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County of Monterey

State of California

MITIGATED NEGATIVE DECLARATION

FILED

MAY 01 2009

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Murray
File Number:	PLN070388
Owner:	James G. Murray III and Mimi M. Meriwether
Project Location:	243 Highway 1 Carmel Highlands, Monterey County, California 93923
Primary APN:	241-182-015-000
Project Planner:	Joseph Sidor, Associate Planner
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of: 1) a Coastal Administrative Permit to demolish an existing 2,092 square foot residence with a 400 square foot attached garage and construct a new 2,615 square foot residence with a 715 square foot attached garage, and grading of approximately 620 cubic yards of cut; 2) a Coastal Development Permit to allow development within 50 feet of a coastal bluff; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 4) a Coastal Development Permit to allow development on slopes greater than 30%; and 5) Design Approval.

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:	Resource Management Agency - Planning Department
Review Period Begins:	May 4, 2009
Review Period Ends:	June 3, 2009

Further information, including a copy of the application and Initial Study are available at the Monterey County Resource Management Agency - Planning Department, 168 W. Alisal Street, 2nd Floor, Salinas, CA 93901 (831) 755-5025.

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901

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



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: MURRAY

File No.: PLN070388

Project Location: 243 Highway 1, Carmel Highlands

Name of Property Owner: Joan Murray

Name of Applicant: Joan Murray

Assessor's Parcel Number(s): 241-182-015-000

Acreage of Property: .725 acre (approximately 31,565 square feet)

General Plan Designation: RESIDENTIAL

Zoning District: LDR/1-D (CZ) (Low Density Residential, maximum gross density of 1 acre/unit, Design Control Overlay, Coastal Zone)

Lead Agency: Monterey County Resource Management Agency -
Planning Department

Prepared By: Joseph Sidor

Date Prepared: April 30, 2009

Contact Person: Joseph Sidor, Associate Planner
SidorJ@co.monterey.ca.us

Phone Number: (831) 755-5262

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

PLN070388 is a request for a Combined Development Permit consisting of: 1) a Coastal Administrative Permit to demolish an existing 2,092 square foot residence with a 400 square foot attached garage and construct a new 2,615 square foot residence with a 715 square foot attached garage, and grading of approximately 620 cubic yards of cut; 2) a Coastal Development Permit to allow development within 50 feet of a coastal bluff; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 4) a Coastal Development Permit to allow development on slopes greater than 30%; and 5) Design Approval. The property is located at 243 Highway 1, Carmel Highlands, Carmel Area Land Use Plan, Coastal Zone.

B. Environmental Setting, Surrounding Land Uses, and Site Background:

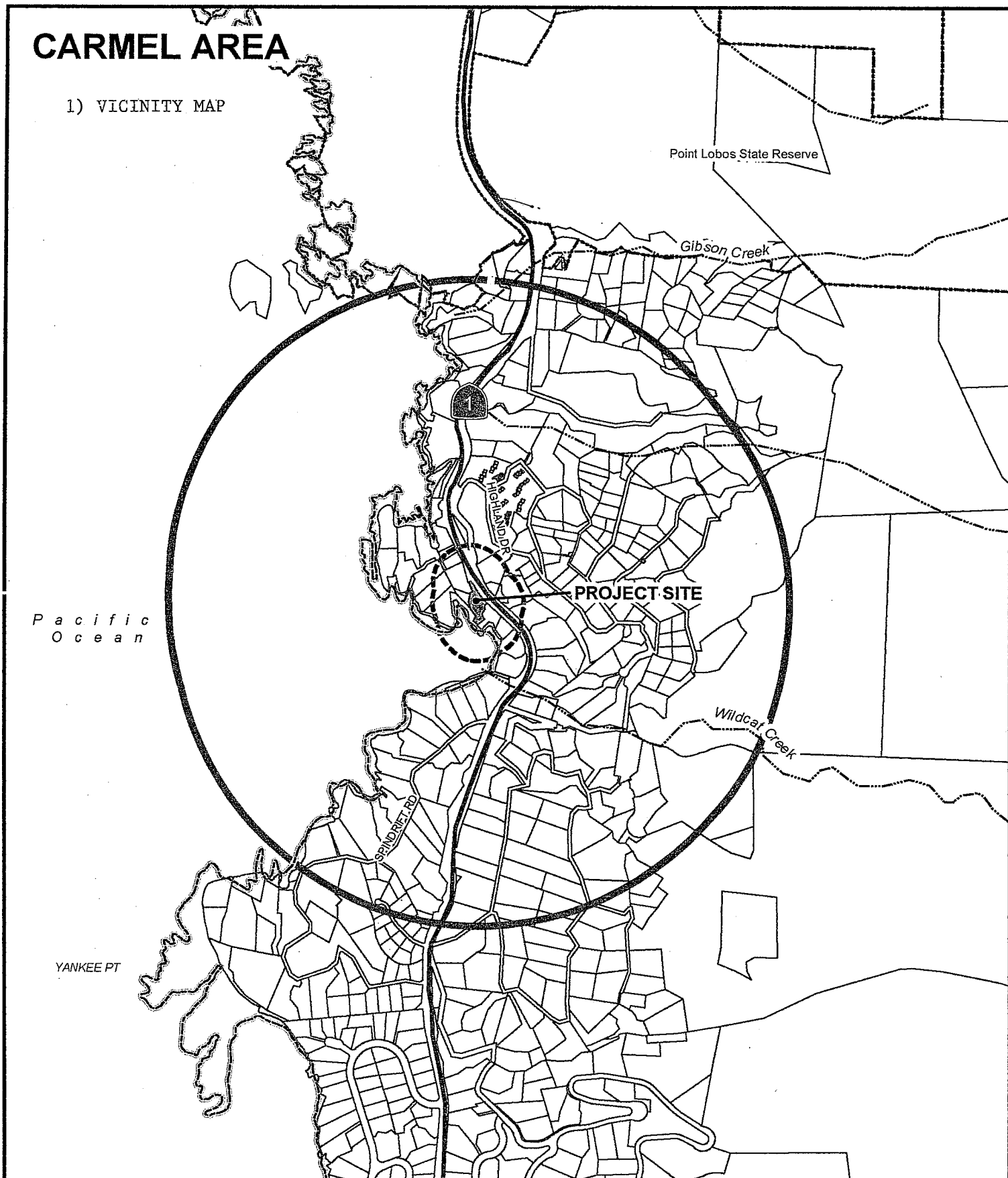
The project site is located at 243 Highway 1 in the Carmel Highlands area of Monterey County. The parcel is located on the west side of and adjacent to Highway 1, approximately three miles south of the city of Carmel-by-the-Sea, and approximately midway between Point Lobos State Reserve and Yankee Point. The site is bordered by the Pacific Ocean (Wildcat Cove) to the west, and residential uses to the east, north, and south. The parcel is a west-facing slope ranging from 0 to 108 feet in elevation. Most of the usable area on the parcel is between 80 to 90 feet in elevation, just below Highway 1. The parcel has approximately 200 feet of ocean front, and the proposed building site is located on a steep slope approximately 100 ft above the water.

Existing development on the property includes a single family dwelling, attached garage, decks, retaining walls, and stone pathways down to the ocean edge. The existing residence is served by a public water system (Cal-Am) and an individual septic system. The project site is in an area identified in County records as having a high archaeological sensitivity, and is in a moderately high seismic hazard zone. The fire hazard is designated "High."

The project, as proposed, will result in the demolition of the existing residence and construction of a new residence on the parcel. The project is consistent with the parameters of Interim Ordinance 5086, as modified and extended by Ordinance Nos. 5093 and 5116 through October 1, 2009. With some exceptions, the interim ordinance limits new development in a defined Carmel Highlands study area, pending completion of an Onsite Wastewater Management Plan for the designated area. Under the interim ordinance, applications for new uses that do not have the potential to generate wastewater may continue to be processed. Based on staff review, the project will not increase wastewater/septic requirements, and the application may be processed.

CARMEL AREA

1) VICINITY MAP



APPLICANT: MURRAY

APN: 241-182-015-000

FILE # PLN070388



300' Limit



2500' Limit



City Limits

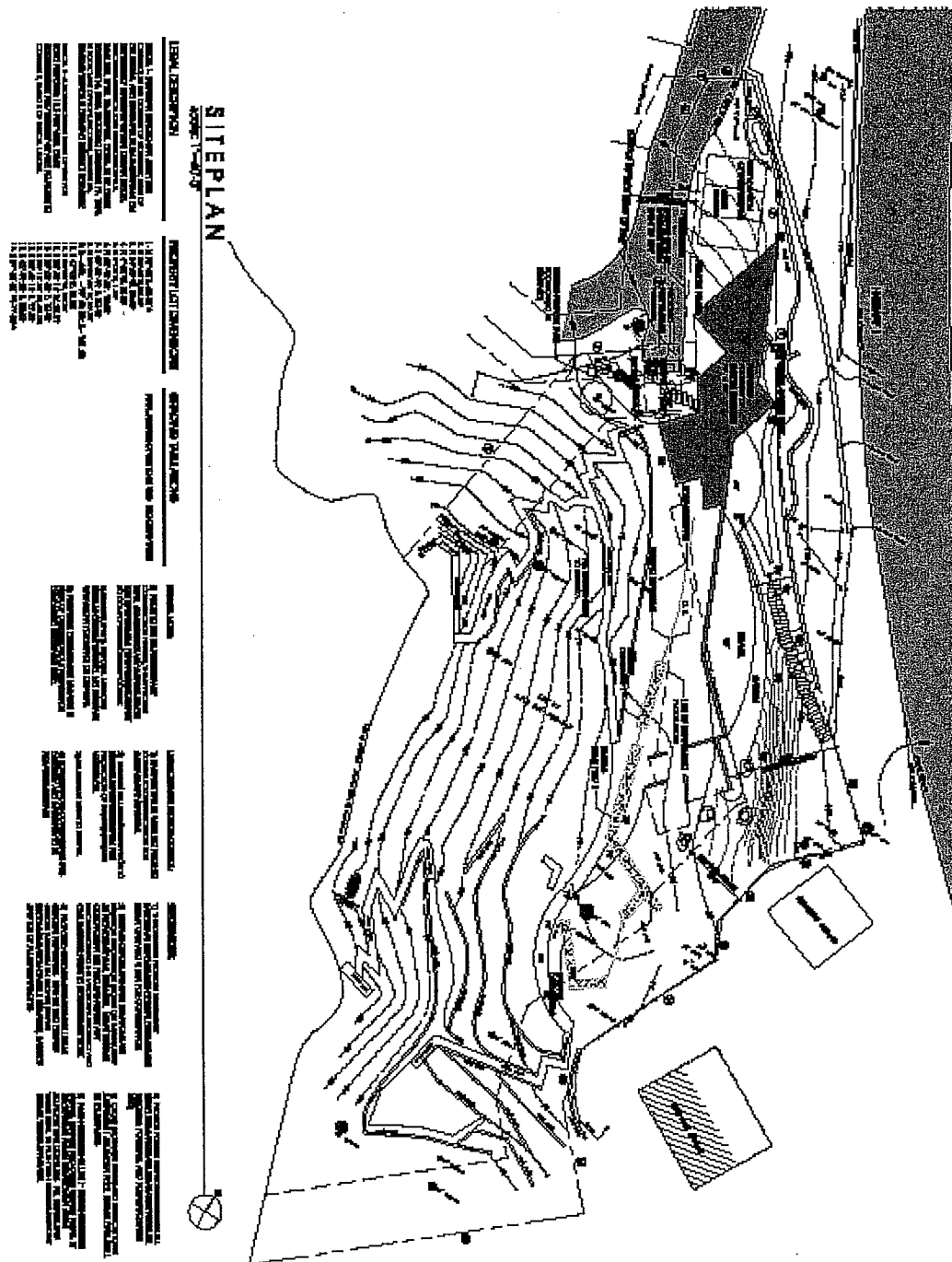


0 1,000
Feet



MURRAY INITIAL STUDY
PLN070388

2) Site Plan:



WALLACE E. CUNNINGHAM, INC. 1111 WEST ANSON DRIVE
SAN DIEGO, CALIFORNIA 92108-1208
619-592-7040

SCALE 1"=400' DATE: DECEMBER 8, 2000 CLIENT: JON MURPHY

III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans are applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	■	Air Quality Mgmt. Plan	■
Specific Plan	□	Airport Land Use Plans	□
Water Quality Control Plan	■	Local Coastal Program-LUP	■

General Plan/Area Plan. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan. Section IV.9 (Land Use and Planning) discusses whether the project physically divides an established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (refer to *Local Coastal Program-LUP* discussion below); or conflicts with any applicable habitat conservation plan or natural community conservation plan. **CONSISTENT**

Water Quality Control Plan. The Regional Water Quality Control Board incorporates the County's General Plan in its preparation of regional water quality plans. The project is consistent with the 1982 Monterey County General Plan and with the Association of Monterey Bay Area Governments (AMBAG) regional population and employment forecast and, therefore, is consistent with the Regional Water Quality Control Plan. In addition, the project is consistent with the parameters of Interim Ordinance 5086, as modified and extended by Ordinance Nos. 5093 and 5116 through October 1, 2009. Section VI.8 (Hydrology and Water Quality) below discusses whether the proposed project violates any water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes substantially with groundwater recharge, substantially alters the existing drainage pattern of the site or area or creates or contributes runoff water that would exceed the capacity of existing or planned stormwater drainage. **CONSISTENT**

Air Quality Management Plan (AQMP).

Consistency with the AQMP is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It 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. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The environmental document should include a letter from AMBAG that documents its determination that the project is consistent with the AQMP. The proposed project will not increase the population of the area nor generate additional permanent vehicle trips. Therefore, the project will be consistent with the AQMP. **CONSISTENT**

Local Coastal Program-LUP. The proposed project was reviewed for consistency with the Carmel Area Land Use Plan (LUP). Section IV.9 (Land Use and Planning) discusses whether the project physically divides an established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project; or conflicts with any applicable habitat conservation plan or natural community conservation plan. As discussed therein, the proposed project is consistent with the Carmel Area LUP. **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 Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input 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 type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | | |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

☐ Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

- 1) Aesthetics. See Section VI for detailed analysis.
- 2) Agricultural Resources. The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance (Source: IX. 1, 2, 3, 4, 6), and the proposed project would not result in conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract. The project will not change the existing residential uses on the property. The project will have no impacts to agricultural resources.
- 3) Air Quality. See Section VI for detailed analysis.
- 4) Biological Resources. See Section VI for detailed analysis.
- 5) Cultural Resources. See Section VI for detailed analysis.
- 6) Geology and Soils. Geologic and geotechnical reports prepared for the project and subject property, as well as County records, did not identify any on-site faults. Therefore, the risk of direct surface rupture would be minimal and would not expose people or structures to potential substantial adverse effects (Source: IX. 1, 3, 6, 10, 11). The project includes a Coastal Development Permit to allow development within 50 feet of a coastal bluff. Per Carmel LUP Policy 2.7.4.3, a geologic report prepared for the project did not identify any constraints as proposed (Source: IX. 1, 3, 11). Also, per Carmel LUP Policy 2.7.4.1, the proposed development is sited and designed to conform to site topography and to minimize grading. The project, as proposed, includes the removal of approximately 620 cubic yards of cut. In addition, the project would not result in substantial soil erosion or loss of topsoil. The project would not result in structures located on a geologic unit, or soil that is unstable or expansive (Source: IX. 1, 3, 6, 10, 11). The Monterey County Environmental Health Division reviewed the project application and deemed that the project complies with applicable regulations related to the use of septic systems (Source: IX. 1, 3). The project as proposed will have no impacts related to geology and soils.
- 7) Hazards/Hazardous Materials. The project does not involve the transport, 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. There is no storage of large quantities of hazardous materials on site. The project would not involve stationary operations, create hazardous emissions or handle hazardous materials. The site location and scale have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip. Although the site is in a high fire hazard area, the site is located in a residential area and would not be subject to wildland fire hazards (Source: IX. 1, 2, 3, 5, 6). In addition, the project will be conditioned to ensure the use of fire-resistant

materials (Carmel LUP Policy 2.7.4.4 – Fire Hazards). The project would have no impacts regarding hazards or hazardous materials.

- 8) Hydrology and Water Quality. See Section VI for detailed analysis.
- 9) Land Use and Planning. See Section VI for detailed analysis.
- 10) Mineral Resources. No mineral resources have been identified or would be affected by the project (Source: IX. 1, 2, 3, 6). The project would result in no impacts to mineral resources.
- 11) Noise. The project would not change the existing residential use of the property, would not expose the surrounding properties to noise levels that exceed standards or to substantial vibration from construction activity, and would not substantially increase ambient noise levels (Source: IX. 1, 2, 3, 5, 6). The project site is not located in the vicinity of an airport or private airstrip. The generation of substantial or significant noise over the long-term is not typically associated with a project of this scope. The proposed project would have no noise impacts.
- 12) Population/Housing. The project involves the demolition and reconstruction of an existing residence, and will not increase residential housing in the area. It would not induce population growth in the area, either directly, or indirectly, as no new infrastructure would be extended to the site. The project would not alter the existing location, distribution, or density of human population in the area, nor create a demand for additional housing, or displace people (Source: IX. 1, 3, 5). There would be no impacts to population or housing.
- 13) Public Services. The project would result in the replacement of one single-family residence, served by existing services and utilities. The project would have no measurable effect on existing public services in that there would be no increase in demand, and it would not require expansion of any services to serve the project. The re-constructed residence will use an existing septic system. County Departments reviewed the project application and have provided recommended Conditions of Approval. None of the County agencies or service providers indicated that this project would result in significant impacts (Source: IX. 1, 5, 6). The proposed project would have no impacts related to public services.
- 14) Recreation. The project, as proposed, would not result in an increase in the use of existing recreational facilities causing substantial physical deterioration (Source: IX. 1, 5, 6). No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project, based on review of Figure 3 (Public Access Map) of the Carmel Area LUP and staff site visits (Source: IX. 3, 5, 6). The project would not create significant recreational demands. The project is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Monterey County Zoning Ordinance, Section

20.70.050.B.4). The proposed project is in conformity with the public access policies of Chapter 5 of the Carmel Area Land Use Plan (LUP), and Section 20.146.130 of the Monterey County Coastal Implementation Plan for the Carmel Area (Part 4). Figure 3 does not identify the parcel as an area requiring existing or proposed public access. No public access points or trails are located on the parcel. Moreover, Figure 3 identifies this area as inappropriate for beach access. The proposed project would have no impacts related to recreation.

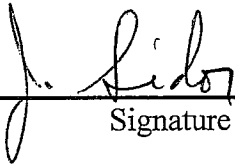
- 15) Transportation/Traffic. The project does not involve structural development that would generate new permanent traffic or increase the number of vehicle trips (Source: IX. 1). The roadways in the immediate area are not at degraded levels of service during non-peak hours. However, Highway 1 is degraded to a Level of Service D or E during peak hours (primarily increased recreational traffic on weekends and holidays). The contribution of traffic from the proposed project would not cause any roadway or intersection level of service to be degraded during a standard work week (Source: IX. 1, 2, 3, 5, 6). The project as proposed will result in a temporary increase in truck traffic for construction and soil export. The County will apply standard conditions to include the preparation of a construction management plan detailing the timing and routing of truck trips to occur during off-peak hours. The project would not result in a change in air traffic patterns or an increase in traffic levels. It would not substantially increase hazards due to a design feature, nor result in inadequate emergency access or parking capacity (Source: IX. 1, 4, 5, 6). The project also would not conflict with adopted policies, plans, or programs supporting alternative transportation (Source: IX. 1, 2, 3). The proposed project would have no impacts related to transportation or traffic.
16. Utilities and Service Systems. The project does not propose to add any new structures that would require increases to service from existing systems. (Source: IX. 1, 3, 6). Utilities such as electricity, gas, and phone service are already in place, and the proposed project would not generate additional demand nor warrant the expansion of the current infrastructure. The project would have no impacts related to utilities and service systems.

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

Joseph Sidor

April 30, 2009

Date

Associate Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

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

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS					
Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista? (Source: IX. 1, 3, 5, 6)	<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: IX. 1, 3, 5, 6)	<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: IX. 1, 3, 5, 6)	<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: IX. 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Analysis/Mitigations:

Aesthetics 1(a – c) - No Impact.

The project, as proposed, would not have a substantial adverse effect on a scenic vista, would not change nor substantially degrade the existing visual character of the site and its surroundings, and would not substantially damage scenic resources such as trees, rock outcroppings, or historic buildings within a state scenic highway (Source: IX. 1, 3, 5, 6). Staff conducted site visits on July 31, 2007, and December 12, 2008, to assess the potential viewshed impacts of the project and ensure consistency with applicable LUP policies. The existing and proposed residences are not and will not be visible from public viewing areas (LUP Policy 2.2.3.1). The existing topography, fence, and trees screen the site from public views. Furthermore, the parcel is not within the general viewshed for the Carmel area, as identified on Map A (General Viewshed) of the Carmel Area LUP. The project is consistent with the Visual Resource policies of the Carmel Area LUP, specifically LUP Policies 2.2.3.6 and 2.2.4.9, which requires structures to be subordinate and blended into the environment. Due to site topography, the proposed building area is approximately 15 feet or more below Highway 1 and is not visible from designated scenic roadways (Highway 1) or public viewpoints, would not damage any scenic resources, and would not result in ridgeline development (Source: IX. 1, 3, 5, 6).

Aesthetics 1(d) – Less than Significant.

The project, as proposed, will result in the demolition of the existing residence and construction of a new residence on the parcel. Although there is no change to the existing residential use, the project may increase the amount of potential interior light emitted into the area of Wildcat Cove that may adversely affect views in the area. As a result, a standard project condition requiring the use of non-reflective glass will be imposed to ensure the minimization of off-site light and glare,

and to reduce the potential impacts to less than significant, consistent with LUP Policy 2.2.4.10 (Source: IX. 1, 5).

2. AGRICULTURAL 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.

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: IX. 1, 2, 3, 6)	<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: IX. 2, 3, 4, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: IX. 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Analysis/Mitigations: See Sections II and IV.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 1, 2, 7)	<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: IX. 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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
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: IX. 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: IX. 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: IX. 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Air Quality 3(a, b, c, e, and f) - No Impact.

The proposed project site is located in the North Central Coast Air Basin, which is comprised of Monterey, Santa Cruz, and San Benito counties. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is the agency with jurisdiction over the air quality regulation in the subject air basin. In 2008, the MBUAPCD adopted an Air Quality Management Plan, which outlines the steps necessary to reach attainment with the state standards of air quality for criteria pollutants. The project involves the demolition of an existing residence and the construction of a new residence, including approximately 620 cubic yards of cut. The project would not permanently conflict with or obstruct the implementation of Air Quality Management Plan, nor would it violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment (Source: IX. 1, 2, 7). The project would not expose any sensitive receptors to substantial pollutant concentrations, and would not create any objectionable odors affecting a substantial number of people (Source: IX. 1, 7). The generation of substantial or significant odors over the long-term is not typically associated with a project of this scope.

Air Quality 3(d) – Less than Significant.

The project would result in construction-related air quality impacts that are less than significant. The temporary and short-term impacts from project-related construction activities only have the potential to affect local air quality. Emissions may include on-site and off-site generation of fugitive dust from demolition activities and on-site generation of exhaust from construction equipment. During demolition activities, the applicant will be required to implement the County

standard condition to abide by MBUAPCD Rule 439 to reduce and contain demolition dust and debris. In addition, the applicant will be required to obtain any necessary permits from the MBUAPCD prior to demolition activities.

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 3, 5, 6, 12, 13)	<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: IX. 1, 3, 5, 6)	<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: IX. 1, 3, 5, 12, 13)	<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: IX. 1, 3, 5, 6, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: IX. 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Biological Resources 4(a) and 4(b) – Less Than Significant with Mitigation Incorporated.

The property does not contain any mapped environmentally sensitive habitat areas; however, the parcel is adjacent to the Pacific Ocean and the Monterey Bay National Marine Sanctuary. The

use of a similar building footprint for the new residence will minimize potential impacts to the natural features of the site or adjacent ocean, consistent with LUP Policy 2.3.3.2. The expansion area of the house footprint will be into a garden area with extensive rock wall terracing, and no remaining natural biological features. However, the construction process has the potential to impact the ocean habitat and its sensitive species unless precautions are taken. Therefore, the project's construction activities could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community (Source: IX. 1, 3, 5, 6, 12, 13).

Per LUP Policy 2.3.3.5, biological surveys were prepared for the project. The biological reports identified the potential for construction-related impacts that would require mitigation to be reduced to a level of less than significant. The reports did note that the host plants for the Smith's blue butterfly are not present on the parcel; therefore the parcel lacks Smith's blue butterfly habitat. In addition, with the exception of several Monterey pine, no sensitive plant or tree species were found on the parcel. Per LUP Policy 2.3.3.7, development shall be restricted to that needed for the structural improvements.

The parcel has approximately 200 feet of ocean front, and the proposed building site is located on a steep slope approximately 100 ft above the water. Any compromise of the rocky inter-tidal area or ocean with dust, dirt, trash, liquids, water, construction materials etc., created during the construction process, could potentially harm two listed species - the California brown pelican and the south/central steelhead. The following mitigation measures are recommended to avoid any impacts to the inter-tidal area, ocean, and the species.

Mitigation Measure 1:

Construction fencing. A construction barrier/fence shall be designed and installed on the slope just below the building envelope, to stop all construction materials and waste from entering the ocean. The barrier shall be at least 5 ft in height and shall extend the entire west boundary of the building envelope and at least 10 ft on the north and south boundaries at the west side corners. If during the construction period, the design of the fence proves to be inadequate to protect the ocean, the fence shall be redesigned and corrected immediately. All construction materials shall always be secured and stored properly on the site to prevent blowing or falling into the ocean, even when they are in use. The job site must remain free of all forms of garbage at all times of the day and night. All garbage shall be bagged and hauled away daily, or completely secured.

Monitoring Action 1:

Inadvertent impacts to biological resources, primarily the Pacific Ocean, shall be reduced by placing construction fencing on the west, north, and south boundaries prior to the beginning of demolition and construction activities, per the recommendation of the biological survey. Prior to the issuance of a demolition permit, the applicant shall provide proof of fencing to the RMA-Planning Department.

Mitigation Measure 2:

Construction and storm runoff collection. During construction, all runoff from the construction site must be collected in a temporary basin on the east side of the site. The

collection basin shall be regularly pumped and all waste water removed from the site and properly disposed of. No runoff shall be allowed to enter the ocean or run down the common access road or into storm drains. The runoff collection system shall also arrest any movement of silt or soil from the site.

Monitoring Action 2:

The applicant shall install a temporary collection basin, and provide documentation to the RMA-Planning Department. The applicant shall also provide documentation of removal of collected run-off.

Mitigation Measure 3:

Site Inspections. A construction monitor, approved by the County, shall inspect the construction fencing, storm runoff collection, and job site trash maintenance on a weekly basis during the demolition and construction period to ensure that the mitigation systems are properly installed and maintained, and no impact to the ocean has occurred. Monthly reporting of the systems to the permitting agencies shall be the responsibility of the inspector.

Monitoring Action 3:

A construction monitor shall inspect the construction fencing, storm runoff collection, and job site trash maintenance on a weekly basis. The monitor shall have the authority to temporarily halt work in order to correct any of the systems not properly maintained. Prior to issuance of a demolition permit, the applicant shall provide to the RMA-Planning Department a copy of the contractual agreement with a qualified monitor for review. The monitor, on a monthly basis, shall submit evidence of on-site monitoring during all phases of demolition, excavation, and new construction. Reports, with accompanying photos, shall be submitted to the RMA – Planning Department

Mitigation Measure 4:

Landscape Lights. Because illumination can be detrimental to aquatic life, such as sea otters, no landscape lights, including spot lights and security lights, associated with the new structure shall be allowed to illuminate the rocky inter-tidal zone or ocean at night.

Monitoring Action 4:

In order to minimize lighting impacts, all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and all off-site glare is fully controlled. Outside lighting shall be downcast, low wattage and the minimum necessary for safety as determined by the Building Official. Any changes or additions to exterior lighting must be approved by the Monterey County RMA-Planning Department. Prior to the issuance of building or grading permits, the applicant shall submit a lighting plan showing the location, type and wattage of all exterior lights to the Director of Planning for approval. Prior to final or occupancy, the exterior lighting shall be inspected by the Planning Department for conformance to the approved plans.

Biological Resources 4(c), 4(d), 4(e), and 4(f) – No Impact.

The parcel is located in a heavily developed residential area of Carmel Highlands, and is completely landscaped. The landscaping consists of terraced walls and planted shrubs (Source: IX. 1, 5). The proposed site for the new residence does not contain any environmentally sensitive habitat areas as shown on Map B in the Carmel Area LUP (Source: IX. 3). The project, as proposed, will not 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: IX. 1, 3, 5, 12, 13). The project will also not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (Source: IX. 1, 3, 5, 6, 12, 13). Furthermore, the project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Source: IX. 1, 2, 3, 4, 5). The project involves no tree removal, and the existing landscaping will be maintained. Lastly, the project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan since none are present on the site (Source: IX. 3, 6).

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: IX. 1, 3, 6, 9)	<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: IX. 1, 3, 6, 8)	<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: IX. 1, 3, 5, 6)	<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: IX. 1, 3, 5, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Cultural Resources 5(a), 5(c), and 5(d) - No Impact. Based upon the Monterey County GIS System Property Report, the project site does not contain historical resources and would therefore not cause a substantial adverse change in a significant historical resource (Source: IX. 1, 3, 6, 9). According to a historic report prepared for the project, the subject property was originally developed in 1956. Additions have been constructed onto the original residence in 1961, 1964, and 1983. Therefore, the property has lost its physical integrity as constructed in 1956. In addition, no paleontological resources or unique geologic features are identified as associated

with this site (Source: IX. 1, 3, 5, 6). Also, given the location and slope of the project site, it is unlikely to disturb any human remains (Source: IX. 1, 3, 5, 6, 8). The project as proposed will have no impacts related to a historic resource, paleontological resource or a unique geologic feature.

Cultural Resources 5(b) – Less than Significant Impact with Mitigation Incorporated.

The project site is in an area identified in County records as having a high archaeological sensitivity. In addition, the project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource (Source: IX. 1, 3, 6, 8). Pursuant to Section 20.146.090 (Archaeological Resources Development Standards), an archaeological survey was prepared for the project, and concluded that the project area may contain potentially significant pre-historic cultural resources due to the proximity of a known archaeological resource. The report recommends that due to the project's proximity to this known archaeological resource, monitoring of construction activities is required to reduce potential project impacts to a less than significant level (Source: IX. 8).

Mitigation Measure 5: Require the applicant to submit an agreement to contract an archaeologist for archaeological monitoring during earth disturbing activities associated with demolition and new construction on the parcel, such as foundation removals, grading, foundation excavations, etc. The monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features and, if possible, shell suitable for radiocarbon dating should be recovered during monitoring. A minimum of two radiocarbon dates should be obtained as mitigation for incidental project impacts to the archaeological resource.

Monitoring Action 5: Prior to issuance of a Building or Grading Permit, the applicant shall provide the Planning Department with a copy of an agreement specifying that an archaeological monitor will be on-site during earth disturbing activities. The applicant shall provide evidence of the presence of the archaeologist on-site during demolition of existing structures and new construction, and any measures necessary to be in place and in good order through construction. Photos shall be dated on a weekly basis (or as determined by the monitoring archaeologist) and submitted with a certification from the archaeologist.

6. GEOLOGY AND SOILS		Less Than Significant		
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX. 1, 3, 6, 10, 11) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: IX. 1, 3, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: IX. 1, 3, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: IX. 1, 3, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX. 1, 3, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX. 1, 3, 6, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: IX. 1, 3, 10, 11)	<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: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

7. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 1, 3, 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: IX. 1, 3, 5, 6)	<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: IX. 1, 3, 6)	<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: IX. 1, 2, 3, 6)	<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: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 6)	<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: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

8. 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: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HYDROLOGY AND WATER QUALITY				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX. 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Hydrology and Water Quality 8(a-e and g-i) - No Impact.

The proposed project will not violate any water quality standards or waste discharge requirements (Source: IX. 1, 3, 6). The project, as proposed, is also consistent with the parameters of Interim Ordinance 5086, as modified and extended by Ordinance Nos. 5093 and 5116 through October 1, 2009. With some exceptions, the interim ordinance limits new development in a defined Carmel Highlands study area, pending completion of an Onsite Wastewater Management Plan for the designated area. Under the interim ordinance, applications for new uses that do not have the potential to generate additional wastewater may continue to be processed. Based on staff review, the project will not increase wastewater/septic requirements, and the application may be processed. As proposed, the new residence will retain the same number of bedrooms (3.0) and bathrooms (3.5) as the residence to be demolished. Based on fixture replacements, the overall fixture count will be reduced by 1.0, from 24.8 to 23.8.

The parcel currently receives water service from Cal-Am that meets water quality standards. The proposed structural development will be served by an existing septic system. The Monterey County Water Resources Agency (WRA) and Environmental Health Division have reviewed the project application and, as conditioned, deemed that the project complies with applicable ordinances and regulations (Source: IX. 1, 3, 5, 6). The project will not expose people or structures to a significant risk involving flooding (Source: IX. 1, 5, 6). The project will replace a single family residence on approximately the same building area, and will not alter the existing drainage pattern of the site or area, nor create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems (Source: IX. 1, 6). The project would not provide additional sources of polluted runoff or degrade water quality, or place a structure within an area that would impede or redirect flood flows (Source: IX. 1, 5, 6). The project, as proposed, will also not deplete groundwater supplies or interfere with groundwater recharge.

Hydrology and Water Quality 8(f) – Less than Significant.

The water quality of the area shall be protected and maintained by the use of standard conditions and mitigations (see Section VI.4 – Biological Resources above) (LUP Key Policy 2.4.2). Potential sources of pollution from the project shall be controlled and minimized, and spoils from the proposed development shall be contained on-site, and disposed of off-site (LUP Policies 2.4.3.3 and 2.4.4.B.1). In addition, all grading requiring a County permit which would occur on slopes greater than 15 percent shall be restricted by the use of a standard County condition of approval (LUP Policy 2.4.4.C.1), and basins shall be used to control run-off (LUP Policy 2.4.4.C.3).

Hydrology and Water Quality 8(j) – Less than Significant.

The property is bordered on the west by the Pacific Ocean. The potential for inundation by tsunami exists; however, it is considered less than significant given the elevation of the structural development on the parcel (lowest structural point is approximately 80 feet above sea level) (Map D of the Carmel Area LUP) (Source: IX. 1, 3, 5).

9. 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: IX. 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: IX. 1, 3, 4, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: IX. 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Land Use and Planning 9(a and c) – No Impact.

The proposed project involves the demolition of an existing single family residence and the construction of a new residence on a legal lot of record; therefore, the project would not physically divide an existing community (Source: IX. 1, 2, 3, 5, 6). The project would not disrupt, divide, or otherwise have a negative impact upon the existing neighborhood or adjacent properties. The project site is designated for Low Density Residential uses. Replacement of one residence on the 31,565 square foot parcel, in the same general location and height of the existing structure is consistent with this designation. The project would not conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site (Source: IX. 1, 2, 3, 6).

Land Use and Planning 9(b) – Less than Significant.

The project involves the demolition of an existing structure which does not meet the development standards of the Monterey County Zoning Ordinance (Title 20), Section 20.14.060 (Site Development Standards), with regard to setbacks for a parcel zoned Low Density Residential (LDR). The minimum front setback is 30 feet for LDR zoning. Due to topographical limitations on the parcel, enforcement of a 30 foot setback would deprive the property of privileges enjoyed by other properties in the vicinity and under an identical zone classification. Therefore, the Board of Zoning Adjustment granted the property a variance on October 11, 1960, to allow a reduction in the front yard setback (Resolution No. BZ_119). An enlargement of the variance area was granted by the Zoning Administrator on August 18, 1983 (Resolution No. ZA-5576). These variances remain in effect for the subject property, and resulted in the construction of the existing residence almost completely within the front yard setback (a coverage area of almost 2,426 square feet). In addition, a portion of the existing residence was allowed to be constructed over the property line and within the Highway 1 right-of-way. According to County documentation, Caltrans raised no objections to this encroachment provided no cuts were made

into the highway embankment slope. The proposed project would eliminate any encroachment into the Highway 1 right-of-way, and would reduce the amount of structural coverage within the front setback by approximately 929 square feet (Source: X. 1 - see attached Plan Comparison). This reduction is accomplished by using available areas on the southern side of the parcel, including approximately 300 square feet of area with slope greater than 30%.

The project includes a Coastal Development Permit to allow development on slope greater than 30% within an area of approximately 300 square feet. Excavation within this area will be limited, and used primarily for foundation footings. The actual area disturbed during construction will be less than 300 square feet. The topography of the parcel significantly limits the available building area (Source: X. 2 - see attached Slope Analysis). Based on the plans provided, there is no feasible alternative which would allow development to occur on slopes of less than 30%. Also, for the reasons cited in the paragraph above, the proposed development better achieves the goals, policies, and objectives of the Monterey County Local Coastal Program than other development alternatives (CIP 20.146.120.A.2). By shifting the proposed development to the south, approximately 837 interior square feet of the new residence will meet the site development standards, the new residence will be located completely within the property lines, and encroachment of structural coverage within the front setback will be reduced by approximately 929 square feet.

10. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX. 1, 3, 6)	<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: IX. 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

11. 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: IX. 1, 2, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. NOISE					
Would the project result in:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b)	Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? (Source: IX. 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1, 5)	<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: IX. 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 expose people residing or working in the project area to excessive noise levels? (Source: IX. 1, 3, 5, 6)	<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: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

12. POPULATION AND HOUSING			Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:		Potentially Significant 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: IX. 1, 3, 5)	<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: IX. 1, 5)	<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: IX. 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

13. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

14. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX. 1, 5, 6)	<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: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

15. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: IX. 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: IX. 1, 2, 6)	<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: IX. 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access? (Source: IX. 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Result in inadequate parking capacity? (Source: IX. 1, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: IX. 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

16. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: IX. 1, 3, 6)	<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: IX. 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant		No Impact
		With Mitigation Incorporated	Less Than Significant Impact	
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: IX. 1, 3, 6)	<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: IX. 1, 6)	<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: IX. 1, 6)	<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: IX. 1, 6)	<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: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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: IX. 1, 3, 5, 6, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?) (Source: IX. 1, 2, 3, 4, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX. 1, 3, 4, 5, 6, 7, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

(a) Less than Significant with Mitigation Incorporated. Based upon the analysis throughout this Initial Study, the project may 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. The biological resources analysis above indicates there could be impacts to special-status plants and animals and sensitive natural communities, including environmentally sensitive habitat (ESHA). The cultural resources analysis above indicates that the site may contain significant archaeological resources as defined by the California Environmental Quality Act (CEQA).

(b) No Impact. The project involves the demolition of an existing single family residence and the construction of a new residence on a parcel zoned for residential use. As a result, impacts relating to air quality, noise, population/housing, public services, recreation, transportation/traffic, and utilities and service systems attributable to the project have been

addressed in the General Plan. Implementation of the project, as proposed, conditioned, and mitigated would not result in an increase of development potential for the project site.

(c) No Impact. The project would not result in significant construction-related impacts, and would not create any long-term impacts on the local area. The temporary and short-term environmental effects from project-related construction activities would not cause substantial adverse effects on human beings, either directly or indirectly.

VIII. FISH AND GAME 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 Department of Fish and Game. 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 Department of Fish and Game 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 Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at www.dfg.ca.gov.

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN070388 and the attached Initial Study / Mitigated Negative Declaration. The project as proposed may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The project as proposed, conditioned, and mitigated will not have the potential to degrade the environment (Source: IX. 1, 3, 5, 6, 12, 13).

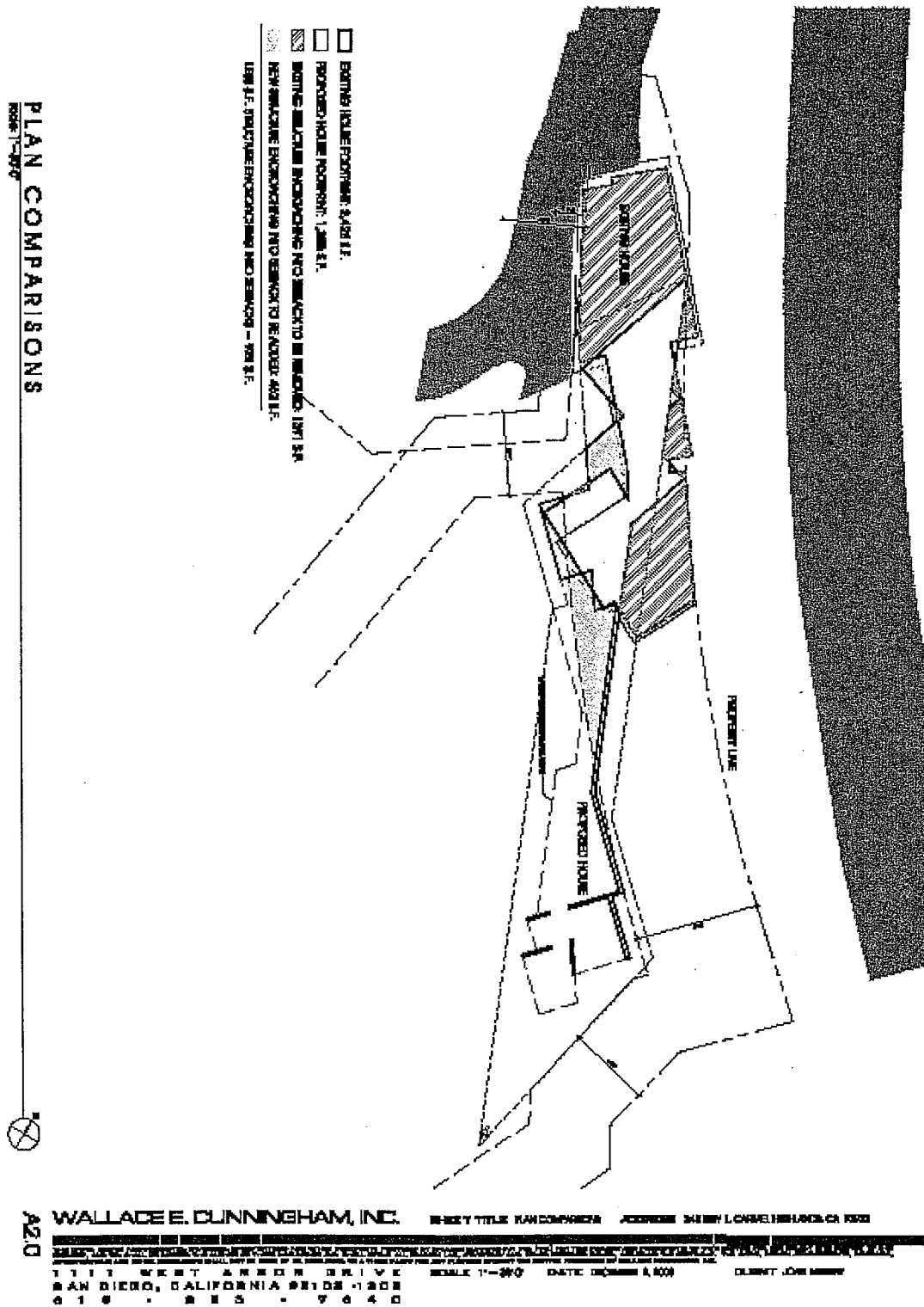
IX. REFERENCES

1. Project Application/Plans for Planning File No. PLN070388
2. Monterey County General Plan
3. Carmel Area Land Use Plan and Coastal Implementation Plan
4. Title 20 of the Monterey County Code (Zoning Ordinance)
5. Site Visits conducted by the project planner on July 31, 2007, and December 12, 2008.
6. Monterey County Planning Department GIS System, Property Report for Selected Parcel – APN 241-182-015-000.
7. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2008.
8. Preliminary Cultural Resources Reconnaissance (LIB090017), prepared by Susan Morley, Pacific Grove, California, August 7, 2008.
9. Historic Review (LIB090021), prepared by Kent L. Seavey, Pacific Grove, California, August 12, 2008.
10. Geotechnical Report (LIB090019), prepared by Grice Engineering, Inc., Salinas, California, August, 2008.
11. Refraction Seismic Investigation (LIB090018), prepared by Gasch & Associates, Rancho Cordova, California, August 25, 2008.
12. Biotic Survey (LIB090020), prepared by Botanical Consulting Services, Carmel, California, August 31, 2008.
13. Biotic Survey - Supplemental (LIB090217), prepared by Botanical Consulting Services, Carmel, California, April 10, 2009.

X. ATTACHMENTS

1. Plan Comparison
2. Slope Analysis

Attachment 1: Plan Comparison



Attachment 2: Slope Analysis

