

# Exhibit E

This page intentionally left blank.

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

**Feather Cypress LLC  
Planning File No. PLN200068**

1. Introduction

PLN200068 is a Combined Development Permit consisting of the following entitlements: a) a Coastal Administrative Permit and Design Approval to allow the partial demolition of a caretaker's quarters and attached garage, and the construction of a 1,200-square foot accessory dwelling unit with a 351-square foot attached garage, all within the existing hardscaped footprint of the site; and b) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat.

The original Combined Development Permit (PLN020582), approved by the Monterey County Zoning Administrator on August 14, 2003, consisted of the following entitlements: a) a Coastal Administrative Permit and Design Approval to allow construction of a new 741 square foot three-car garage and retaining walls; and b) a Coastal Development Permit to allow development within environmentally sensitive Monterey cypress habitat.

A subsequent Amendment to the Combined Development Permit (PLN030436), approved by the Monterey County Zoning Administrator on November 13, 2003, permitted the increase in height of an approved wall from a maximum of 2 feet to a stepped design varying in height from 5 feet to 6.5 feet, and a reduction of the height of an existing 10 feet wall to match the proposed stepped design.

Environmental review for PLN020582 included the preparation of a Mitigated Negative Declaration/Initial Study (MND/IS) which focused on potential impacts to Aesthetic and Biological Resources. This Mitigated Negative Declaration/Initial Study (MND/IS) was revised for the design changes proposed in PLN030436. The mitigations recommended in the Initial Study reduced potential effects and impacts to less than significant.

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in the revised MND/IS, adopted November 13, 2003, by Zoning Administrator Resolution No. 030436. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

## 2. Scope and Purpose of this Addendum

It has been determined that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent Initial Study or EIR have occurred, that there are no new significant environmental effects or increase in the severity of previously identified significant effects per Section 15162(a)(2) of the CEQA Guidelines, and there is no new information of substantial importance that was not known at the time the previous MND/IS was adopted, per Section 15162(a)(3) of the CEQA Guidelines.

Documents reviewed included the MND/IS prepared and adopted for PLN030436, and associated technical reports, plans, and applications. Based upon this review, it has been determined that the project will not have the potential to significantly degrade the quality of the environment, will have no significant impact on long-term environmental goals, will have no significant cumulative effect upon the environment, and will not cause substantial adverse effects on human beings, either directly or indirectly.

## 3. Subsequent Negative Declarations

None of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a Subsequent Initial Study or EIR have occurred:

- A. 15162(a)(1): The project takes place in substantially the same footprint, and no changes are proposed which will cause new significant environmental effects or a substantial increase in the severity of previously identified environmental effects.
- B. 15162(a)(2): No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will cause new significant environmental effects or a substantial increase in the severity of previously identified environmental effects.
- C. 15162(a)(3): No new information of substantial importance has found that would show that the project will have significant effects not discussed or that the effects previously examined will be more severe than shown in the previous MND/IS. No mitigation measures previously analyzed were found infeasible, and the project proponents have not declined to adopt any of the proposed mitigation measures.

## 4. Mitigation Language

Pursuant to Section 15074.1 of the CEQA guidelines, substitution of mitigations is proposed which are equivalent or more effective in addressing potential impacts. The substituted mitigations are edits of the original mitigations 2-4 addressing biological impacts. None of the analysis of the Initial Study or Mitigated Negative Declaration has been changed. With the exception of typos, the mitigation measures themselves have also not been changed, only the accompanying monitoring actions.

The scope of the edits includes changes which modify the Monitoring Actions for Mitigations 3 and 4 to clarify the intent of the monitoring actions and enhance their

PLN200068-Feather Cypress LLC

enforceability, and technical changes to all mitigations to address typos and bring them into the current County Mitigation Monitoring template Format.

The changes to the Monitoring Actions for Mitigations 3 and 4 are as follows:

- A. The Mitigation No. 3 monitoring action was changed to clarify that the area where iceplant and exotic species eradication will be verified is the area surrounding accessory dwelling unit, as shown on the biological report accompanying the initial study, as opposed to the entire subject parcel. This is in line with the biological survey performed, which analyzed and mapped potential impacts and resources surrounding the accessory dwelling unit, as well as the mitigation language itself, which indicates that “Any areas disturbed by construction shall be revegetated with native vegetation associated with the Monterey cypress understory, as appropriate.”

This modification is an equivalent mitigation, which does not impact the substantial execution of the condition. This clarification is being made due to clarify the requirement.

- B. The Mitigation No. 3 monitoring action regarding monitoring was modified to remove a 10<sup>th</sup> year inspection. The original text of the mitigation includes annual inspections for three years, and then a subsequent fifth and tenth year inspection, for a total of thirteen years of monitoring. This long of a monitoring period is infeasible to perform for staff, so the mitigation was altered to make successful execution of the monitoring action contingent on the fifth year inspection, for a total of eight years of monitoring, and add additional monitoring actions earlier in the process to ensure compliance. The monitoring actions added are that a contract for the required monitoring must be submitted to HCD-Planning prior to final or occupancy, and a final planning inspection to ensure that re-vegetation has been installed shall be required prior to final or occupancy.

This change is equivalent to the previously adopted mitigation. The removal of the tenth year inspection does shorten the monitoring window, however, the addition of the monitoring contract and final inspection will ensure the diligent enforcement of the mitigation.

- C. The Mitigation No. 4 modified to require submittal of the landscape/re-vegetation plan prior to issuance of building or grading permits, rather than prior to final or occupancy.

This change works together with the previous change to require a final planning inspection. By ensuring that the re-vegetation plans are required prior to the issuance of building permits, this change enhances the mitigation.

The technical changes to address typos and bring the mitigations into the current Mitigation Monitoring template are as follows:

- A. Mitigation Measure No. 2 was broken up into three parts. This was done to fit the County’s current Mitigation Monitoring template requirements. The content

of the Mitigation and Monitoring Actions were not modified.

- B. All Mitigation Monitoring language for the three mitigations has been adjusted to reflect changes to the County's current mitigation monitoring matrix format. This involved combining the information from the "Monitoring Schedule (Timing)" column, "Compliance or Monitoring Actions..." column, and "Responsible Party for Clearing Conditions Column" into a single column labeled "Compliance or Monitoring Action to be Performed." The responsible party for clearing the condition and the monitoring schedule are still information included in the mitigation monitoring action.
- C. The responsible party for clearing conditions has been changed from P&BI (Planning and Building Inspection) to RMA-Planning. Our current Mitigation Monitoring template is unable to list the current name of the department, HCD-Planning, so references to RMA-Planning in this instance should be interpreted to mean HCD-Planning.
- D. Where appropriate references to the department of PBID were changed to HCD-Planning.
- E. Minor typos were corrected. Examples include the word "fiver" in the original Mitigation No. 3 monitoring action being corrected to "five."

None of these technical changes affect the content of the mitigations and are equivalent measures.

Both the original mitigation monitoring program and the revised mitigation monitoring program and included within the exhibits of this permit.

## 5. Conclusion

A MND/IS was prepared, circulated, considered, and adopted for PLN020582. A subsequent revision of this MND/IS was prepared, considered, and adopted for PLN030436. This revised MND/IS was not re-circulated pursuant to Section 15073.5(c) of the CEQA guidelines, which states that recirculation is not required when "mitigation measures are replaced with equal or more effective measures" and when new information is added "which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration." All physical impacts to the development site were reviewed, and the County determined that the project as designed and mitigated had reduced potential impacts to a less than significant level. The MND/IS includes mitigation measures that address potential impacts to Aesthetics and Biological Resources.

The County has considered the proposed project and determined its scope does not alter the conclusions in the revised MND/IS prepared for PLN030436. Potential impacts to Biological Resources will be addressed by the application of the mitigation measures required for PLN030436. Pursuant to Section 15074.1 of the CEQA guidelines, revisions to these mitigations measures are proposed that are equivalent to or more effective in addressing the potential impacts. Discussion of these revisions is included in the resolution (Exhibit A). Potential impacts to Aesthetics (scenic views) were addressed by the execution of PLN030436, and no further mitigations are required for Aesthetics. Based on review of the current application, plans, and the staff's site visit on January 20, 2021, no other potentially

significant issues were identified for the proposed project. The current proposal reduces the overall potential impacts, and does not alter the analysis or conclusions reached by the previous study.

Attachment: Revised Mitigated Negative Declaration/Initial Study for PLN030436-Jack & Eileen Feather, adopted November 13, 2003.

This page intentionally left blank.