

Exhibit F

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EXHIBIT F

COUNTY RESPONSES TO CEQA COMMENTS

The responses below correspond to the comments received in the comment letters/emails. Each response begins with a brief summary of the comment, responds to the comment, and then identifies if revisions to the Draft Initial Study are required. In this case, no revisions to the draft Initial Study are required. The Final Initial Study/Mitigated Negative Declaration is attached as **Exhibit D** and the comments are attached as **Exhibit E** to the March 10, 2021, staff report to the Monterey County Planning Commission.

In responding to comments, CEQA does not require a Lead Agency to conduct every test or perform all research, study or experimentation recommended or demanded by a commenter. Rather, a Lead Agency need only respond to significant environmental issues and does not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure of environmental impacts is made in the Initial Study (CEQA Guideline Sections 15073 and 15204).

County staff provided copies of all submitted CEQA comments to the applicant. Additionally, pursuant to CEQA Guidelines Section 15073(e), the County provided notice of the public hearing to those public agencies that submitted comments on the draft Initial Study and Mitigated Negative Declaration.

Response to Comment Letter (Email) 1 – California Department of Parks and Recreation (State Parks)

The commenter, in general, discusses future development of the Point Lobos Ranch property, and restrictions or limitations on use of adjacent State Parks' lands to the north of the subject project parcel. The comments are not about the adequacy of the Initial Study or the CEQA process, do not alter the conclusions in the draft Initial Study, and no revisions to the draft Initial Study are necessary in response to the comments.

Responses to Comment Letter (Email) 2 – Studio Schicketanz (Project Agent)

The commenter submitted comments regarding the conversion of the test well to a permanent domestic well, and the number of stories or levels in the proposed residence.

Regarding the test well, the agent presumed that the site's water system is fully functional and does not require any further entitlement. However, the permit granted by the County in 2007 only authorized development of a test well (Planning File No. PLN060540; Chief of Planning Resolution No. 060540, which authorized the construction and use of the well for testing). Subsequent conversion to a permanent domestic well would be authorized in conjunction with the granting of a permit for structural development and/or use of the property. This process sequence is consistent with applicable policies, development regulations, and past County practice.

Per the project plans submitted to the County, the proposed residence would have a lower level (garage, entry lobby, storage, and elevator/mechanical area), main level (primary living area; including kitchen, bedrooms, and bathrooms), and upper level (small observation room). Although the upper level only comprises 144 square feet in area, it constitutes a third level as analyzed in the Draft Initial Study. The main level is the only full level or story, while the lower and upper levels comprise only partial stories.

The comments do not alter the conclusions in the draft Initial Study, and no revisions to the draft Initial Study are necessary in response to the comments.

Response to Comment Letter 3 – Tribal Representative for the Ohlone/Costanoan-Esselen Nation (OCEN)

The commenter submitted comments objecting to the County's description of the tribal consultation in the draft Initial Study/Mitigated Negative Declaration.

Pursuant to Public Resources Code Section 21080.3.1 et seq., Monterey County HCD–Planning staff 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 OCEN. During this consultation and review of the project, the OCEN representative did not request tribal monitoring of the site during construction. Subsequent to the consultation, the OCEN representative submitted a letter to County staff objecting to all excavation in known cultural lands.

Based on the tribal consultation and the results of the archaeological report prepared for the project, County staff determined that there is no specific evidence presented alongside the negative archaeological report to show that this site in particular contains significant cultural resources that would warrant the requirement for an on-site tribal monitor during construction. Additionally, the archaeological consultant submitted a search request to the Native American Heritage Commission (NAHC) of California, and the NAHC reported negative results for Native American traditional cultural place(s) documented within the search request area.

The comments do not alter the conclusions in the draft Initial Study, and no revisions to the draft Initial Study are necessary in response to the comments.

Response to Comment Letter 4 – California Department of Fish and Wildlife (CDFW)

The CDFW letter, in general, discusses the sensitive biotic resources that could be present on the project site and be potentially impacted by the construction of the proposed residential project; however, the CDFW letter does not provide evidence to support specific references or assertions of presence of sensitive resources on the project site.

The proposed project site (a large, sloped lot, comprised primarily of Central Maritime Chaparral and Monterey pine forest habitat) is situated on a ridgetop between Gibson Creek Canyon and San Jose Creek Canyon, within largely undeveloped land. Overall, this area provides natural habitat for a wide range of species, and supports genetic connectivity and movement within undeveloped areas along 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.

Clearing of the understory within the development envelope has already occurred (i.e., the after-the-fact Coastal Development Permit to allow vegetation removal within the footprint area of proposed development), resulting in the removal of 1.61 acres of maritime chaparral. An additional 0.60 acre of maritime chaparral is proposed for trimming to meet the required fuel modification standards, bringing the total area 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.

The biological reports (LIB070191, Jud Vandevere; LIB190297, Fred Ballerini Horticultural Services; and LIB200090, Denise Duffy & Associates, Inc.) prepared for the project site analyzed potential impacts to plants, habitats, and wildlife, and recommended mitigation measures to avoid or reduce/minimize impacts to biological resources existing on the parcel.

As recommended in previous and similar CDFW comment letters, the commenter requests surveys to establish a baseline for resources. Yet, CDFW provides no evidence that additional surveys would alter the conclusion(s) of the draft Initial Study, nor does CEQA require exhaustive surveys. Also, CEQA does not require a Lead Agency to conduct every test or perform all research or study recommended or demanded by a commenter.

Comment 1 (Western Bumble Bee)

The commenter states that without appropriate avoidance and minimization measures for Western Bumble Bee (WBB), potentially significant impacts of construction could result in direct mortality. The commenter recommends implementation of two mitigation measures to conduct a focused survey for WBB, and to implement avoidance of all small mammal burrows and thatched/bunch grass areas. However, the commenter provided no evidence to support the claim that WBB may be present. The commenter also makes general references to the WBB habitat range; however, none of the comments are directly attributable to the proposed project site.

The biological reports prepared for the project (reports listed above) 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. The reports and assessments included site surveys on multiple dates. Other than those listed above, no special-status species was identified as potentially impacted by the proposed project. The draft Initial Study analyzed potential biological impacts, and concluded that the project (including construction activities) would have less than significant impacts with incorporation of mitigation measures to require the preparation and implementation of a restoration plan, implementation of sediment control procedures, and a pre-construction survey for dusky-footed woodrat. CEQA does not require exhaustive surveys, and the draft Initial Study provides an adequate, complete, and good-faith effort at full disclosure. Therefore, no revisions to the draft Initial Study are necessary in response to this comment.

Comment 2 (Western Pond Turtle)

The commenter states that the Western pond turtle (WPT) may be present on the project site due to the sites' proximity to Gibson Creek, and that without appropriate avoidance and minimization measures for WPT the project could result in potentially significant impacts. The commenter recommends implementation of two mitigation measures to conduct a focused survey for WPT, and to allow relocation of any WPT discovered on site prior to construction activities. However, the commenter provided no evidence to support the claim that WPT may be present on the site other than vague and general references to WPT habitat, none of which is directly attributable to the proposed project site.

Gibson Creek is over 900 feet from the project site, there are no ponds on the property or within the proposed development area, and the intervening terrain between Gibson Creek and the property is very steep. Given the limited value of WPT habitat in the vicinity of the proposed project, it is unlikely that additional surveys would provide useful data, or that individual WPT would be found on the site. The facts in this case do not warrant the requirement for WPT mitigation measures. Again, CEQA does not require exhaustive surveys, and the draft Initial

Study provides an adequate, complete, and good-faith effort at full disclosure. No revisions to the draft Initial Study are necessary in response to this comment.

Comment 3 (Editorial Comments)

The commenter suggests that project implementation occur during the bird non-nesting season, and reminded the applicant of their responsibility for ensuring that implementation of the project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes. Additionally, the commenter recommends a pre-activity survey for active nests in the project area, and monitoring to detect behavioral changes.

Comments noted. The comments are not about the adequacy of the draft Initial Study or the CEQA process. These comments do not alter the conclusions in the draft Initial Study, and no revisions to the draft Initial Study are necessary in response to these comments.

///// END OF RESPONSES TO CEQA COMMENTS /////