

# Exhibit D

This page intentionally left blank.

County of Monterey  
State of California  
**MITIGATED**  
**NEGATIVE DECLARATION**

**FILED**

**AUG 06 2020**

STEPHEN L. VAGNINI  
MONTEREY COUNTY CLERK  
DEPUTY

<b>Project Title:</b>	Auerbach Jonathan & Jessika
<b>File Number:</b>	PLN190276
<b>Owner/Applicant:</b>	Auerbach Jonathan & Jessika
<b>Project Location:</b>	2700 Red Wolf Drive, Carmel (Carmel Area Land Use Plan)
<b>Primary APN(s):</b>	416-011-004-000
<b>Project Planner:</b>	Joseph Sidor, Associate Planner
<b>Permit Type:</b>	Combined Development Permit
<b>Project Description:</b>	Proposed Combined Development Permit consisting of the following: Coastal Administrative Permit and Design Approval to allow construction of a 5,588 square foot three-story single-family dwelling with an attached 564 square foot garage, including installation of an on-site wastewater treatment system, installation of a 2,000 square foot ground-mounted photovoltaic system, conversion of a test well to a permanent domestic well, and associated grading of approximately 1,914 cubic yards of cut and fill; Coastal Administrative Permit and Design Approval to allow construction of a 425 square foot detached guesthouse; Coastal Development Permit to allow removal of six trees (Monterey pine); Coastal Development Permit to allow development on slope exceeding 30 percent; and after-the-fact Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat area.

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.

<b>Decision Making Body:</b>	County of Monterey Planning Commission
<b>Lead Agency:</b>	County of Monterey Resource Management Agency (RMA)
<b>Review Period Begins:</b>	August 6, 2020
<b>Review Period Ends:</b>	September 8, 2020

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

# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY (RMA)-PLANNING

1441 SCHILLING PLACE, 2<sup>nd</sup> FLOOR, SALINAS, CA 93901

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



## INITIAL STUDY

### *I. BACKGROUND INFORMATION*

<b>Project Title:</b>	Auerbach Jonathan & Jessika
<b>File No.:</b>	PLN190276
<b>Project Location:</b>	2700 Red Wolf Drive, Carmel
<b>Name of Property Owner:</b>	Auerbach Jonathan & Jessika
<b>Name of Applicant:</b>	Studio Schicketanz, Jay Auburn
<b>Assessor's Parcel Number(s):</b>	416-011-004-000
<b>Acreage of Property:</b>	37.65 acres
<b>General Plan Designation:</b>	Watershed and Scenic Conservation
<b>Zoning District:</b>	Watershed and Scenic Conservation, 40-acre minimum, with a Design Control Overlay (Coastal Zone) [WSC/40-D (CZ)]
<b>Lead Agency:</b>	County of Monterey
<b>Prepared By:</b>	Joseph Sidor, RMA-Planning; and Rincon Consultants, Inc.
<b>Date Prepared:</b>	August 5, 2020
<b>Contact Person:</b>	Joseph Sidor, Associate Planner, RMA-Planning
<b>Phone Number:</b>	831-755-5262

## ***II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING***

**A. Description of Project:** The proposed project involves the development of a parcel (Assessor's Parcel Number 416-011-004-000) located in the unincorporated portion of Monterey County, approximately 2.5 miles south of the City of Carmel-by-the-Sea and 1.5 miles west of the Pacific Ocean coastline. The proposed development would take place on 2700 Red Wolf Drive, about 1.5 miles east of Highway 1, on a lot currently developed with two above-ground water tanks and a test well (see Figures 1, 2a, and 2b). The project would involve construction of an approximately 5,588 square foot single-family dwelling with an attached 564 square foot garage and a 425 square foot detached guesthouse. Components of the proposed residence would include the following (Source IX.1):

- Three-story 5,588 square foot stone and concrete framed residential unit with two bedrooms and two and a half bathrooms, and a membrane/vegetated roof;
- Attached 564 square foot two-car garage with vegetated roof;
- Detached 425 square foot guesthouse with two bedrooms and one bathroom as well as a vegetated roof;
- 2,000 square foot ground-mounted photovoltaic system;
- Two 5,000-gallon underground water tanks;
- Conversion of a test well to a permanent domestic well;
- 2,500 gallon capacity septic tank and leach fields;
- Underground propane tanks;
- Paved driveway with vehicle turnaround.

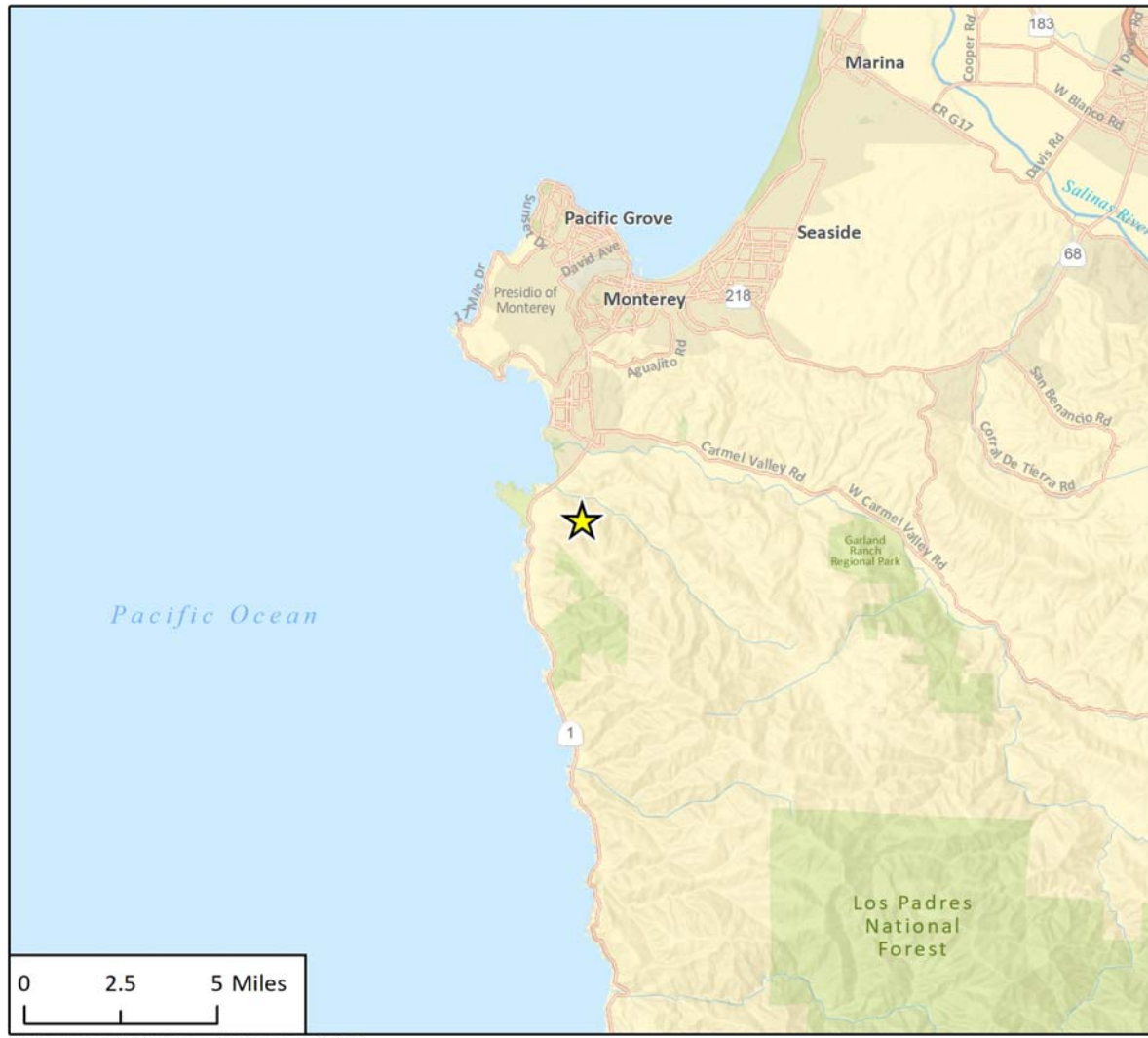
In total the proposed project would include 6,013 square feet of building coverage and 4,440 square feet of paved areas on a 37.65-acre parcel. Construction would involve demolition and removal of the existing water tanks, grading, and subsequent construction of the residence, accessory structures, and associated site improvements. Construction activities would necessitate the removal six Monterey pine trees. Site access would be provided via Red Wolf Drive by an existing 60-foot-wide driveway and utility right-of-way which would be paved and improved with a vehicle turnaround, designed in conformance with current California Fire Code and fire district standards. See the Project Plans (site plan, floor plans, elevations, and color & material finishes) at Figures 4a – 4h below.

The required Combined Development Permit would include the following entitlements:

- 1) Coastal Administrative Permit and Design Approval to allow construction of a 5,588 square foot three-story single-family dwelling with an attached 564 square foot garage, including installation of an on-site wastewater treatment system, installation of a 2,000 square foot ground-mounted photovoltaic system, conversion of a test well to a permanent domestic well, and associated grading of approximately 1,910 cubic yards of cut and fill;
- 2) Coastal Administrative Permit and Design Approval to allow construction of a 425 square foot detached guesthouse;
- 3) Coastal Development Permit to allow removal of six trees (Monterey pine);
- 4) Coastal Development Permit to allow development on slope exceeding 30 percent; and

- 5) After-the-fact Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat area.

**Figure 1 Regional Setting**



Imagery provided by Esri and its licensors © 2020.

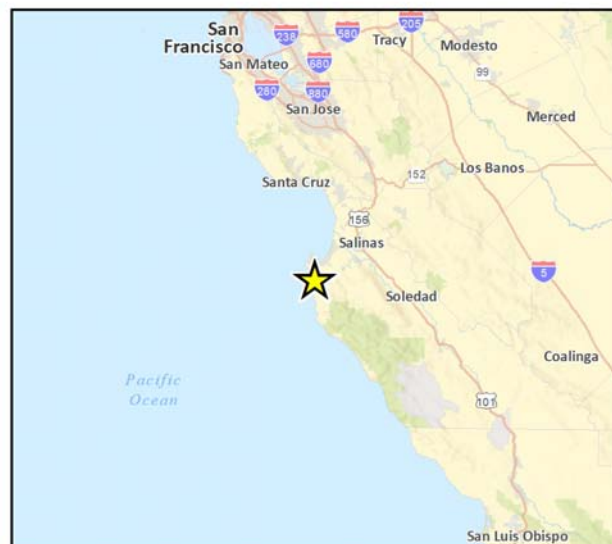
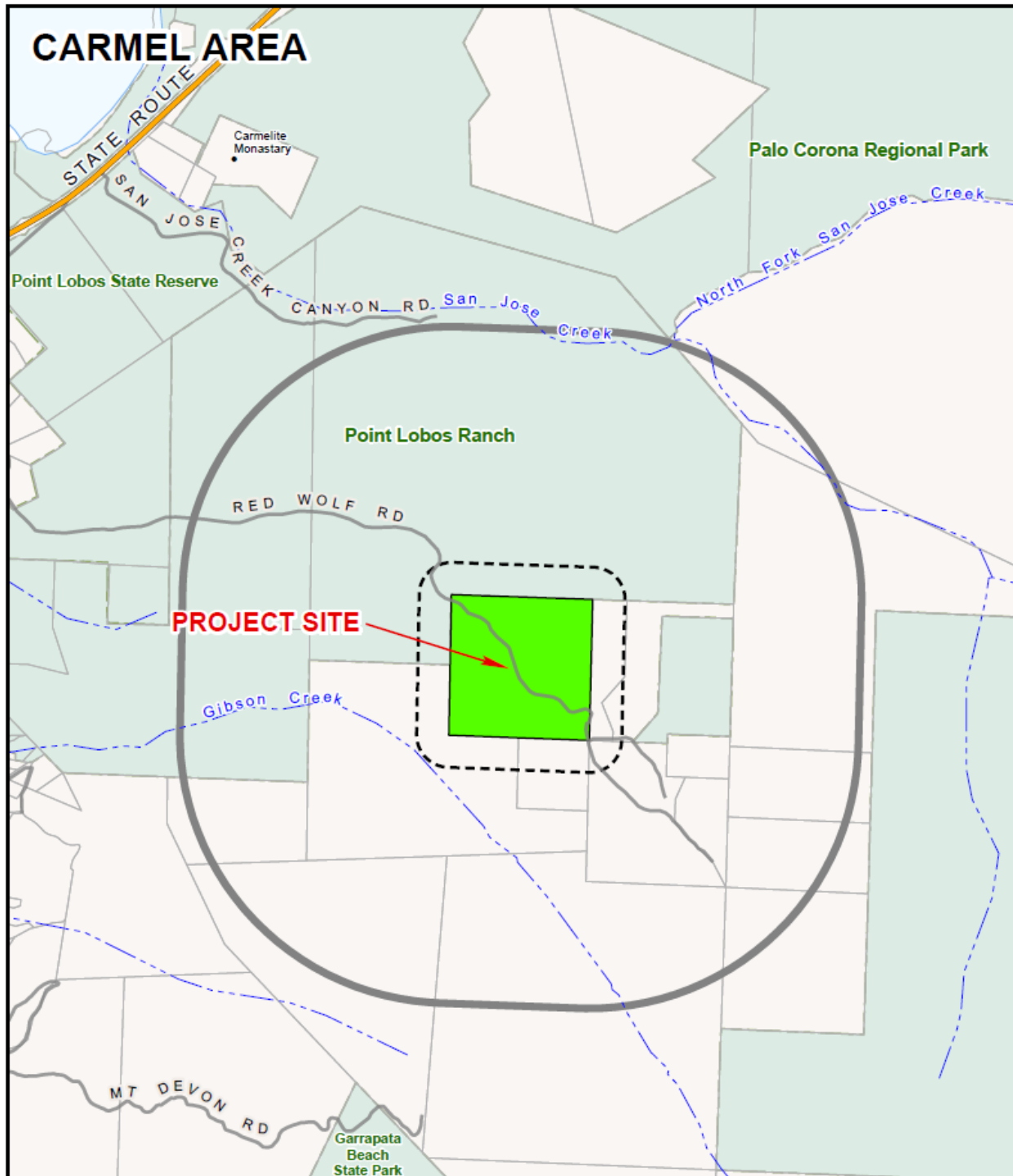


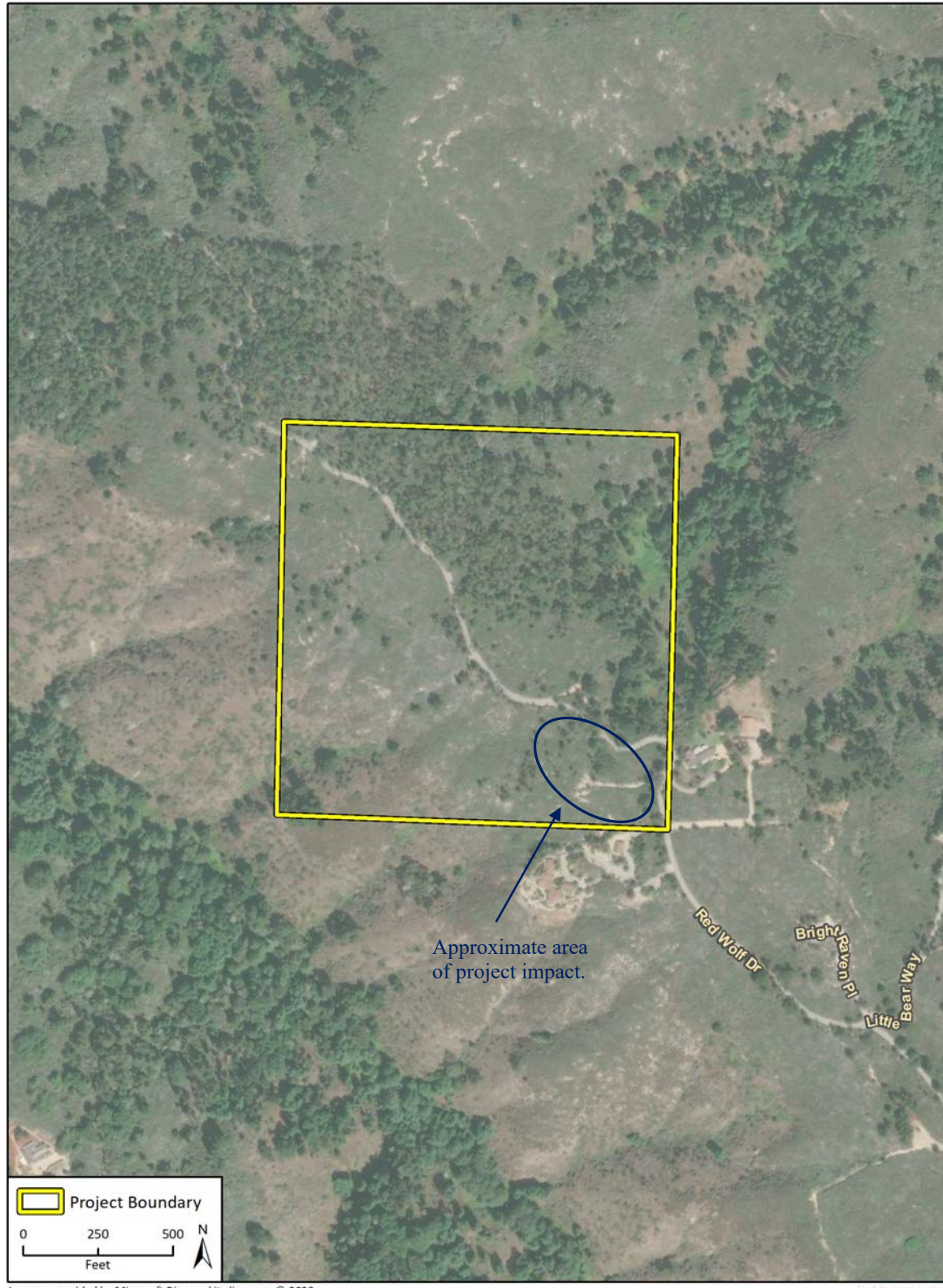
Fig. 1 Regional Location

**Figure 2a Vicinity Map**





**Figure 2b Project Parcel & Area of Project Impact**



**B. Surrounding Land Uses and Environmental Setting:**

The project site is located in an unincorporated portion of Monterey County, approximately 2.5 miles south of the City of Carmel-by-the-Sea and 1.5 miles west of the Pacific Ocean coastline. The site contains slopes in excess of 30 percent and is currently developed with a two above-ground 5,000 gallon water tanks, a test well, and a small shed which houses a water treatment system. The vegetation on site is composed of central maritime chaparral and Monterey pine forest (see Site Photographs at Figure 3). The project site is situated on Point Lobos Ridge with open space to the north, low density residential and open space to the east and south, and open space and the Carmel Highlands neighborhood approximately one mile to the west. The project site and immediately surrounding vicinity are zoned and designated for watershed and scenic conservation use, which includes residential development as an allowed use. The project site is in the Coastal Zone as defined by the California Coastal Zone Act of 1976. Distant public viewing areas include Point Lobos State Natural Reserve and Highway 1, which are located approximately 1.5 miles to the west, and Carmel River State Beach, located 2.15 miles to the north-west.

**C. Other public agencies whose approval is required:**

The County of Monterey's Local Coastal Program (LCP) has been certified by the State of California Coastal Commission; therefore, the County is authorized to issue coastal development permits. No other public agency discretionary approvals would be required. Ministerial permits would be required from RMA-Building Services (e.g., construction permit) and the Monterey County Environmental Health Bureau (e.g., updated well permit and an on-site wastewater treatment system permit).



## Figure 3 Site Photographs



**Photograph 1.** Project site, looking north toward the Pacific Ocean and Carmel-by-the-Sea beyond with project staking and flagging.



**Photograph 2.** Project site, looking east with project staking and flagging.



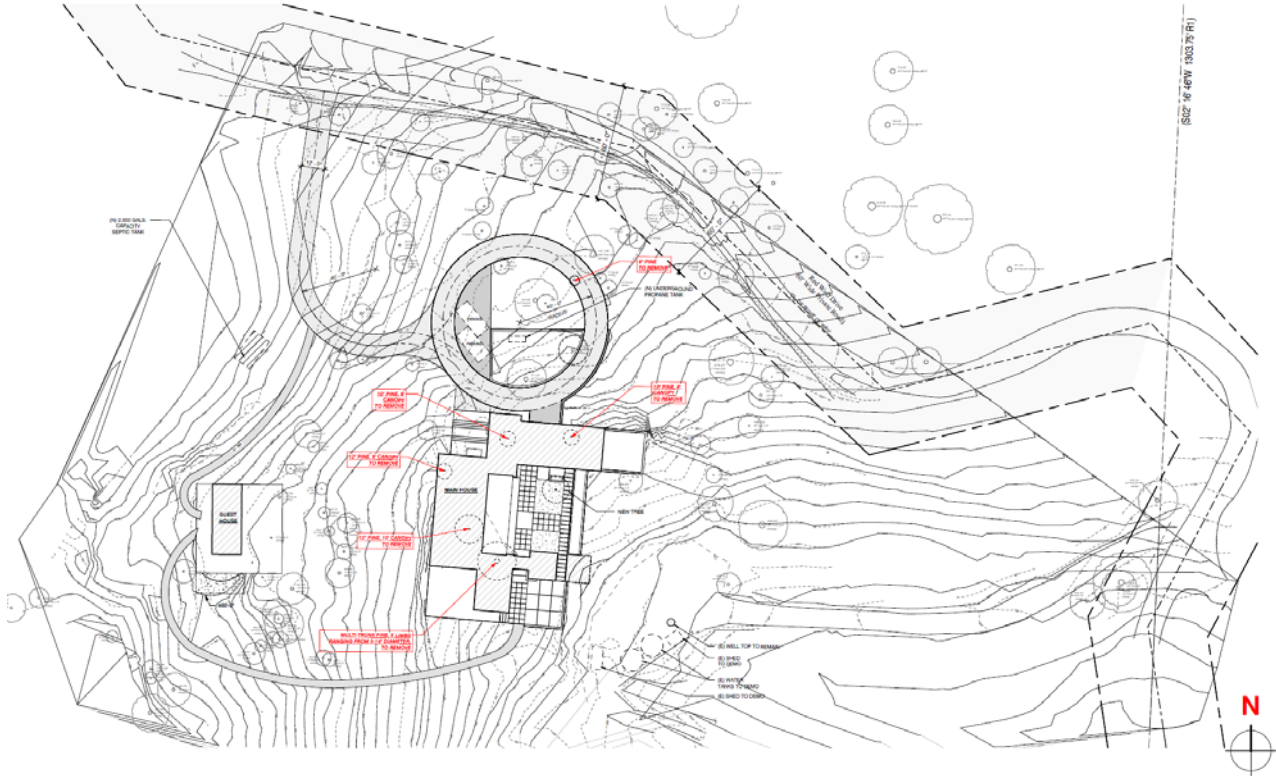
**Photograph 3.** Project site, looking south at existing water tanks to be demolished.



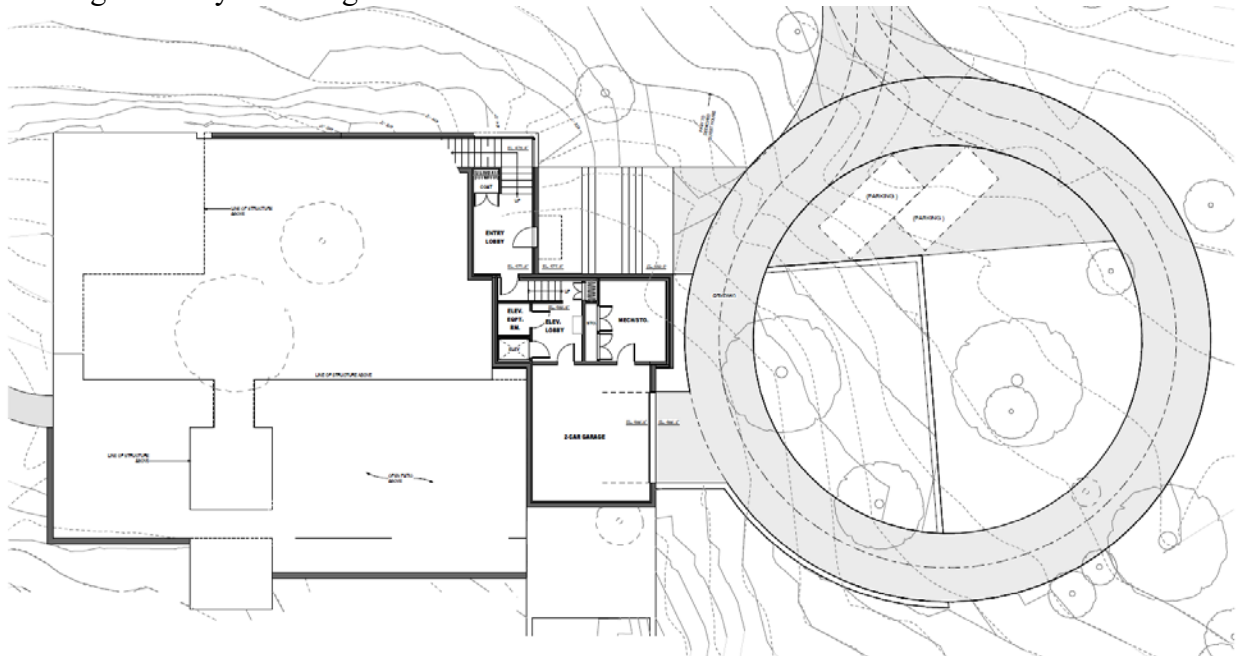
**Photograph 4.** Project site, looking west toward the Pacific Ocean with project staking and flagging.

## Figures 4a – 4h Project Plans

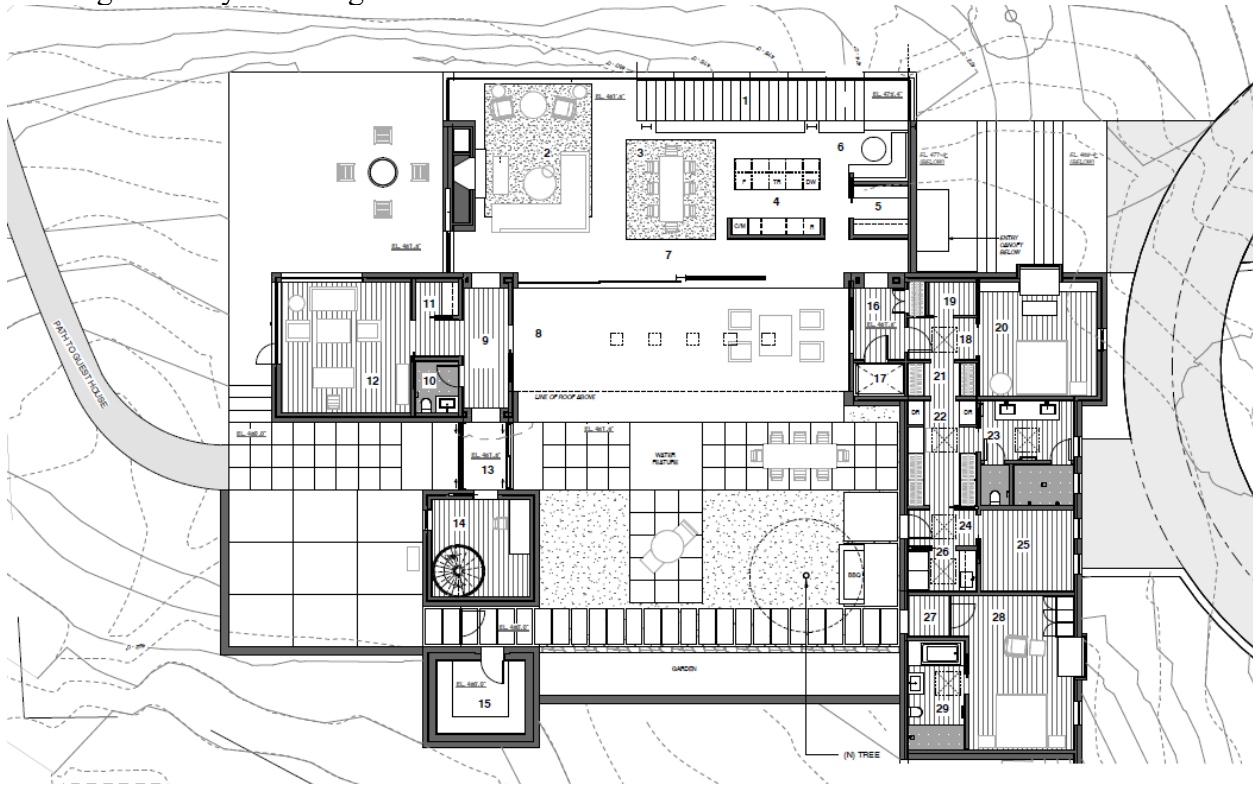
4a: Site Plan



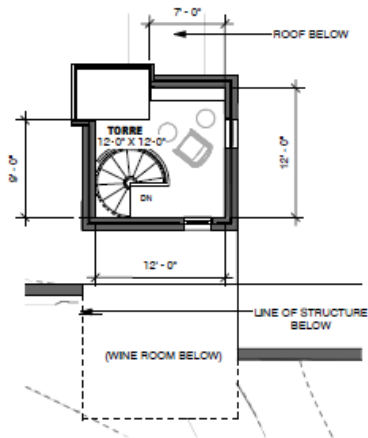
4b: Single-Family Dwelling Lower Level Floor Plan



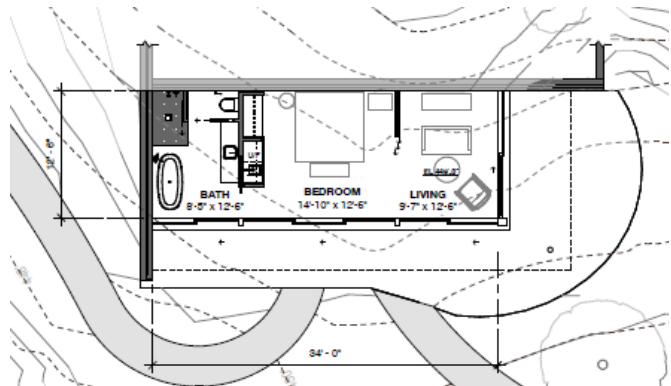
4c: Single-Family Dwelling Main Level Floor Plan



4d: Single-Family Dwelling Upper Level Floor Plan

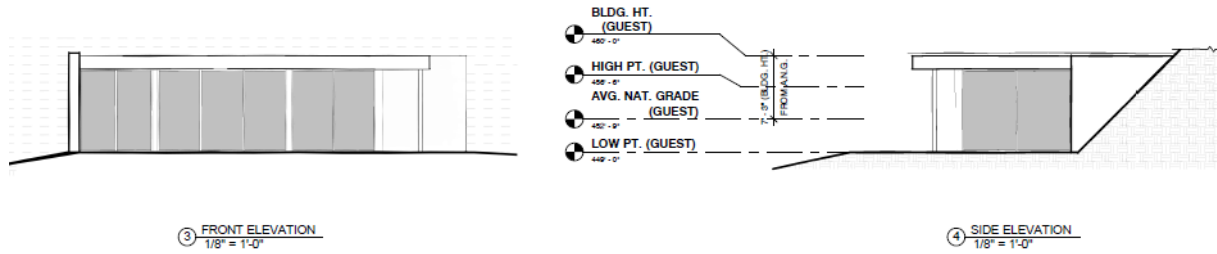


4e: Guesthouse Floor Plan

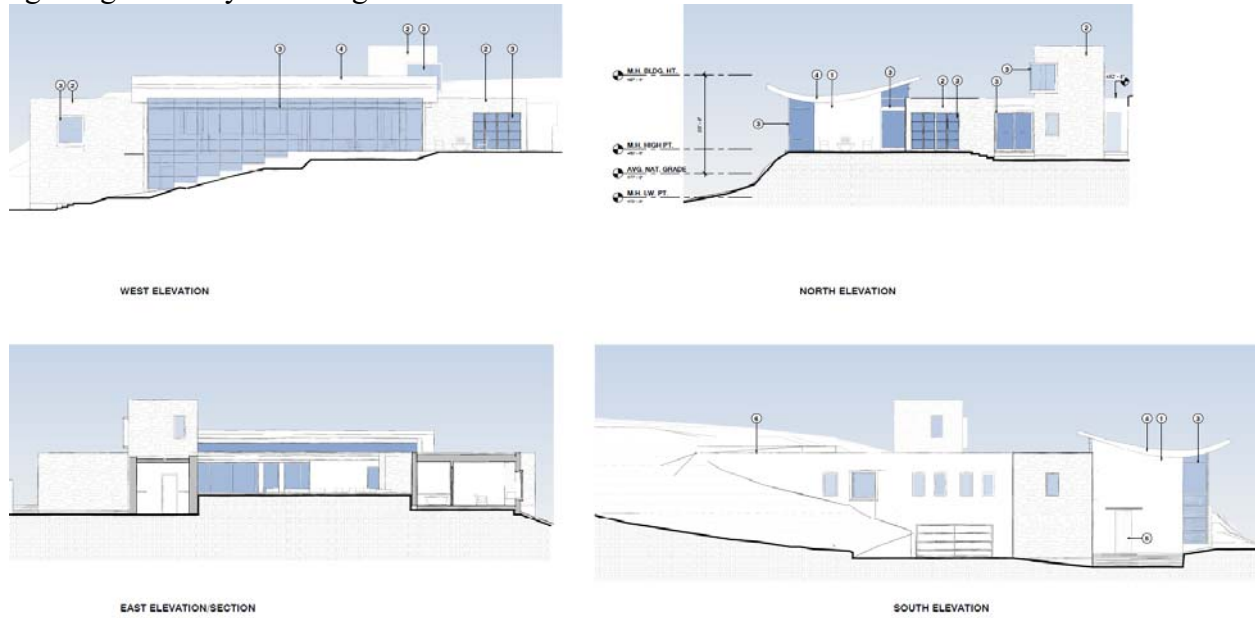




#### 4f: Guesthouse Elevations



#### 4g: Single-Family Dwelling Elevations



#### 4h: Primary Color & Material Finishes

**WALLS: STONE & CONCRETE**



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

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

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

General Plan/Area Plan: Within the coastal areas of unincorporated Monterey County, the 1982 General Plan policies apply where the Local Coastal Program (LCP) is silent. This typically is limited to noise policies as the LCP policies contain the majority of development standards applicable to development in the coastal areas. The project would involve the development of a single-family residential home, accessory structures, and associated site improvements near the Carmel Highlands and is consistent with the noise policies of the 1982 General Plan and would not create any noise other than minor and temporary construction noise (Source IX. 2). **CONSISTENT**

Air Quality Management Plan:

The 2012-2015 and the 2008 Air Quality Management Plan (AQMP) for the Monterey Bay Region address attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring site in Carmel Valley has given no indication during project review that implementation of proposal for a single-family residence on an existing residential in-fill lot would cause significant impacts to air quality or greenhouse gas emissions (GHGs). (Source IX. 6, 7) **CONSISTENT**

Local Coastal Program: The project is subject to the Carmel Area Land Use Plan (LUP), which is part of the Certified Local Coastal Program in Monterey County. This Initial Study discusses consistency with relevant LUP policies in Section VI. County staff reviewed the project for consistency with the policies of the Carmel Area LUP and the regulations of the associated Coastal Implementation Plan (CIP, Part 4). In addition, staff reviewed the project for consistency with the site development standards required by the applicable zoning ordinance (Title 20; CIP, Part 1). As discussed herein, the project involves the construction of an approximately 5,588-square foot single-family dwelling with an attached 564 square foot garage and a 425 square foot detached guesthouse. The project would also involve associated site and infrastructure improvements, tree removal, development on slope exceeding 30 percent, and after-the-fact development within an area of environmentally sensitive habitat. The parcel is zoned Watershed and Scenic Conservation, 40-acre minimum, with a Design Control Overlay (Coastal Zone) [WSC/40-D(CZ)]. As proposed, conditioned, and mitigated, the project is consistent with the Carmel Area LCP. (Source IX. 1, 3, 14, 19) **CONSISTENT**

#### ***IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION***

##### **A. FACTORS**

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

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics           | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality                                   |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Energy  |
| <input checked="" type="checkbox"/> Geology/Soils        | <input type="checkbox"/> Greenhouse Gas Emissions         | <input type="checkbox"/> Hazards/Hazardous Materials                   |
| <input type="checkbox"/> Hydrology/Water Quality         | <input checked="" type="checkbox"/> Land Use/Planning     | <input type="checkbox"/> Mineral Resources                             |
| <input type="checkbox"/> Noise                           | <input type="checkbox"/> Population/Housing               | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                      | <input type="checkbox"/> Transportation                   | <input type="checkbox"/> Tribal Cultural Resources                     |
| <input type="checkbox"/> Utilities/Service Systems       | <input checked="" type="checkbox"/> Wildfire              | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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

☐ Check here if this finding is not applicable

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

##### **EVIDENCE:**

1. Aesthetics. See Section VI.1.
2. Agriculture and Forest Resources. The project site located on an undeveloped site, surrounded by open space and low-density residential uses, and is designated as Other Land under the Department of Conservation Farmland Mapping and Monitoring Program. Project construction would not result in conversion of Important Farmland to



non-agricultural uses. The project area is not under a Williamson Act contract and is not located in or adjacent to agriculturally designated lands.

The California Public Resources Code defines Forest Land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits (PRC §12220(g)). A Tree Assessment/Construction Impact Analysis was prepared for the project site by Frank Ono in October 2019 (LIB190295). This report identifies six native Monterey pine trees at the site and describes the area as Monterey pine forest. Native tree cover at the project site is greater than 10 percent and as such, the project site is considered Forest Land. However, the proposed project would not impact forest resources. The six Monterey pine trees proposed for removal within the building footprint would be removed and replanted in another location. See Section VI.4, *Biological Resources*, for further discussion of the proposed Monterey pine relocation/replanting. Other native trees would only require pruning prior to construction to accommodate the proposed residence. The Tree Assessment/Construction Impact Analysis concludes that no significant long-term impacts to the forest ecosystem would occur as a result of the project. *Therefore, the proposed project would not result in impacts to agriculture or forest resources* (Source: IX.1, 2, 4, 5, & 23).

3. Air Quality. The project site is located within the North Central Coast Air Basin, which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). Impacts to air quality from construction-related activities would be minor and temporary in nature. Construction would involve equipment typically involved in residential construction projects, such as excavators and trucks. The project would entail construction of a single-family residence, accessory structures, and associated site improvements on the property and would not result in the emission of substantial amounts of criteria pollutants. According to the MBARD CEQA Guidelines, a project would have a significant short-term construction impact if the project would emit more than 82 pounds per day or more of PM<sub>10</sub>. Further, the MBARD CEQA Guidelines set a screening threshold of 2.2 acres of construction earthmoving per day, meaning that if a project results in less than 2.2 acres of earthmoving, the project is assumed to be below the 82 pounds per day threshold of significance. The proposed project would result in less than 2.2 acres of earthmoving per day, and as a result, is considered below the threshold and would have no impact due to construction activities. The area of project impact would encompass approximately 1.61 acres for construction and utility installation, and approximately 0.6 acres for fuel modification/management, for a combined total of approximately 2.21 acres. The area of fuel management would only involve trimming of vegetation (i.e., it would not involve earthmoving). The minor construction-related impacts would not violate any air quality standards or obstruct implementation of the MBARD Air Quality Management Plan. Operational emissions would not be substantial as they would only involve vehicle trips and energy usage associated with one single-family residence. *Therefore, the proposed project would not result in impacts to air quality* (Source: IX.6 & 7).
4. Biological Resources. See Section VI.4.

5. Cultural Resources. Dudek prepared a Cultural Resources Assessment for the project site in September 2019 (LIB190294; Source: IX.18). The study included a records search at the Northwest Information Center of the California Historical Resources Information System at Sonoma State University (NWIC File No. 18-2499) that included the project site and a 0.25-mile buffer for resources and cultural studies. The assessment did not identify any known archaeological resources within 750 feet of the project site, and concluded that the potential for encountering potentially significant deposits during project construction is low. The closest prehistoric sites were identified near the coast about one mile to the east. In addition, the records search identified a large area general survey with coverage at the proposed project site; this general survey had negative findings for the project vicinity. The study did not identify indications of cultural resources during a site reconnaissance. One historic resource, the MacDonald Homestead (P-27-003414), was located within the 0.25-mile research buffer. The project site does not contain any built environment features that may be considered historical resources. Further, the existing structures to be removed and replaced on the site (i.e., water tanks) are not considered historic. Therefore, the proposed project would not impact archaeological, cultural, or historical resources.

Additionally, Dudek sent letters to all Native American representatives provided by the Native American Heritage Commission on August 5, 2019. The Esselen Tribe of Monterey County responded by letter on August 22, 2019, that they would like to be informed if cultural resources are found as a result of the project. No other Native American contacts have responded.

6. Energy. The project would require energy during construction to operate construction equipment and for construction worker vehicle trips to and from the site. The project entails the construction of a single-family dwelling, accessory structures, and associated site improvements on a partially developed lot. Given the scale of the project, construction energy use would be nominal and short-term. As such, it would not be considered wasteful, inefficient or unnecessary due to the scale of the project.

Operational energy demand would include electricity and natural gas, as well as gasoline consumption associated with operational vehicle trips. Monterey Bay Community Power would provide electricity to the site, and the proposed project would include installation of an underground propane tank. The project would be required to comply with all standards set in California Building Code (CBC) Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. California's Green Building Standards Code (CALGreen; CBC, Title 24, Part 11) requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2019 Building Energy Efficiency Standards (CBC Title 24, Part 6) requires newly constructed buildings to meet energy performance standards set by the California Energy Commission (CEC) and mandates installation of solar photovoltaic systems for new single-family homes. The proposed project would install a 2,000 square feet of ground-mounted photovoltaic system and therefore would comply with the 2019 Building Energy Efficiency Standards. Compliance with these regulations would ensure the proposed project would not conflict with state or local plans for renewable energy or energy efficiency. *Therefore, the*

*proposed project would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy (Source: IX.8).*

7. Geology/Soils. See Section VI.7.
8. Greenhouse Gas Emissions. The project would incrementally increase energy consumption at the project site and traffic in the surrounding vicinity, thus increasing greenhouse gas emissions. Temporary construction-related emissions would result from usage of equipment and machinery. Operationally, the project would generate new and permanent greenhouse gas emissions; however, they would not be substantial given that the project involves one single-family residence, accessory structures, and associated site improvements. Monterey County does not have a greenhouse gas reduction plan by which consistency or conflicts can be measured; however, the proposed project does not conflict with the policy direction contained in the Monterey County Municipal Climate Action Plan or the Association of Monterey Bay Area Government's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy because it would only represent an incremental increase in greenhouse gas emissions as it only involves the construction of one single-family residence on a site that is zoned for such a use. As such, buildout of the site has been assumed in these plans, and the project would not create a conflict. *Therefore, the proposed project would not result in significant increases in greenhouse gas emissions or conflict with an applicable plan, policy or regulation (Source: IX.1, 2, 9 & 10).*
9. Hazards/Hazardous Materials. Project construction would require the use of heavy equipment typical of construction projects, the operation of which could result in a spill or accidental release of hazardous materials, including fuel, engine oil and lubricant. However, the use and transport of any hazardous materials would be subject to federal, state, and local regulations, which would minimize risk associated with the transport hazardous materials. Operationally, the project would not involve the use or storage of large quantities of hazardous materials, other than those typically associated with residential uses (i.e., underground propane tank), and would not create stationary operations. The underground propane tanks associated with the proposed project would be required to obtain an underground storage tank permit from the County (Monterey County Municipal Code Section 10.65.040) which would minimize any risk associated with the transport, use, or disposal of hazardous materials. The project would not be located on or within 1,000 feet of a known hazardous materials site. The project site is not located near an airport or airstrip. The project would entail the construction of one single-family residence in an existing very-low density residential area, and includes a vehicle turnaround designed in compliance with current California Fire Code and fire district standards to ensure adequate emergency vehicle circulation. As a result, the proposed project would not impair or interfere with an adopted emergency response or evacuation plan. The project area is located in a California Department of Forestry and Fire Protection (CAL FIRE) State Responsibility Area (SRA) with a Very High Fire Hazard Severity Zone (VHFHSZ). However, the proposed project would not expose people or structures to significant risk of loss, injury or death involving a wildland fire. See Section VI.20, *Wildfire*, for further discussion on wildfire impacts. *As described above, the proposed project would not result in impacts related to hazards/hazardous materials (Source: IX. 11, 12 & 13).*

10. Hydrology/Water Quality. The proposed project would not violate any water quality standards or waste discharge requirements, as it would only involve the construction of one single-family residence, accessory structures, and associated site improvements on a site that is zoned for such a use. It would also not result in impacts on groundwater basins or groundwater recharge and would not conflict with the Monterey County Groundwater Management Plan. No groundwater was encountered in the borings to a maximum depth of 30 feet during geological evaluation, and it is not anticipated that the depth of excavation for the proposed project would exceed 10 feet.

The project would involve approximately 1,540 cubic yards of cut and 370 cubic yards of fill. Excavated material would be properly transported and disposed of off-site. As described in Section VI.7, *Geology and Soils*, the Geotechnical and Percolation Investigation (LIB190296) prepared for the project, the project's Erosion Control and Construction Management Notes contained in the project Plan Set, and standard Conditions of Approval applied by Monterey County provide for erosion control measures. The proposed project would increase impervious surface cover at the project site. However, the project would not conflict with Part 4 of the Monterey County Coastal Implementation Plan, which regulates impervious surface cover, as the proposed project is allowed 10 percent of structural coverage and results in only 0.7 percent structural coverage. Drainage characteristics of the project site would not be altered in a manner that would increase erosion or runoff or interfere with flood flows. In addition, the project would be required to comply with relevant sections of the Monterey County Code that pertain to grading, erosion control and urban stormwater management (Monterey County Code Chapters 16.08, 16.12 and 16.14). *With adherence to Monterey County regulations for impervious surface cover, erosion control, and urban stormwater management, the proposed project would not result in any negative impacts related to hydrology/water quality* (Sources: IX.1, 14, & 20).

11. Land Use Planning. See Section VI.11.

12. Mineral Resources. No mineral resources have been identified within the proposed project area or would be affected by this project. *Therefore, the proposed project would not result in impacts to mineral resources.* (Source: IX.15)
13. Noise. Construction of the proposed project would generate a temporary noise increase in the vicinity of the site due to the use of heavy equipment such as excavators, graders, large trucks and machinery typically used during residential construction projects. The nearest noise-sensitive receptor to the project site is an existing single-family residence located to the west across Red Wolf Drive, approximately 80 feet from the project site driveway entrance, and over 160 feet from the project area. Construction activities would be required to comply with the Monterey County Noise Ordinance as described in Monterey County Code Chapter 10.60. The ordinance applies to "any machine, mechanism, device, or contrivance" within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 dBA at a distance of 50 feet from the noise source. Noise-generating construction activities are limited to the hours between 7 a.m. and 7 p.m., Monday through Saturday; no construction noise is allowed on Sundays or national holidays. Project construction would also generate a temporary increase in ground-

bourne vibration levels during the excavation and grading phases of project construction. However, pile driving would not be required, and construction activities would not generate excessive vibration levels. Operationally, the project would not result in a substantial permanent increase in ambient noise given that it involves one single-family residence, accessory structures, and associated site improvements. The project is not located in the vicinity of a public airport or private airstrip. *Therefore, the proposed project would not result in impacts related to noise.* (Source: IX.14)

14. Population/Housing. The proposed project would incrementally increase population in the area as it involves the construction of a single-family residence. According to the U.S. Census 2018 American Community Survey 5-year estimates, the average household size is 3.3 persons per household in Monterey County<sup>1</sup>. Assuming consistency with this average, the project would add approximately four persons to the local population. This represents a minor and incremental increase and the project would not induce substantial unplanned population growth. The project would not otherwise alter the location, distribution, or density of housing in the area in any significant way or create demand for additional housing. *Therefore, the proposed project would not result in impacts related to population and housing.* (Source: IX.16)
15. Public Services. The project site is served by the Carmel Highlands Fire Protection District, Monterey County Sheriff's Department, and Carmel Unified School District. Given the minor and incremental increase in population associated with this project (approximately four persons), it would result in a negligible impact to public services and would not necessitate new or physically altered government facilities. *Therefore, the proposed project would not result in impacts related to public services.*
16. Recreation. Given the small increase in population associated with the project, it would not result in an increase in use of existing recreational facilities that would cause substantial physical deterioration or require the construction or expansion of recreation facilities in the vicinity of the project. No parks, trail easements, or other recreational facilities would be permanently impacted by the proposed project. *Therefore, the proposed project would not result in impacts related to recreation.*
17. Transportation. The project would involve development of one single-family residence on a site zoned for such use. CEQA Guidelines Section 15064.3(b)(1) applies to land use projects and describes criteria for analyzing transportation impacts, it states, "Vehicle miles traveled (VMT) exceeding an applicable threshold of significance may indicate a significant impact." The Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (2018) has set a screening threshold of 110 trips per day to quickly identify when a project would have a less than significant impact due to VMT. The proposed project is only estimated to include a population increase of four persons and therefore would generate a minimal number of trips, well below the OPR screening threshold. As a result, the proposed project can be screened out and would not have an impact due to VMT. During construction, nearby roadways would experience minor and temporary increases in traffic due to construction

---

<sup>1</sup> Table S1101, available online at:

<https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>

equipment and worker vehicle trips. Construction equipment would be routed to and from the site using Highway 1, via Riley Ranch Road to Allen Road, then Red Wolf Drive. The project would be consistent with existing land uses in the vicinity of the project site and would not conflict with any program, plan, ordinance or policy related to transportation systems. Existing roadways near the project site would not be altered. As such, the project would not create new transportation hazards or incompatible uses and would not interfere with emergency access. *Therefore, the proposed project would not result in impacts related to transportation* (Source: IX.1).

18. Tribal Cultural Resources. The Sacred Lands File (SLF) was negative for the proposed project area and the study area buffer (Source: IX.18). The NAHC reported negative results for Native American traditional cultural place(s) documented within the search request area. Pursuant to Public Resources Code Section 21080.3.1, the Monterey County RMA–Planning Division initiated AB52 consultation with local Native American tribes on April 13, 2020. On April 14, 2020, the County received a request for consultation and consulted with a representative of the Ohlone/Costanoan-Esselen Nation (OCEN). During this consultation and review of the project, the OCEN representative did not request tribal monitoring of the site during construction. Based on this consultation, and the archaeological survey discussed in Section IV.5, the County assumes that no tribal cultural resources are present that may be impacted by the project, and that the proposed project would not result in impacts to tribal cultural resources. As of the circulation date of this Initial Study, the County has not received any other requests for consultation.
19. Utilities/Service Systems. Water at the project site would be provided by the test well that is present on the site and is proposed to be converted to a permanent domestic well. Consistent with Chapter 16 of Title 22 of the California Code of Regulations, as well as Monterey County Code Section 15.04.130, any new proposed water system and any expansion, modification, or changes to the water system shall be designed by a professional civil engineer registered in the State of California. Further, construction of any new domestic water system is required to meet the standards and requirements for basic design, water quantity, source and storage capacities, water pressure, disinfection of source, storage and distribution system, and other pertinent components of the water system set by state and local regulations. Adherence to state and local regulations would ensure construction and operation of the proposed domestic well system would not cause significant environmental effects due to relocation or construction of new or expanded water systems or availability of sufficient water supply.

In addition, the project would include construction and installation of a 2,500 gallon underground septic tank and leach fields. The Geotechnical and Percolation Investigation (LIB190296) performed for the proposed project found that the proposed location for the septic system and leach field indicate acceptable percolation rates for the percolation of septic system effluent per Monterey County Code Section 15.20.070. In addition, all new septic tank systems are required to obtain a septic tank system permit and be built in accordance with Monterey County Code Section 15.20.060. Adherence to state and local regulations would ensure construction and operation of the proposed underground septic tank and leach field would not cause significant environmental effects due to relocation or construction of new or expanded wastewater systems.


Electricity and natural gas would be provided by Monterey Bay Community Power and Pacific Gas & Electric, respectively. Solid waste from the project site would likely be delivered to the Monterey Peninsula Landfill. Given that the project would result in the construction of a single-family residence in an area with other residences served by these utilities, increased demand for utility service would be negligible and would not necessitate the construction of additional facilities. *Therefore, the proposed project would not result in impacts related to utilities and service systems.*

20. Wildfire. See Section VI.20.

**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

August 5, 2020

Date

*Joseph Sidor, Associate Planner  
RMA-Planning, County of Monterey*



## ***V. EVALUATION OF ENVIRONMENTAL IMPACTS***

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

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

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

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

## VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Less Than Significant			
Would the project:		Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

The site is located along Point Lobos Ridge, approximately 1.5 miles east of State Route or Highway 1. This area is mapped as visually sensitive according to the Monterey County Visual Sensitivity map (Source: IX.17). Further, the stretch of Highway 1 to the west of the proposed project site is officially designated as a State Scenic Highway (Source: IX.2). Figure 5, below, contains photographs depicting the project site from Point Lobos.

### Aesthetics 1(a) – Less than Significant Impact

The project includes construction of a three-story home on Point Lobos Ridge, and as a result there is the potential for the project to be visible from public viewing areas including Point Lobos State Natural Reserve, Carmel River State Beach, and Highway 1. The site is not visible from other public areas such as Jack's Peak Park and Garland Park, which are located four miles north and eight miles east, respectively. However, as further explained below, due to distance, topography, existing forest vegetation, and design, the proposed project would only be visible from these locations with visual aids (e.g., binoculars).

The proposed project is only visible from public viewing areas with visual aids due to distance as the proposed project is located just under 1.5 miles west and southwest from Highway 1 and Point Lobos State Natural Reserve. In addition, the proposed project is located 2.15 miles southeast of Carmel River State Beach. Further, as shown in Figure 5, although the project may be visible with visual aids, due to topography it does not create a ridgeline silhouette because the backdrop of the higher hills and ridges sit behind it.

**Figure 5      Public Viewshed of the Proposed Project**



**Photograph 1.** Distant view of the project site from Point Lobos State Natural Reserve facing Point Lobos Ridge.



**Photograph 2.** Zoomed in view of the project site from Point Lobos State Natural Reserve facing Point Lobos Ridge. (Source: IX:1)

In addition, conditions at the project site further camouflage distant views of the proposed project. Since the proposed project is located within a Monterey pine forest, existing Monterey pine trees would screen the proposed project from viewing areas. Also, as proposed, the design of the single-family residence would blend with the surrounding environment. Design Approval is the review and approval of the exterior appearance, location, size, materials and colors of proposed structures. The purpose of Design Approval is to protect the public viewshed, neighborhood character, and the visual integrity of development. As shown in Figure 6, the design of the proposed project includes natural materials such as stone and concrete walls and a vegetated roof. These design features would camouflage the proposed project, making it very difficult to see from public viewing areas.

As proposed, the project would be consistent with the Monterey County Code, Carmel LUP, and County General Plan policies that protect the public viewshed. For instance, Monterey County Code Section 20.17.060, site development standards within the WSC zone, allow for a building height of up to 24 feet and the building height of the proposed project is 21 feet above average natural grade. As a result, the proposed project would be consistent with County regulations which are intended to protect visual resources. The proposed project would not have a permanent impact on any scenic vistas (Source: IX.1, 3, 14 & 17).

#### **Aesthetics 1(b) – Less than Significant Impact**

The nearest State scenic highway to the project site is Highway 1, located approximately 1.5 miles to the west. Views to the area of the property from Highway 1 are only available with the use of visual aids (i.e., binoculars); however, the project site itself is not visible from the highway. Also, considering the speed of cars moving on Highway 1, as well as distance, topography, existing vegetation, and project design features, the construction of the proposed project would have a less than significant impact on views from Highway 1. In addition, the project would entail removal of up to six native Monterey pine trees. Because these trees would not be visible from Highway 1, their removal would not constitute substantial damage to a scenic resource within a state scenic highway. The project would not impact any other scenic resources such as rock outcrops. Therefore, the project would have less than significant impact to scenic resources within a state scenic highway (Source: XI.1, 3, 17).

#### **Aesthetics 1(c) – No Impact**

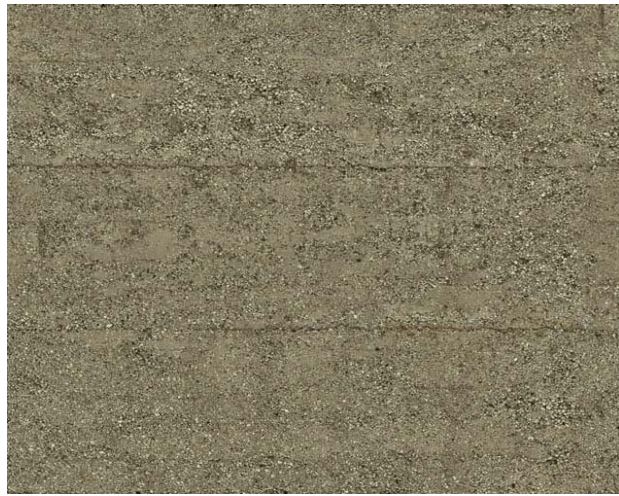
The project site is located in a nonurbanized area and zoned for very low density single-family residential uses. As stated above, the project would not result in a significant visual impact to scenic vistas or scenic resources within a state scenic highway. As such, the project would not substantially degrade the quality of public views of the site and its surroundings.

The existing character of the site is that of a Monterey pine forest with surrounding parcels to the west and south developed with single-family houses. The project would entail construction of one single-family residence and related facilities. Further, the proposed project incorporates natural materials, as shown in Figure 6, to help it blend with the existing natural environment. As such, the proposed project would not substantially degrade the visual character of the site as surrounding uses are similar, the project design incorporates natural materials to blend with the surrounding environment, and the project site is zoned for such a use. Therefore, the project would not result in impacts to the existing visual character or quality of public views (Source: XI.1 & 3).

**Figure 6 Proposed Project Materials Palette**



Stone sample proposed for project building walls.



Concrete sample proposed for project building walls.



Example of proposed aluminum and metal windows.



Example of proposed vegetated roof.

### **Aesthetics 1(d) – Less than Significant Impact**

There is currently no night-time lighting on the site, and night-time lighting in the vicinity is limited to exterior lighting associated with other residences in the area, which are dispersed over a wide area. Although exterior lighting would be incorporated into the proposed residence, the project would be required to comply with Design Guidelines for Exterior Lighting pursuant to Monterey County Code, which requires lighting to be unobtrusive, reduce off-site glare, and light only an intended area. Pursuant to compliance with these requirements, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Therefore, the project would have less than significant impact (Source: IX.1 & 14).

### **Conclusion:**

With incorporation of Design Approval and adherence to existing regulations, the project would have a less than significant impact on Aesthetics.

## 2. AGRICULTURAL AND FOREST RESOURCES

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

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

**Discussion/Conclusion/Mitigation:** See Sections II and IV.2.

---

### 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.3.

4. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
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 Wildlife or U.S. Fish and Wildlife Service?	<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, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **Discussion/Conclusion/Mitigation:**

##### **Biological Resources 4(a) – Less than Significant with Mitigation**

A Biological Report was prepared for the property by Jud Vandever in 2006 (LIB070191) and a Supplemental Biological Assessment was prepared by Fred Ballerini Biological & Horticultural Services on November 4, 2019 (LIB190297). The reports identified central maritime chaparral and Monterey pine forest within the project parcel. Denise Duffy & Associates, Inc. prepared a Spring Survey Supplemental Report on June 8, 2020 (LIB200090), which confirmed the findings of the previous reports. The proposed development (including infrastructure, wastewater treatment system, grading, hardscape and structural development) is sited exclusively in *Central Maritime Chaparral* habitat, a natural community previously identified and described in the original biological report (LIB070191) and field-verified in the supplemental reports (LIB190297 and LIB200090). *Central Maritime Chaparral* is considered environmentally



sensitive habitat area (ESHA) by both the California Department of Fish and Wildlife (CDFW) and the California Coastal Commission (CCC). Impacts to ESHA are anticipated as there is no feasible alternative location on the parcel to avoid such habitat. Mitigations, including restoration, habitat protection measures, and habitat management, are recommended to minimize potential impacts that would result from construction of the proposed residential development. The total development footprint would disturb approximately 58,305 square feet (1.34 acres). Additional area would be required for wildfire fuel management, resulting in a total disturbed area of approximately 97,000 square feet (2.23 acres). The proposed mitigation measures incorporate requirements to mitigate impacts for the total disturbed area.

Prior to the 2019 survey, the project's proposed development envelope was cleared in the understory, removing maritime chaparral for the proposed development. Rare, threatened, or endangered plant and wildlife species observed in the development envelope (in 2006 and/or 2019) include small leaved lomatium (*Lomatium parvifolium*) 4.2, Monterey ceanothus (*Ceanothus rigidus*) 4.2, Monterey pine (*Pinus radiata*) 1B.1, Hooker's manzanita (*Arctostaphylos hookeri* ssp. *hookeri*) 1B.2, and Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*), a state species of special concern. Gowen cypress (*Hesperocyparis goveniana*), a federally Threatened species, was also observed on the project parcel, presumably through natural recruitment to the site.

The project parcel is also directly adjacent to California red-legged frog and Yadon's rein orchid federally designated critical habitat; however, these areas do not occur on-site and no off-site project elements are proposed. Therefore, no impacts to these critical habitats would occur from project development. Additionally, the 2020 Spring Survey confirmed that these species do not occur on the project site.

The biological reports identified potential impacts to the Monterey dusky-footed woodrat and Hooker's manzanita, as well as the need for invasive species control and fuel management. Recommendations in the supplemental assessment would be applied as conditions of approval and would require applicable mitigation measures.

Monterey dusky-footed woodrat is a Federal and California State Species of Special Concern. The small mammal is endemic to the Santa Lucia Range in Central California and typically constructs elaborate stick nests on the ground in areas of dense vegetative cover. Three stick nests were observed in the cleared areas in addition to several nests in the project vicinity within the scrub thicket adjacent to the cleared vegetation area. It appears the three observed nests now exposed in the clearance areas have been abandoned due to their exposure and lack of protective cover, though a final determination with established monitoring protocols will be made prior to grading activities.

The biological assessment also recommends invasive species control, further minimizing impacts to special status species habitats, and includes impact minimization measures for seasonal avoidance and surveys for nesting birds and wintering monarch butterflies. General recommendations in the assessment address Best Management Practices (BMPs) during construction to limit disturbance.

With the implementation of Mitigation Measures No. 1, 2, and 3, as well as Best Management Practices, the project would not have a substantial adverse effect either directly or through

habitat modifications, on any species identified as a candidate, sensitive, or special status species. Impacts would be less than significant with mitigation. (Source: XI.1, 3, 21, 22, 24)

**Mitigation Measure No.1 – Restoration Plan:**

To comply with the Carmel Area LUP Key Policy 2.3.2, which directs that environmentally sensitive habitat areas be protected, maintained, and where possible, enhanced and restored, a *Central Maritime Chaparral Restoration Plan* shall be developed and implemented to restore areas of disturbance and soil redistribution locations resulting from the proposed development.

Prior to any disturbance of land, the project applicant shall develop and submit a *Central Maritime Chaparral Restoration Plan* to RMA-Planning for review and approval. This restoration plan shall also contain a section addressing control of invasive species. The primary goal of the plan and its implementation will be the restoration of impacted maritime chaparral habitat with site-identified, site-specific native maritime chaparral species and elimination of aggressive exotic, invasive species that could adversely impact the establishment and long term health of the natural community.

The Restoration Plan shall also include management techniques to expand the chaparral into areas where invasive species have encroached. The primary goal of the restoration is to mitigate for impacted chaparral resulting from grading and development impacts while also complying with fuel modification goals. Objectives for accomplishing the project goals will include the following:

- a. The Project Biologist shall conduct qualitative and quantitative analysis of existing maritime chaparral stands for baseline data of species compositions to be incorporated into restoration areas.
- b. The Project Biologist shall survey and map required fuel management areas and incorporate findings into the Restoration Plan.
- c. Native plant salvage shall occur prior to grading and stockpiling of native topsoil.
- e. Stabilize disturbed soils with erosion control measures and native seed (locally-sourced) hydroseeding.
- f. Add salvaged planting stock, if applicable, after final grades are established and coinciding with fall seasonal rains.
- g. Establish invasive species control protocols and management tools for plant establishment period.
- h. Supplemental temporary irrigation for restoration areas as needed.
- i. Establish a monitoring program to track success of invasive species control and establishment of native species. Quarterly monitoring will be conducted for the first two years followed with bi-annual monitoring for years three, four and five. Success criteria to be determined after establishing the baseline data and will be incorporated into the restoration plan.
- j. Establish long-term maintenance program for invasive species control, control of encroaching tree species, soil stabilization, and other actions including fuel modification, noted during monitoring.
- k. Avoid impacts to outlining habitats and improve area as habitat for wildlife.
- l. All disturbed soils up to the building envelope and any applicable green roofs are to be fully restored with the *Central Maritime Chaparral* species.

Prior to mobilization or land disturbance activities, temporary habitat protective fencing must be installed at the development perimeter to prevent unwarranted impacts within outlining habitats and special status species. The fencing will keep potential development impacts off of the adjacent sensitive habitat resources and shall restrict to the minimum amount necessary to accommodate a reasonable development and restoration area. Material staging and parking shall not be allowed in undisturbed native areas as soil impacts, adverse vegetation impacts, and soil compaction shall be avoided to maintain the long-term health of the surrounding sensitive habitat resources. A qualified biological monitor should be on site to coordinate fencing installation and assure there are no impacts within the neighboring sensitive habitat areas.

In accordance with Carmel Area Land Use Plan Policy 2.3.3.8, only appropriate native species are to be used for proposed landscaping. To meet the landscape restoration requirements, all areas surrounding the footprint of the building development shall be contoured to mimic the natural topography and restored using the low-growing constituents of the Central Maritime Chaparral habitat of the parcel, while also maintaining fire clearance mandates.

**Mitigation Measure No. 2 – Sediment Control:**

Mobilized mechanized grading equipment shall be pressure washed prior to mobilization to prevent unwarranted plant pathogens or invasive species seed or vegetative debris from entering and potentially pioneering on the site. Use of heavy equipment shall be restricted to areas within the development envelope.

Sediment control devices shall be installed on the downhill perimeter of the construction envelope and exposed soil areas. Specifically, sediment control devices, debris fencing or silt dams shall be installed in a manner that the central maritime chaparral habitat is protected from disturbed excavated or graded construction soils or construction debris from moving offsite. No site erosion shall be permitted to enter areas supporting natural communities beyond the impact perimeter of the development envelope. Disturbed soils shall be stabilized prior to rainy weather, either with the use of biodegradable netting, mulching or hydroseeding with biologist-approved native seed mix, mulch and tackifier.

Excavated clean upper soil horizon soils from the construction site shall be used to top dress final landscape restoration areas. Prior to final grading, all construction debris shall be removed and construction activities completed in the areas to be treated with the approved native seed mix. To protect adjacent maritime chaparral habitats from inadvertent soil deposition impacts, excavated substrate materials shall not be cast into adjacent habitats or areas beyond the approved development zone; rather it should be hauled off location and disposed at a receiver site or used for fill within the development area per recommendations of the grading plan.

Storm water runoff from impervious surfaces must be dispersed in such a way as to prevent rilling and site erosion.

After the completion of the soil disturbance activities, any disturbed soils shall be stabilized with native seed of site-identified species and plant materials and installed in all restoration areas in the fall months prior to or in conjunction with the seasonal rains. Any disturbed soil generated by the project must be kept free of invasive, exotic plant species.

### **Mitigation Measure No. 3 – Pre-Construction Survey – Monterey Dusky-Footed Woodrat:**

To avoid and reduce impacts to the Monterey dusky-footed woodrat, the project proponent shall retain a qualified biologist to conduct pre-construction surveys for woodrat nests within three days prior to any further vegetation clearance or grading within the project area and in a buffer zone from the limit of disturbance. All woodrat nests shall be flagged for avoidance of direct construction impacts, where feasible. Nests that cannot be avoided shall be manually deconstructed prior to land clearing activities to allow animals to escape harm. If a litter of young is found or suspected, nest material shall be replaced, and the nest left alone for 2-3 weeks before a re-check to verify that young are capable of independent survival before proceeding with nest dismantling.

### **Biological Resources 4(b) – Less than Significant with Mitigation**

The central maritime chaparral and Monterey pine forest within the project parcel are considered sensitive natural communities by the California Department of Fish and Wildlife (CDFW 2019) and an environmentally sensitive habitat area (ESHA) by the California Coastal Commission (CCC). Clearing of the understory within the development envelope has already occurred, resulting in the removal of 1.61 acres of maritime chaparral. An additional 0.60 acre of maritime chaparral is proposed for removal to meet the required fuel modification standards, bringing the total impacts to approximately 2.21 acres. The area of Monterey pine forest is outside of the development envelope, and no impacts to this community would occur.

Development of the proposed project area would require an after-the-fact Coastal Development Permit to allow development within ESHA. The LUP also requires a conservation and scenic easement deed as a condition of project approval (LUP Policy 2.3.3.6). Recommendations in the supplemental biological assessment would also be applied as conditions of approval, and would require a *Central Maritime Chaparral Restoration Plan* to address impacts and restoration of maritime chaparral within the project area. With the addition of recommended mitigation measures, impacts to ESHA would be less than significant.

### **Biological Resources 4(c) – No Impact**

No riparian, wetland, or potentially jurisdictional features are present on the project site. The nearest riparian habitat occurs at Gibson Creek, approximately 900 feet (0.17 mile) to the southwest. Construction activities would be limited to the project site and would not impact nearby riparian habitat areas. No impact to riparian, wetland or potentially jurisdictional features would occur. (Source: XI.1, 3, 21, 22, 24)

### **Biological Resources 4(d) – Less Than Significant**

The site is situated on a ridgetop between Gibson Creek Canyon and San Jose Creek Canyon, within largely undeveloped land between three properties owned by the State (Point Lobos State Natural Reserve and Point Lobos Ranch properties). Wildlife movement corridors can be both large and small scale. Riparian corridors and waterways including the Gibson Creek watershed provide local-scale opportunities for wildlife movement. Ridgetops also act as corridors for wildlife movement, particularly for relatively disturbance tolerant species such as fox, coyote, raccoon, skunk, deer, and bobcat. Overall, this area represents important natural habitat for a wide range of species, and supports genetic connectivity and movement within undeveloped areas along much of the central coast of California. However, the project parcel itself is not a distinct or critical wildlife movement corridor as it is part of this larger region of natural habitat and does not, in and of itself, connect two or more distinct and isolated natural areas. Given the

relatively small size of the development envelope and surrounding open State Parks lands, no significant disruption of wildlife movement is expected as a result of the proposed project. (Source: XI.1, 3, 21, 22, 24)

#### **Biological Resources 4(e) – Less than Significant with Mitigation Incorporated**

The 2019 report (LIB190297) identified that Monterey pine trees will be removed as a result of the project. These trees were also evaluated in the Tree Assessment/Construction Impact Analysis/Management Plan (Tree Assessment) prepared by Frank Ono in October 2019 (LIB190295) and are identified on the project plans. Although Monterey pine is a special-status species, this impact was found to be less-than-significant as the individuals to be removed are naturalizing within the maritime chaparral habitat and removal would benefit this sensitive habitat. The 2020 Spring Survey prepared by DD&A (LIB200090) concurs with this conclusion, and no mitigation is recommended for this species.

None of the trees proposed for removal qualify as landmark trees under the Carmel Area LUP (Carmel Area CIP Section 20.146.060.D.1). However, CIP Section 20.146.060.D.6 requires trees of 12 inches or more diameter at breast height (DBH) be replaced on the parcel with the same species. Three Monterey pines proposed for removal are over 12 inches DBH and would require replacement. The Tree Assessment/Construction Impact Analysis/Management Plan prepared for the project provides numerous recommendations for tree replacement, tree protection, and ongoing monitoring (Frank Ono 2019; LIB190295). Recommendations stipulate measures that should be taken to protect tree roots from excessive damage during construction and pruning specifications for design and fire safety. Post-replacement recommendations include weekly watering for the first two months to promote establishment and seasonal watering for the following two years. Recommendations would be applied as conditions of approval and provide for successful tree replacement.

Three Gowen cypress trees were identified in the 2019 report and during the surveys in 2020. These trees are also identified in the Tree Assessment and on the project plans. No Gowen cypress trees will be removed as a part of this project. Implementation of vegetation and tree protection measures included in the Tree Assessment and 2019 Report will reduce potential impacts to Gowen cypress trees to a less-than-significant level. No further mitigation is recommended for this species.

Monterey ceanothus was identified within the intact vegetation immediately adjacent to the project site and small-leaved lomatium was identified throughout the mowed area during the 2020 surveys. Both of these species are CNPS California Rare Plant Rank (CRPR) 4 species. CRPR 4 species generally do not meet the definitions of Sections 2062 and 2067 of the California Endangered Species Act (CESA), and are not typically considered in environmental documents relating to CEQA. As such removal of these species as a result of the project would not constitute a significant impact under CEQA and no mitigation is recommended for these species. (Source: XI.1, 3, 21, 22, 23, 24)

#### **Biological Resources 4(f) – No Impact**

The project site is not included in an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact would occur. (Source: XI.1, 3, 21, 22, 24)

**Conclusion:**

Upon implementation of recommendations and mitigation measures, impacts to special status species, sensitive natural communities and trees at the project site would be less than significant. Therefore, impacts to biological resources would be reduced to a less than significant level with mitigation incorporated.

<b>5. CULTURAL RESOURCES</b>					
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.5.

<b>6. ENERGY</b>					
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.6.

7. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

Soil Surveys Group Inc. completed a Geotechnical and Percolation Investigation (LIB190296) for the project site to determine the suitability of the soils at the project site for the proposed project. Seven borings were drilled on August 28, 2019, and the boring logs, field observations, and field and laboratory test data were analyzed to determine the suitability of the site. According to the report, there are no unsuitable or unstable soil conditions that would preclude the construction of the proposed residence, and the site is suitable for the proposed buildings with incorporation of the recommendations made in the report (Source: IX.20).

### **Geology and Soils 7(a.i) – No Impact**

Surface rupture usually occurs along fault lines and there are no known faults that traverse the project site. Further, the potential for surface rupture or lurch cracking at the site is low (Source: IX.20). Therefore, there would be no impacts related to rupture of a known fault.

### **Geology and Soils 7(a.ii) – Less than Significant**

The project site is located in a seismically active area, with the nearest fault (unnamed) located 1.2 miles south-southwest of the project site (Source: IX.20). The severity of ground shaking during an earthquake depends upon a number of factors including earthquake magnitude, epicenter distance to site, local geologic conditions, and topographic setting. The proposed project would introduce one single-family residence to the site, which would incrementally increase the risk of loss, injury, or death. However, structures would be designed to meet the requirements of the 2019 CBC and its seismic design provisions. Pursuant to compliance with the CBC, the project would not expose people and structures to potential substantial adverse effects, including the risk of loss, injury, or death related to ground shaking. The project itself would not increase ground shaking hazards at adjacent properties. Therefore, impacts related to strong seismic ground shaking would be less than significant.

### **Geology and Soils 7(a.iii) – Less than Significant**

Liquefaction and lateral spreading tend to occur in loose, fine saturated sand and in places where the liquefied soils can move toward a free face (e.g., a cliff or ravine). The deeper soils underlying the project site are typically medium dense to very dense, silty, decomposed granitic sandy soils and no groundwater was encountered to the maximum explored depth of 30 feet. Considering the deeper dense, sandy soils and the absence of shallow groundwater, the potential risk for occurrence of damaging liquefaction or lateral spreading is low (Source: IX.20). Therefore, impacts related to seismic-related ground failure would be less than significant.

### **Geology and Soils 7(a.iv) – Less than Significant**

Data from the Monterey County Geographic Information System (GIS) indicates the project site is located within a zone that is designated as having a low potential for landslides (Source: IX.19). However, the proposed project does include development on slope areas exceeding 30 percent as the project is being developed atop Point Lobos Ridge and the topography of the parcel substantially limits available building area without encroaching into areas of steeper slope. As a result, the proposed project would be required to receive a Coastal Development Permit to allow development on slope exceeding 30 percent. To assure stability of the development, the project would be required to comply with Monterey County Code Section 20.64.230, which establish regulations, procedures and standards to consider development on slopes in excess of thirty percent. In addition, standard County Conditions of Approval would be applied to the project placing grading restrictions, requiring an erosion control plan and grading plan, as well as geotechnical certification, as needed. With the approval of the Coastal Development Permit and the standard County Conditions of Approval, impacts related to landslides would be less than significant.

### **Geology and Soils 7(b) – Less than Significant**

Project construction, particularly during site preparation, excavation, and grading, could result in erosion and loss of topsoil from the site. The project entails grading of approximately 1,910 cubic yards of cut and fill. The project would be required to comply with Monterey County Code Chapter 16.12, *Erosion Control* (Source: IX.14). This chapter sets forth required



provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions. In compliance with these measures, the project applicant has included Construction Management, Drainage, and Erosion Control notes into the Project Plans stating that the proposed project would conform with Monterey County Grading Ordinances and Erosion Control Ordinances and details measures proposed to minimize erosion during construction (Source: IX.1).

During operation, the project would not induce substantial erosion as the project would include design measures, such as retaining walls around the perimeter of the property, to minimize potential erosion impacts. However, near surface soil at the project site has the potential to erode, especially if protective vegetation is removed (Source: IX.20). To minimize these impacts the Geotechnical and Percolation Investigation details considerations and design parameters related to drainage and erosion. These recommendations include design criteria for a spread footing foundation system, retaining wall design criteria, and design criteria for concrete slabs-on-grade. The Geotechnical and Percolation Investigation also recommends controlling surface storm water runoff to provide positive drainage away from new and existing building foundations. The project would be required to implement these recommendations geotechnical certification that the recommendations outlined in the Geotechnical and Percolation Investigation have been incorporated into the approved project plans and implemented would be required. With adherence to existing Monterey County regulations and standard conditions of approval, impacts due to drainage and erosion would be less than significant.

#### **Geology and Soils 7(c) – Less than Significant**

As part of the Geotechnical and Percolation Investigation, Soil Surveys Group Inc. conducted soil boring to assess the composition and density of soils at the project site. Boring results indicate that loose soil exists near surface soil conditions. The project would involve the construction of one residence, which would require excavation and grading prior to the laying of a foundation. Loose soils at the project site could become unstable upon construction and may not be able to adequately support the proposed development.

As stated above, the project would be required to comply with the recommendations in the Geotechnical and Percolation Investigation. The Geotechnical and Percolation Investigation recommends a number of measures to minimize impacts due to unstable soils. These recommendations include that prior to preparation of the building pad, all loose soil within the proposed building pad area plus a minimum of five feet in all directions beyond the proposed building foundations shall be recompact as necessary to 90 percent relative compaction. A qualified geotechnical engineer shall determine the depth of re-compaction, if any, within the building perimeter after clearing, grubbing and basement excavation are completed. Sub-excavation and re-compaction would be extended under any proposed patios or other permanent flatwork. Further design feature recommendations include:

- Spread footings shall be constructed a minimum of 12 to 18 inches deep for any two-story portions of the proposed new building as measured from the lowest adjacent grade, and continuous non-retaining footings shall be reinforced with two #4 reinforcement bars placed near the bottom.
- All new concrete floor slabs-on-grade shall be a minimum of five inches thick and shall be reinforced with a minimum of #3 steel reinforcement bars at 16 inches on center or #4

steel reinforcement bars at 30 inches on center, each way and shall be bent to extend a minimum of eight inches into the perimeter footing.

- Roof and site rainwater should be directed away from the proposed building foundations. Rainfall runoff must not be allowed to collect or flow in a downslope direction against any building foundation.
- Soil Surveys Group, Inc. shall be retained to inspect and test the re-compaction of any loose native soil and new engineered fill within the building pad perimeters and shall inspect and approve foundation footing excavations for soil bearing conditions. Soil Surveys Group, Inc. shall also inspect and approve the subgrade below concrete floor slabs prior to placement of reinforcing steel and shall inspect and approve the installation of all roof and yard drainage facilities.

With incorporation of the recommendations outlined in the Geotechnical and Percolation Investigation and geotechnical certification, the proposed project would have a less than significant impact due to soil erosion or the loss of topsoil.

#### **Geology and Soils 7(d) – Less than Significant**

Expansive soils tend to swell with seasonal increases in soil moisture and shrink during the dry season as soil moisture decreases. Findings from the Geotechnical and Percolation Investigation indicate that soils from the surface to a depth of two feet at the project site are slightly expansive and that soils at 2 to 2.5 feet are non-expansive. Therefore, the project would not be located on expansive soils that would create a substantial direct or indirect risk to life or property. Impacts would be less than significant.

#### **Geology and Soils 7(e) – Less than Significant**

The project would include construction and installation of a 2,500 gallon underground septic tank and leach field. Percolation tests conducted at the site indicate acceptable percolation rates for septic system effluent per Monterey County Code Section 15.20.070. However, the Geotechnical and Percolation Investigation provides recommendations to address site suitability for a septic drain field system using shallow leaching fields, including that dual drain fields be installed with the initial drain field installation. The drain field branches need to be separated by a manual diversion valve which should be turned at least twice per year to alternate application of septic tank effluent to each drain field branch; switching effluent application and periodically resting each branch of the drain field extends the life of the system. As stated above, the proposed project would be required to adhere to all recommendations in the Geotechnical and Percolation Investigation. With implementation of the above recommendations, the proposed project would have a less than significant impact.

#### **Geology and Soils 7(f) – Less than Significant**

As discussed in Section IV.5, *Cultural Resources*, no known archeological resources are present at the project site.

#### **Conclusion:**

Adherence to existing regulations (e.g., CBC), and incorporation of all recommendations in the Geotechnical and Percolation Investigation would reduce impacts to a less than significant level.

<b>8. GREENHOUSE GAS EMISSIONS</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.8.

<b>9. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.9.

---

**10. HYDROLOGY AND WATER QUALITY**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<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 or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.10.

---

**11. LAND USE AND PLANNING**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## **Discussion/Conclusion/Mitigation:**

### **Land Use and Planning 11(a) – No Impact**

The project site is situated on Point Lobos Ridge with open space to the north, very low density residential and open space to the east and south, and open space and the Carmel Highlands neighborhood approximately one mile to the west. Construction of a single-family residence on the site would be consistent with and continue the existing very low density residential development pattern in the area, and would not cut off connected neighborhoods or land uses from each other. No new roads, linear infrastructure, or other development features are proposed that would divide an established community or limit movement, travel or social interaction between established land uses. Project construction would not physically divide an established community. No impact would occur. (Source: XI.1, 3)

### **Land Use and Planning 11(b) – Less than Significant with Mitigation Incorporated**

The proposed project would be subject to the policies and regulations of the Carmel Area LUP. Chapter 4 of the LUP contains policies that pertain to Land Use and Development in the unincorporated areas of the Carmel Highlands. Given that the project would involve construction of a single-family residence with attached garage and detached guesthouse, on a site that is zoned for such a use, the project would not conflict with land use policies specified in the LUP. Prior to implementation, the project would require issuance of construction permits and a Combined Development Permit from the County of Monterey.

Chapter 2.3 of the LUP also contains policies related to the protection of biological resources. With implementation of Mitigation Measures Nos. 1 through 3 contained in Section VI.4, *Biological Resources*, the project would not conflict with the LUP. Therefore, impacts related to conflicts with a land use plan would be less than significant with mitigation incorporated.

The project would also be required to conform to development regulations listed in the Monterey County Coastal Zoning Ordinance (Title 20), specifically Section 20.02.060 which requires consistency of development proposals with applicable LUP policies. If a development proposal is determined to be inconsistent with applicable policies, the County may make an exception finding pursuant to Section 20.02.060.B. An exception may be considered if it is found that the strict application of the area land use plan policies and development standards of this ordinance denies all reasonable use of the subject property, and must be based on the specific findings listed in the section. (Source: XI.1, 3, 21, 22, 24)

### **Conclusion:**

Implementation of Mitigation Measures Nos. 1 through 3 would reduce impacts related to land use and planning to a less than significant level.

<b>12. MINERAL RESOURCES</b>				
<b>Would the project:</b>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.12.

<b>13. NOISE</b>				
<b>Would the project result in:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.13.

<b>14. POPULATION AND HOUSING</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.14.

---

**15. PUBLIC SERVICES**

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

**Discussion/Conclusion/Mitigation:** See Sections II and IV.15.

---

**16. RECREATION**

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

**Discussion/Conclusion/Mitigation:** See Sections II and IV.16.

17. TRANSPORTATION/TRAFFIC				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.17.

18. TRIBAL CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Mitigation/Conclusion:** See Section IV.18.



<b>19. UTILITIES AND SERVICE SYSTEMS</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.19.

<b>20. WILDFIRE</b>				
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. WILDFIRE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project:</b>				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

While nearly all of California is subject to some degree of wildfire hazard, there are specific features that make certain areas more hazardous. CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather and other relevant factors (Source: IX.13). The primary factors that increase an area's susceptibility to fire hazards include topography and slope, vegetation type and vegetation condition, and weather and atmospheric conditions. CAL FIRE maps fire hazards based on zones, referred to as Fire Hazard Severity Zones. Each of the zones influence how people construct buildings and protect property to reduce risk associated with wildland fires. Under state regulations, areas within Very High Fire Hazard Severity Zones (VHFHSZ) must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas.

In California, responsibility for wildfire prevention and suppression is shared by federal, state and local agencies. Federal agencies have legal responsibility to prevent and suppress wildfires in Federal Responsibility Areas (FRAs). CAL FIRE prevents and suppresses wildfires in State Responsibility Area (SRA) lands, which are non-federal lands in unincorporated areas with watershed value, are of statewide interest, defined by land ownership, population density, and land use. Wildfire prevention and suppression in Local Responsibility Areas (LRA) are typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government.

### Wildfire 20(a) – No Impact

The proposed project would not impair an adopted emergency response plan or emergency evacuation plan as the proposed project does not occur along, or utilize, local roadways that are an identified evacuation route. The closest evacuation route to the proposed project site is Highway 1, over a mile away. The proposed project is not expected to impair evacuation procedures along this road due to its low traffic volumes and very low density land uses along Red Wolf Drive. The closest fire station is the Carmel Highlands Fire Protection District Station located at 73 Fern Canyon Road in Carmel. Further, the proposed project includes installation of an emergency vehicle turnaround. As a result, it is not anticipated that the proposed project would substantially impair an adopted emergency response plan or emergency evacuation plan, and would not result in impacts.

### Wildfire 20 (b) – Less Than Significant

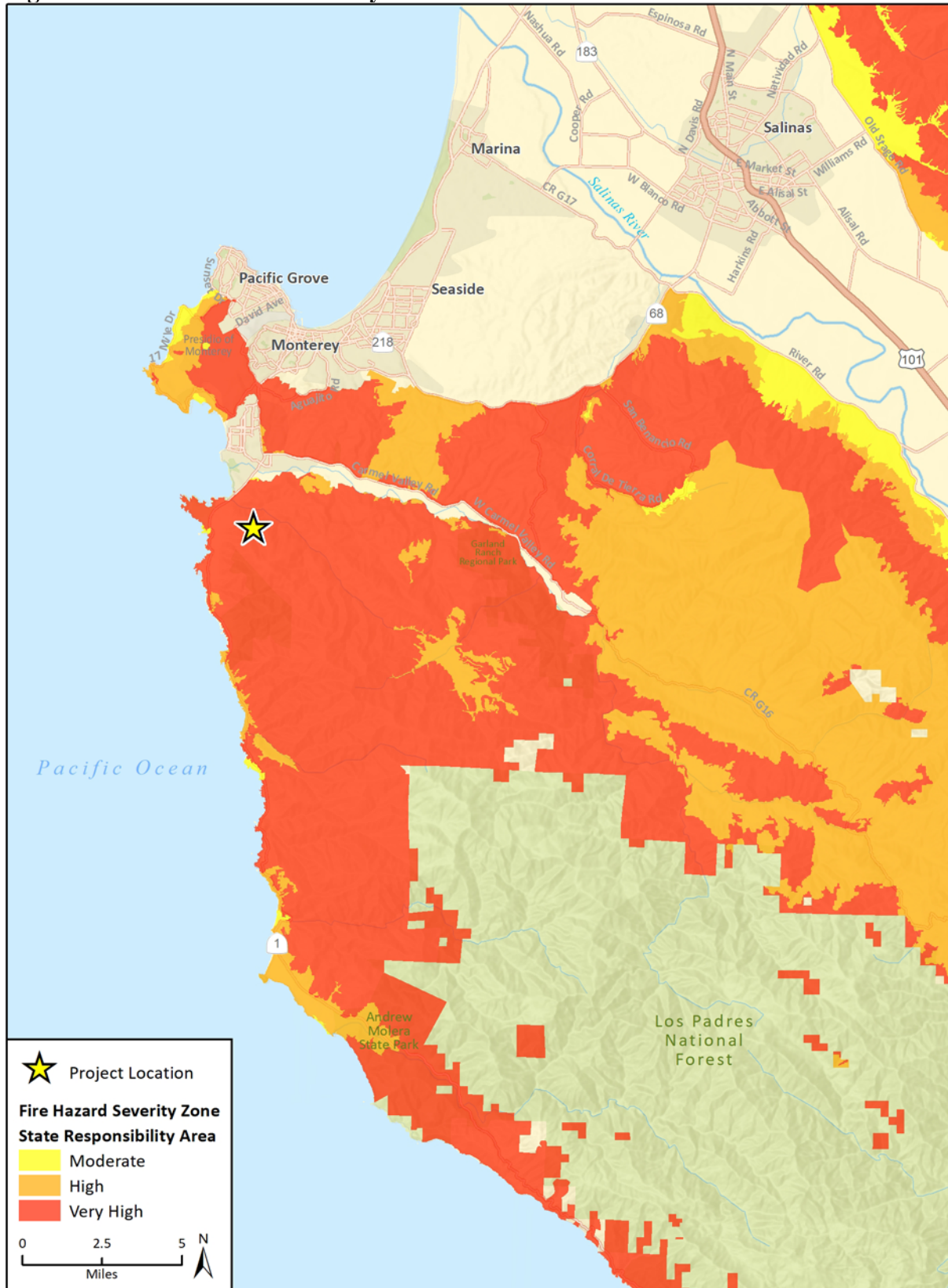
The project area is located in a SRA and is designated as a VHFHSZ (see Figure 7)(Source: IX.13). As a result, there is the potential for increased wildfire risk whenever placing residential

uses in a wildland area. Construction and operation of the proposed project would involve the use of flammable materials, tools, and equipment capable of generating a spark and igniting a wildfire. Additionally, increased vehicle traffic and human presence in the project area could increase the potential for wildfire ignitions. The proposed project incorporates measures that would minimize occupant exposure to wildfire risk, including:

- Installation of two 5,000-gallon underground water tanks;
- Construction according to the latest CBC, and any additional restrictions or requirements adopted locally by the Carmel Highlands Fire Protection District;
- Installation and maintenance of defensible space areas within 100 feet of all project structures, consistent with Public Resources Code 4291; and
- Installation of 12 foot-wide (minimum) on-site access road and fire truck turnaround.

Further, in accordance with California Public Resources Code Sections 4427, 4428, 4431, and 4442, maintenance activities associated with the proposed project, including defensible space areas, would be conducted using firesafe practices to minimize the potential for wildfire ignitions resulting from equipment use. Implementation of existing local and state regulations as well as incorporation of the fire protection design measures listed above, would reduce impacts due to risk of exposure to project occupants and surrounding residences to a less than significant level.

**Figure 7 Fire Hazard Severity Zones**



Imagery provided by Esri and its licensors © 2020.  
Additional data provided by CalFire, 2007.

Fig 6 Fire Hazard Severity Zones

### **Wildfire 20 (c) – Less Than Significant**

The project involves the installation and maintenance of multiple infrastructure components to support the proposed single-family residence. The following identifies proposed infrastructure and its contribution to wildfire risk:

- **Water Supply:** The on-site well and installation of two 5,000-gallon underground water tanks would provide the necessary supply, including back-up supply, for fire suppression. Ongoing and regular maintenance of the well, as required by California Well Standards and Monterey County Code Chapter 15.08, would reduce potential wildfire impact to less than significant.
- **Wastewater Management:** The 2,500-gallon underground septic tank and leach field would not result in additional temporary or permanent impacts. Further, any maintenance of this area would be conducted using firesafe practices, as required by California Public Resources Code Sections 4427, 4428, 4431, and 4442, to minimize the potential for wildfire ignitions resulting from equipment use.
- **Photovoltaic System:** The 2,000 square feet ground-mounted solar panels would be installed to existing code standards and as a result, would not exacerbate wildfire risk.
- **Defensible Space:** Defensible space would be required within 100 feet of the project's structures to reduce fire hazard on-site, consistent with state and county requirements. Defensible space zones are passive measures and would not impede site access or otherwise hinder evacuation or emergency response efforts. Presence of defensible space areas would reduce fuel volumes and moderate fire behavior near structures, and would reduce potential wildfire impacts. Maintenance of defensible space areas may require heat-or spark-generating equipment; however, maintenance activities associated with the proposed project would be conducted using firesafe practices, as required by California Public Resources Code Sections 4427, 4428, 4431, and 4442, to minimize the potential for wildfire ignitions resulting from equipment use.

With implementation of existing local and state regulations, wildfire impacts resulting from installation and maintenance of project-related infrastructure would be less than significant.

### **Wildfire 20 (d) – Less Than Significant**

Wildfires can greatly reduce the amount of vegetation. Plant roots stabilize the soil and above-ground plant parts slow water, allowing it to percolate into the soil. Removal of surface vegetation resulting from a wildfire on a hillside reduces the ability of the soil surface to absorb rainwater and can allow for increased runoff that may lead to large amounts of erosion or landslides. As described in Section VI.7, *Geology and Soils*, the project site includes development on slopes exceeding 30 percent; however, as indicated in the Geotechnical and Percolation Investigation, the project site has a low potential for erosion and landslides. Nevertheless, due to the steep slope, it is expected that potential for erosion and landslides could be exacerbated post-wildfire where surface vegetation has been removed. The project would be required to be built to the standards outlined in the soils report as well as to the standards outlined in the project's Erosion Control and Construction Management Notes contained in the project Plan Set to minimize potential runoff or slope instability. Further, the project would be required to comply with relevant sections of the Monterey County Code that pertain to grading and erosion control (Monterey County Code Chapters 16.0 and 16.12). When combined with the project design and County permitting requirements, potential impacts associated with runoff, post-fire slope instability or drainage changes would be less than significant.

## VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

### Discussion/Conclusion/Mitigation:

#### **Mandatory Findings of Significance (a) – Less Than Significant with Mitigation Incorporated**

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. Regarding biological resources, impacts to special status species and sensitive natural communities would be less than significant with mitigation, as stated in Section VI.4, *Biological Resources*. All recommendations provided by the Supplemental Biological Assessment and Tree Assessment would be applied as conditions of approval. Upon compliance with recommendations, impacts to special status species, sensitive natural communities and trees at the project site would be less than significant with implementation of Mitigation Measure Nos. 1 through 3. These measures would be applied to reduce impacts to a less than significant level.

#### **Mandatory Findings of Significance (b) – No Impact**

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. The project would not result in substantial long-term environmental impacts and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development. Potential impacts of the project would not be cumulatively considerable.

### **Mandatory Findings of Significance (c) – Less Than Significant Impact**

Effects on human beings are generally associated with impacts related to issue areas such as air quality, geology and soils, noise, traffic safety, and hazards. As discussed in this Initial Study, the project would have no impact or result in a less than significant impact in each of these resource areas. As discussed in Section IV.A, *Factors*, the project would have no impact on air quality, hazards and hazardous materials, noise and transportation. As discussed in Section VI.7, *Geology and Soils*, the project would be required to comply with recommendations from the Geotechnical and Percolation Investigation prepared for the project site which would reduce potential impacts to a less than significant level. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant.

## ***VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES***

### **Assessment of Fee:**

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

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

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

**Conclusion:** The project will be required to pay the fee unless a “no effect” determination can be obtained from the California Department of Fish and Wildlife.

**Evidence:** Based on the record as a whole as embodied in the RMA-Planning files pertaining to PLN190276 and the attached Initial Study/Proposed Mitigated Negative Declaration.



## ***IX. REFERENCES***

1. Project Application and Plans (RMA Planning File No. PLN190276)
2. Monterey County General Plan (1982)
3. Carmel Area Land Use Plan
4. California Important Farmland Finder, California Department of Conservation
5. Williamson Act Reports and Statistics, California Department of Conservation
6. 2012-2015 Air Quality Management Plan, Monterey Bay Air Resources District
7. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District
8. California Building Code, Title 24
9. Monterey County Climate Action Plan
10. 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy, Association of Monterey Bay Area Governments
11. EnviroStor, California Department of Toxic Substances Control
12. GeoTracker, California State Water Resources Control Board
13. Fire Hazard Severity Zones in SRA: Monterey County, CalFire
14. Monterey County Code of Ordinances
15. Mineral Lands Classification Data Portal, California Department of Conservation
16. E-5 Population and Housing Estimates for Cities, Counties, and the State, California Department of Finance
17. Monterey County Scenic Highway Corridors and Visual Sensitivity
18. Cultural Resources Assessment, Dudek (LIB190294)
19. Monterey County GIS
20. Geotechnical and Percolation Investigation, Soil Surveys Group, Inc. (LIB190296)
21. Supplemental Biological Assessment, Fred Ballerini Horticultural Services (LIB190297)
22. Revised Biological Report, Jud Vandevere Biological Consultant (LIB070191)
23. Tree Assessment/Construction Impact Analysis/Management Plan Auerbach Residence, Frank Ono (LIB190295)
24. Spring Survey Supplemental Report, Denise Duffy & Associates, Inc. (LIB200090)

This page intentionally left blank