plan, North County Coastal Land Use Plan (NCC LUP), and Monterey County Coastal Implementation Plans, Parts 1 (Title 20) and 2 (Chapter 20.144). Chapter 7 of the North County Coastal Land Use Plan outlines three basic tests for determining consistency with the plan: 1) The project must be in conformance with the kinds and use intensities permitted for the specific geographical area concerned; 2) the project must conform to policies of the Land Use Plan, particularly, the project must be consistent with policies for hazards and for resource protection; and 3) the project must fully meet any specific zoning provisions adopted to implement the plan. The proposed project is a single-family dwelling in a residential zone. As discussed in Section 4, the proposed project, as mitigated, is consistent with biologic resource policies of the NCC LUP intended for resource protection. **CONSISTENT.**

Water Quality Control Plan:

The property lies within Region 3 of the Central Coast Regional Water Quality Control Board (CCRWQCB). Water quality objectives specified in the Water Quality Control Plan for the Central Coast Basin are intended to protect the quality of surface water and groundwater. Water quality objectives are considered necessary to protect those present and probable future beneficial uses enumerated in Chapter Two of this plan. These objectives will be achieved primarily through the establishment of waste discharge requirements and through implementation of the water quality control plan, 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 through implementation of the State's Water Quality Control Plan. The proposed project includes land disturbance and construction of permanent structures on a currently vacant parcel. This has the potential to present new sources of pollution or increase on-site impervious surfaces. In accordance with Chapter 16.12 of the Monterey County Code, the project has been conditioned by RMA-Environmental Services requiring the applicant to submit an erosion control plan. For additional discussion on hydrology and water quality see section 9. Of this Initial Study. **CONSISTENT.**

Air Quality Management Plan:

Consistency with the Air Quality Management Plan (AQMP) is an indication of a project's cumulative adverse impact on regional air quality (ozone levels), and is not an indication of project specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. The Monterey Bay Air Resources District (MBARD) prepared the AQMP for the Monterey Bay Region. The AQMP addressed attainment and maintenance of State and Federal ambient air quality standards with the North Central Coast Air Basin. The project proposes to establish a residential use on a vacant lot zoned for residential development; therefore, any population increase as a result from the operational component of the project has already been accounted for in the AQMP. It was determined that the proposed project would not conflict with or obstruct implementation of the AQMP. There would be no stationary emissions as a result of the proposed project. The MBARD CEQA Air Quality Guidelines defines construction activities with potentially significant impacts for PM10 if they include 2.2 acres of disturbance per day. The project will involve 0.07 acres of total disturbed area, and therefore would not result in a significant impact and would be consistent with the AQMP. Additional discussion can be found in Section 3 – Air Quality of this Initial Study. **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 checked="" 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 checked="" 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"/> 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:

Section 2 – Agricultural and Forest Resources: Based on the General Plan and County resource maps, the property is not within an agricultural area, would not convert prime farmland or otherwise conflict with agricultural zoning or uses. The property is zoned “LDR” Low Density Residential and is not used for agricultural purposes. The proposed residential development is in an existing residential area and will not convert forest or agricultural land. *No impact.*

Section 11 – Mineral Resources: The Monterey County Geographic Information System (GIS) and a site visit conducted by staff verifies that there are no mineral resources on the site. Therefore, implementation of the proposed project would have no impact on mineral resources. (Source: 5) *No Impact.*

Section 13 – Population/Housing: The propose project would establish the first single family dwelling and an accessory dwelling unit on a residentially zoned parcel. This would not result in a substantial increase of housing units in the area nor would it cause an increase in demand for additional housing. The proposed project would not substantially induce population growth in the area, either directly or indirectly, as no new infrastructure would be extended to the site. Therefore, the proposed project would have no significant impacts related to population and/or housing. (Sources 1, 2, 3, and 4) *No impact.*

Section 14 – Public Services: Implementation of the proposed project would have no substantial adverse physical impacts associated with new or physically altered governmental facilities, where construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services. (Source 1, 2, 3, 4) *No impact.*

Section 15 – Recreation: Implementation of the proposed project would not result in a significant increase of use of existing neighborhood and regional parks or other recreational facilities and would not cause any substantial physical deterioration. The proposed project does not include or require construction or expansion of recreation facilities. The project would not create significant recreational demands. (Source: 1, 2, 3, and 4) *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

Cheryl Ku

9/26/18

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: 1,2,3,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1,2,3,4,5,7)	<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: 1,2,3,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1,2,3,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

It is the goal of the 1982 General Plan to retain the character and natural beauty of Monterey County by the preservation, conservation, and maintenance of open space within constitutional constraints. North County Coastal Land Use Plan General Policies 2.2.2 call for the least visually obtrusive portion of a parcel to be considered the most desirable site for the location of new structures and for structures to be located where existing topography and vegetation provide natural screening, and for structures to be located to minimize tree removal and grading.

The project site is not in a Visually Sensitive area as designated by Monterey County Zoning Ordinance. The property is at the end of an existing long residential driveway that branches off of Paradise Rd. The construction site is over 1000 feet from Paradise Rd, and is shielded from view by existing residences, vegetation, and topography. The parcel is bordered by vacant rural parcels with dense vegetation and is not visible from any public road or viewing area. The building site has been chosen to minimize grading and tree removal and to preserve the natural vegetation on the surrounding slopes.

1 (a), (b), and (c). Conclusion: No Impact. The property is not in a Visually Sensitive zoning designation and cannot be seen from any public road or viewing area. During a site visit on July 18, 2017 County staff determined the proposed development had been sited in the most appropriate location to minimize grading and tree removal.

1(d). Conclusion: Less than Significant Impact. The project will create less than significant new light sources from windows and minimal outdoor lighting. The 1982 County General Plan policy 26.1.20 requires that "All exterior lighting shall be unobtrusive and constructed or located

so that only the intended area is illuminated, long range visibility is reduced, and off-site glare is fully controlled. A standard condition of approval will require the applicant to submit a lighting plan prior to the issuance of grading or construction permits showing that proposed outdoor lighting will be downcast with the lightbulbs fully shielded so as not cause offsite glare. The site is in a residential area with other neighboring homes and is not visible from any public road or viewing 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: 1,2,3,4,7,8)	<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: 1,2,3,4,7,8)	<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: 1,2,3,4,7,8)	<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: 1,2,3,4,7,8)	<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: 1,2,3,4,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.A (Project Description) and B (Surrounding Land Uses and Environmental Setting) and Section IV.A (Environmental Factors Potentially Affected), as well as other sources listed.

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: 1,2,6)	<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: 1,2,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,2,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1,2,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1,2,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1,2,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

In order to provide protection and enhancement of Monterey County's air quality, Monterey County 1982 General Plan (General Plan) Policy No. 20.1.1 requires development decisions to be consistent with the natural limitation of the County's air basins. In addition, Policy 20.2.4 of the General Plan requires the County to operate in accordance with current regional, state, and federal air quality standards while Policy 20.2.5 encourages the use of "best available control technology" defined in the current rules of the Monterey Bay Unified Air Pollution Control

District (MBUAPCD). The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California and has established 14 air basins statewide. The project site is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The MBUAPCD is responsible for enforcing standards and regulating stationary sources through the 2008 Air Quality Management Plan for the Monterey Bay Region (AQMP) and 2009-2011 Triennial Plan Revision (“Revision”) which evaluates a project’s potential for a cumulative adverse impact on regional air quality (ozone levels).

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

The AQMP and Revision addresses state air quality standards. Population-generating projects that are within the AQMP population forecasts are considered consistent with the plan. The proposed project would result in the establishment of a residential use on a vacant lot. Establishment of a residence is a primary use specified in the Low Density Residential zoning designation. Therefore, implementation of the project would not be considered an increase in population, consistent with the AQMP which would have no impact.

The proposed construction activities and ongoing operation of the project would not create objectionable odors affecting a substantial number of people due to the scale of the proposed construction. Therefore, no impacts related to generation of odors is expected to occur.

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

At present, Monterey County is in attainment for all federal air quality standards and state standards for Carbon monoxide (CO), Nitrogen dioxide (NO₂), Sulfur Dioxide (SO₂), lead, and fine particulate matter (PM_{2.5}). However, Monterey County is designated as “non-attainment-transitional” for respirable particulates (PM₁₀) for the state 2-hour ozone standard. Although the project would include grading and construction-related activities (and similar projects occur within the vicinity of the subject property), the potential air emissions meet the standard for pollutants and the project would not create a situation where it adds a considerable cumulative net increase of any criteria pollutant. Therefore, as noted by CEQA, air emissions would be less than significant for PM₁₀ due to the non-attainment designation.

The proposed construction would be contained within less than an acre of the subject property. Therefore, construction and grading activities would operate below the 2.2 acres per day threshold established by the CEQA Air Quality Guidelines “Criteria for Determining Construction Impacts.” Furthermore, construction-related air quality impacts would be controlled by implementing Monterey County RMA standard conditions for erosion control that require watering, erosion control, and dust control. These impacts are considered less than significant based on the foregoing measures and best management practices incorporated into the project design and which reduce the air quality impacts below the threshold of significance.

Because the subject property is located within an established residential neighborhood, residents in the immediate vicinity are considered the sensitive receptors and impacts to those receptors caused by construction would be temporary. Therefore, the project’s temporary construction

activities will cause a less than significant impact to construction-related air quality and sensitive receptors.

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: 1,2,3,4,5,7,8,10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,2,3,4,5,7,8,10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,2,3,4,5,7,8,10)	<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: 1,2,3,4,5,7,8,10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1,2,3,4,5,7,8,10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1,2,3,4,5,7,8,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Metadata contained in the Monterey County Geographic Information System identifies the potential for maritime chaparral, Pajaro Manzanita, and hooker's Manzanita to occur onsite (Source 5). A Biological Survey (Source 8) for the property was submitted in accordance with

the North County Coastal Implementation Plan Section 20.144.040 (Source 4) The survey confirmed that Central Maritime Chaparral exists on the sloped areas of the property and identified two sensitive plant species on the property: Pajaro manzanita and hooker's manzanita. The proposed location for the home was previously cleared prior to current property ownership and contains non-native grassland; however, development is proposed to be located within 100 feet of central maritime chaparral habitat. Three sensitive plants are within 100 feet of the area of disturbance:

- A cluster of 12 hybrid brittleleaf manzanita and Pajaro manzanita approximately 15 feet from the edge of the proposed garage
- A Pajaro manzanita approximately 25.5 feet from the proposed home
- A Pajaro manzanita approximately 65 feet upslope from the proposed driveway

The biological report notes that the biologist also searched the property for Yadon's rein orchid because the Natural Diversity Records Database indicates occurrences close to the Martinez property. No Yadon's rein orchid were identified. The biological report states that there are also records of other sensitive species within one mile of the property, including Eastwood's goldenbush, and Monterey spineflower. No other sensitive plant species were located on the property, but they do have the potential to occur in the central maritime chaparral habitat located on portions of the property where no development is planned. No evidence of any sensitive animal species were observed on the property.

Several oak trees are located in and around the area proposed for development. The Monterey County North County Coastal Implementation Plan Section 20.144.050 protects oak trees over 6 inches in diameter at breast height. A forester's assessment was submitted in accordance with North County Coastal Implementation Plan Policy 20.144.050 B-1. Three oak trees are proposed for removal. Two 12-inch diameter oak trees are located within the building footprint, and one 18-inch diameter oak tree is located at the site of the proposed retaining wall. Four additional trees are located close to areas of excavation for the proposed retaining wall; however, impacts to these trees are expected to be minimal and all trees are expected to survive.

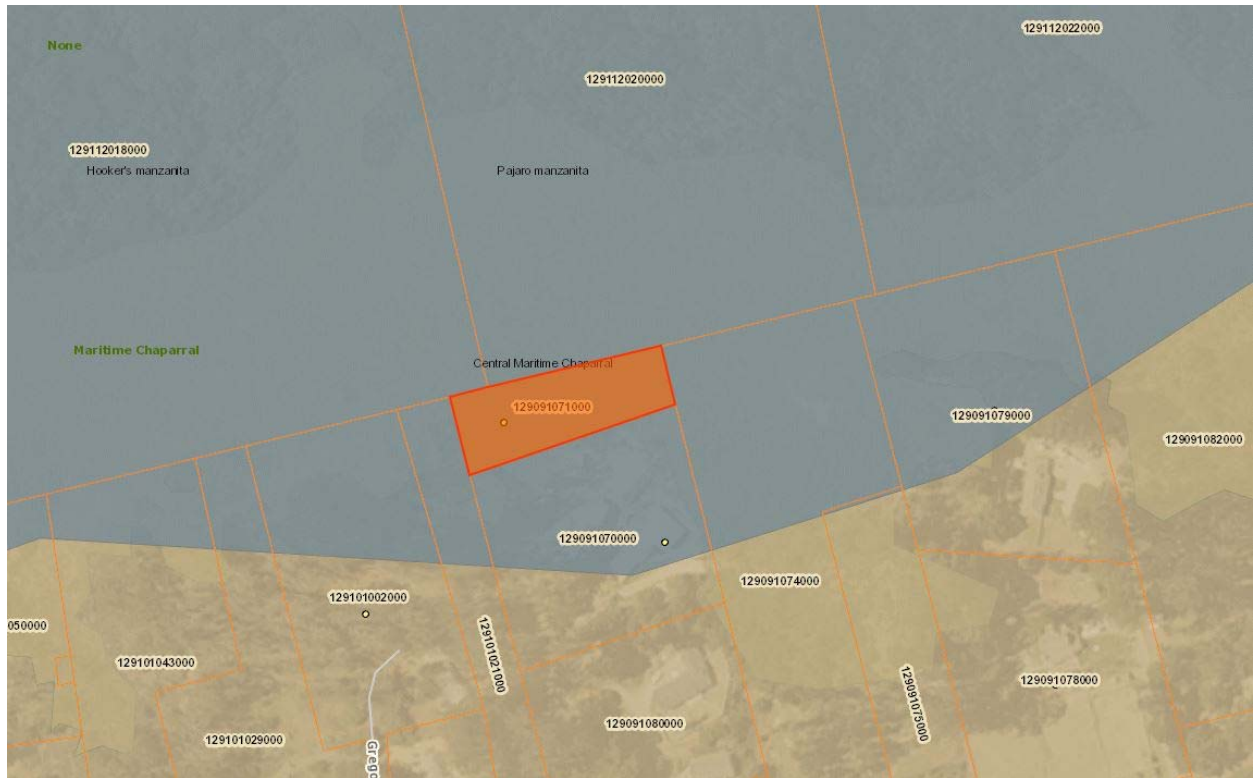


Figure 7: Environmentally Sensitive Habitat Areas



Figure 8: Oak Trees

4(c)(f). Conclusion: No Impact.

The North County Land Use Plan identifies and presumes ESHA is present within the planning area and policies and regulations providing guidance and limitations for development have been incorporated within the plan. However, there is no Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional or state habitat conservation plan adopted for the area. Therefore, potential conflict with project implementation does not apply resulting in no impact.

4(a)(b)(d)(e). Conclusion: Less than Significant with mitigation incorporated.

The proposed development would have the potential to cause an adverse effect on central maritime chaparral habitat, an ESHA identified in the County's North County Environmentally Sensitive Resource Map and is located within 100 feet of ESHA as identified in the biological survey. The proposed development has been sited in a previously disturbed portion of the site to minimize habitat disturbance.

Mitigation Measure No. 1: *Preconstruction Survey and Ongoing Monitoring.* Within ten days prior to the start of grading or construction activities a preconstruction survey shall be conducted by a qualified biologist. If construction or tree trimming begins between April 1 and August 31, the survey shall also include breeding birds. Monitoring inspections shall also be performed once within the three months following completion of the development and once per year, in the spring season for the following two years.

Mitigation Monitoring Action No. 1a: Prior to the start of grading or construction activities, the applicant shall submit to the county a report from a qualified biologist containing the results of the preconstruction survey. The report shall include verification that all Pajaro Manzanitas have been identified and shall state whether any Pajaro Manzanitas will require removal. If construction or tree trimming is to begin between April 1 and August 31st, the survey shall also state if any breeding birds were identified and if so shall recommend appropriate protection measures.

Mitigation Monitoring Action No. 1b: Within three months following final inspection of the construction permit, the applicant shall submit to RMA-Planning a report from a qualified biologist detailing the results of the monitoring inspection. If the report includes any recommendations to address concerns revealed during the monitoring inspection, the property owner shall implement these recommendations.

Mitigation Monitoring Action No. 1c: Once per year, in the spring season, for two years following the completion of the development, the applicant shall submit a report from a qualified biologist indicating the results of the monitoring survey. If the report includes any recommendations to address concerns revealed during the inspections, the property owner shall implement those recommendations.

Mitigation Measure No. 2: *Protective Fencing.* All healthy native trees and shrubs on the property will be protected from all impacts that may occur before, during or after construction. This includes protection from direct damage to the branches and roots of the plants, deposition or removal of soil around the plants and compaction of soil around the plants through vehicle use. Care shall be taken to make sure that the soil levels within driplines, and especially around the trunks of native trees and shrubs, are not altered and to make sure that drainage slopes away from trunks. These plants shall be marked with orange fencing during the installation of the new developments to make their locations obvious.

Mitigation Monitoring Action No. 2a. Prior to issuance of grading or construction permits, the applicant shall submit verification, including photographs and a letter from a qualified biologist or arborist, that tree protection measures have been installed in accordance with the arborist and biological reports.

Mitigation Measure No. 3: *Conservation Easement.* In accordance with Policy 20.144.040.B.6 of the North County Coastal Implementation Plan and Policy 7.2.5 of the North County Coastal Land Use Plan, and with the recommended mitigations in the Biology Report, a conservation easement shall be recorded to preserve the best central maritime chaparral sensitive habitat areas

on the property, which are in the un-cleared portions of the high point area and un-cleared slope areas.

Mitigation Monitoring Action No. 3a. Prior to issuance of building or grading permits, the applicant shall submit an application for a conservation easement on the areas of the property identified in the site plan.

Mitigation Monitoring Action No. 3b. Prior to final of the construction permit for the house, the applicant shall record the conservation easement.

Mitigation Measure No. 4: *Replacement Planting.* Three Pajaro manzanitas will be planted on the property as mitigation for the area of development being closer than 100 feet from the Pajaro manzanitas growing on the property.

Mitigation Monitoring Action No. 4a: Prior to final of the construction permit, the applicant shall submit evidence, including photographs, that the pajaro manzanitas have been planted in accordance with the approved site plan and the arborist recommendations.

Mitigation Measure No. 5: *Landscaping and Restoration Plan.* Landscaping and restoration plantings other than immediately around the home shall be composed primarily of native plants of local origin. Other native plants and drought tolerant, fire resistant plants with similar requirements to our native vegetation may also be planted immediately around the home. All other restoration plantings will be plants native to the area, preferably of local origin. A native plant seed mix from stock of local origin will be used to restore impacted native understory and ground cover as well as for erosion control. Invasive exotic plants will as much as possible, be removed from the property. The invasive exotics observed on the property are Hottentot Fig (*Carpobrotus edulis*), French Broom (*Genista monspessulana*), Pampas Grass (*Cortaderia jubata*), Monterey Pine (*Pinus radiata*), and Blue Gum Eucalyptus (*Eucalyptus globulus*). Kill and removal of the exotic and invasive vegetation through the use of pesticides shall be carried out by a Qualified Applicator certified by the California Department of Pesticide Regulation.

Mitigation Monitoring Action No. 5: Prior to the issuance of grading or construction permits, applicant shall submit a landscape and restoration plan prepared by a qualified landscape architect that conforms to the specifications in Mitigation Measure No. 5 including specifying areas where exotics will be removed and techniques for doing so.

Mitigation Measure No. 5a: Prior to final of construction permits, the applicant shall submit evidence, including photographs, that the landscaping has been installed and invasive exotics removed according to the approved landscape plan.

Mitigation Measure No. 6: *Best Management Practices.* In order to ensure construction activities include best management practices that provide overall protection measures for tree resources, central maritime chaparral habitat, and sensitive specie onsite, the following shall be included as a note on the construction plans.

- Depositing fill, parking equipment, or staging construction materials near existing trees or close to areas of natural habitat shall be prohibited.
- Less than one third of branches will be removed from any native tree or shrub that may need to be trimmed. Pruning shall be conducted so as to not unnecessarily injure the tree. General Principals of pruning include placing cuts immediately beyond the branch collar, making clean cuts by scoring the underside of the branch first, and for live oak, avoiding the period from February through May
- Native trees are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the drip line of oaks.
- Less than one third of area under the dripline on any native tree or shrub should be paved.
- Coast live oaks should not be trimmed from February through May. There should be no pavement closer than four feet from the trunks of trees unless permeable pavement is used in these areas and surface roots are deep enough to allow paving without their extensive removal.
- A mulch layer up to approximately 4 inches deep should be applied to the ground under selected trees following construction. Only 1 to 2 inches of mulch should be applied within 1 to 2 feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated onsite.
- If trees near the development are visibly declining in vigor, a Professional Forester or Certified Arborist should be contacted to inspect the site to recommend a course of action.

Mitigation Measure No. 7: *Perimeter Fencing.* If perimeter fencing is installed on the property, it shall be designed to allow wildlife to cross. Wire fencing shall have a clearance of eighteen inches between the ground and the first wire. Board fencing should have at least two panels every ten feet with at least fifteen inches between boards.

Mitigation Monitoring Action No. 7a: The conservation easement deed required by Mitigation Measure No. 3 shall specify that the property is not to be fenced except in accordance with the regulations outlined Mitigation Measure No. 7. On an ongoing basis, if any fencing is to be installed on the property, the property owner shall ensure that the fencing is designed in accordance with Mitigation Measure No. 7.

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: 1,5)	<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: 1,5)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1,5)	<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: 1,5)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Monterey County Geographic Information System indicates that the subject property is located within a low archaeological sensitivity zone and is not near any known archaeological sites.

5(a)(c). Conclusion. No Impact. The project site is vacant and does not contain any structures or sites eligible for listing on State or Local registers of Historic Resources. County records and the geologic report (Source 9) do not indicate the subject property supports unique paleontological resources or geologic features. The proposed development would have no impact on these resources.

5(b)(d). Conclusion. Less Than Significant Impact with Mitigation Measures Incorporated. The project is not near any known archeological sites and Monterey County Geographic Information System indicates the property is located in a low archaeological sensitivity zone. Although no archaeological, paleontological, or historical resources are expected to exist on the site, Mitigation Measure No. 17 is included as a result of the Tribal Consultation process (see section 17) to address protection of tribal cultural resources and also requires work to be halted and appropriate actions to be taken if any cultural, archeological, historical, or paleontological resources are uncovered at the site.

6. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: 1,5,9) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1,5,9)	<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: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Monterey County Geographic Information System indicates that the property is within a seismic hazard zone IV. In accordance with Policy 2.8.3.A.4, a soils investigation report was prepared for the proposed development. (Source 9). The project site is a 4-sided roughly trapezoidal-shaped parcel. The building site is generally flat with a small cut on the north-east. Maximum topographic relief across the main house is approximately 60ft, generally manifest as a minor slope ascending easterly from the west. The surface soils are described as particularly stiff silty sand. Drainage at the proposed home site is directed to the west at a slight to moderate fall as sheet flow.

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

The North County Land Use Plan notes that all of the North County coastal area is located entirely within a seismically active portion of the Salinian Block and contains policies to minimize risk to life and property. Monterey County Geographic Information System indicates the property is within a seismic hazard zone IV. In accordance with Policy 2.8.3.A.4, a soils investigation report was prepared for the proposed development. (Source 9).

Although the site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone and no known surface expression of active faults is believed to exist within the site, it could still experience considerable ground shaking in the event of a moderate to high earthquake generated within the San Francisco Bay Region. The report recommends that all structures be designed using standard engineering judgement and the latest California Building Code requirements at a minimum. The investigation found that the site is a low risk of lateral spreading, seismically induced densification and seismically induced land sliding and established appropriate setbacks, grading procedures, and structural fill standards.

The project has been reviewed by RMA-Environmental Services (RMA-ES) to determine if it is consistent with County grading (Monterey County Code Section 16.08) and erosion control (Monterey County Code Section 16.12) ordinances. No issues were identified and conditions of approval have been incorporated to ensure project implementation would meet these requirements. Compliance with conditions requires the applicant to submit a grading plan, erosion control plan for review and approval prior to issuance of construction permits, as well as cause RMA-ES to conduct a pre-inspection, inspection during active construction, and final inspection to ensure the project is compliant with Monterey County regulations. Additionally, the applicant must provide certification from a licensed practitioner that all development has been constructed in accordance with the recommendations in the project Geotechnical report.

The project reports conclude the site is suitable from a geologic and soil engineering perspective provided technical report recommendations are incorporated into the design and construction of the project. Therefore, as discussed above, the project as proposed and conditioned would have a less than significant impact caused by geologic hazards.

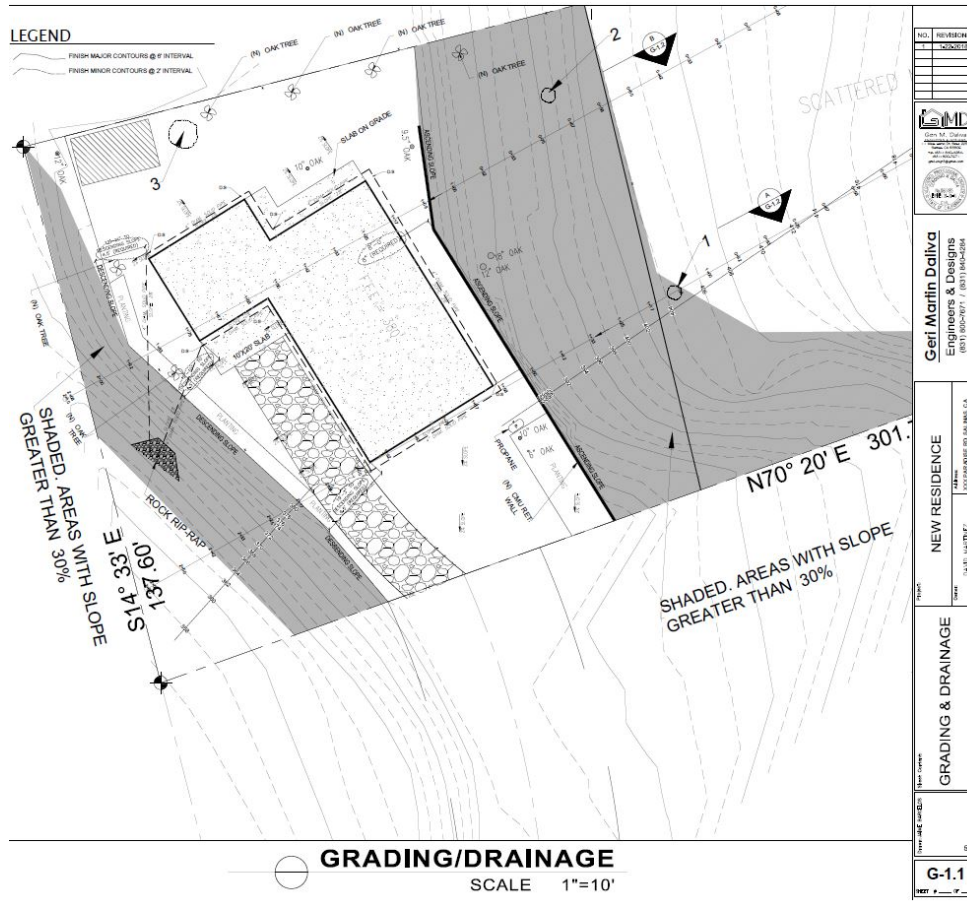


Figure 10: Preliminary Grading and Drainage Plan

6(d)(e) Conclusion No Impact. The soils investigation report found that surface soils are non-expansive silty sand material that are underlain with non-expansive soils; hence no measures to mitigate the effect of expansive soils were necessary.

The Environmental Health Bureau has reviewed the proposed project and found that the site is too heavily constrained for a conventional septic system. EHB has reviewed applicant submitted designs for an alternative wastewater treatment system designed by Hogan Land Services (Source 1) and found that the soils do not present any issues related to supporting the treatment system (Figure 9).

7. GREENHOUSE GAS EMISSIONS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1,6)	<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: 1,6)	<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 gases that trap heat in the atmosphere. U.S. GHG emissions in 2014 consisted of 81% Carbon Dioxide (CO₂), 11% Methane (CH₄), 6% Nitrous Oxide (N₂O), and 3% of fluorinated gases (hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride). The larger amount of GHG emissions lead to higher concentrations in the atmosphere and each of these gases can remain in the atmosphere for different amounts of time (from a few years to thousands of years). Over time, these gases are mixed resulting in a global effect despite their point of emission. Based on information obtained from the EPA, an increase in GHG emissions are related to warming of the earth, a process commonly known as the “greenhouse effect” or “global warming.” This process is expected to have an effect in weather patterns, ocean circulation, mean sea level rise, water supply, and an increase in infectious diseases.

The baseline GHG emission for the subject property is next to zero and temporary construction activities, as well as operational components of the project would introduce new points of emissions. Pursuant to Section 15064.4 of the CEQA Guidelines, Monterey County, as the lead agency, must analyze GHG emissions of the proposed project and reach a conclusion regarding significance of said emissions. Although the State of California has provided guidance to lead agencies, it has yet to develop specific GHG Thresholds of Significance for analysis of projects during environmental review. Furthermore, the Monterey Bay Unified Air Quality Management District (MBUQMD) has not adopted GHG thresholds to determine significance. The 1982 General Plan does not contain policies that address GHGs. However, it does include policies that relate to climate change such as water conservation; protection of vegetation; building designs incorporating solar orientation, weather proofing, and limiting reliance on artificial heating, cooling, and lighting; and locating development where adequate road systems exist. In addition to these policies, Chapter 18.11 – Green Building Standards, of the Monterey County Code was adopted to improve public health, safety, and welfare by encouraging responsible use of resources in the design and construction of buildings by using building concepts that would reduce negative impacts, or resulting in a positive environmental impact, by encouraging sustainable construction practices.

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.

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

Construction activities involving heavy equipment and vehicle use would be temporary; therefore, GHG emissions would be limited to a short period of time. Operational elements of the project would not increase baseline amount of GHGs emitted prior to implementation of the project. The establishment of the residential dwelling unit on the property would not permanently generate a significant amount of vehicle trips over what is existing or cause an increase in the emission of carbon dioxide (CO₂) by fuel combustion. Therefore, the project would have a less than significant impact as it relates to 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: 1,5)	<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: 1,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1,5)	<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: 1,5)	<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: 1,5)	<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: 1,5)	<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:					
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1,5,13,15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

The proposed project is to establish a residential structure within a Low Density Residential zoning district and the project does not involve the use or creation of hazardous materials. The Monterey County Geographic Information System indicates the subject property is located within a State Responsibility Area with a high fire hazard.

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

The project does not involve the transportation, use, or disposal of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties, the public, or any nearby schools, or the environment. The subject property is not found on the Cortese List or California Superfund. The proposed residential use does not include storage of large quantities of hazardous materials on the site, involve stationary operations, create hazardous emissions, or handle hazardous materials. The closest airports, Watsonville Municipal Airport, and Salinas Municipal Airport, are both 5 miles away.

8(h). Conclusion: Less than Significant Impact.

Monterey County Geographic Information Systems indicate the subject property is within a high fire hazard State Responsibility Area. The project is located upslope from a forested area, which presents risk of wildland fire. The project plans were reviewed by North County Fire Protection Department, who determined that the project meets the minimum required setbacks between structures and vegetation (Source 13). A fire hydrant located at the entrance to the property and two 5000-gallon water storage tanks on the neighboring property provide adequate water sources for fire suppression. The proposed driveway meets width of 12 feet required by Title 18.56 – Wildfire Protection Standards in State Responsibility Areas. In accordance with NC LUP policies for Fire Hazard (2.8.2.C) there is no less hazardous portion of the site where the house could be constructed, and fire resistant materials will be used in construction as required by the California Building Code.

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: 1,3,5,9,16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,3,5,9,16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,3,5,9,16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,3,5,9,16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,3,5,9,16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1,3,5,9,16)	<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: 1,3,5,9)	<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: 1,5)	<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: 1,5)	<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: 1,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The subject property is a vacant parcel and the proposed site improvements would result in a new potable water connection and the conversion of pervious surfaces into impervious surfaces. The project has been reviewed by the Water Resources Agency and RMA-Environmental Surfaces for project consistency with Monterey County regulations for grading activities and erosion control.

9(f)(g)(h)(i)(j). Conclusion: No Impact.

Other than what is discussed below, the project would not result in substantially degrading water quality. The Monterey County Geographic Information System and review by the Water Resources Agency demonstrates that the subject property is not located within a 100-year flood hazard area. Therefore, the project would not result in placing structures within a flood hazard area or impede or redirect flood flows, resulting in no impact.

9(a)(b)(c)(d)(e). Conclusion: Less Than Significant Impact.

Implementation of the proposed project would result in approximately 2,414 square feet of impervious surface area, and 816 square feet of pervious driveway surface. These improvements could have the potential to reduce groundwater recharge, alter existing site drainage patterns, and contribute to existing runoff in the area. Adoption of County grading and erosion control regulations were intended to protect and promote health, safety, and the public welfare by minimizing conditions of accelerated erosion, protecting the natural environment, and preventing danger from flooding. Section 15183(g) of the CEQA Guidelines considers these regulations as uniformly applied as conditions of approval without the need for further mitigation.

The proposed development includes preliminary grading and drainage plans. RMA-Environmental Services has added Conditions of Approval to require final grading and erosion control plans and a stormwater pollution prevention plan. Additionally, Conditions of Approval requiring inspections by RMA-Environmental Services staff before construction begins have been added to verify that erosion control measures are in place.

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: 1,2,5,7)	<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: 1,2,3,4,7,16)	<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: 1,2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The subject property is governed by the 1982 Monterey County General Plan and the North County Coastal Land Use Plan (NC LUP), which provides regulatory framework through identified goals and policies for protection of coastal resources and guidance for development. These goals and policies are implemented through the Monterey County Coastal Implementation Plans, Part 1 (Coastal Zoning Ordinance or Title 30) and Part 2, Regulations for Development in the North County Land Use Plan Area (Chapter 20.144). The NC LUP map (Figure 5), illustrates the land use designation for the subject property as “Residential – Low Density.” Zoning on the property is Low Density Residential/2.5 acres per unit, Coastal Zone (CZ), consistent with the land use designation. The proposed project is a request to establish a residential use on the currently vacant property which is a principally allowed use listed in the LDR zoning district, provided a Coastal Administrative Permit is obtained. The property is a legal non-conforming 0.73 acre parcel.

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

The subject property is one of the few vacant parcels located within a well-established residential neighborhood. The proposed use is consistent with existing uses in the area. The project, as proposed, would not physically divide an established community. There is no adopted habitat conservation plan or natural community plan for the subject property; therefore, implementation of the project would not cause a conflict and would have no impact.

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

The proposed project was found to be consistent with the 1982 Monterey County General Plan. However, because of the location of the subject property and the resources that exist on the site, implementation of the project would have the potential to result in environmental impacts to protected resources (such as biological, and potential hazards) identified in the NC LUP, resulting in a potential conflict with resource protection policies contained in Chapter 2 – Resource Management Element of the NCLUP and their corresponding implementing regulations contained within the Monterey County Coastal Implementation Plan, Part 2 (CIP).

Biological Resources

It is the goal of the 1982 General Plan to conserve natural habitat for native plant and animal species and to promote preservation of endangered plant and animal species. The DMF LUP Section 2.3 (Environmentally Sensitive Habitats) contains policies to protect, maintain, and where possible enhance and restore environmentally sensitive habitats of North County. As discussed in Section 4-Biological Resources of this Initial Study, analysis of the project's potential to result in significant environmental impacts to protected biological resources (Central Coast Maritime Chaparral, Pajaro manzanita) existing on the subject property was conducted. In addition, an analysis was performed to determine if those potential impacts would conflict with NC LUP policies/regulations adopted for avoiding or mitigating an environmental effect. Inconsistency with policies and regulations is a legal determination and not a physical impact on the environment.

Policy No. 1 of the NC LUP states that the construction of roads and structures shall be prohibited in certain environmentally sensitive habitat areas, including sites of known rare and endangered species. Since Pajaro manzanita exists on the property, establishment of a residential use could be inconsistent with the strict interpretation of this policy. The proposed development has been designed to prevent habitat impacts, consistent with Policy No. 2, which requires new land uses to incorporate all site planning and design features needed to prevent habitat impacts.

Policy No. 5 of the NC LUP and Section 20.144.040.A.1 of the North County Coastal Implementation Plan requires field surveys by qualified individuals where development is proposed in documented or potential locations of environmentally sensitive habitats. A biological survey was completed for this project consistent with this policy.

Policy No. 9 of the NC LUP requires the use of non-invasive plant species in proposed landscaping and encourages the use of appropriate native species or species that are compatible with native plants. No invasive landscaping is proposed for this project. A landscaping plan will be required as a standard condition of approval.

Policy 2.3.3.A.2 of the NC LUP and Section 21.44.040.C of the North County Coastal Implementation plan specifically address the Maritime chaparral plant community and state that where new residential development is proposed in chaparral areas it should be sited and designed to protect the maximum amount of maritime chaparral and that all chaparral on land exceeding 25 percent slope should be left undisturbed to prevent potential erosion impacts as well as to protect the habitat itself. The project has been designed to site the proposed structures on the previously disturbed portions of the property, and Mitigation Measure No. 3 requires recordation of a scenic and conservation easement on the sloped portions of the property; therefore, the project is consistent with this policy.

Hazards

The NC LUP Policy 2.8.3.C provides policies to address fire hazards and states that portions of a parcel proposed for development which are characterized by high to very high fire hazard shall only be developed if no less hazardous portion of the site is suitable for development and the development will not increase the threat of fire to the public. Additionally, Policy 4 states that where development is approved within or immediately adjacent to areas of high to very high fire hazard, the County shall require the use of fire resistant materials in the construction of exterior walls and fire-retardant materials in the construction of roof. The structure has been sited in the flat portion of the site and no less hazardous portion of the site is suitable for development due to slopes and vegetation. The structures are proposed to be constructed with fire resistant materials in accordance with the California Building Code.

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:1,3,9)	<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: 1,3,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.A (Project Description) and B (Surrounding Land Uses and Environmental Setting) and Section IV.A (Environmental Factors Potentially Affected), as well as other sources listed.

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:1,2,5,7)	<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:1,2,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1,2,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1,2,5,7)	<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:1,2,5,7)	<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: 1,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The subject property is located within a low density residential area where existing residences in the surrounding neighborhood comprise sensitive noise receptors. 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 establishment of a residential use on the subject property would not expose people to noise levels that exceed Monterey County standards and would not substantially increase ambient noise levels. The project site is not located in the vicinity of an airport, private airstrip, or within and airport land use plan area.

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

Construction activities would produce noise not typically found in the area. In addition, grading 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 would 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: 1,2,7)	<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: 1,2,7)	<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: 1,2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.A (Project Description) and B (Surrounding Land Uses and Environmental Setting) and Section IV.A (Environmental Factors Potentially Affected), as well as other sources listed.

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: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.A (Project Description) and B (Surrounding Land Uses and Environmental Setting) and Section IV.A (Environmental Factors Potentially Affected), as well as other sources listed.

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: 1,2,3)	<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: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.A (Project Description) and B (Surrounding Land Uses and Environmental Setting) and Section IV.A (Environmental Factors Potentially Affected), as well as other sources listed.

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: 1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. TRANSPORTATION/TRAFFIC				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: 1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1,2,3,4,7)	<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: 1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.A (Project Description) and B (Surrounding Land Uses and Environmental Setting) and Section IV.A (Environmental Factors Potentially Affected), as well as other sources listed.

17. TRIBAL CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Source: 1,2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

17. TRIBAL CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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, 12)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

The subject property is a vacant property lacking any structures. The site is not designated as a site, feature, place or cultural landscape that is geographically defined as having cultural value to a California Native American Tribe according to County Geographic Information Systems or any known reports. The site not eligible for listing on any historical register of resources and is located in an area of low archeological sensitivity. Consultation with the tribal representative for the Ohlone/Costanoan-Esselen Nation was held on March 13, 2018.

17 (a) (i). Conclusion: No impact.

The site is not designated as a significant cultural or historic resource and is not eligible for listing in a local register of historical resources.

17(a)(ii). Conclusion: Less than significant with mitigation incorporated.

In accordance with Assembly Bill 52 – Native Americans: California Environmental Quality Act, non-exempt projects subject to environmental review shall request a Tribal Consultation to determine if potential impacts to tribal cultural resources exist. On March 13, 2018, RMA-Planning staff consulted with the OCEN tribe. As documented in the OCEN formal response letter, dated March 12, 2018 RMA-Planning staff was notified that the priority of OCEN is to protect their ancestor's remains through avoiding disturbance and that all sacred burial items be left with their ancestors on site or as culturally determined by OCEN.

At the in-person consultation on March 13, 2018, the OCEN tribal representative informed RMA-Planning staff that any oak tree removal could potentially disturb resources and that the site's proximity to a water source make it more likely that resources could be present. For these reasons the tribal representative requested that a tribal monitor be present during tree removal. The site borders a large canyon, the bottom of which is over 1000 feet from the property line; however, there is no mapped waterway in this area. The trees proposed for removal have 12 inch, 12 inch, and 18 inch diameters, respectively. In absence of specific information relative to the potential presence of a tribal cultural resource, RMA-Planning does not find that a tribal monitor is necessary to mitigate the potential impact. To address the tribal representative's concerns, Mitigation Measure No. 17a calls for a note to be placed on construction and grading plans to

specify what actions are to be taken, including contacting the tribal representative, should any resources be discovered during grading or tree removal activities.

Mitigation Measure No. 17 Protection of Cultural Resources

The subject parcel is located in the aboriginal territory of Ohlone/Costanoan-Esselen Nation (OCEN). Pursuant to AB 52, tribal consultation took place regarding the proposed project. In order to prevent impacts to Tribal Cultural Resources, Owner/Applicant shall include requirements of this condition as a note on all grading and construction plans. The note shall state "If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning, OCEN Tribal Council and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner, OCEN Tribal Council and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the recovery.

Prior to resuming any further project-related ground disturbance, Owner/Applicant shall coordinate with the project planner, OCEN Tribal Council and a qualified archaeologist to determine a strategy for either return to the Tribe or reburial. Any artifacts found that are not associated with a skeletal finding shall be returned to the aboriginal tribe.

If human remains are accidentally discovered during construction, the following steps will be taken:

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent resources until:

The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and

If the coroner determines the remains to be Native American:

- The coroner shall contact the Native American Heritage Commission and RMA – Planning within 24 hours.
- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoan/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.
- The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or
- Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
 2. The descendent identified fails to make a recommendation; or
 3. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.
- (RMA - Planning)

18. UTILITIES AND SERVICE SYSTEMS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1,3,4)	<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: 1,3,4,16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,3,4)	<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: 1,3,4)	<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: 1,3,4)	<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: 1,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The project is a single family dwelling that will be served by an existing water system and landfill and will handle wastewater and stormwater onsite and does not have any potential to impact existing facilities.

18(a)(c)(d)(e)(f)(g). Conclusion: No Impact.

Implementation of the proposed project would require tying into Paradise Road Water System #4. The Environmental Health Bureau has reviewed the project and approves of the proposed connection to this water system. Environmental Services has reviewed the preliminary grading and drainage plans and will require a Stormwater Pollution Prevention Plan; however, all stormwater will be handled at the property and will not require or impact any public facilities. Any excess construction materials would be hauled to the landfill operated by the Monterey Regional Waste Management District. However, the minimal amount of waste produced would not affect the permitted landfill capacity. (Source: 1, 3, and 4) *No impact.*

18(b). Conclusion: Less than Significant Impact.

The project will dispose of wastewater through an alternative onsite septic system and will not impact any existing wastewater treatment system. The Environmental Health Bureau has reviewed and approved of the preliminary septic system design. (Source: 1, 2, 3, 4, 16) *Less than significant impact.*

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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 through 16)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source:) ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: 1 through 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1 through 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

There are no identified impacts on Agriculture and Forest Resources, Mineral Resources, Population/Housing, Public Services, Recreation, or Utilities and Service Systems.

Less than significant impacts have been identified for aesthetics, air quality, geology/solid, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, land use/planning, and transportation and traffic. Conditions of approval will be incorporated to ensure compliance with County requirements, thereby reducing potential impacts to a less than significant level.

Potential impacts to biological resources and tribal cultural resources caused by the proposed development have been identified and mitigation measures have been recommended to reduce impacts to a less than significant level.

VII(a). Conclusion: Less than Significant with Mitigation Incorporated.

Based upon the analysis throughout this Initial Study, the proposed project may have the potential to degrade the environment, threatened to eliminate a plant community, reduce the number or restrict the range of a rare or endangered plant or animal or disturb tribal cultural resources; however, mitigation measures have been identified (such as monitoring, installation of protective fencing, implementation of BMPs, exotic species eradication, restoration, and conservation of habitat through dedication of an easement) that would reduce impacts to Central Maritime Chaparral habitat and Pajaro manzanita to a less than significant level. Potential impacts to tribal cultural resources would be reduced to a less than significant level through implementation of the identified mitigation measure to stop work and contact the tribal representative in the event that any resources are uncovered. As a result the project as proposed and mitigated would reduce potential impacts to biological resources and tribal cultural resources to a less than significant level. See previous sections IIA. (Project Description) and IIB. (Environmental Setting) and VI. (Environmental Checklist) as well as the sources referenced.

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

The project involves construction of a single family dwelling within an established residential neighborhood; therefore, the project would not create a substantial adverse effect on human beings, either directly or indirectly. The proposed development is in a high fire hazard area; however, standard requirements will be imposed to reduce potential risk to life and property to a less than significant level. Implementation of the proposed project would result in temporary

minor incremental reductions in air quality and traffic in the project vicinity due to construction and insignificant permanent changes in traffic conditions resulting in the operational component of the project. The incremental air quality, transportation/traffic impacts of the project, when considered in combination with the effects of past projects, current projects and probable future projects in the planning area, would result in a less than significant impact.

VII(c). Conclusion: Less than Significant Impact.

Construction activities for the proposed project would create temporary impacts to air quality, hazards and hazardous materials, greenhouse gas emissions, noise. However, the project as proposed and through the incorporation of standard conditions, would result in impacts reduced to a less than significant level.

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 PLN170705 and the attached Initial Study / Proposed (Mitigated) Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. 1982 Monterey County General Plan
3. North County Coastal Land Use Plan
4. Monterey County Coastal Implementation plan (Title 20 of the Monterey County Code – Coastal Zone Land Use Ordinance)
5. Monterey County Geographic Information System (GIS)
6. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008 and the 2009-2011 Triennial Plan Revision.
7. Site Visit conducted by the project planner on July 18, 2017
8. “Biological Survey for the Martinez Property, 477 Paradise Road, Salinas, California, 93907. APN 129-091-071-000,” dated March 2017 (Monterey County Document No. LIB170451), prepared by Ed Mercurio, Biological Consultant, Salinas, CA.
9. “Soil Investigation Report (Design Phase)” dated May 2, 2017, (Monterey County Document No. LIB170425), prepared by GMD Foundation & Soil Engineering, Salinas, CA.
10. Letter from Ed Mercurio, Biological Consultant, “Re: Location for the septic system on the Martinez Property...” dated March, 11, 2018.
11. “Martinez Residence Forest Management Plan/Tree Resource Assessment Paradise Road, Prunedale, CA,” dated November 14, 2017. (Monterey County Document No. LIB170450), prepared by Frank Ono, Urban Forester, Pacific Grove, CA.
12. Tribal Consultation Letter received from The Oholone/Costanoan-Esselen Nation, dated March 12, 2018.
13. Correspondence with Joel Mendoza, Fire Marshal, North County Fire Protection Department, September 2018.
14. Meetings and Discussion with the project applicant and project consultants.
15. California Building Standards Code
16. Local Agency Management Program for Onsite Wastewater Treatment Systems, April 3, 2018

This page intentionally left blank