Exhibit C

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County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED
MAY 07 2025
XOCHITL MARINA CAMACHO
MONTEREY COUNTY CLERK
DEPUTY

Project Titles:	Boccone Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation
File Numbers:	PLN220229 & PLN240187
Owners:	Norman Boccone & Victoria Igel & Elkhorn Slough Foundation
Project Location:	827 Elkhorn Road & 695 Elkhorn Road & third adjacent parcel without an address, Royal Oaks
Primary APNs:	181-151-009-000 (Primary, Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C)
Project Planner:	Mary Israel
Permit Type:	Combined Development Permit
Project Descriptions:	Combined Development Permit including 1) Coastal Administrative Permit for construction of a split-level two-story 2,676 square foot (sq. ft.) single family dwelling with attached 516 sq. ft. carport, 240 sq. ft. covered porch and an approximately 470 sq. ft. deck, 2) Coastal Administrative Permit for construction of a detached 414 sq. ft. guesthouse with a 133 sq. ft. covered porch and attached 507 sq. ft. workshop and approx. 415 sq. ft. garage; 3) Coastal Development Permit for removal of up to 20 Coast Live Oak trees (one classified as a landmark tree); and 4) Coastal Development Permit for development within 100 feet of ESHA (Pajaro manzanita/oak woodland). Project includes new driveway extension (approximately 4,620 sq. ft. paved and 2885 pervious pavers), new septic system, tie into existing water well system and solar power and energy storage system. The property is located at 827 Elkhorn Road, Royal Oaks (Assessor's Parcel Number 181-151-009-000), North County Land Use Plan, Coastal Zone. Coastal Development Permit to allow a Lot Line Adjustment between three (3) legal lots of record. Parcel A (Assessor's Parcel Number 181-151-009-000, 18.17 acres) will gain 0.48 acres from Parcel C (Assessor's Parcel Number 181-151-008-000, 4.7 acres) and donate 1.03 acres to Parcel C. Parcel B (Assessor's Parcel Number 181-011-022-000, 286 acres) will gain 4.09 acres from Parcel A (Assessor's Parcel Number 181-151-009-000). The resulting adjusted Parcel A, B, C shall be 13.53 acres, 290.14 acres, and 5.13 acres, respectively. The properties are located at 827 and 695 Elkhorn Road, Royal Oaks, North County Land Use Plan, Coastal Zone.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

a) That said project will not have the potential to significantly degrade the quality of the environment.

b) That said project will have no significant impact on long-term environmental goals.

c) That said project will have no significant cumulative effect upon the environment.

d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	May 7, 2025
Review Period Ends:	June 6, 2025

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

COUNTY OF MONTEREY

HOUSING AND COMMUNITY DEVELOPMENT

Planning – Building – Housing
1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527
(831) 755-5025

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DELCARATION
MONTEREY COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that Monterey County Housing & Community Development has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit and a related Coastal Development Permit for Lot Line Adjustment (PLN220229, PLN240187) at 827 Elkhorn Road and 695 Elkhorn Road and a third adjacent parcel without an address in Royal Oaks (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Housing & Community Development – Planning, 1441 Schilling Pl South 2nd Floor, Salinas, California, and the Monterey County Free Libraries Castroville Branch. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link: https://www.countyofmonterey.gov/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/recent-environmental-documents .

The Planning Commission is tentatively expected to consider this proposal at a meeting on June 25, 2025 at 9:00 a.m. in the Monterey County Board of Supervisors Chambers, Government Center, 168 West Alisal Street, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from May 7, 2025 to June 6, 2025. Comments can also be made during the public hearing.

Project Description: Combined Development Permit including 1) Coastal Administrative Permit for construction of a split-level two-story 2,676 square foot (sq. ft.) single family dwelling with attached 516 sq. ft. carport, 240 sq. ft. covered porch and an approximately 470 sq. ft. deck, 2) Coastal Administrative Permit for construction of a detached 414 sq. ft. guesthouse with a 133 sq. ft. covered porch and attached 507 sq. ft. workshop and approx. 415 sq. ft. garage; 3) Coastal Development Permit for removal of up to 20 Coast Live Oak trees (one classified as a landmark tree); and 4) Coastal Development Permit for development within 100 feet of ESHA (Pajaro manzanita/oak woodland). Project includes new driveway extension (approx. 4,620 sq. ft. paved and 2885 pervious pavers), new septic system, tie into existing water well system and solar power and energy storage system. The property is located at 827 Elkhorn Road, Royal Oaks (Assessor's Parcel Number 181-151-009-000), North County Land Use Plan, Coastal Zone.

Coastal Development Permit to allow a Lot Line Adjustment between three (3) legal lots of record. Parcel A (Assessor's Parcel Number 181-151-009-000, 18.17 acres) will gain 0.48 acres from Parcel C (Assessor's Parcel Number 181-151-008-000, 4.7 acres) and donate 1.03 acres to Parcel C. Parcel B (Assessor's Parcel Number 181-011-022-000, 286 acres) will gain 4.09 acres from Parcel A (Assessor's Parcel Number 181-151-009-000). The resulting adjusted Parcel A, B, C shall be 13.53 acres, 290.14 acres, and 5.13 acres, respectively. The properties are located at 827 and 695 Elkhorn Road, Royal Oaks, North County Land Use Plan, Coastal Zone.

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

CEQAcomments@countyofmonterey.gov

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Agency to ensure the Agency has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at **(831) 757-9516**. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Agency to confirm that the entire document was received.

For reviewing agencies: Housing & Community Development requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Agency if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey
Housing & Community Development
Attn: Mary Israel, Supervising Planner
1441 Schilling Pl South 2nd Floor
Salinas, CA 93901

Re: Boccone, Norman B & Victoria E Igel CO-TRS and Elkhorn Slough Foundation;
File Numbers PLN220229 & PLN240187

From: Agency Name: _____

Contact Person: _____

Phone Number: _____

___ No Comments provided

___ Comments noted below

___ Comments provided in separate letter

COMMENTS: _____

_____

_____

DISTRIBUTION

1. State Clearinghouse (1 copy of the Executive Summary & Notice of Completion)
2. County Clerk's Office
3. CalTrans District 5 (San Luis Obispo office)
4. Association of Monterey Bay Area Governments
5. Monterey Bay Air Resources District
6. California Department of Fish & Wildlife, Region 4, Renee Robison
7. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esselen Nation
8. California American Water Company
9. North County Fire Protection District
10. Monterey County Agricultural Commissioner
11. Monterey County Water Resources Agency
12. Monterey County HCD-Engineering Services
13. Monterey County HCD-Environmental Services
14. Monterey County Public Works, Facilities & Parks
15. Monterey County Environmental Health Bureau
16. Monterey County Sheriff's Office
17. Monterey County Free Libraries Castroville Branch
18. Boccone, Norman B & Victoria E Igel CO-TRS, Owner
19. Elkhorn Slough Foundation
20. Carol Riewe, Agent
21. Molly Erickson on behalf of FANS & The Open Monterey Project
22. LandWatch Monterey County
23. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

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34. Mimi Sheridan (mimisheridan@msn.com)
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36. Michael Lozeau C/O Lozeau Drury LLP (michael@lozeaudrury.com)
37. Juliana Lopez C/O Lozeau Drury LLP (juliana@lozeaudrury.com)
38. California Department of Fish & Wildlife, Marine Region (r7ceqa@wildlife.ca.gov)
39. Margie Kay (margie17k@aol.com)

MONTEREY COUNTY
HOUSING & COMMUNITY DEVELOPMENT
1441 SCHILLING PL SOUTH 2nd FLOOR, SALINAS, CA 93901
PHONE: (831) 755-5025/FAX: (831) 757-9516

INITIAL STUDY

BACKGROUND INFORMATION

Project Title:	Boccone, Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation
File Numbers:	PLN220229 & PLN240187
Project Location:	827 Elkhorn Road & 695 Elkhorn Road and a third adjacent parcel without an address, Royal Oaks
Name of Property Owners:	Norman Boccone & Victoria Igel Co-Trs & Elkhorn Slough Foundation
Name of Applicant:	Norman Boccone & Victoria Igel
Assessor's Parcel Number(s):	181-151-009-000 (Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C)
Acreage of Property:	18.14 (Parcel A), 286 (Parcel B) and 4.7 (Parcel C)
General Plan Designation:	Residential - Rural Density
Zoning District:	Rural Density Residential ("RDR")/10(CZ), RDR/40(CZ), RDR/5(CZ)
Lead Agency:	County of Monterey
Prepared By:	Mary Israel with administrative draft by Denise Duffy & Associates, Inc.
Date Prepared:	April 2025
Contact Person:	Mary Israel, Supervising Planner
Phone Number:	(831) 755-5183

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

This Project includes a Lot Line Adjustment (LLA) and construction on one of the parcels of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site wastewater treatment system.

The LLA portion of the Project (totaling 308.80 acres for all three parcels) grants 5.12 acres from Parcel A (owned by applicants Boccone & Igel, the single-family dwelling construction site) to Parcel B, owned by the Elkhorn Slough Foundation. Parcel A will gain 0.48 acres from Parcel C, also owned by the Elkhorn Slough Foundation, so that a private drive can be constructed with less required grading or impact to the site's tree resources. Parcel C will also gain 1.03 acres from Parcel A, so that the resulting parcel is consistent with the Title 20 zoning district's size requirement (Rural Density Residential).

The residential development portion of the Project proposes development within 100 feet ("ft") of Environmental Sensitive Habitat Areas ("ESHA") and removal of up to 20 Coast live oak trees (*Quercus agrifolia*).

This Initial Study/Mitigated Negative Declaration ("IS/MND") describes and identifies the environmental impacts associated with the Project based on existing data, Applicant-provided site plans and technical reports. This IS/MND identifies mitigation to address the impacts resulting from project construction.

A. Description of Project:

Introduction

Construction and a Lot Line Adjustment:

Construction: The Project includes construction of a single-family residence and associated infrastructure at 827 Elkhorn Road, Royal Oaks, California, APN 181-151-009-000 (**Figure 1. Regional Map** and **Figure 2. Vicinity Map for PLN220229)**. Project construction includes:

1. a split level, two-story 2,676 square foot ("sf") single family dwelling with a 516-sf attached carport and 471-sf deck;

2. a 414-sf detached guesthouse with a 133-sf covered porch, attached 507-sf workshop and 415-sf garage (**Figure 3a. Site Plan Parcel, Figure 3b. Site Plan Detail and Figure 3c. Site Plan Wastewater)**.

3. Removal of up to 20 Coast live oak trees construction within 100 ft of an ESHA consisting of Pajaro manzanita and oak woodland (PLN220229).[1]

Lot Line Adjustment: The Project also includes a Lot Line Adjustment (LLA) between three (3) legal lots of record - APNs 181-151-008, 181-011-022 and 181-151-009 (PLN240187). The LLA allows the Project to locate the private driveway in a location that minimizes grading and impacts to Parcel A's tree resources: The LLA (**Figure 4**) between these three legal lots of record is proposes as followed:

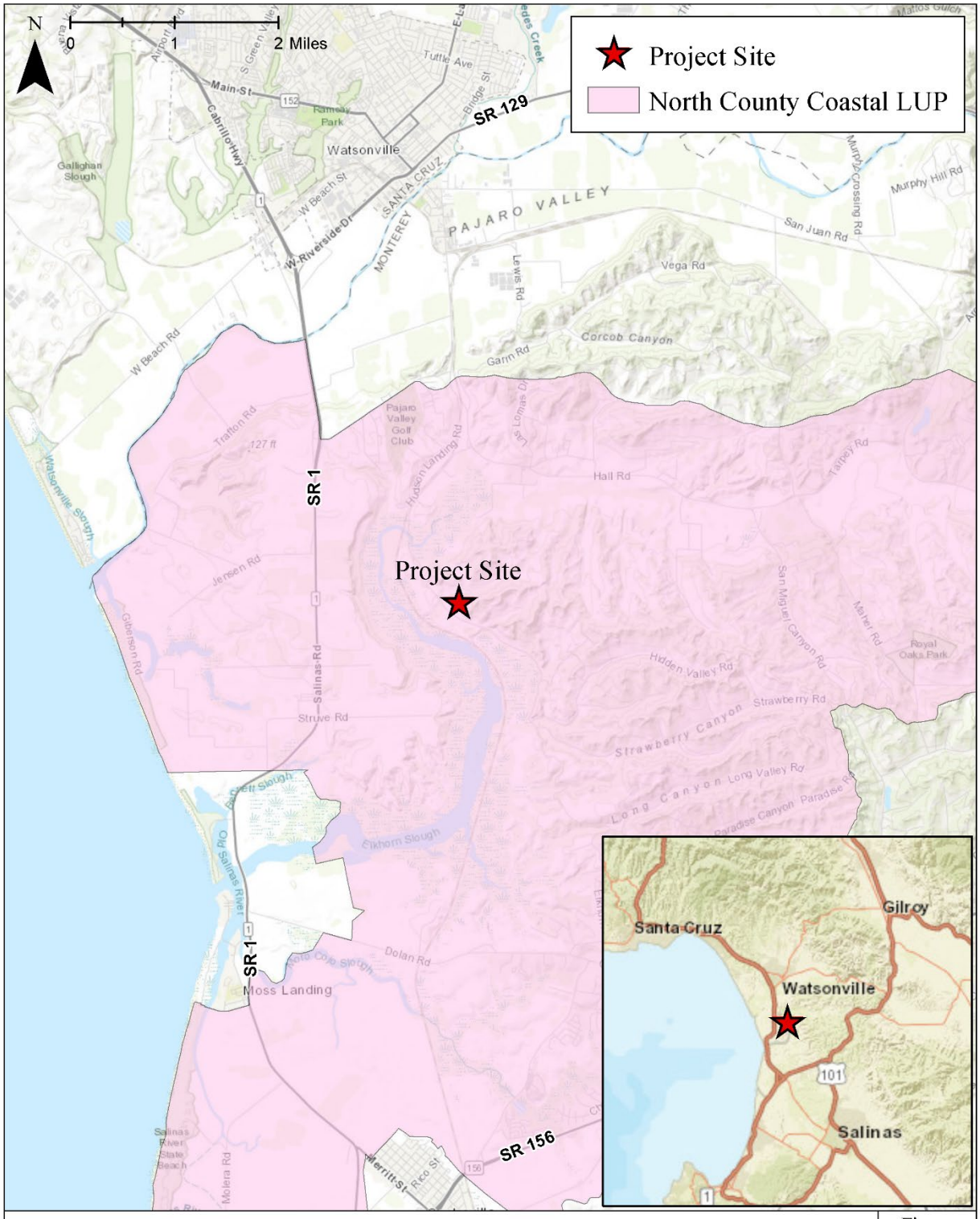
[1] During construction of the single family dwelling unit, a temporary residential trailer will be located onsite. See **Figure 3b Site Plan Detail.**

Parcel A, currently 18.17 acres in size, (181-151-009-000) will gain 0.48 acres from Parcel C (181-151-008-000) and donate 1.03 acres to Parcel C; in sum will be adjusted to 13.53 acres.

Parcel B, currently 286.05 acres in size, (181-011-022-000) will be adjusted to 290.14 acres.

Parcel C, currently 4.58 acres in size (181-151-008-000), will lose 0.48 acre from the southwestern corner to Parcel A and will gain 1.03 acre from Parcel A, adding to the northwest corner. In sum, Parcel C will be adjusted to 5.13 acres.

The LLA will not result in any direct or indirect physical impacts to the environment and therefore is not evaluated in detail in this IS/MND. No resulting lot will be of a size or shape that is inconsistent with the Title 20 zoning district. Title 20 section 20.16.060.A Site Development Standards, minimum building site requires the minimum building site to be 5 acres. After LLA, Parcel A would include the private driveway connection a shared private driveway, construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, solar energy system, water storage tanks and on-site wastewater treatment system. Because the potential direct and indirect impacts to the environment result from the residential development involved in PLN220229, Parcel A, where mitigation responsibilities are described, “Applicant” and “Applicant/Owner” refers to applicants Boccone & Igel.

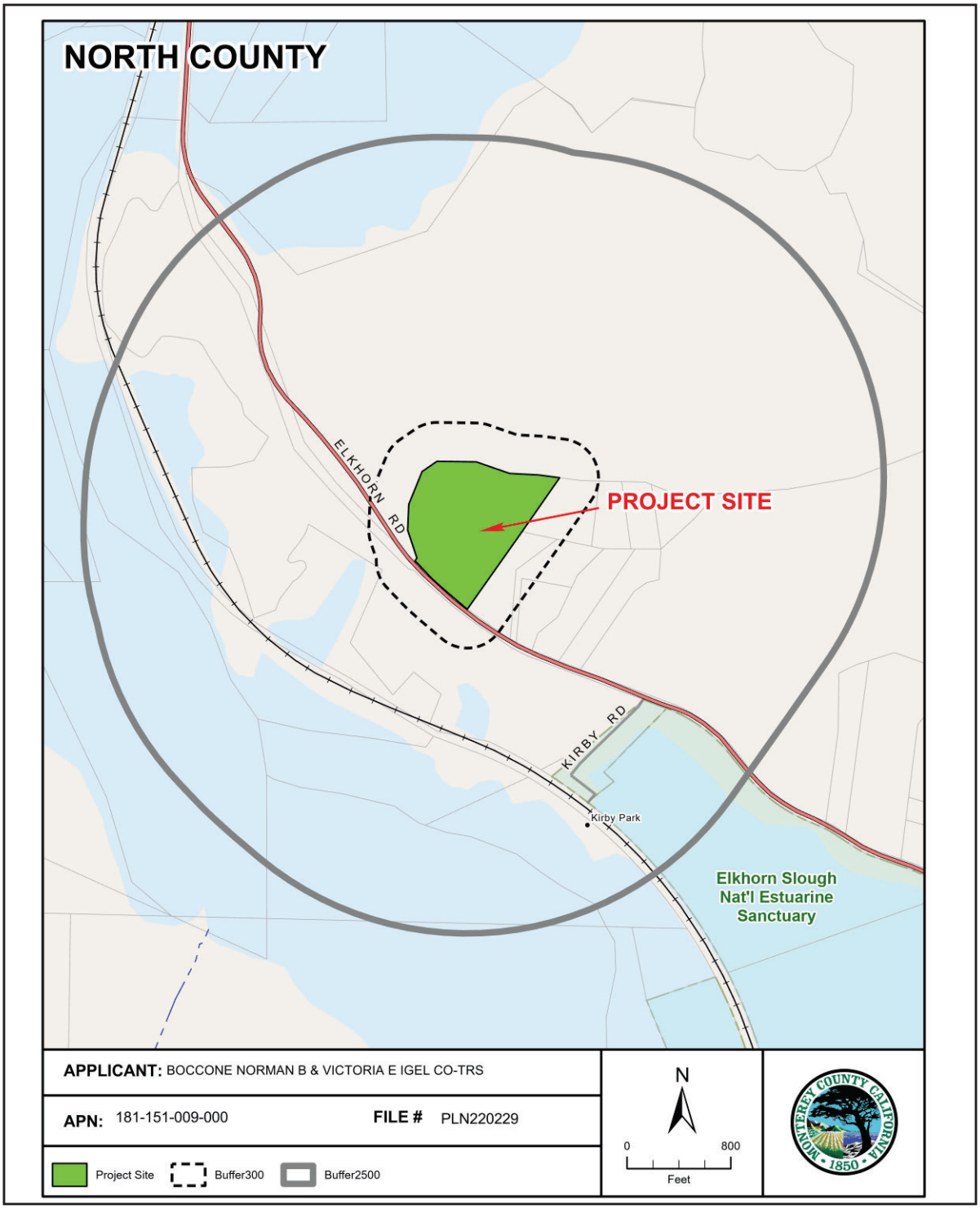


Regional Map

Source: County of Monterey

Figure 1

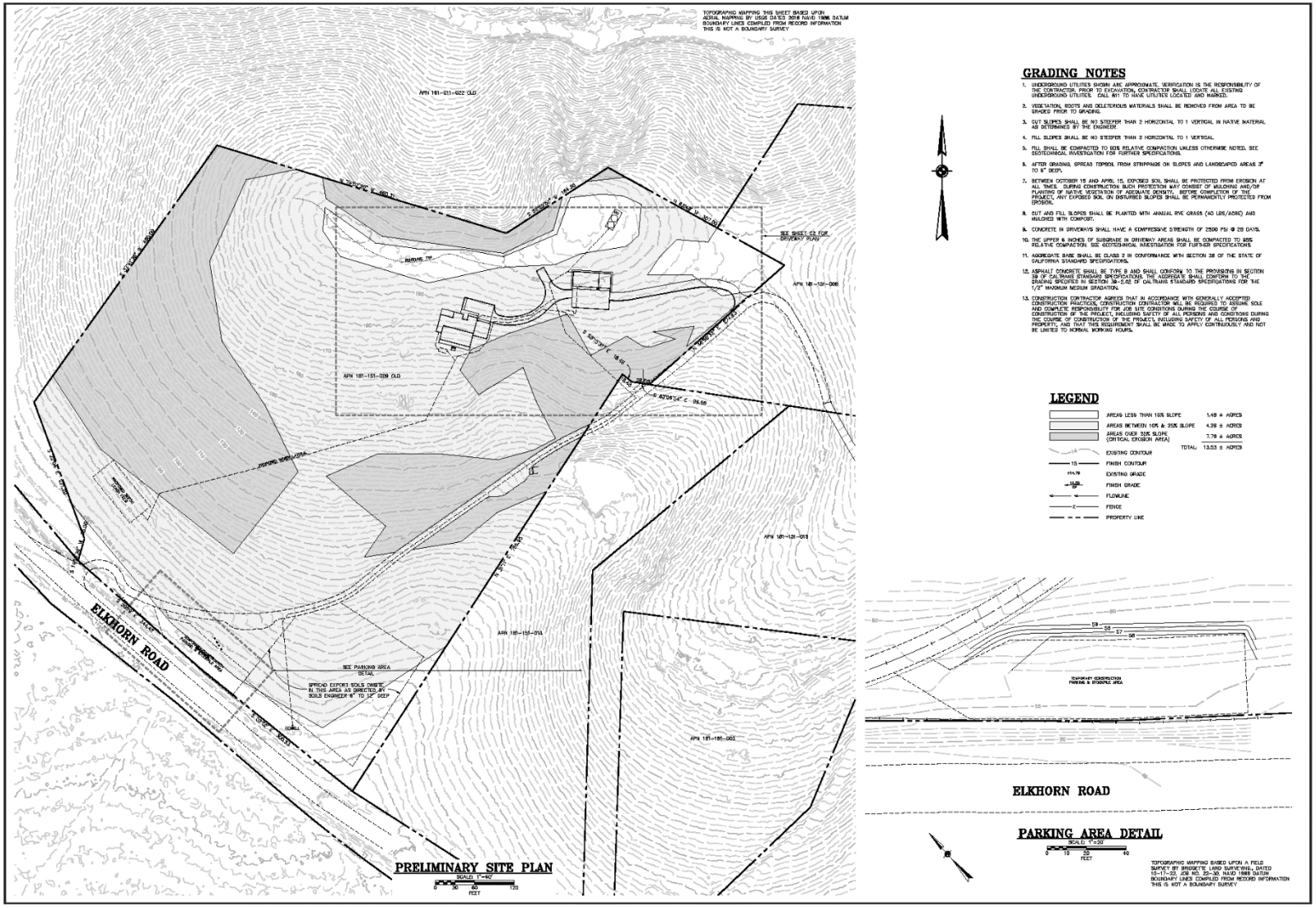
Path: C:\GIS\GIS Projects\2025-03 Boccone Project\Final Products\Regional Map.mxd



Vicinity Map

Source: County of Monterey

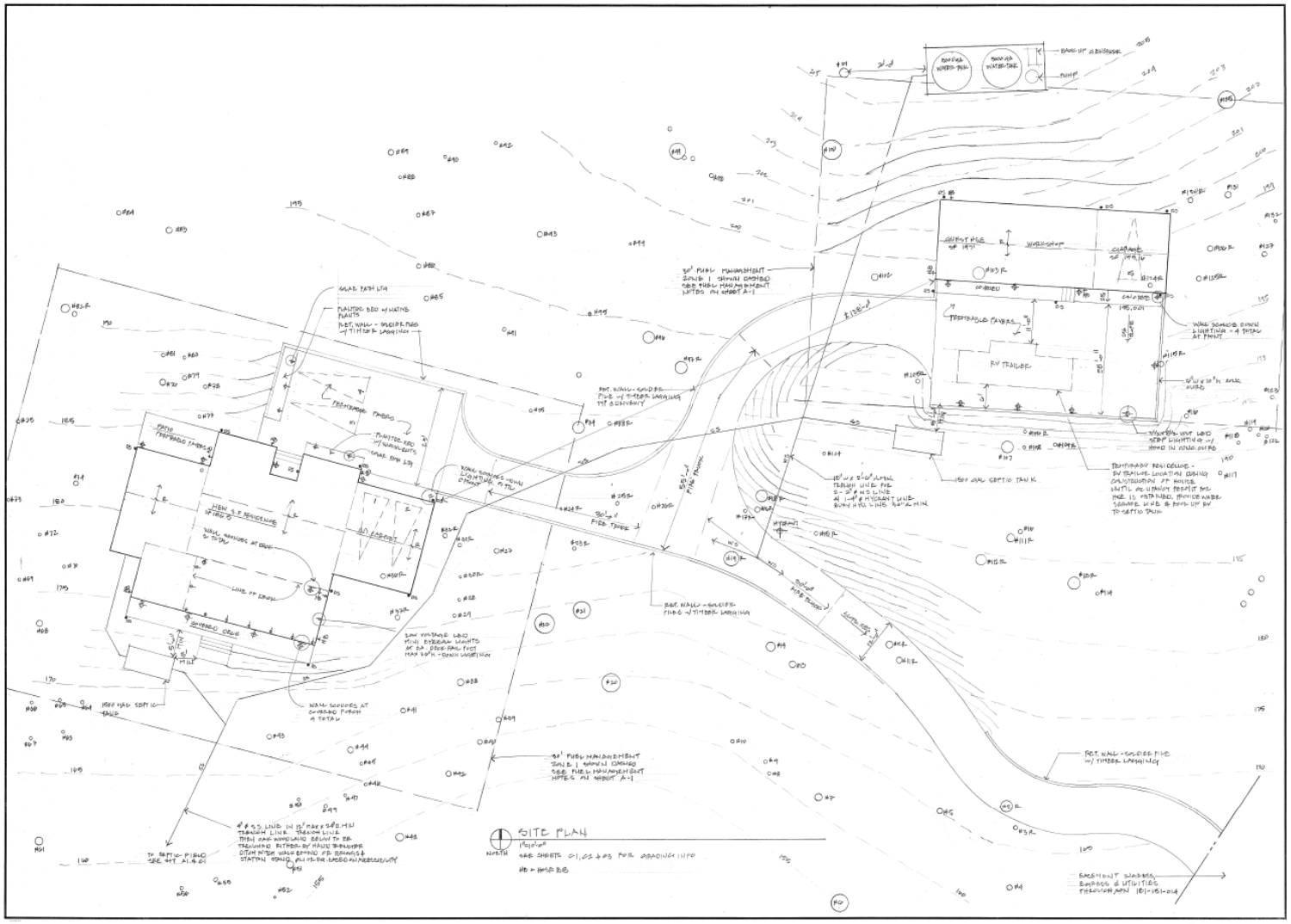
Figure 2



Site Plan Parcel

Source: Roper Engineering

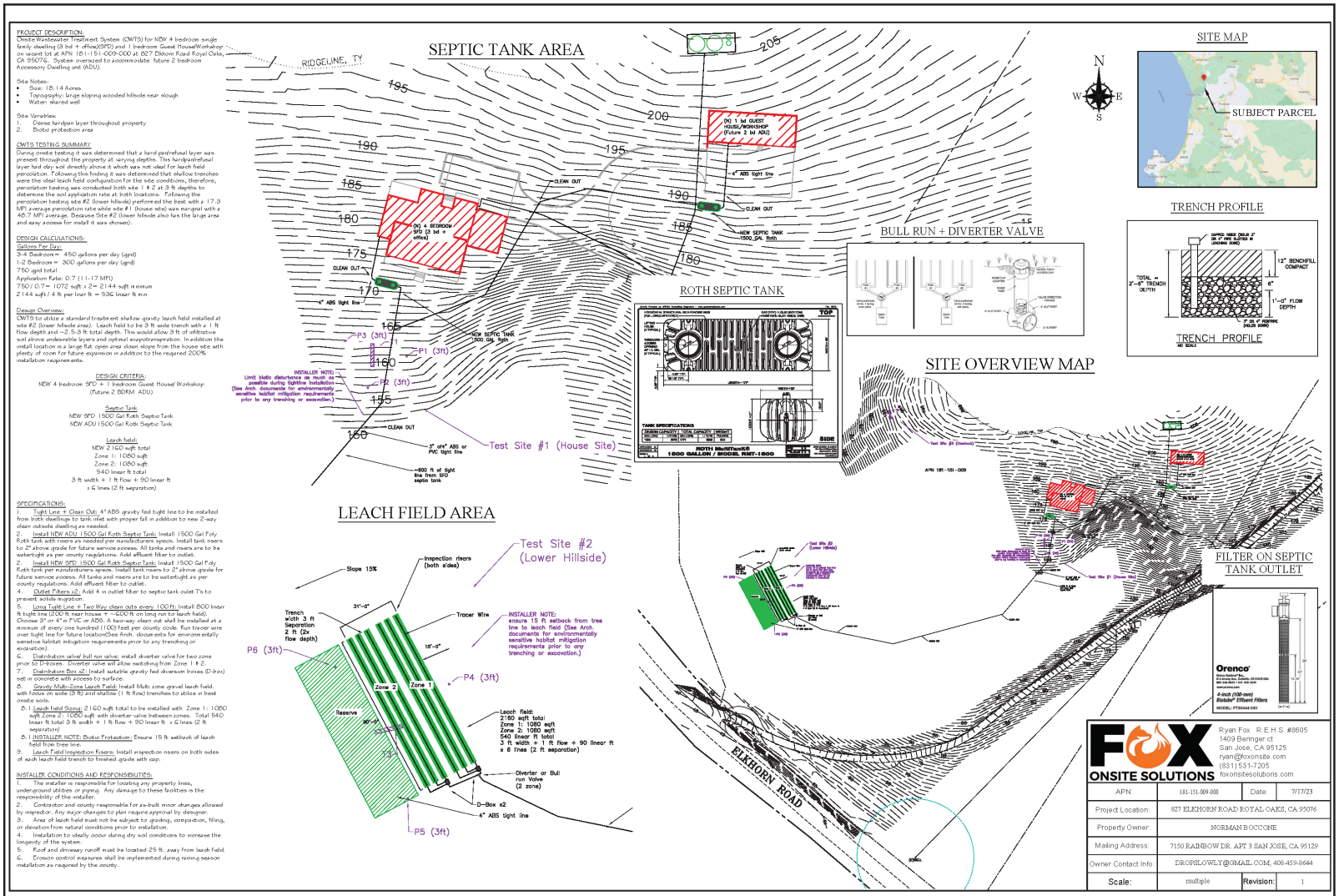
Figure 3a



Site Plan Detail

Source: Riewe, Carol

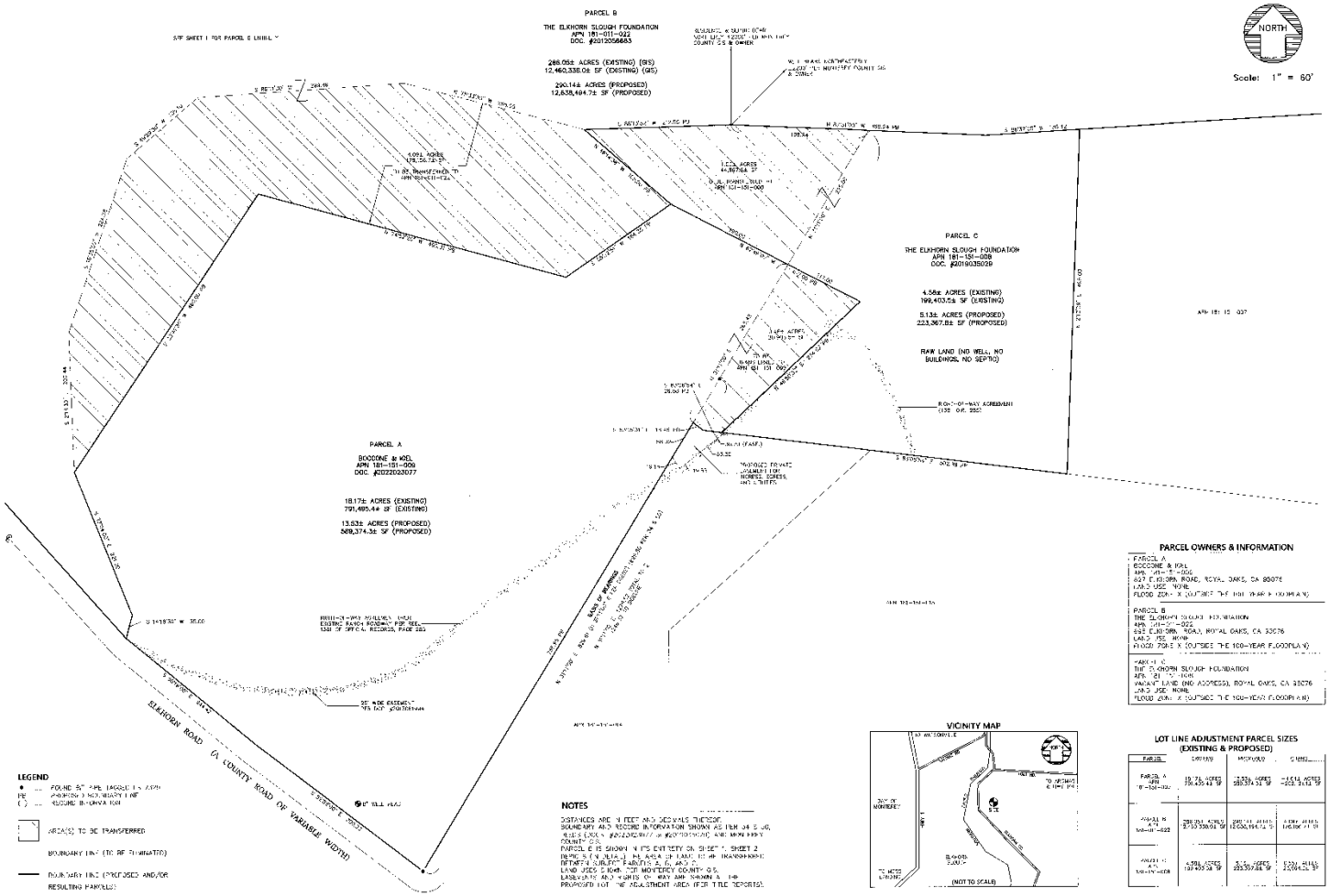
Figure 3b



Source: Fox Onsite Solutions

Site Plan Wastewater

Figure 3c



Lot Line Adjustment

Source: Bridgette Land Surveying

Figure 4

Site Access

The Project site is accessible from Elkhorn Road. The Project would utilize the existing driveway on APN 181-151-009-000, which is shared by four existing residences.[2] The Project would construct an additional driveway to the proposed residence on what is currently Parcel C and will be Parcel A after the LLA; (**Figure 5. Driveway Plan)**. The new driveway extension proposes approx. 4,620 sf of pavement and 2885 sf of pervious pavers.

Lighting

The Project would include exterior lighting. Exterior light fixtures would be unobtrusive, downlit and shielded to mitigate nighttime glare as much as possible. Fixtures would include wall sconces, step lights and landscape lights. LED bulbs would be utilized throughout the Project site. (**Figure 3b. Site Plan Detail**).

Utilities

The Project would construct and utilize on-site utility infrastructure for electrical power generation, potable water and wastewater/sewage disposal. Please see below for additional information.

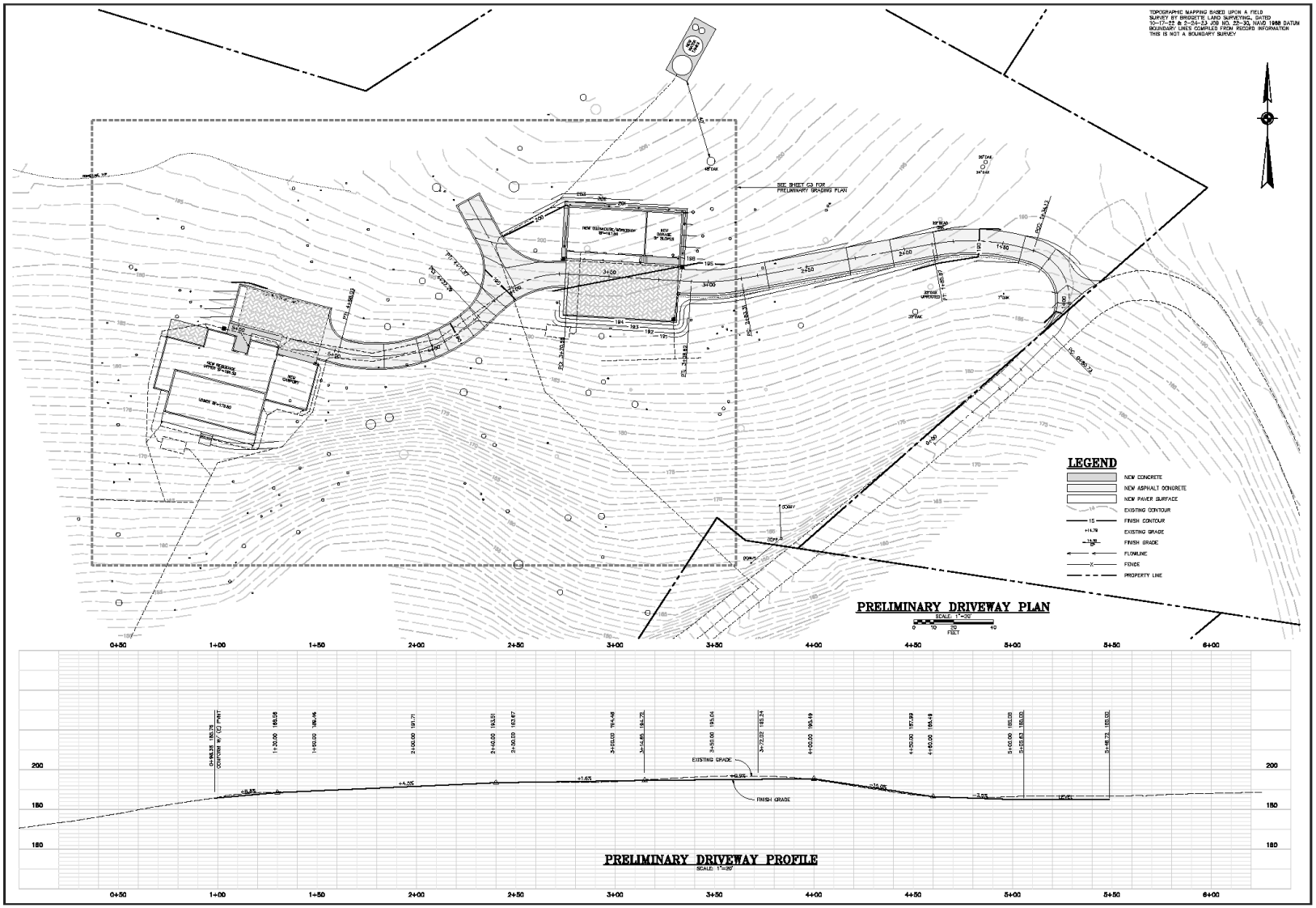
Electrical Power

The Project would include a rooftop array of solar panels, an energy storage system and backup generator for electrical power generation. The Project would not connect to an existing electrical grid.

Potable Water

The Project would install two 5,000-gallon water tanks, a pump and backup generator to utilize an existing well (Elkhorn Road Water System #9) and associated water infrastructure (e.g., water pipelines). The existing well currently serves four connections.[3] The estimated well capacity is approximately 17 gallons/minute. The well has two active connections to neighbors' residences with two additional connections available without the need to upgrade the well system. The remaining connections would adequately serve the proposed residence and guesthouse. All utilities would be, where possible, underground. (**Figure 3a. Site Plan Parcel** and **Figure 3b. Site Plan Detail**).

[2] Easement for ingress, egress, and utilities are illustrated on Sheet 2 of the LLA Site Plans.
[3] The well is 160 ft deep with a 8-inch diameter casing. The static water level is currently at 50.6 feet and uses one (1) horsepower submersible pump that is set at 120 feet.



Source: Roper Engineering

Driveway Plan

Figure 5

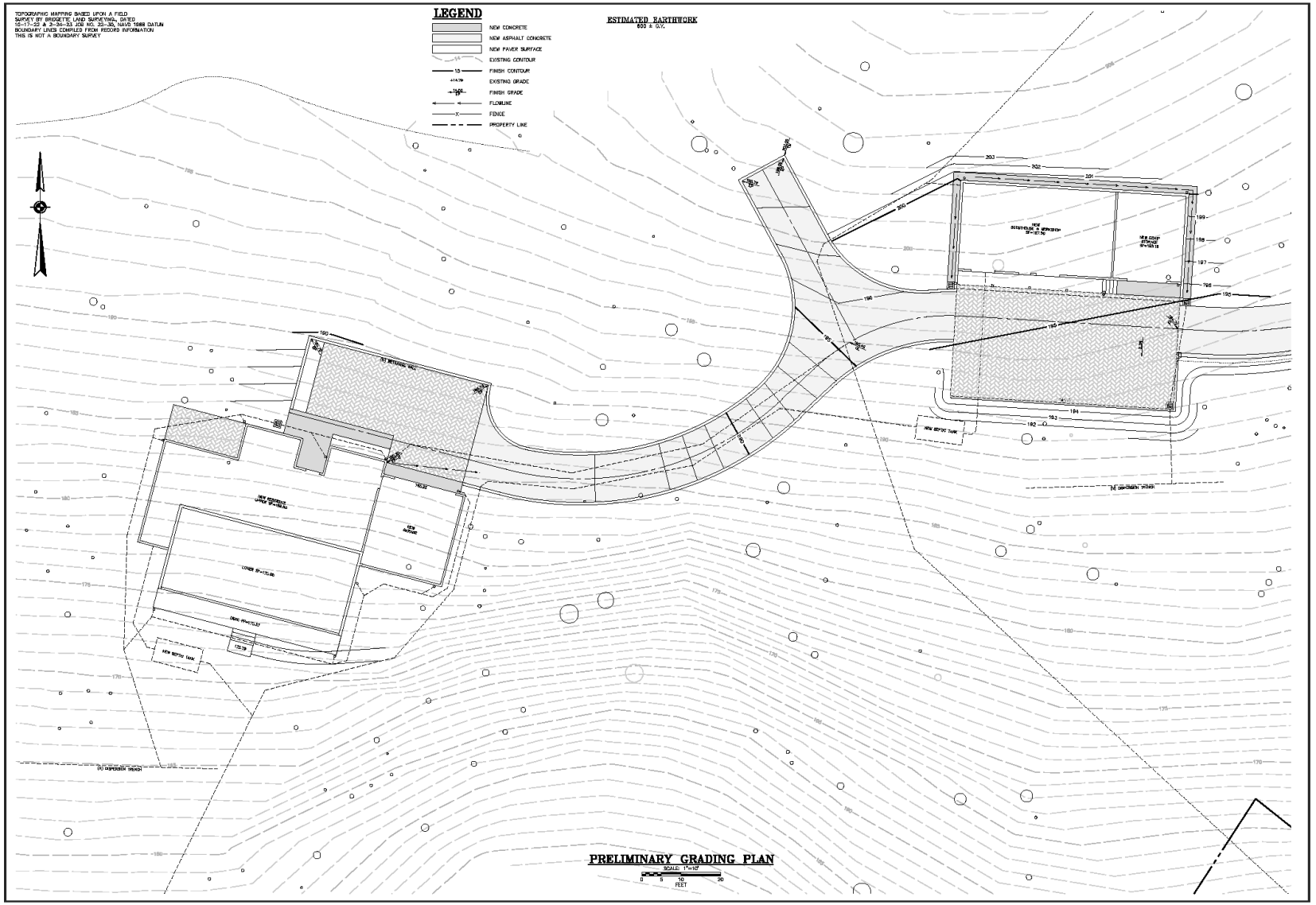
The Project would construct an onsite wastewater treatment system for wastewater disposal. The system would consist of a 1,500-gallon septic tank near the house and another of the same size near the guesthouse with a trenched line from the structures to two zones of leach fields. The primary and secondary leach fields will include 540 linear feet of pipe, in a 2,160 sf leach field area. Approximately 45 linear feet of the trenched line to the leach field would be development on slopes greater than 25 percent (**Figure 3a. Site Plan Parcel, Figure 3b. Site Plan Detail and Figure 3c. Site Plan Wastewater)**.

Stormwater Drainage

The Project would include a stormwater drainage system that would include dispersion trenches. The dispersion trenches would consist of a concrete catch basin or sediment trap, PVC piping and a trench filled with 1.5 inch ("in") diameter or larger graded drain rock and lined with filter fabric. Gutters and storm drains would collect and convey stormwater to the dispersion trenches. The collected stormwater would be received, slowed, spread and infiltrated through the dispersion trenches into on-site pervious surfaces. The slowing and spreading of the stormwater flow would enhance infiltration into the soils of the Project site (**Figure 6. Grading Plan** and **Figure 7. Erosion Control Plan)**.

Landscaping

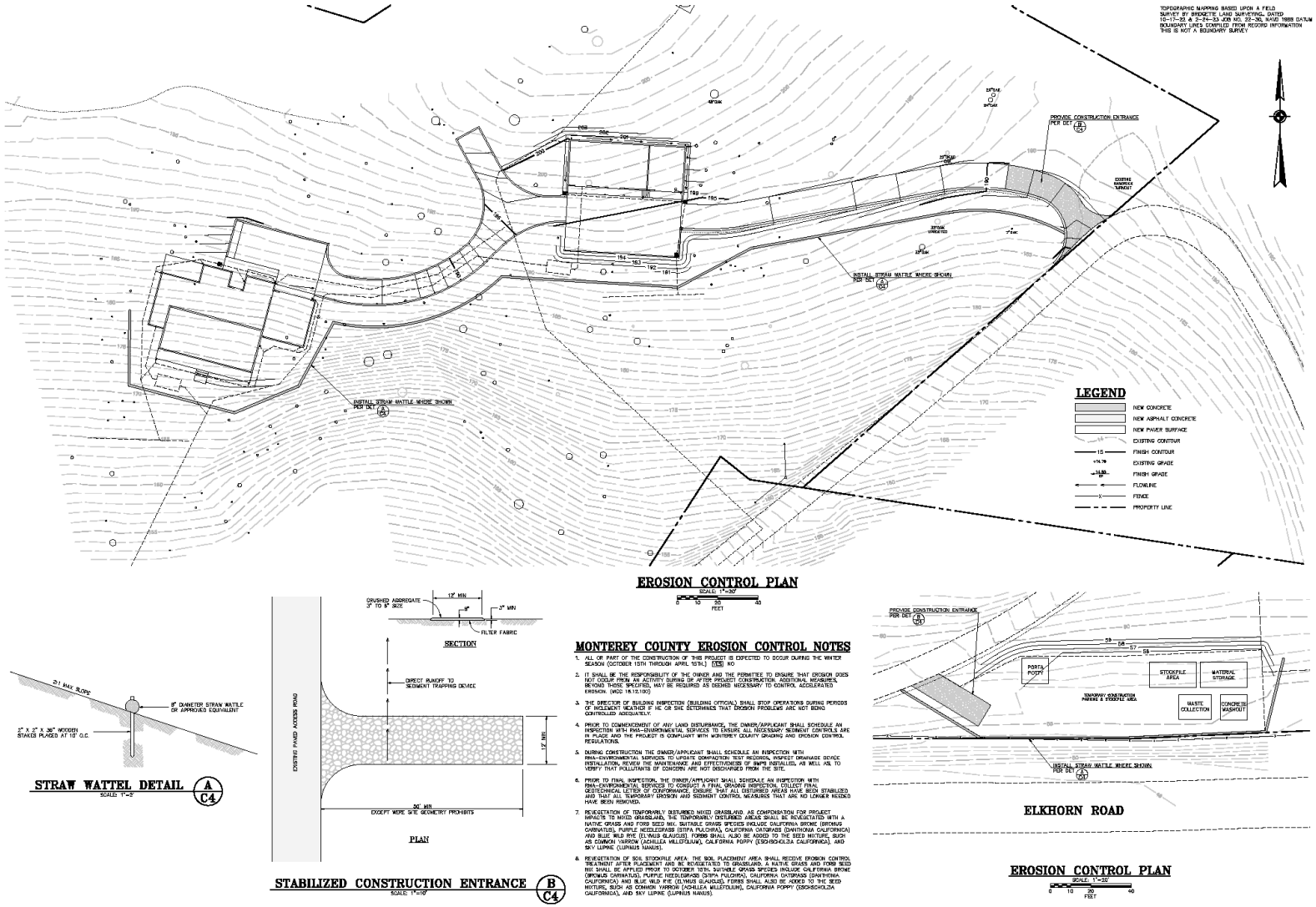
The Project does not propose the use of irrigated landscaping. Landscaping would consist of planter beds with succulents and native plants near the primary residence's entrance. Cut and fill slopes would be planted with annual rye grass and mulched with compost. The soil stockpile area resulting from grading would be revegetated with a native grass and forb seed mix. The non-developed portions of the parcel would be conserved with existing vegetation.



Grading Plan

Source: Roper Engineering

Figure 6



Erosion Control Plan

Source:Roper Engineering

Figure 7

Building Heights, Colors and Materials

The primary dwelling's maximum height (at the highest point of the roof in the structure's center) would be 21 ft, 7 in from average natural grade.

The height is only 20 ft and 1.5 in up at the east portion of the roof; height at the roof of the carport is and17 ft and 10 in.

The guesthouse/workshop's maximum height would be 11 ft from average natural grade (**Figures 8a – 8d. Elevations and Floor Plans)**.

The Project would use modern building materials. The roofs of both structures would consist of earth-tone Class A composite roofing shingles.

The structure's main floor exterior walls would consist of earth-tone smooth vertical-siding panels.

The primary dwelling's lower floor exterior walls would consist of earth-tone smooth lap-siding panels. The Project would also use concrete retaining walls (**Figure 8a Primary Dwelling Elevations** and **Figure 8e Guesthouse Elevation and Floor Plans**).

Construction

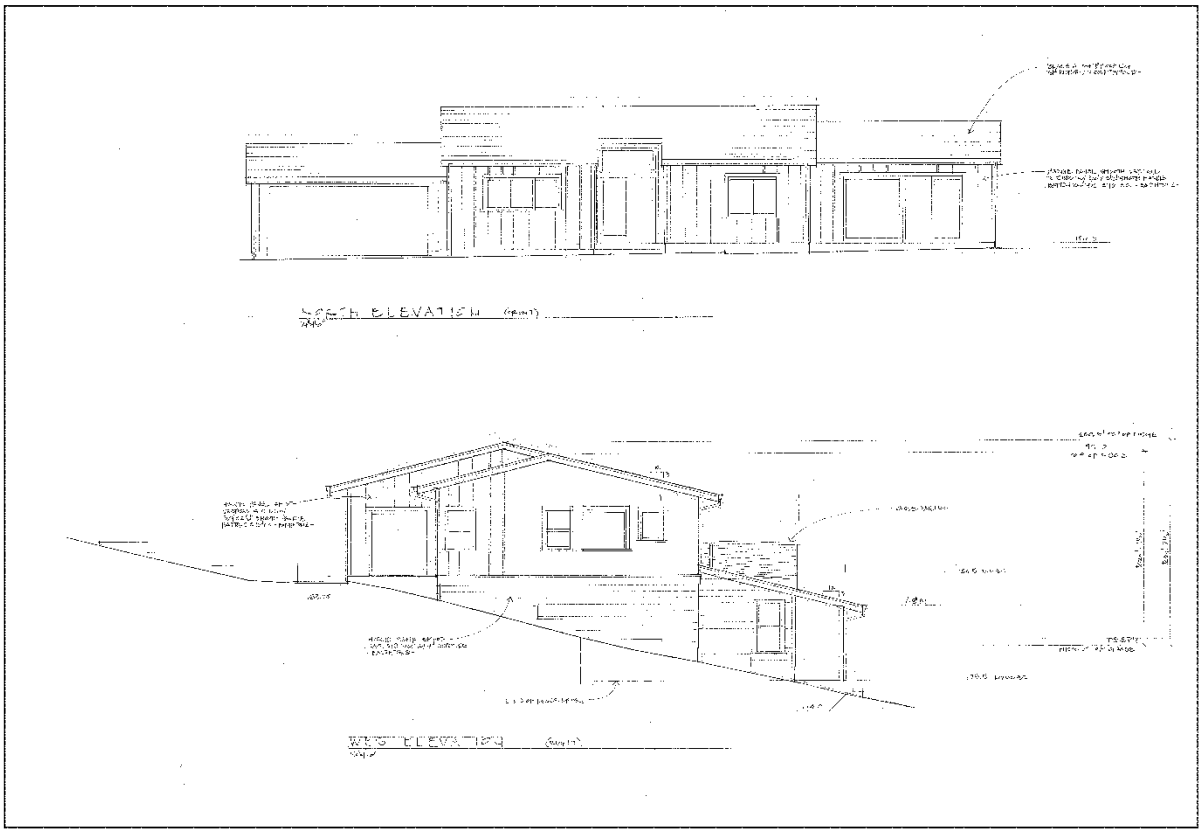
During construction, the residential development portion of the Project would generally involve dump trucks, backhoes, graders, concrete trucks, equipment and material delivery trucks, pick-up trucks, cars, etc. Most of the equipment would be brought to the site at the beginning of work and remain on-site until project completion.

Trucks would bring materials to the site, as necessary. Construction equipment and stockpiles would be kept on-site. The start of construction depends on the Project approval date, seasonal factors and the contractor's schedule. Once approved, construction is expected to last approximately 12-18 months. Construction activities would be limited to the hours between 8 AM to 5 PM, Monday through Friday and between 9 AM to 5 PM on Saturday. No construction activities would occur on Sundays or holidays.

Construction access to the Project site would be controlled through one access point on Elkhorn Road. Construction workers and materials would arrive at the site via State Route 1 ("SR 1") and/or Salinas Road. Vehicle use of the shared private driveway would be monitored and directed during grading, excavation and construction of the new driveway at locations to the north and south of the new driveway access point to the Project site.

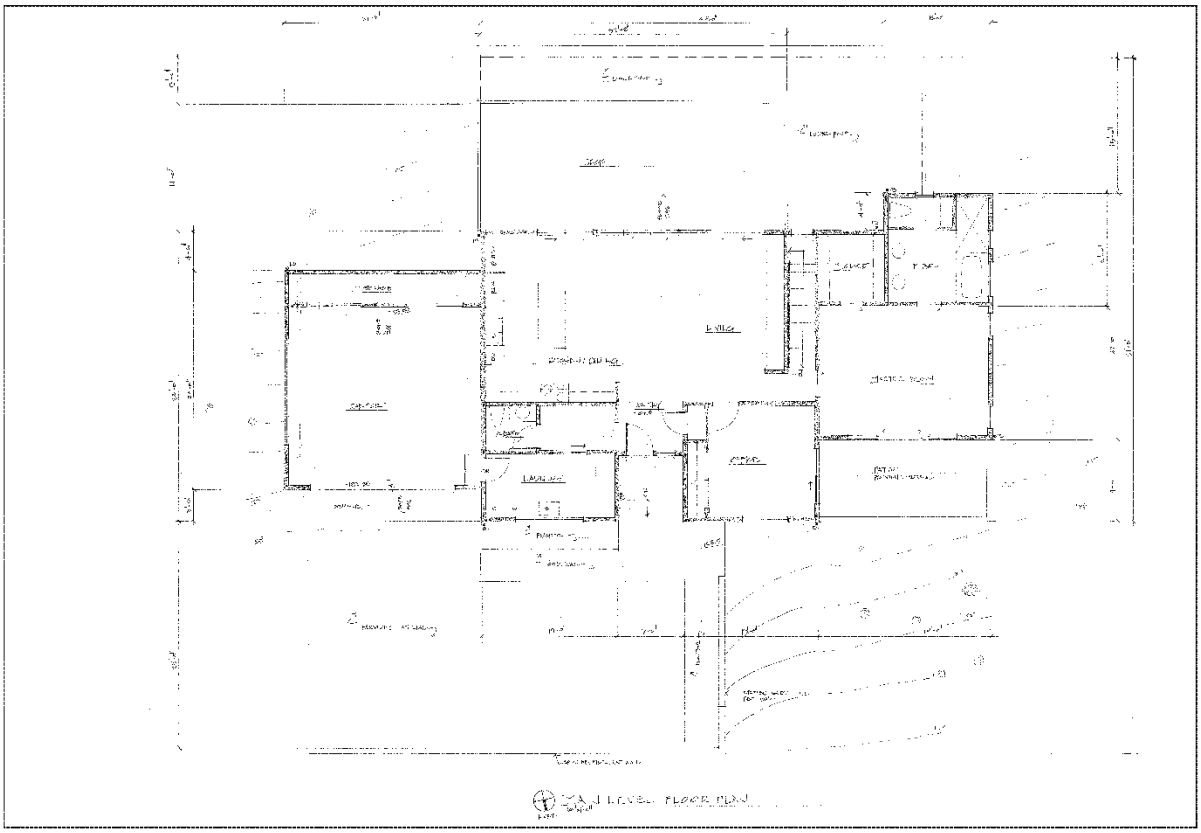
Temporary parking for construction would be located at the base of the Project parcel near Elkhorn Road. No parking, construction access, or material delivery would be allowed from the upper turnout of the shared driveway onto the neighboring parcel.

The LLA portion of the Project (**Figure 4,** PLN240187, Boccone and Igel Co-Trust and Elkhorn Slough Foundation) involves changes in size and shape of APNs 181-151-009-000 (Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C) so would not contribute construction activity.



Primary Dwelling Elevations	Source: Riewe, Carol	Figure 8a

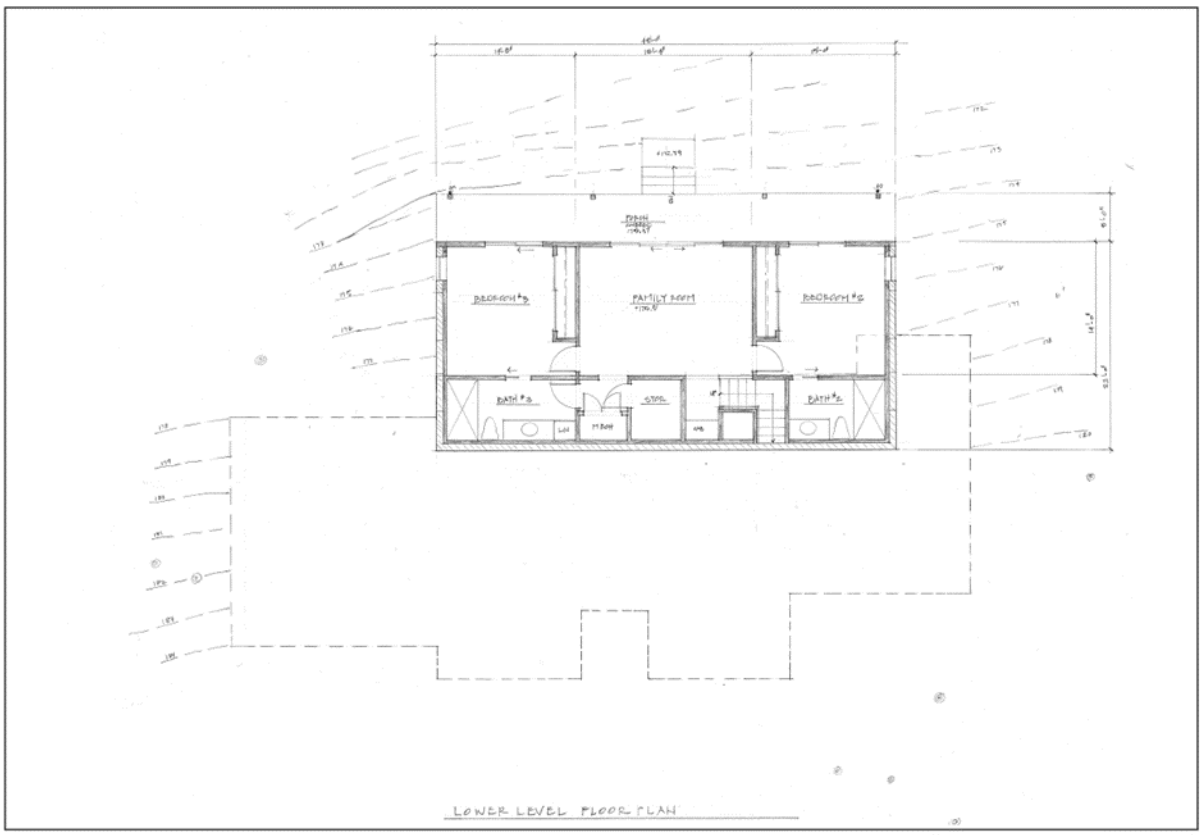
Primary Dwelling Elevations	Source: Riewe, Carol	Figure 8b



Source: Riewe, Carol

Primary Dwelling Floor Plans

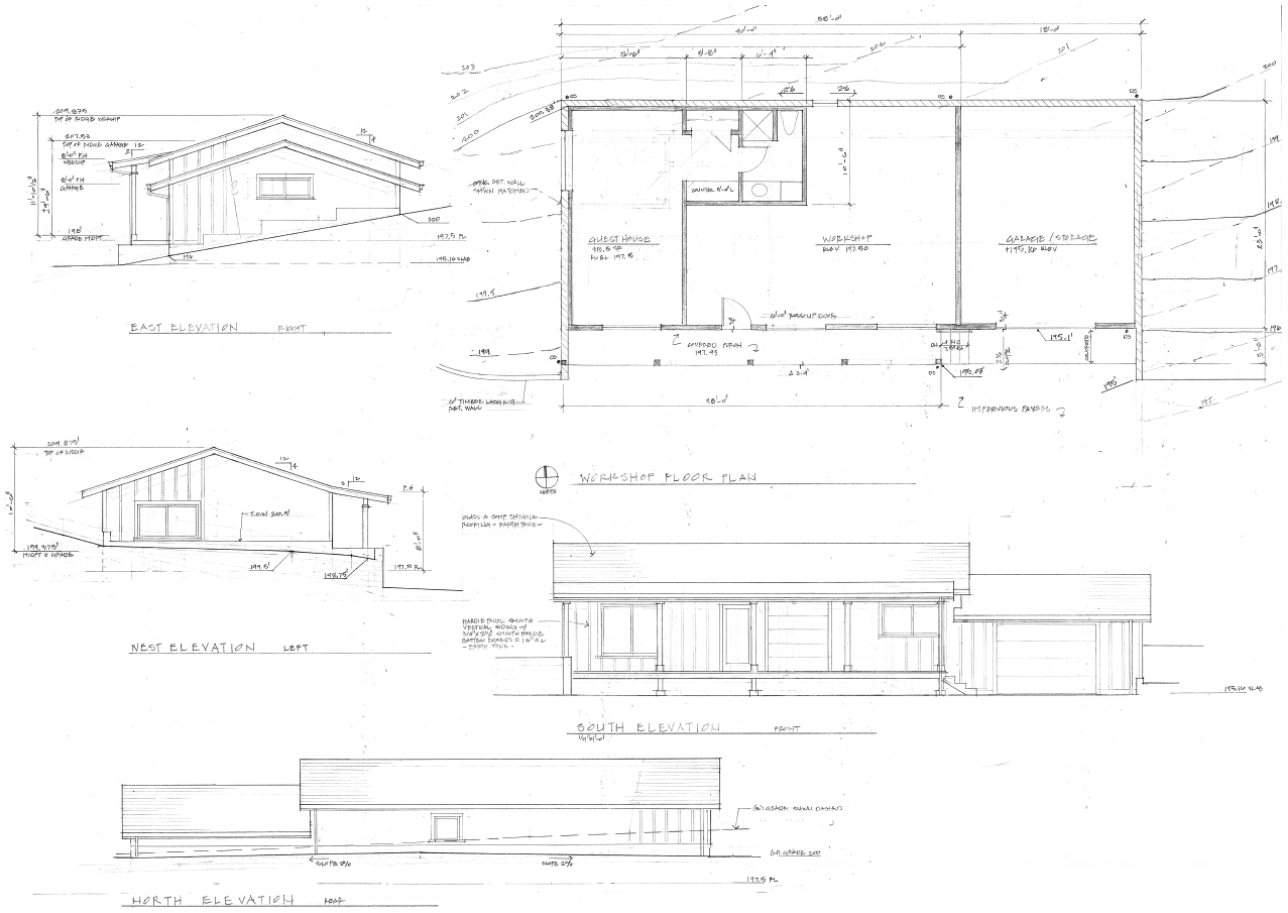
Figure 8c



Source: Riewe, Carol

Primary Dwelling Floor Plans

Figure 8d



Guesthouse Elevation and Floor Plans	Source: Riewe, Carol	Figure 8e

Grading

The Project would temporarily disturb 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre of an approximately 18.14-acre parcel (13.53 acres after the LLA) to impervious coverage by the main dwelling, guesthouse and workshop, driveway and associated improvements.

The soil stockpile area would be located at the base of the Project parcel near Elkhorn Road, just off of the shared driveway. After construction, this area would be revegetated with a native grass and forb seed mix.

Development would result in approximately 550 cubic yards ("cy") of excess excavated soil. In consultation with the project Biologist, the Applicant (of PLN220229) identified an area where excess soils could be spread on-site on APN 181-151-008-000 within the southeastern portion of the Project site. Excavated soil would be six to twelve inches deep and would cover approximately 30,000 sf (0.69 acre) (**Figure 6. Grading Plan** and **Figure 7. Erosion Control Plan)**.

Tree Removal

Project construction would result in the removal of 20 trees:

a. 15 coast live oak trees which meet the North County Land Use Plan's "protected" criteria (six inches or more in diameter as measured two ft above ground),
b. 1 fallen coast live oak tree which meets "landmark" criteria (oak trees 24" or more in diameter when measured two ft above the ground, or trees which are visually significant, historically significant, or exemplary of their species) and
c. 4 coast live oak trees that do not meet "protected" criteria.[4]

As compensation for the project's impacts to oak trees, Applicant of PLN220229/APN 181-151-008-000 shall replace oak trees at a minimum 1:1 ratio for protected trees and 2:1 for the landmark tree.

As compensation for the project's impacts to oak woodland habitat, on-site oak woodland restoration and enhancement actions will occur. All compensation activities would comply with an approved forest management plan. The forest management plan would include restoration/enhancement of approximately 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence (**Figure 9a. Tree Removal Plan** and **Figure 9b. Tree Protection Plan)**.

Fire Fuel Management

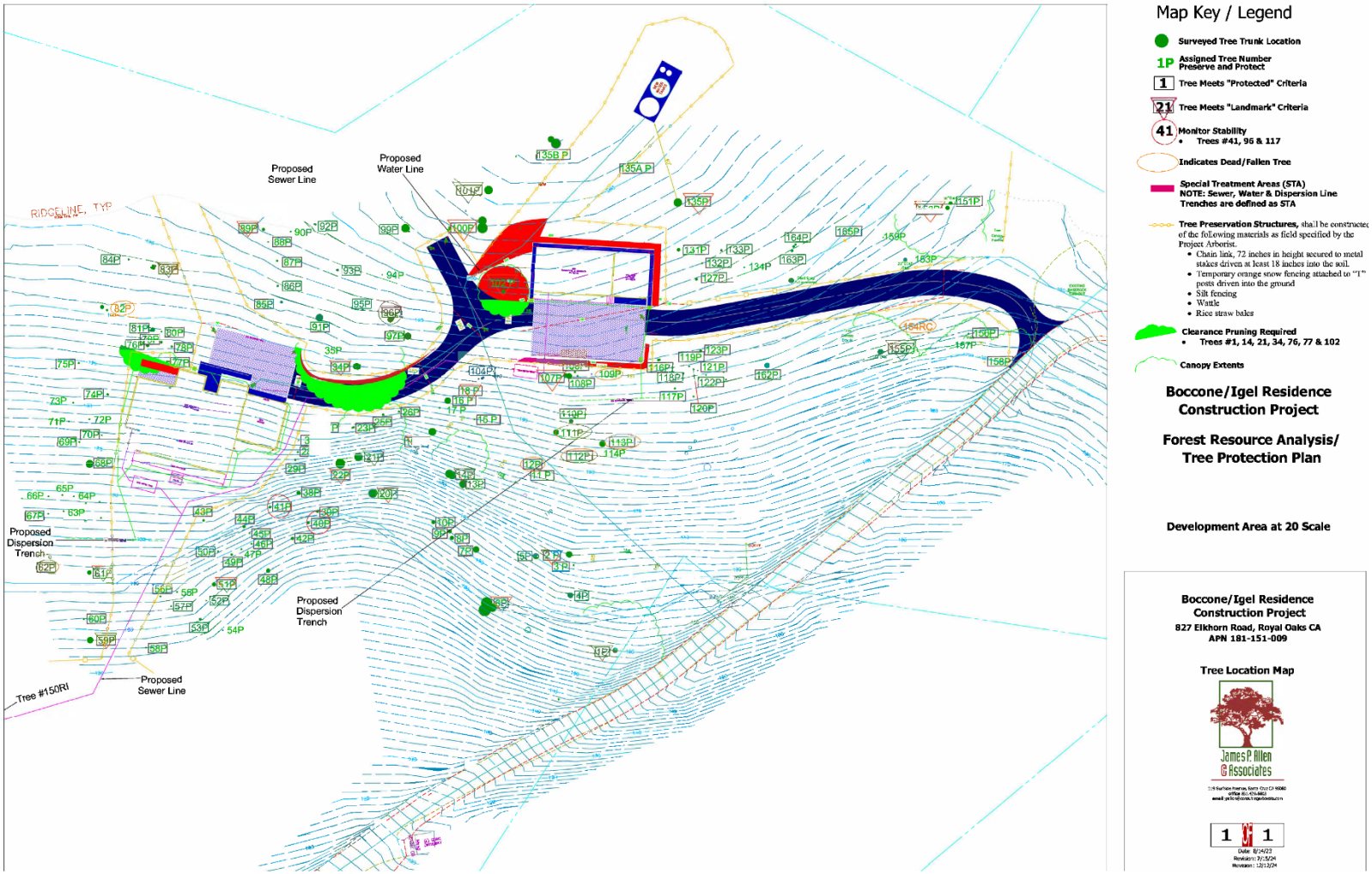
The Project would implement a Fire Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fire Fuel Management Plan would remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures in a manner that is sensitive to the biological resources and compatible with CAL FIRE guidelines. Activities within Zone 1 (30 ft from structures) would include removal of dead vegetation, trimming tree limbs and branches and creating separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc. Activities within Zone 2 (100 ft from all structures) would include maintaining a low (12-18 in tall) understory of native vegetation, removing fallen trees and plant material and inspection of clearances by North County Fire Protection District. (**Sections VI.4 Biological Resources, VI.9 Hazards** and **Hazardous Materials and VI.20 Wildfire).**

[4] The Project includes a LLA to relocate the private driveway, in order to minimize grading on slopes and reduce impacts on trees. Approval of the proposed LLA would decrease tree removal requirements by 40% compared to the previously proposed driveway alignment without a Coastal Development Permit for a LLA. Most significantly, through the new driveway alignment, three landmark oak trees would not need to be removed.

Tree Removal Plan

Source: James P. Allen & Associates

Figure 9a



Tree Protection Plan

Source: James P. Allen & Associates

Figure 9b

B. Surrounding Land Uses and Environmental Setting:

The Project includes residential development located at 827 Elkhorn Road in Royal Oaks, California (APN 181-151-009-000, Parcel A). The Project also includes an LLA that adjusts the size and shape of this parcel (Parcel A) and two adjacent parcels, APN 181-011-022-000 (Parcel B) and APN 181-151-008-000 (Parcel C).

The Project site is located within the Monterey County Coastal Zone and is subject to the requirements of the 1982 General Plan and North County Coastal Land Use Plan. The site is zoned "Residential Rural Density|10 (CZ)". The Project site is surrounded by parcels zoned as Rural Density Residential to the north, west and east and Agricultural Conservation to the south. The Rural Residential parcels to the east are mostly developed with homesteads. The Rural Residential-zoned parcel to the north and west, currently undeveloped and owned by the Elkhorn Slough Foundation, is included in the Project's LLA application. On the opposite side of Elkhorn Road, there is an approximately 0.22-mile width of Agricultural Conservation land; beyond that is the Elkhorn Slough (zoned Resource Conservation) is present.

C. Other public agencies whose approval is required:

This IS/MND is an informational document for both agency decision-makers and the public. County of Monterey is the lead agency responsible for adoption of the IS/MND and approving land use permits related to the Proposed Project.

Here is a list of approvals required by Monterey County. Project entitlements would include, but not be limited to:

- Combined Development Permit (PLN220229, the Proposed dwelling and accessory structures)
- Coastal Administrative Permit (PLN240187, the LLA)
- Grading Permit
- Construction Permit for Building

Other agencies that may have permit or review authority over some aspect of the Project may include Monterey Bay Air Resources District ("MBARD"), Central Coast Regional Water Quality Control Board ("CCRWQCB") and the California Department of Fish & Wildlife ("CDFW").

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	☒	Air Quality Mgmt. Plan	☒
Specific Plan	☐	Airport Land Use Plans	☐
Water Quality Control Plan	☒	Local Coastal Program-LUP	☒

General Plan/Area Plan: The Project is in Royal Oaks, CA, an unincorporated area in Monterey County. Land use and development within the Project site is governed by the 1982 Monterey County General Plan, 1982 North County Coastal Land Use Plan ("LUP") and the Monterey County Coastal Implementation Plan.

Together, these planning documents provide guidance to support development and future growth while preserving the scenic and environmental resources as much as possible. The Project site is designated as "Residential Rural Density" which allows for the first single family dwelling and guesthouse residential uses and temporary residences used as living quarters during construction of the first dwelling on a lot.

The Project consists of a single-family dwelling with an attached carport and deck; a detached guest house with a porch, attached workshop and garage and associated improvements; removal of up to 20 trees; development within 100 ft of environmentally sensitive habitat; and a Lot Line Adjustment. Therefore, construction and operation of the Project would be consistent with the land use designation upon granting of Coastal Development Permits.

The 1982 General Plan policies include guidance on natural resources, environmental constraints, human resources, area development and plan implementation. Many natural resources and environmental constraints policies are further codified by the LUP. 1982 General Plan noise ordinances are updated more recently by Countywide noise ordinance updates.

Issues discussed in the 1982 General Plan's goals and objectives which relate to this project are the objectives for general land use which protect the natural aesthetic quality of rural areas. These include the policy that ridgeline development shall not be allowed unless a special permit is first granted based upon findings being made that the development will not create a "substantially adverse visual impact when viewed from a common public viewing area" (General Land Use Policy 26.1.9).

The project does not meet the definition of ridgeline development because it does not create a silhouette against the sky or other substantially adverse impacts.

Lighting: General Land Use Policy 26.1.20 requires that all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced, and offsite glare is fully controlled.

All exterior lighting is reviewed during construction permitting and compliance with the exterior lighting policy is enforced through the conditions of approval on PLN220229. As discussed in **Section VI.1 Aesthetics** of this Initial Study, the Project is consistent with these General Land Use Policies.

Watershed: The 1982 General Plan goals for watershed areas includes Watershed Area Policy 35.1.1, to ensure land uses in and surrounding critical watershed areas will not compromise the resource value of the area. This Policy relates to the Project because the Project site is within the North County Critical Watershed area of the Elkhorn Slough, where over-drafting the water basin has had negative effects on the watershed through seawater intrusion into the freshwater aquifers.

Watershed Area Policy 35.1.2 directs development in critical watershed areas to be designed, sited and constructed in a manner which minimizes negative effects on the watershed. The Project is consistent with these Watershed Policies because it does not involve new parcels which could lead to intensification of water use and is to be served by an established private well that currently has the potential for two additional water connections.

Impervious Surfaces: The Project is designed to minimize impervious surfaces, 1) using the LLA to shorten the access driveway and relocate/remove the driveway from slopes greater than 25 percent and 2) by the modest structural footprint of the house and guesthouse/workshop (0.8 percent lot coverage where 25 percent is allowed).

Erosion ControlI: Erosion control planning as enforced through the County of Monterey's Building Services construction permit inspection process will serve to minimize erosion during the construction phase. The 1982 General Plan Water Service Policy 53.1.4 states that new development shall be required to connect to existing water service where feasible. The Project includes the first residential development on the residentially zoned parcel of APN 181-151-009-000 and shall connect to an existing well shared with two other residential connections. Therefore, the Project is consistent with the relevant General Land Use, Watershed and Water Service Policies.

North County Land Use Advisory Committee Review: The Project is located within the North County Land Use Advisory Committee's ("LUAC") jurisdiction, which is responsible for reviewing project applications and providing advice and assistance to planning decision-makers on the development application review. After review of the Project's structures, tree removal and ESHA components. Project (PLN220229), the LUAC voted to recommend approval of the project on November 1, 2023. On November 20, 2024, the LUAC reviewed the LLA component of the Project (PLN240187) and voted to recommend approval. Through the duly-noticed public hearing review of the development applications, questions as to the ability of the Project to be consistent with the 1982 General Plan (as well as the North County Coastal Land Use Plan) development policies are addressed in a public forum. The LUAC considered conformance with the 1982 General Plan in its decisions to recommend approval. County of Monterey HCD-Planning ("HCD") found that as conditioned and mitigated the Project would be consistent with the 1982 Monterey County General Plan. **CONSISTENT**

Water Quality Control Plan: The Project site lies within Region 3 of the CCRWQCB which regulates water-quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The Project could result in temporary construction-related effects (e.g., erosion). These effects would not likely be significant for several reasons. First, the Project appears to require only minor ground disturbing activities. Specifically, the Project would disturb approximately 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre.

Ground disturbing activities would be temporary in nature. Construction would implement erosion control measures identified in the erosion control plan and would be required to comply with Chapters 16.08 and 16.12 of the Monterey County Code ("MCC") which address erosion and grading. Project operation would not generate pollutant runoff in amounts that would cause degradation of water quality.

Stormwater runoff would be collected by storm drains and gutters and infiltrated into soils of the Project site through dispersion trenches. For additional discussion on hydrology and water quality, please refer to **Section VI.9 Hydrology and Water Quality** of this Initial Study. **CONSISTENT**

Air Quality Management Plan: The Project is located within the North Central Coast Air Basin ("NCCAB"), which includes unincorporated areas of Monterey County. Air quality in the Project area is managed and regulated by MBARD. MBARD has developed Air Quality Management Plans ("AQMPs") and CEQA Air Quality Guidelines to address attainment and maintenance of state and federal ambient air quality standards within the NCCAB.

The 2012-2015 AQMP, the 2008 CEQA Air Quality Guidelines and 2016 Guidelines for Implementing the California Environmental Quality Act are the most recent documents used to evaluate attainment and maintenance of air quality standards. The 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 station is in Salinas. There are no indications that the Project would cause a significant impact to air quality or greenhouse gas emissions ("GHGs") based on available air quality monitoring data. **CONSISTENT**

Local Coastal Program LUP: The Project is subject to the North County Coastal Land Use Plan ("LUP"), a segment of the County of Monterey's adopted Local Coastal Program. Regulations for this plan are found within the County of Monterey Coastal Implementation Plan (CIP). The LUP establishes polices that preserve, conserve and enhance the natural resources within the North County Coastal LUP area. These policies address issues including, but not limited to visual resources, environmentally sensitive habitats, water resources, hazards and land use. The CIP directs the regulations of the LUP and is an extension of Title 20 of the MCC.

As discussed in **Sections VI.1 Aesthetics and VI.10 Land Use and Planning**, the Project would not conflict with the LUP. The Project measures its land disturbance pursuant to the land disturbance computation requirements of the LUP. The Project does not significantly impact public viewsheds.

Due to the existing topography and vegetation as well as the Project's design, materials and colors, the Project would be visually screened when viewed from the Elkhorn Slough and the trail that extends along the Slough to the north of Kirby Park, which are protected public viewsheds. As designed, the Project is tucked into a wooded section of the parcel with one structure partially visible from public viewing areas, which is consistent with the rural residential characteristics of the surrounding area. The Project is not visible from a public roadway, due to the topography and design.

Biological Sensitivity: The Project site includes maritime chaparral and oak woodland vegetation, designated as sensitive resources in the North County Coastal LUP. Forest Resources Policy 2.3.3.A.4 requires development on North County parcels within oak woodland habitat to minimize oak tree removal to the minimum required construction of structures and access roads.

CIP section 20.144.040.C.1.e describes protection of oak woodland within the Environmentally sensitive habitat development standards. This section also provides regulations for development within 100 feet of Pajaro Manzanita species. The Project will involve construction within 100 feet of maritime chaparral. Impacts to maritime chaparral are avoided and impacts to oak woodland are minimized and mitigated, as discussed in **Section VI.4 Biological Resources**.

Water: Similar to the 1982 General Plan, LUP Water Resources includes a Key Policy requiring that

a. the water quality of the North County groundwater aquifers shall be protected and new development shall be controlled to a level that can be served by identifiable, available, long term-water supplies; and
b. the estuaries and wetlands of North County shall be protected from excessive sedimentation resulting from land use and development practices in the watershed areas.

The Project is located and developed in accordance with erosion controls to protect the Elkhorn Slough watershed from excessive sedimentation during construction. The shared well. which will provide the potable water for the Proposed Project, is already permitted by the Environmental Health Bureau (EHB) and meets water quantity for this residential unit and another future connection in the area. The proposed residence is the first dwelling on the parcel; the Project does not include new parcels. Project Water Resources Policy 2.5.3.B.4 is also applicable to the project, which requires adequate maintenance and repair of septic systems to limit pollution of surface waters and protect the public health. The EHB found the proposed new septic system's design is adequate to limit pollution of surface waters and protect public health.

Hazards: LUP Hazards Policies are intended to minimize risks to life and property in areas of high geologic flood and fire hazards. New development is required to assure stability and structural integrity, and to neither create nor contribute to erosion and landslide hazards. The Project site is designated "moderate" for landslide risk and for erosion hazard.

Portions of the site are within high State Regulated Fire Hazard Zones. As discussed in **Sections VI.7 Geology/Soils, VI.9 Hazards and Hazardous Materials and VI.20 Wildfire**, the North County FPD, HCD-Environmental Services, HCD-Planning and other agencies reviewed the application submittals review of the Project and these agencies found appropriate foundation engineering is proposed in the Geotechnical Report to accommodate the landslide risk on life and property and, as previously stated, the erosion control plan incorporates standard measures to limit erosion hazards. The project shall implement a Fire Fuel Management Plan. Fire hazards are further reduced by the proposed use of metal roofing materials and the Project driveway was found to include appropriate hammerhead turnaround for FPD engines. As designed and regulated by standard MCC Fire and Building Codes, the Project conforms with the LUP Hazards Policies.

Archaeological Resources: LUP Archaeological Resources Policies are intended to maintain and protect North County's archaeological resources, including those areas considered to be archaeologically sensitive but not yet surveyed. PLN220229 includes a lower elevation swath of land close to Elkhorn Slough Road containing high archaeological sensitivity. As discussed in **Sections VI.5 Cultural Resources** and **VI.18 Tribal Cultural Resources**, Applicant of PLN220229 caused an appropriate site assessment to be performed; the County contacted representatives of tribal groups to give them an opportunity to consult on the Proposed Project. As proposed, conditioned and mitigated, the Project would be consistent with the LUP. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

☒ Aesthetics	☐ Agriculture/Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Energy
☒ Geology/Soils	☒ Greenhouse Gas Emissions	☒ Hazards & Hazardous Materials
☒ Hydrology/Water Quality	☒ Land Use/Planning	☐ Mineral Resources
☒ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☒ Transportation	☒ Tribal Cultural Resources
☒ Utilities/Service Systems	☒ Wildfire	☒ 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:

Agricultural and Forestry Resources: The California Department of Conservation Division of Land Resource Protection and the Farmland Mapping and Monitoring Program ("FMMP") maps California's agricultural resources. The FMMP designated the Project site as "Other Land" and therefore would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project is not zoned for agricultural use and is not under a Williamson Act contract. The Project site is not zoned or designated as forestland and therefore would not result in the loss or conversion of forest land for non-forestland use. The Project would not result in the loss or conversion of forest land for non-forest land use. Therefore, the Project would not result in impacts to agriculture and forestry resources.

Mineral Resources: Mineral resources are determined in accordance with the Surface Mining and Reclamation Act ("SMARA") of 1975and the California Geological Survey which maps mineral resources of regional significance. There are no known mineral resources on the Project site. As a result, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. Additionally, the Project site is not designated as a mineral resource recovery site. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site. Therefore, the Project would not result in any impacts to mineral resources.

Population and Housing: The Project would alter the size and dimensions of three adjacent parcels through a LLA and construct a single-family dwelling unit, with a detached guesthouse, workshop and garage and supporting infrastructure on one of the three parcels. The residential unit would not significantly contribute to regional growth that was not previously forecasted. The Association of Monterey Bay Area Governments ("AMBAG") projects the region's population, housing and employment and documents anticipated changes in the regional growth forecast. The current regional growth forecast was adopted on June 15, 2022. The regional growth forecast does not evaluate individual areas of unincorporated County of Monterey and therefore growth projections for Royal Oaks are combined under *Unincorporated*. The population within this area is anticipated to increase by 6,317 persons between 2015 and 2045, representing a 6-percent increase. The Project would not induce substantial population growth either directly or indirectly. Additionally, construction and operation of the Project would not displace existing housing units. Therefore, the Project would not result in any population or housing-related impacts.

Public Services: The Project would not result in any adverse impacts resulting in the need for new, or physically altered, government facilities to maintain acceptable service ratios, response times, or other performance objectives for any public services (i.e., fire protection, police protection, schools, parks, or other public facilities). The North County Fire Protection District provides fire protection services to the Project site. The Monterey County Sheriff's Department provides police protection services in Royal Oaks. The Pajaro Valley Unified School District ("PVUSD") serves the community of Royal Oaks. The Project would alter the size and shapes of three adjacent parcels through a LLA and construct a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site wastewater treatment system on one of the parcels. County departments and service providers reviewed the project application and did not identify any impacts. Therefore, the Project would not result in impacts related to public services.

Recreation: The Project would not result in an increased use of existing neighborhood and/or regional parks or other recreational facilities causing a substantial physical deterioration. The Project would not adversely impact parks, trail easements, or other recreational opportunities. Therefore, the Project would not result in any adverse recreation-related impacts. Moreover, the Project would not induce population growth or result in a substantial change in the population where recreational resources would be negatively impacted or require expansion.

B. DETERMINATION

On the basis of this initial evaluation:

☐ I find that the Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the 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 Project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the 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 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.

Mary Israel — April 30, 2025

Mary Israel, Supervising Planner — Date
Monterey County Housing & Community Development

V. EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached and other sources used, or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS **Except as provided in Public Resources Code Section 21099, would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (sources: 13, 26, 27, 28)	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (sources: 3, 13, 26, 27, 28, 33)	☐	☐	☒	☐
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? (sources: 13, 26, 27, 28, 31, 32)	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (sources: 3, 13, 26, 27, 28, 31)	☐	☐	☒	☐

Discussion/Conclusion:

The Project site is located at 827 Elkhorn Road, 695 Elkhorn Road and a third adjacent parcel without address in Royal Oaks, California. The Project site is located on upper western slope of a ridge and is approximately 1,200 ft (0.22 miles) to the east of Elkhorn Slough. Nearby land uses include rural residences to the east, undeveloped land to the north and northwest and agricultural uses to the west and south of the Project Site. The site is currently developed with an access road that connects to residences on the upper slope of a nearby ridge, but the parcels involved in the Project are otherwise undeveloped. Scenic vistas within the vicinity of the Project site include views of the Elkhorn Slough, Santa Lucia Mountains and the Pacific Ocean. The Project site is located adjacent to the Elkhorn Slough, defined as a sensitive viewshed in the LUP. The LUP also identifies Elkhorn Road between Waugh Road north of the project site to Walker Road south of the project site as a County Scenic Route and recommends that the visual character of the adjacent scenic corridor should be preserved and where feasible, restored (LUP Recommended Action 2.2.2.5). Consequently, the section of Elkhorn Road in the vicinity of the Project is classified in County GIS as a locally recognized scenic corridor.

During PLN220229's project application review (the residential development part of the Proposed Project), public comments, including communications from the Elkhorn Slough Foundation, expressed concerns about the project's siting. These concerns stemmed from the perception that the residential design of the Project had the potential to conflict with LUP Visual Resources Policy 2.2.2.1, which requires "views to and along the ocean shoreline from Highway One, Molera Road, Struve Road and public beaches and to and along the shoreline of Elkhorn Slough from public vantage points to be protected." Early in the application process, Applicant of PLN220229 was made aware of the development standards for

development within the Elkhorn Slough corridor as described in CIP Visual Resources section 20.144.030.B.2:

"a. Location and siting of structures shall allow for their maximum screening from public view by existing topography or vegetation to minimize obstruction of or intrusion of views on the shoreline from public viewing areas;

b. The design of structures, including fencing, shall incorporate natural materials, earth-tone colors and otherwise blend with the rural setting;

c. Landscaping and lighting shall be unobtrusive and blend with the rural setting. Landscaping and incorporate native plants common to the area, as contained in Attachment 3 [of the CIP]; and

d. The structures shall be modified for bulk, size and height where necessary to protect and minimize visibility from the public viewshed."

On May 7th, 2024, before the applications were deemed complete, HCD staff performed a Viewshed Determination pursuant to CIP Development Standards for Visual Resources, section 20.144.030.A.. The Project was staked and flagged following County protocol. At the May 7th visit, staff was not able to see the staking and flagging from any portion of Elkhorn Road. Staff were able to see staking and flagging from the public trail north of Kirby Park; pursuant to the direction of the CIP Visual Resources development standards listed above, the trail qualifies as "views on the shoreline" of the Elkhorn Slough.

No ridgeline effect was noted, but staff found the main dwelling's west elevation visible at approximately 1/3 mile away; therefore, the proposed design would have some potential to impact the public viewshed. Staff contacted the Project agent about this potential; they responded by redesigning the main dwelling to lower its' maximum height, changing the pitch of the main dwelling roof from 4/12 to 3/12and lower the maximum height to 21 ft, 7 in.

Dwelling colors and materials were updated to earth tones of mossy grey green and brown/dark grey. Staff updated the viewshed photographs and presented them to HCD-Planning staff for internal project scoping on June 6, 2024. Staff evaluation concluded that there was no ridgeline effect and that the potential for visual impact of the Project on public viewsheds would be less than significant.

The Project would not conflict with LUP Visual Access Policies. Policy 6.4.G provides that:

> " all new structures and ancillary facilities within the public viewshed should be located and designed to be compatible with the existing character of the natural and built environments as specified in Section 2.2 of this plan and to retain existing visual access to the shoreline from major public viewpoints and viewing corridors."

The Project does not interrupt public view of the shoreline.

1982 General Land Use Policy 26.1.20 requires that all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced and offsite glare is fully controlled. The Project does not include obtrusive exterior lighting, as shown in **Figure 3b. Site Plan Detail** and on the Project Plans available for review at the Monterey County HCD – Planning Office located in Salinas, California and online via Accela Citizen Access at https://aca-prod.accela.com/MONTEREY/Default.aspx.

The Project site is located approximately 1.3 miles east of SR 1, which is a State designated eligible scenic highway. HCD-Planning staff included view from SR 1 in the Viewshed Determination on May 7, 2024. The Project site was not visible from SR 1 due to topography, vegetation and distance.

Aesthetic Impact (a) Less than Significant: The Project would not have a substantial adverse effect on a scenic vista. The Project was evaluated by HCD-Planning staff with a Viewshed Determination. As discussed above, the original design of the residence had the potential to conflict with LUP Visual Resources Policy 2.2.2.1 and redesign reduced the potential impacts by lowering height, reducing roof pitch and adjusting colors to natural earth tones. As a result, staff found the Project would have a less than significant impact on the scenic vista along the Elkhorn Slough.

Aesthetic Impact (b) Less than Significant: The Project would not substantially damage scenic resources, including but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway. The Project does not contain, nor is it located near, rock outcroppings, or a historic building. Consistent with LUP Visual Resources Policy 2.2.2.4, the least visually obtrusive portion of a parcel which was also not of a steeper grade and where existing topography and vegetation provide natural screening was selected for the location of proposed structures. As a result, the Project would be visually screened from the nearest public road by vegetation and the existing uphill sloped topography.

As discussed above, the nearest public road is the section of Elkhorn Road considered a scenic corridor.

The segment of SR 1 located west of the Project site is a State designated eligible scenic highway. Views of the Project Site from SR 1 are primarily limited due to distance.

While the Project would require the removal of up to 20 trees, the Project would restore/enhance trees/woodlands onsite at approximately a 3:1 ratio replace the 15 “protected” oak trees at a 1:1 ratio and replace the “landmark” oak tree at a 2:1 ratio. The draft Forest Management Plan includes restoration/enhancement of a minimum of 0.12 acres of oak woodland within one year of development of the residence. Prior to occupancy, one oak tree would be planted to replace every one tree removed. Therefore, any removal of trees which may make visible the operation of the Project would be restored and/or replaced, minimizing impacts.

For these reasons, the Project would not have substantial adverse impacts on any scenic resources or be within view of a state designated scenic highway. The Project would have a less than significant impact.

Aesthetic Impact (c) Less than Significant: The Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. As discussed above, the Project alters the size and shapes of three adjacent parcels through a LLA to allow the Project’s driveway to be shorter, located away from steep slopes, impacting fewer trees and above the area of the parcel that is in public viewshed.

The Project also involves constructing a single-family dwelling unit, with a detached guesthouse, workshop and garage and supporting infrastructure on one of the three parcels. The location of the residential development above the greater area of public viewshed maximizes tree cover for vegetative screening; the use of natural colors and materials are methods by which the Project is designed to be visually compatible with the surrounding area.

To comply with Visual Resources Policies protecting the viewshed of this section of Elkhorn Slough Road, structural development in the meadow near Elkhorn Slough Road was avoided. The Project site would be located up the slope so that no views from Elkhorn Road would be impacted. Consistent with LUP Visual

Resources Policy 2.2.3.6, with the LLA and shortened driveway, the Project has eliminated grading on slopes and increased the Project's ability to retain existing native trees and other significant vegetation while developing the driveway. Consistent with Visual Resources Policy 2.2.2.5, the structures are proposed in locations that minimize tree removal and the grading for the building site and access road is minimized through the incorporation of the LLA in the Proposed Project. Through careful siting and pursuit of the least impact to trees and slopes, the Project minimizes these visual resource related impacts. Public views from nearby public viewing points on the Elkhorn Slough and the trail north of Kirby Park are limited due to vegetation and topography but some of the main dwelling façade would be visible from points along the trail. Project redesign reduced maximum height, roof pitch; updated colors to grey moss green and brown/dark grey lowered the potential for viewshed impact from those point of public view.

In keeping with CIP Visual Resources Development Standard and after an initial staff Viewshed Determination, the Applicant modified the structures to reduce bulk and height to minimize visibility from the public viewshed. Views from trailheads such as the North Marsh overlook and Whistlestop are limited due to topography, vegetation and distance from the Project Site. In staff's final analysis, the Proposed Project's Viewshed Determination was found not to degrade public views of the site or its surroundings. For these reasons, the Project would have a less than significant impact.

Aesthetic Impact (d) Less than Significant: The Project does not entail any nighttime construction-related activities. The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. The Project would include exterior lighting (**Figure 3b. Site Plan Detail)**. Project approval will be conditioned to require exterior lighting be recessed or downlit.

General Land Use Policy 26.1.20 requires all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced and offsite glare is fully controlled. All exterior lighting is reviewed during construction permitting and compliance; the exterior lighting policy is enforced through the condition of approval on PLN220229. As a result, the Project would not result in a significant impact due to a new source of light or glare which would adversely affect day or nighttime views in the area. This represents a less than significant impact.

The Project shall have a less than significant impact on Aesthetic Resources by design and with the application of a standard County Planning condition of approval enforcing the exterior lighting policy.

2. AGRICULTURAL AND FORESTRY 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? (sources: 5, 26)	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (sources: 6, 26, 27, 28)	☐	☐	☐	☒
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))? (sources: 6, 26, 27, 28)	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? (sources: 6, 26, 27, 28)	☐	☐	☐	☒
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? (sources: 5, 6, 26, 27, 28)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Please refer to **Section IV.A Environmental Factors Potentially Affected**. The Project would have no impact on agricultural or forest land resources.

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? (sources: 22, 23, 24, 25, 26)	☐	☐	☐	☒
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? (sources: 22, 23, 24, 27, 28)	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations? (sources: 22, 23, 24, 26, 27, 28)	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (sources: 34, 35)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The Project is located within the NCCAB, under the jurisdiction of MBARD. MBARD is responsible for producing an Air Quality Management Plan ("AQMP") that reports air quality and regulates stationary air pollution sources throughout the NCCAB. MBARD is also responsible for measuring the concentration of pollutants and comparing those concentrations against Ambient Air Quality Standards ("AAQS"). Additionally, MBARD monitors criteria pollutants to determine whether they are in attainment or not in attainment. **Table 3-1 Attainment Status for the NCCAB** illustrates the attainment status for criteria pollutants.

Table 3-1
Attainment Status for the NCCAB

Pollutant	State Designation	Federal Designation
Ozone (O_3)	Nonattainment – Transitional	Attainment
Inhalable Particulates (PM_{10})	Nonattainment	Attainment
Fine Particulates ($PM_{2.5}$)	Attainment	Attainment
Carbon Monoxide (CO)	Monterey Co. – Attainment	Attainment
	San Benito Co. – Unclassified	Attainment
	Santa Cruz Co. – Unclassified	Attainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment
Lead	Attainment	Attainment

Source: Monterey Bay Air Resources District, 2017. 2012 – 2015 Air Quality Management Plan

MBARD has set air quality thresholds of significance for the evaluation of projects. **Table 3-2 Thresholds of Significance Construction Emissions** illustrates the thresholds of significance used to determine if a project would have a significant air quality effect on the environment during construction.

Table 3-2
Thresholds of Significance Construction Emissions

Pollutant	Threshold of Significance (lbs./day)
Nitrogen Oxides (NOx)	137
Reactive Organic Gases (ROG)	137
Respirable Particular Matter (PM_{10})	82
Fine Particulate Matter ($PM_{2.5}$)	55
Carbon Monoxide (CO)	550

Source: Monterey Bay Unified Air Pollution Control District, 2016. Guidelines for Implementing the California Environmental Quality Act.

In addition to these thresholds, MBARD has also determined that a significant short-term construction generated impact would occur if more than 2.2 acres of major earthmoving (i.e., excavation) per day was to occur. Activities associated with this threshold include excavation and grading. For projects that require minimal earthmoving activities, MBARD has determined that a significant short-term construction generated impact would occur if more than 8.1 acres per day of earthmoving was to occur.

Table 3-3 Thresholds of Significance Operational Emissions illustrates the thresholds of significance used to determine if a project would have a significant air quality effect on the environment during operation.

Table 3-3
Thresholds of Significance Operational Emissions

Pollutant	Threshold of Significance (lbs./day)
Nitrogen Oxides (NOx)	137
Reactive Organic Gases (ROG)	137
Respirable Particular Matter (PM_{10})	82
Fine Particulate Matter ($PM_{2.5}$)	55
Carbon Monoxide (CO)	550

Source: Monterey Bay Unified Air Pollution Control District, 2016. Guidelines for Implementing the California Environmental Quality Act.

CARB defines a sensitive receptor as children, elderly, asthmatic and others who are at high risk of negative health outcomes due to exposure to air pollution. Pursuant to California Health and Safety Code Sec. 42705.5, a sensitive receptor includes hospitals, schools, day care centers and such locations as the district or state board may determine. MBARD similarly defines sensitive receptors and adds that the location of sensitive receptors be explained in terms that draw a relationship to the project site and potential air quality impacts. The nearest sensitive receptor (e.g., residence, health care center, visitor serving accommodations) is located approximately 300 ft to the southeast of the Project site and is a residence.

Air Quality Impact (a) No Impact: CEQA Guidelines Sec. 15125(b) requires evaluation of a project for consistency with applicable regional plans, including the AQMP. The most recent MBARD update was the 2012 – 2015 AQMP and was adopted in March 2017. This plan addresses attainment of the State ozone standard and Federal air quality standards. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments

("AMBAG") and other indicators. Consistency determinations are issued for commercial, industrial, residential and infrastructure related projects that have the potential to induce population growth. A project is considered inconsistent with the AQMP if it has not been accommodated in the forecast projects considered in the AQMP.

The Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and onsite wastewater treatment system. The Project would not induce substantial population growth or result in the need for additional residential development beyond what currently exists. The current regional growth forecast was adopted on June 15, 2022. The regional growth forecast does not evaluate individual areas of unincorporated Monterey County and therefore growth projections for Royal Oaks are combined under *Unincorporated*. The population within the Project area is anticipated to increase by 6,317 persons between 2015 and 2045, representing a 6-percent increase. The Project would not induce substantial population growth either directly or indirectly beyond what was forecasted. Therefore, the Project would not conflict with or obstruct an applicable air quality plan. For these reasons, no impact would occur.

Air Quality Impact (b) Less than Significant: The MBARD 2016 CEQA Air Quality Guidelines contain standards of significance for evaluating potential air quality effects of projects subject to CEQA. According to MBARD, a project would violate an air quality standard and/or contribute to an existing or projected violation if it would emit (from all sources, including exhaust and fugitive dust) more than:

- 137 pounds per day of oxides of nitrogen (NO_x),
- 137 pounds per day of reactive organic gases (ROG),
- 82 pounds per day of respirable particulate matter (PM_{10}),
- 55 pounds per day of fine particulate matter ($PM_{2.5}$) and
- 550 pounds per day carbon monoxide (CO).

According to MBARD's criteria for determining construction impacts, a project would result in a potentially significant impact if it would result in 8.1 acres of minimal earthmoving per day or 2.2 acres per day with major grading and excavation.

Project construction will temporarily disturb 1.1 acre (including leach field preparation) permanently converting approximately 0.28 acres of an approximately 18.14-acre parcel (13.53 acres after the LLA) for a main dwelling, guesthouse and workshop, driveway and accessory development.

The construction soil stockpile area would be located at the base of the Project parcel near Elkhorn Road, just off of the shared driveway. This area would be revegetated with a native grass and forb seed mix. Development would result in approximately 550 cubic yards ("cy") of excess excavated soil. In consultation with the project Biologist, the Applicant identified an area where excess soils could be spread on-site on APN 181-151-008-000, within the southeastern portion of the Project site.

The approximate 550 cy of excavated soil would be spread six to twelve inches deep, covering approximately 30,000 sf (0.69 acre). Construction would require equipment such as tractors, backhoes, excavators, loading trucks and pickup truck, with construction related emissions coming from sources such as exhaust or fugitive dust. Project construction Project would not, however, exceed MBARD's significance criteria. Grading and excavation-related activities occurring over several days, would not exceed MBARD's daily ground-disturbing thresholds for excavation (2.2 acres per day) or grading (8.1 acres per day).

The Project would implement standard construction Best Management Practices ("BMPs") related to dust suppression e.g. watering active construction areas, prohibiting grading activities during periods of high wind (over 15 mph), covering trucks hauling soil, covering exposed stockpiles, etc.) thereby further ensuring temporary construction-related effects are minimized. For these reasons, project construction Project would have a less than significant impact on air quality.

The Project could result in operational emissions but would not result in a significant impact. Operational emissions associated with the Project would not exceed an applicable MBARD threshold of significance. The Project would be used for residential uses consisting of a single-family dwelling with attached carport and deck; and a detached guesthouse with a porch, attached workshop and garage. The Project would be constructed in accordance with contemporary building standards. As discussed in **Section VI.5 Energy,** the Project would include rooftop solar arrays, energy storage system and backup generator and would not connect to an existing electrical grid. Additionally, operational emissions generated by vehicle trips would be minimal. As discussed in Section VI.17 Transportation, the Project would generate new daily trips but would not exceed the daily threshold of 110 trips as set by the Office of Planning and Research ("OPR"). For these reasons, operational emissions associated with the Project would not exceed an applicable MBARD threshold of significance. The Project would result in a less than significant impact to air quality during operation.

Air Quality Impact (c) Less than Significant: The Project is in a rural area of Royal Oaks; and the nearest sensitive receptor is a single-family dwelling, located approximately 300 ft to the southeast of the Project site. As discussed, Project construction would generate air quality impacts. However, these impacts would be temporary in nature and would not exceed the thresholds set by MBARD. Therefore, impacts of the Project would be less than significant.

Air Quality Impact (d) Less than Significant: Project construction could generate temporary odors from construction equipment (e.g., diesel exhaust) which could be noticeable at times to residences, visitors and others in the Project vicinity. However, construction-generated odors would be temporary in nature and would not create objectionable odors affecting a substantial number of persons. This represents a less than significant impact.

Through application of standard MBARD BMPs, along with County Building Services construction plan review and inspection, the Project will Project have a less-than-significant impact on Air Quality.

4. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (sources: 2, 3, 21, 26, 27, 28, 33, 34, 35, 44)	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (sources: 2, 21, 26, 27, 28, 33, 34, 35, 40, 44)	☐	☒	☐	☐
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? (sources: 2, 21, 26, 27, 28, 33, 40)	☐	☒	☐	☐
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? (sources: 2, 21, 27, 28, 43, 44)	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (sources: sources: 2, 21, 27, 28, 31, 32, 34, 35, 44)	☐	☒	☐	☐
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? (sources: 2, 21, 27, 28)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Biotic Resources Group and Bryan Mori Biological Consulting prepared a biological resources assessment for the residential development portion of the Project (PLN220229) which was updated to include the LLA Project (PLN240187). The assessment, *Elkhorn Road Parcel APN 181-151-009 Biological Assessment (December 2024)*, evaluated the Project's potential impacts associated with the construction and operation.

James P. Allen & Associates prepared a forest resources assessment for the residential development Project (PLN220229) and then updated it to include the LLA Project (PLN240187). The assessment, *Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection*

Plan (December 2024), focused on the Project's construction and operation. Consistent with the requirements of CEQA Guidelines Sec. 15150, findings of these technical analyses are herein incorporated by reference. For a more detailed discussion of the site's biological resources, please refer to the technical reports available for review at the Monterey County HCD – Planning Office located in Salinas, California and online via Accela Citizen Access at https://aca-prod.accela.com/MONTEREY/Default.aspx.

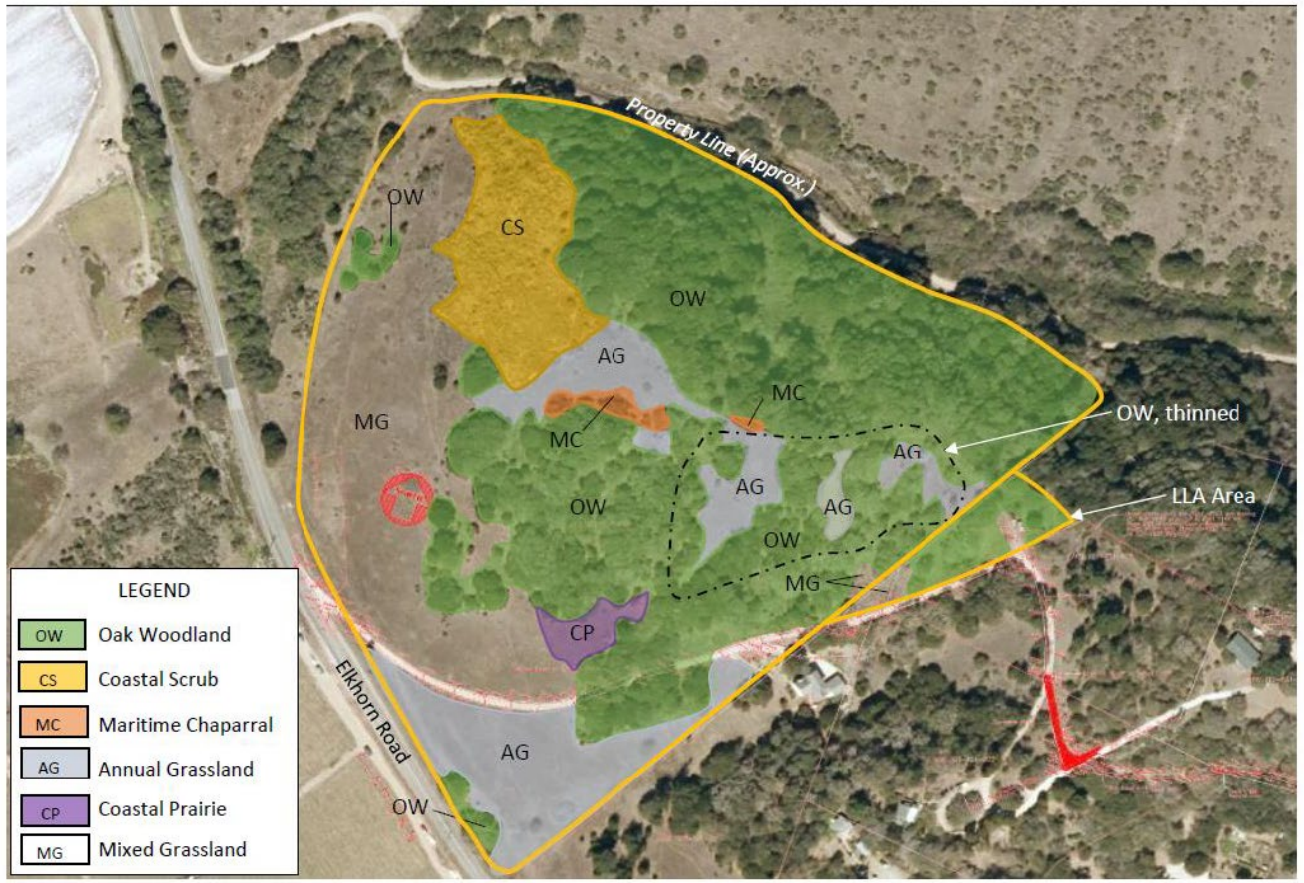
Methodology

Kathleen Lyons conducted botanical site surveys of the Project site on July 11, 2022 and April 10, 2023. These surveys focused on identification of sensitive habitat and potential rare species and habitat within the Project site. Field surveys were conducted within blooming/identification periods for special-status plant species. To determine the site's suitability to support any special-status species, the biologist used and reviewed the soil conditions, compaction, existing vegetation and personal knowledge of the habitat conditions. The site was traversed on foot to identify botanical resources and habitat conditions. Data sources used by the biologist include Federal, State and local databases, manuals and maps.

Natural Communities

The biological resource assessment identified that the Project site supports oak woodland, grassland (coastal prairie, annual grassland, mixed grassland), maritime chaparral and coastal scrub vegetation types.(**Figure 11a. Vegetation Types)**. Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special-status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types and/or provide high biological diversity.

The project site contains sensitive Project of oak woodland, coastal scrub, maritime chaparral and native grasslands habitats (**Table 4-1 Plant Community Types, Elkhorn Road Parcel and LLA Area)**.



Source: Biotic Resources Group and Bryan Mori Biological Consulting

Vegetation Types

Figure 11a

Table 4-1
Plant Community Types, Elkhorn Road Parcel and LLA Area

General Plant Community Type	CDFW Alliance	Alliance Code	Sensitive?
Oak Woodland	Coast live oak– poison oak/California blackberry/poison oak - grasses	71.060.13	No (CDFW) Yes (County)
Maritime Chaparral	Pajaro manzanita/sticky monkey flower -grasses	37.316.01	Yes (CDFW) Yes (County)
Coastal Scrub	California sagebrush/sticky monkey flower/coyote brush/poison oak – bracken fern	32.010.11	Yes (CDFW) Yes, if known rare/ endangered species of plants and animals, rookeries, major roosting sites and other wildlife breeding or nursery areas identified within the Coastal Scrub (County)
Grassland	Coastal Prairie: California oatgrass/purple needlegrass – lupine/California poppy/filaree	41.050.05	Yes (CDFW) Yes, as qualified above (County)
	Annual Grassland: Wild oat/ripgut brome/filaree/English plantain	44.150.02	No (CDFW) No (County)
	Mixed Grassland: Purple needlegrass/wild oat/Chilean brome/rattlesnake grass	41.150.05	No (CDFW) Yes, as qualified above (County)

Source: Biotic Resources Group and Bryan Mori Biological Consulting, 2024. Elkhorn Road Parcel APN 181-151-009 Biological Assessment.

Table 4-2
Impacts to Habitat by Type

Habitat	Permanent Impact	Temporary Impact
Oak Woodland	0.04 acre	0.009 acre
Mixed Grassland	0 acre	0.08 acre
Total	0.04 acre	0.089 acre

Source: Biotic Resources Group and Bryan Mori Biological Consulting, 2024. Elkhorn Road Parcel APN 181-151-009 Biological Assessment.

The biological resource assessment determined sensitive habitats would be impacted by the Project.(**Table 4-2 Impacts to Habitat by Type):**

Oak Woodland: The biological resource assessment identified oak woodland in the central and northern portions of the parcel and within the proposed LLA area. The woodland is characterized by coast live oak

trees (*Quercus agrifolia*), with a few scattered Monterey pines (*Pinus radiata*). In the central portion of the parcel, the woodland has a relatively sparse understory. Commonly observed species include poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), sticky monkey flower (*Diplacus aurantiacus*), coyote brush (*Baccharis pilularis*) and young oaks. Herbaceous species observed include wild oat (*Avena sp.*), ripgut brome (*Bromus diandrus*), ryegrass (*Festuca perennis*), Italian thistle (*Carduus pycnocephalus*), coyote mint (*Monardella villosa*) and scarlet pimpernel (*Anagallis arvensis*).

The biological resource assessment notes that a portion of the oak woodland was thinned in 2022/23 when some young oaks were cut, limbs removed from larger trees and the understory brush cut to accommodate staking and flagging of the proposed dwellings and a longer, previously proposed driveway through the woods. This thinning is allowed in the LUP area as CIP section 20.144.050.A.1 defines "unprotected trees" as native non-oak trees less than 12 inches diameter at breast height, madrone trees less than 6 inches diameter at breast height and oak trees less than 6 inches diameter at 2 ft above the ground.

The original Parcel A's north and east-facing slopes support a more mesic (characterized by, or adapted to a moderately moist habitat) oak woodland with dense understory vegetation. Coast live oak trees create a dense tree canopy, with an understory thick with poison oak, coffee berry (*Frangula californica*), snowberry (*Symphoricarpos albus*), California blackberry, mugwort (*Artemisia douglasiana*), wood fern (*Dryopteris arguta*), hedge nettle (*Stachys bullata*) and patches of non-native poison hemlock (*Conium maculatum*).

Coastal Prairie: The biological resource assessment identified that the Project site supports a small area of coastal prairie in the south-central portion of the parcel. This vegetation type is defined as having a dominance or co-dominance of native bunchgrasses: California oatgrass (*Danthonia californica*), a native perennial bunchgrass, with or without other bunchgrasses. Other plant species include purple needlegrass (*Stipa pulchra*) (another native perennial bunchgrass), filaree (*Erodium botrys*), catchfly (*Silene gallica*), sky lupine (*Lupinus nanus*), bicolor lupine (*Lupinus bicolor*) and California poppy (*Eschscholzia californica*).

Annual Grassland: The biological resource assessment found that the northwestern portion of the parcel supports annual grassland. This grassland type occurs in open areas next to the oak woodland. Annual, non-native grasses present the most cover and include wild oat (*Avena sp.*), ripgut brome (*Bromus diandrus*), rattlesnake grass (*Briza maxima*), false brome (*Brachypodium distachyon*) and Chilean brome (*Bromus stamineus*). The grassland also supports small patches of native purple needlegrass (*Stipa pulchra*) and California oatgrass; the cover provided by these two native grasses is less than 10%. Forbs are also present. Commonly observed native forbs include owl's clover (*Orthocarpus densiflora*), skunkweed (*Navarretia squarrosa*), purple sanicle (*Sanicula bipinnatifida*), sky lupine, common aster (*Corethrogyne filagininifolia*), soap plant (*Chlorogalum pomeridianum*) and mule's ears (*Wyethia angustifolia*). Nonnative forbs are prevalent, such as cat's ear (*Hypochaeris radicata*), filaree, English plantain (*Plantago lanceolata*), fiddle dock (*Rumex acetosella*), scarlet pimpernel (*Anagallis arvensis*), catchfly (*Silene gallica*), wild radish (*Raphanus sativa*) and Italian thistle.

Mixed Grassland: The biological resource assessment identified that the lower, western slopes of the parcel near Elkhorn Road support mixed grassland. Here, native and non-native grasses and forbs co-dominate. Wild oat and purple needlegrass intermix, with a predominantly non-native forb component. Other species include suncups, sky lupine, bur clover (*Medicago polymorpha*), mule's ears and California poppy.

Maritime Chaparral: The biological resource assessment determined that the Project site supports small areas of maritime chaparral. This chaparral is characterized by the presence of brittle-leaved manzanita (*Arctostaphylos crustacea*) and Pajaro manzanita (*Arctostaphylos pajaroensis*). Pajaro manzanita is a rare

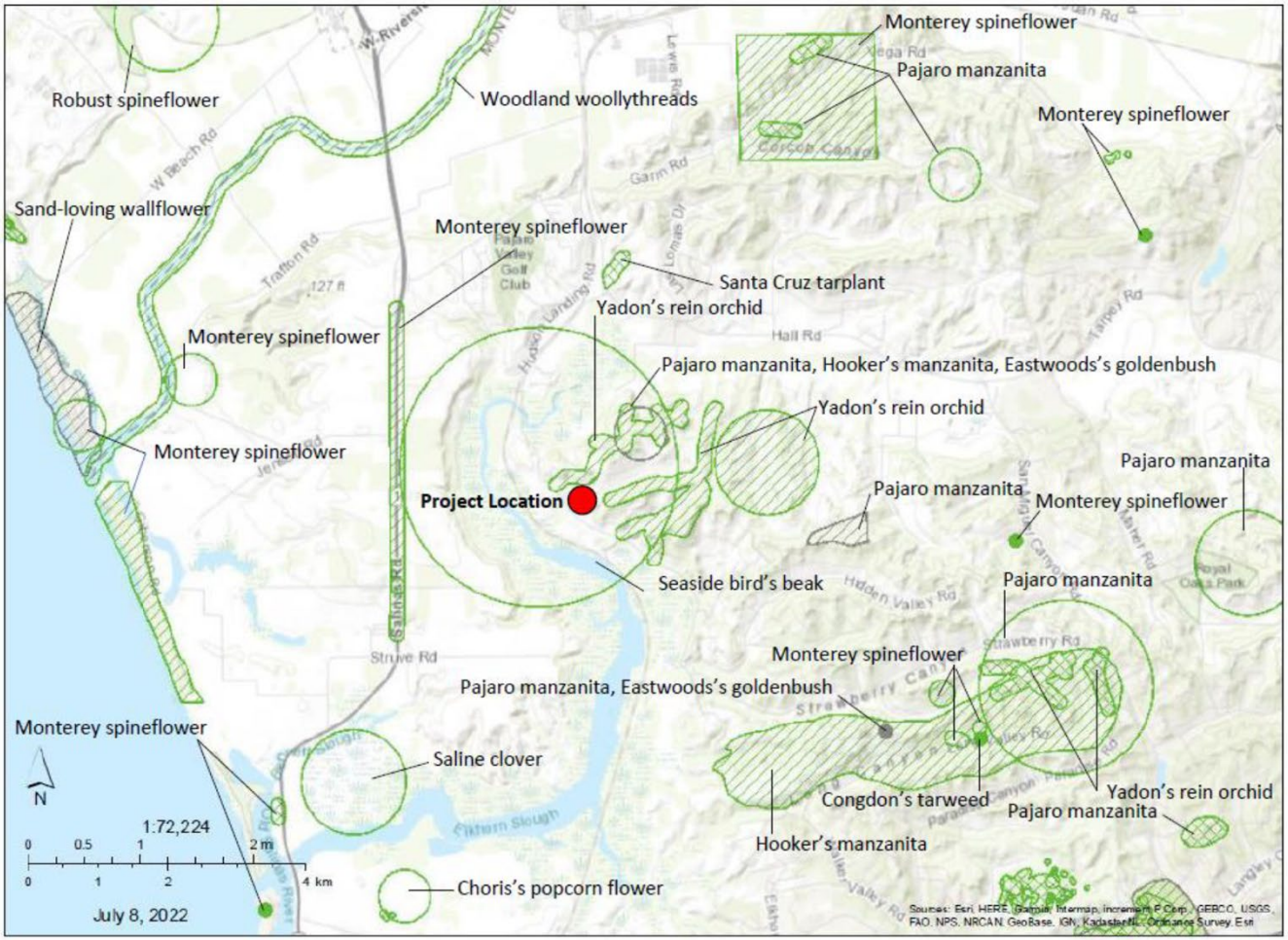
evergreen shrub. The chaparral is located on the edge of oak woodland in the central portion of the parcel. Other plant species in the chaparral include sticky monkey flower and grasses and forbs typical to the adjacent grassland.

Coastal Scrub: The biological resource assessment determined that coastal scrub is found on the parcel's northwest-facing slope. The vegetation is dominated by shrubs, such as California sagebrush (*Artemisia pycnocephalus*), coyote brush, sticky monkey flower, poison oak, black sage (*Salvia mellifera*), deerweed (*Acmispon glaber*) and coffee berry. Herbaceous species are common in openings and include native species, such as bracken fern (*Pteridium aquilinum*), soap plant, California horkelia (*Horkelia californica*), California acaena (*Acaena pinnatifida var. californica*), mule's ears and coyote mint. Non-native forbs also are prevalent and consist of summer mustard (*Hirschfeldia incana*), ragwort (*Senecio sp.*), dandelion (*Taraxacum officinale*), bull thistle (*Cirsium vulgare*) and yellow star thistle (*Centaurea solstitialis*).

Riparian: The biological resources assessment did not identify a riparian corridors or riparian vegetation within the Project site. However, the U.S. Fish and Wildlife Service ("USFWS") Wetlands Mapper shows a potential riverine feature and potential wetlands within 0.25 miles to the north of the Project site.

Special-Status Plant Species

"Species of concern" include those listed by either the Federal or State resource agencies as well as those identified as rare by California Native Plant Society ("CNPS") - List 1B. Biotic Resources Group and Bryan Mori conducted a search of the CNPS and California Natural Diversity Database ("CNDDB")and identifying several species of concern within the greater Project area; including small patches of maritime chaparral including Pajaro manzanita (*Arctostaphylos pajaroensis*), a special status shrub. No other special status plant species were found on sit (**Figure 11b. Special Status Plants)**.



Special Status Plants

Source: Biotic Resources Group and Bryan Mori Biological Consulting

Figure 11b

Pajaro manzanita (*Arctostaphylos pajaroensis*): Pajaro manzanita is listed as a Rare species (List 1B.1) by CNPS. The species is not listed under the California Endangered Species Act ("CESA") or the Federal Endangered Species Act ("FESA").The Pajaro manzanita evergreen perennial shrub occurs in maritime chaparral on sandy soils in northern Monterey County. It is readily identified by its leathery leaves that clasp onto the stems. The species is known from several colonies in the greater project area, including lands north of the subject parcel. A patch of Pajaro manzanita shrub was observed "located on the edge of oak woodland in the central portion" [of Parcel A]… "outside the development area" (Assessment by Biotic Resource Group, prepared May 9th, 2023).

The following special status species were not found during the 2022 and 2023 botanical surveys but could occur within the Project area.

- Monterey spineflower (*Chorizanthe pungens pungens*)
- Robust spineflower (*Chorizanthe robusta robusta*)
- Santa Cruz tarplant (*Holocarpha macradenia*)
- Yadon's rein orchid (*Piperia yadonii*)
- Seaside bird's beak (*Cordylanthus rigidus ssp. littoralis*)
- Hooker's manzanita (*Arctostaphylos hookeri*)
- Eastwood's goldenbush (*Ericameria fasciculata*)

Special-Status Wildlife Species

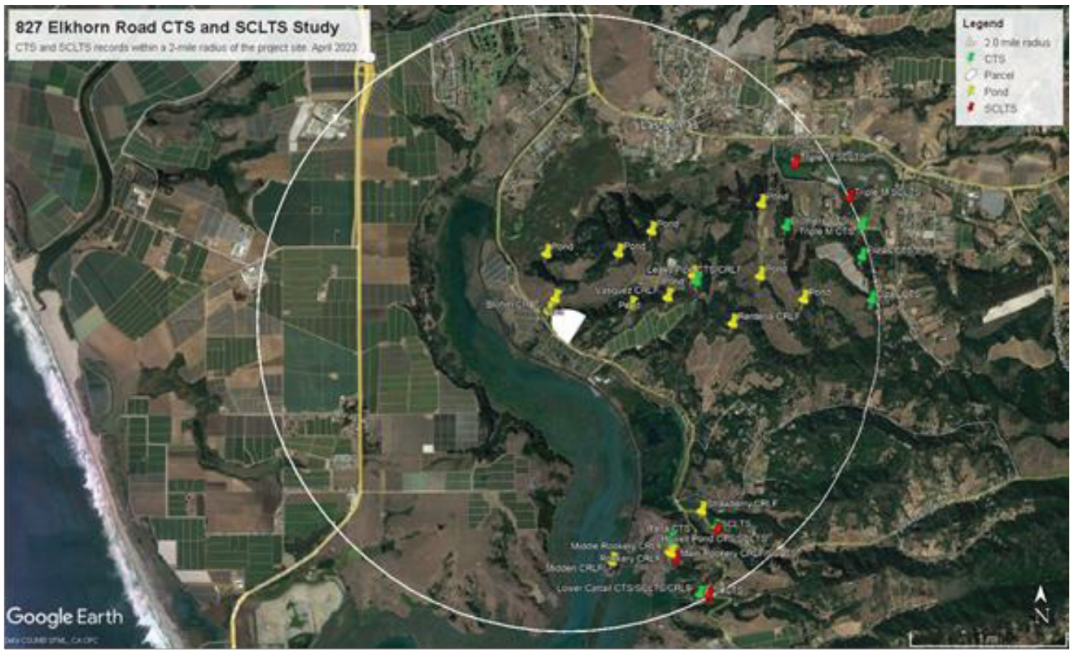
Biotic Resources Group and Bryan Mori determined 11 special-status species *may* occur on the Project site:

- California tiger salamander ("CTS") (*Ambystoma californiense*),
- Santa Cruz long-toed salamander ("SCLTS") (*Ambystoma macrodactylum croceum*),
- California red-legged frog ("CRLF") (*Rana draytoni*),
- California legless lizard ("CLL") (*Anniella pulchra*),
- white-tailed kite (*Elanus leucurus*),
- northern harrier (*Circus hudsonius*),
- merlin (*Falco columbarius*),
- loggerhead shrike (*Lanius ludovicianus*),
- Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus),*
- grasshopper sparrow (*Ammodramus savannarum*) and
- pallid bat (*Antrozous pallida*).

The presence of San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, *was confirmed* on the Project site.

The Project Site is located within the range of the state and federally threatened CTS and state and federally endangered SCLTS. Bryan Mori performed a focused pitfall trapping study during the 2022-2023 winter under Federal Permit TE778668-9 and State Scientific Collection Permit No. 200160021with prior approval from CDFW and USFWS. The pitfall trap arrays were installed by October 21, 2022; trap monitoring was performed from November 2, 2022, to March 14, 2023. All traps were permanently closed on March 14, 2023 and completely removed by March 31, 2023.

No CTS or SCLTS were recorded during the study (**Figure 12. CTS and SCLTS Study)**. Because trapping studies are only valid for one year, an additional year of pitfall trapping was completed during the 2024-2025 winter as requested by CDFW.



Biological Assessment Figure 13. Known CTS and SCLTS Breeding Sites and Potential Breeding Ponds within a 2-mile Radius of the Project Parcel, which is Shown as a White Polygon.

Table 3. CTS and SCLTS Breeding Ponds within a 2-mile Radius of the Project Site

Species	Site	Distance from Project Site
California Tiger Salamander	Leaky Pipe Pond	0.85 mile east
California Tiger Salamander	Brother's Pond	1.44 miles east
California Tiger Salamander	Rana Pond	1.54 miles southeast
California Tiger Salamander Santa Cruz Long-toed Salamander	Howell Pond	1.60 miles southeast
Santa Cruz Long-toed Salamander	Triple M Ranch Pond	1.65 miles northeast
Santa Cruz Long-toed Salamander	Main Rookery Pond	1.67 miles southeast
California Tiger Salamander	Elizas Pond	1.82 miles east
Santa Cruz Long-toed Salamander	Triple M Ranch Pond	1.86 miles northeast
California Tiger Salamander	Elizas Pond	1.86 miles east
California Tiger Salamander	Triple M Ranch Pond	1.88 miles northeast
California Tiger Salamander Santa Cruz Long-toed Salamander	Lower Cattail/Upper Cattail	1.94 miles southeast

CTS and SCLTS Study	Source: Biotic Resources Group and Bryan Mori Biological Consulting	Figure 12

The Biologist's report on results of the 2024-2025 trapping studies was completed April 15, 2025. Trap monitoring was performed from November 2, 2024, to 15 March 15, 2025. On several occasions, traps were lifted in response to flooding from surface flow and soil saturation. All traps were permanently closed on March 15 and completely removed by March 18, 2025. 120 traps were monitored for 32 nights in the study period. No CTS or SCLTS were recorded during the study.

However, five CRLF young of the year ("YOY") were captured with four of five captures occurring before January 2025. All individuals were measured, photographed and released in suitable habitat on the opposite side of the trapline. The project biologist found the captures surprising, as none were documented during the initial 2022-2023 study; however, they noted that CRLF are widely distributed in the region and they can migrate long distances. The Applicant contacted the US Fish and Wildlife Service (USFWS), Buena Vista Field Station (Chad Mitcham) for early guidance. Per communications with Mitcham, a Habitat Conservation Plan (HCP) would not be requested, given the project proposes to incorporate suitable avoidance measures through this IS/MND.

Oak Woodland Resources

James P. Allen & Associates prepared a forest resources assessment for the Proposed Project. The assessment, *Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection Plan (December 2024)*, evaluated potential impacts associated with the Project's construction and operation. James Allen conducted site inspections of the Project site between July 8, 2023and August 1, 2023 with supplemental site inspections conducted between July 12, 2024 and July 27, 2024.

The assessments inspected and inventoried 151 trees growing within or adjacent to the development area. 130 of the trees inventoried meet "Protected" criteria (CIP section 20.144.050.A.1), 27 of the 130 are "Landmark" trees.

"Protected" tree criteria Project is defined as oak trees six inches or more in diameter as measured two ft above ground, madrone trees 6 inches or more as measured diameter at breast height ("dbh") and any other tree included in the LUP's native tree list measured 12 inches or more dbh.

"Landmark" trees are trees of any native North County species 24 inches or more in diameter dbh; Landmark oaks are 24 inches diameter (measured two feet above the ground). Landmark trees also include native North County trees which are visually significant, historically significant, or exemplary of their species. Tree removal for the Project is shown in **Table 4-3 Tree Removal Summary**.

Table 4-3
Tree Removal Summary

Quantity of Trees Inventoried	Quantity of Protected Trees Inventoried	Quantity of Landmark Trees Inventoried	"Protected" Trees to be Removed due to Construction Impacts	"Landmark" Trees to be Removed due to Construction Impacts	Trees to be Removed due to Construction Impacts Not "Protected"	Protected Trees to be Removed due to Condition
151	130	27	15	1	3	1
Quantity of Trees to be Removed						**20**

Source: James P. Allen & Associates, 2024. Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection Plan.

James Allen's assessment inventoried 154 trees on the Project site. As discussed, the Project would remove up to 20 Coast Live Oak trees. 15 of the trees proposed for removal meet "Protected" criteria, which requires a Coastal Development Permit and specific findings based on the LUP guidance on tree removal.

The Arborist found that the "Protected" trees proposed for removal are in "fair" to "poor" states of health with poor structure and preservation suitability.

Tree #154 meets the definition of a "Landmark" tree due to the size of its trunk (greater than 24 inches at two ft above ground) and is uprooted, with a small percentage of live foliage remaining. The remaining three trees proposed for removal do not meet "Protected" criteria.

In the Arborist Report (HCD-Planning Library Doc. No. LIB230235), James Allen determined the projected loss of tree canopy represents 0.08-acres or 1.19% of the total property canopy coverage of 10.13 acres. To compensate for Project impacts to oak woodland, the Project would implement oak woodland restoration and enhancement actions as per an approved forest management plan. The Forest Management Plan would include restoration/enhancement of a approximately 0.12 acres of oak woodland within one year after construction of the single-family residence.

To compensate for the removal of up to 15 protected oak trees, the Applicant would be required to replace removed trees on a 1:1 ratio. The landmark tree will be replaced at a 2:1 ratio (**Figure 9a. Tree Removal Plan, Figure 9b. Tree Protection Plan and Figure 13).** The Applicant shall also implement a habitat adaptive care program for habitats located outside the 100-foot defensible space/fuel management area **(Mitigation Measure BIO-9)**.

Fuel Management

The Project would implement a Fuel Management Plan to control wildfire fuels within 100 ft from all structures on the Project site. The Fuel Management Plan has been prepared to reduce wildfire risk while minimizing impacts on biological resources; and includes the following:

Zone 1 – Extending 30 ft from all structures

1. Remove all dead plants, grass and weeds.
2. Remove dead or dry leaves and pine needles from yard, roof and rain gutters.
3. Remove branches that hang over roof and keep branches 10 ft away from chimney.
4. Trim dead portions of tree limbs within 10 ft from the ground.
5. Remove or prune flammable plants and shrubs near windows.
6. Create separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc.
7. Trim trees regularly to keep branches a minimum of 10 ft from other trees. Review by Project Arborist.
8. Trim all limbs within 6 ft of the ground. To be determined and finalized during planning review process in sensitive habitat areas. See note # 3 under Zone 2.
9. Remove all cut material or chip and spread on site.
10. Provide and maintain, at all times, a screen over the outlet of every chimney or stove pipe that is attached to a fireplace.
11. Post house numbers per NCFPD requirements.

Zone 2 – Extending 100 ft from all structures

1. Manage vegetation in defensible spaces in a manner sensitive to the biological resources and compatible with CAL FIRE guidelines. To reduce the fire ladder to the tree canopy, maintain a low

(12-18 in tall) understory of native vegetation. Trim tree limbs within 6 ft of ground. Remove tree limbs up to 10 to 15 ft where necessary to create vertical space between bushes and trees per note #3. Leave some logs scattered on bare soil to provide cover for wildlife. All trimming and tree pruning shall be performed under the guidance of the Project Arborist.

2. Remove fallen dead trees, see Requirement #1, Zone 1 above.
3. Create vertical space between grass, shrubs and trees by thinning undergrowth adjacent to trees and/or pruning trees. On moderate slopes 20-40%, horizontal spacing between bushes should be 4x the height of the bush. All undergrowth thinning, tree pruning and woodland thinning must be performed under the guidance of the Project Arborist in the field. Environmentally sensitive areas may require alternative fire protection measures, to be determined by the reviewing agency and the director of planning and building inspection.
4. Remove fallen leaves, twigs, bark, cones and small branches. Care must be taken not to disturb any SF dusty footed woodrat houses as located by the Project Biologist.
5. All Pajaro manzanita occurring within the fire protection zone is to be protected at all times per biotic report and Mitigation Measure BIO-1. Pajaro manzanita and maritime chaparral are never to be pruned, thinned or removed.
6. Project shall be inspected for clearances by NCFPD.

Biological Resources Impact (a) and (d) Less than Significant with Mitigation: Subject to these mitigation measures (and followed through the Conditions of Project approval) the Project would not have a substantial adverse effect directly or indirectly through habitat modifications on any species identified as candidate, sensitive, or special status; nor would the Project have a substantial adverse effect on any native resident or migratory fish or wildlife species.

The Project site was found to support Pajaro manzanita (*Arctostaphylos pajaroensis*), a special status shrub; however, the biological assessment determined that the Project would not result in direct impacts to Pajaro manzanita. Entitlements for PLN220229 include a Coastal Development Permit for development within 100 feet of ESHA. Permit approval requires the Project to meet specific CIP criteria. Strict adherence to these criteria will mitigate the Project's potential impacts to the Pajaro manzanita.

The Project site contains habitat that could accommodate other special-status species. Portions of the Project site provide open areas, with loose, sandy soil suitable for Monterey spineflower and Yadon's rein orchid. Occurrence of Yadon's rein orchid has been recorded within one mile of the Project site. Occurrence of Monterey spineflower has been recorded within two miles of the Project site. However, the botanical surveys conducted did not identify occurrences of these species. No other special status plant species were found on site.

The biological assessment determined 11 special-status wildlife species may occur in the Project site. The presence San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the property.

CTS, CLL and SCLTS could occur on the Project site, given its location in the distributional range of these species and their abilities to migrate/disperse over long distances. Since the trapping study is valid only for one year, two years of pitfall trapping were performed during the 2023-2024 and 2024-2025 winters. The project biologist concluded, based on the negative results of the two studies, that the likelihood of CTS, CLL or SCLTS take is very low. However, due to the distribution of these species in the project vicinity, precautionary protection measures should be implemented.

Results for CRLF were positive in the 2024-2025 winter trapping period. A total of five CRLF YOY were captured, with four of five captures occurring before January. After consultation with appropriate USFWS staff, The USFWS indicated that an HCP would not be because the USFWS staff had already reviewed the proposed Biological Resources Mitigation Measures contained in this IS/MND, finding them to be sufficient.

Construction activities, as well as fire management activities needed for defensible spaces, could result in take of CTS, SCLTS, CRLF and CLL, depending on the location and/or period of ground disturbance construction activities (e.g., grubbing, grading, trenching, etc.). As described above, the presence of San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the property. Project construction activities could result in the direct take of woodrat houses.

Project construction could result in short-term, temporary direct and indirect impacts to bats, raptors and other nesting bird species (e.g., wildlife harassment or mortality, nest abandonment, habitat loss) associated with construction activities (e.g., soil compaction, noise, dust, vegetation removal, erosion and sedimentation, hazardous material spills and introduction and spread of non-native, invasive species). These potentially significant impacts can be reduced to less-than-significant by implementation of the mitigations below.

Construction activities could disrupt nesting activities of potential special-status breeding birds such as white-tailed kite, northern harrier, loggerhead shrike, Bryant's savannah sparrow and grasshopper sparrow, along with raptors and other native species nesting adjacent to the Project site. Project removal of trees and/or snags and construction activities beneath and adjacent to potential bat roosts could result in the direct loss of roost sites or abandonment of roosts through noise or vibrations. Maternity roosts are most important as negative impacts can have broad, far-reaching effects, since such roosts are critical for reproduction and can support multiple generations of bats.

Monitoring is a critical component in the success of mitigation measures. Within the measures below, an adaptive care program is used to evaluate the effectiveness of seven years of site management actions and as a tool in determining if management actions should be revised to better reach goals and objectives. The ability to alter management activities based on monitoring results is the primary tenet of the adaptive management process. The Applicant is highly motivated to assist in the long-term sustainable use of and care for the Project site and can be expected to continue this stewardship beyond the required minimum.

Mitigation Measure BIO-1 (PAJARO MANZANITA). Pajaro manzanita is considered rare (List 1B.1) by CNPS. The species is considered ESHA in County of Monterey. A patch of Pajaro manzanita shrubs were observed within 100 feet of the construction area on the PLN220229 subject parcel (Project Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid project-related impacts to Pajaro manzanita, the landowner ("Applicant/Owner" of PLN220229/ APN 181-151-008-000) shall contract a qualified botanist to identify in the field, with stakes and orange construction fencing, all extant occurrences of Pajaro manzanita and maintain protective fencing around these occurrences throughout the residential construction period.

No ground disturbances (e.g., discing, grading, etc.), storage of materials, spoils and staging of heavy equipment shall be allowed within designated environmentally sensitive areas. Applicant/Owner shall submit annual monitoring reports during Years 1-7 to HCD-Planning, describing qualified botanist's prescribed actions for the year, results of annual monitoring visits, including any remedial actions needed or implemented. Reports shall be prepared by Applicant/Owner or their designee, by a qualified botanist, ecologist, or revegetation specialist listed in HCD-Planning's qualified list of specialists. Applicant/Owner is responsible for submitting the reports to HCD-Planning by January 31st following each monitoring year.

Mitigation Measure BIO-1 Monitoring Action: Prior to the issuance of any construction permit, Applicant/Owner shall submit photo evidence to HCD-Planning that staking and fencing ensuring avoidance of impacts to Pajaro manzanita has been completed. Annual monitoring reports are to be submitted to HCD – Planning for review and approval by January 31st following each monitoring year.

Mitigation Measure BIO-2: (WILDLIFE PRE-CONSTRUCTION SURVEYS). Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda) and information obtained from the CNDDB. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to them to the "greatest extent feasible," as determined by a qualified biologist.

If, after review by a qualified biologist, potential impacts cannot be avoided, Applicant/Owner shall immediately stop work and no work may proceed until authorization is obtained from CDFW and USFWS. An Incidental Take Permit ("ITP") from the respective Wildlife Agency may be needed to continue work.

To ensure all potential impacts are avoided, a qualified biologist shall survey permanent and temporary impact areas for special status wildlife that could occur on the property no less than 48 hours prior to the start of any vegetation removal or grading.
Pre-construction surveys shall be repeated for any new construction phases beginning at any later time.

Once it is determined, through the biological survey that no sensitive animals are within the impact areas, construction may begin. If any sensitive species found within the impact area or will otherwise be at risk during construction, work activities shall be delayed in that particular area to allow the animal to leave the work zone of its own volition. The biologist shall monitor the identified area to determine when individuals of special-status species have left and work can commence. This measure shall be coordinated with Mitigation Measure BIO-3.

To further accomplish avoidance and/or required permitting, a qualified biologist shall perform a pre-construction survey for CTS, SCLTS, CRLF and CLL within 72 hours of project start. The pre-construction survey shall focus on searching beneath cover objects, such as large rocks, downed logs and other woody debris and boards, etc., within the project site work limits (e.g., staging/storage areas, access roads and grading envelope). If any individuals are found to be at risk during construction, work activities shall stop and be postponed to allow the animal(s) to leave the work zone on its/their own volition.

If CLL are observed on-site, the biologist shall direct their relocation to an appropriate habitat out of harm's way (location to be determined by the biologist). Handling of CLL and other special-status species shall be performed only by a permitted biologist and as approved by CDFW and USFWS.

If CTS, SCLTS or CRLF are found during any construction phase, the Applicant/Owner or their designee shall immediately notify CDFW and USF. All site work shall stop immediately and be postponed until authorization to proceed has been obtained from CDFW and USFWS.

Pre-Construction Biologist Report - The biologist shall submit to the County a report detailing the methods and results of the wildlife preconstruction surveys. The report shall detail any sensitive species found during the survey and measures taken to avoid all harm to those species. Observations of special-status species shall be submitted to the CNDDB. The report shall be submitted to state and federal agencies (if required) and the County of Monterey HCD within 30 days of identification of any on-site sensitive species.

Mitigation Measure BIO-2 Monitoring Action: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted, qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-2. Within one month of the start of construction, Applicant/Owner shall submit preconstruction survey results to HCD-Planning and any required state and federal agencies.

Mitigation Measure BIO-3 (EXCLUSION FENCING). Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda, and information obtained from the CNDDB). To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible with installation of exclusionary fencing.

If ground disturbing work cannot be completed prior to the first fall rains approximately mid-October), but no later than 48-hours prior to the prediction of unseasonable rainfall of a minimum 0.25 inches, Applicant/Owner shall encircle the entire perimeter of work sites with exclusion fencing to prevent CTS, SCLTS and CRLF from moving into work areas.

Exclusion fencing shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3 ft x 3 ft cover boards shall be placed every 100 ft along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. Standard silt fence material can be used for the exclusion fence. The silt fence should be buried a minimum 6 inches below grade.

If an entrance is needed for workers or machinery access, a removable, minimum 6-inch tall wood plank shall be placed across the gap, secured with stakes or rebar at the end of each day's work for a two-week period following rainfall. Fence installation shall be checked by a qualified biologist at least weekly to ensure appropriate installation, upkeep or to implement recommendations if improvement is needed.

Mitigation Measure BIO-3 Monitoring Action: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-3. Within one month of the start of construction, Applicant shall update HCD – Planning regarding the status of the exclusion fencing, including site photographs and a bird's eye view sketch of the construction site.

Prior to fencing removal, Applicant/Owner shall submit the status of the exclusion fencing in the same manner with a memorandum including the biologist's recommendations regarding the appropriate time to remove the fencing.

Mitigation Measure BIO-4 (CONSTRUCTION CREW TRAINING). The subject parcel has potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDB including CTS, SCLTS, CRLF and CLL.

To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible as determined by a qualified biologist. To avoid this harm, prior to the project's start, a qualified biologist shall present an "endangered species environmental training" to all construction workers. The training shall include distribution of a handout in English (and Spanish and/or other appropriate language, depending on crew makeup) addressing the natural history and legal status of all species of concern which may potentially occur on-site.

The education must focus on protection measures to be implemented as part of the project. Following the training all workers shall sign a certification of attendance. Applicant/Owner shall maintain this certificate of attendance with their records. All workers must be trained, prior to working on the project site, either by the qualified biologist or previously trained site supervisor. Any worker(s) added to the construction crew after the initial training shall also be trained before they are allowed to work onsite.

Within 30 days of training, the project biologist shall submit a memorandum describing the worker training to the County of Monterey HCD – Planning and State and Federal agencies (if required). Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to HCD within 30 days.

Mitigation Measure BIO-4 Monitoring Action: Prior to the issuance of any construction permit, Applicant/Owner shall submit a Worker Environmental Awareness Program draft document to HCD – Planning for review and approval. Within 30 days of construction start, the project biologist shall submit a memorandum describing the worker training to State and Federal agencies (if required) and the HCD. The Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to the HCD within 30 days.

Mitigation Measure BIO-5: **(BIOLOGICAL MONITOR)**. Parcels involved in the residential development have potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDB including CTS, SCLTS, CRLF and CLL. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to these species, by contracting a qualified biologist, to ensure all handling of wildlife is done by a permitted biologist with State and Federal agency authorization.

To accomplish this, Applicant/Owner shall ensure a qualified biologist is present to monitor activities at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring may be performed by the construction site supervisor.

All open trenches and potholes must have ramps or other features installed to allow for entrapped wildlife to escape. Trenches or potholes that cannot accommodate escape ramps must be covered at the end of each workday, then inspected by the construction supervisor at the start of each workday. If entrapped wildlife is observed by the Applicant/Owner, construction workers the Applicant/Owner or construction crew supervisor shall immediately contact the monitoring biologist to capture and relocate the species out of harm's way (as determined by a qualified biologist) into suitable habitat. If special-status species are observed by the crew or site supervisor during construction activities, all work in the immediate area must cease immediately and the qualified biologist (possessing the appropriate handling permit(s) shall be contacted to capture and relocate individuals out of harm's way.

No work may resume until approved by the qualified biologist. No work crew member shall handle wildlife. Following any unseasonable rains of 0.25 inches or greater, a qualified wildlife biologist shall inspect around storage piles, under vehicles parked overnight and all open holes and trenches at the beginning of each workday to check for wildlife.

Grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) during all project phases (e.g., access road, water line, building pad, septic, etc.) shall be performed later than April 15 and prior to the first fall rains, likely around mid-October. If a phase of ground disturbance activities cannot be completed in this timeframe, the phase shall resume the following spring. No winter season earthwork shall be permitted.

Mitigation Measure BIO-5 Monitoring Action: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction survey, oversee the installation of exclusionary fencing and provide on-going construction phase monitoring, meeting the Mitigation Measure BIO-5 requirements, including photographic evidence of installation of wildlife entrapment avoidance mechanisms and trench covers. The Applicant/Owner shall maintain records of all daily monitoring activities and shall provide copies of all monitoring reports to HCD – Planning upon request and upon conclusion of the construction activities.

Mitigation Measure BIO-6 (NESTING BIRD SURVEYS). Special status bird species (including white-tailed kite (*Elanus leucurus*), northern harrier (*Circus hudsonius*), merlin (*Falco columbarius*), loggerhead shrike (*Lanius ludovicianus*), Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*)and grasshopper sparrow (*Ammodramus savannarum*)) were found by a qualified biologist to have potential nesting sites near the project site during its construction (Biological Report, HCD-Planning Library Doc. No. LIB230236).

To avoid impacts to special status nesting birds, a qualified biologist shall perform pre-construction nesting bird surveys no more than one week before scheduled start of any construction activities. The nesting survey, performed by a qualified biologist, shall cover the project site.

Because nesting raptors may require buffers of a minimum 350-foot radius, a memorandum describing the survey results will be submitted to state and federal agencies (if required) and HCD-Planning within 30 days of the survey.

If active nests are observed, the nest site shall be flagged and a buffer established to prevent nest failure. The buffer widths shall be determined by the qualified biologist, based on species, site conditions and anticipated construction activities. In no case shall the buffer be less than 350 feet.

Active nests shall be monitored at a frequency determined by the monitoring biologist, but no less than once per week, until the nestlings have fledged. If any construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), the buffers shall be enlarged or nearby construction activities postponed, until the young have fledged, as determined by the qualified biologist.

Mitigation Measure BIO-6 Monitoring Action: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating Applicant/Owner has retained a qualified biologist to conduct preconstruction nesting bird surveys meeting the requirements of Mitigation Measure BIO-6. Within 30 days of construction start, the project biologist shall submit a memorandum describing the results of the preconstruction survey to HCD – Planning for review and approval.

Mitigation Measure BIO-7 (BAT SURVEYS). Special status bat species including the pallid bat (*Antrozous pallida*) were found by a qualified biologist to potentially roost near the project site during construction activities (Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid impacts to bats, no more than two weeks prior to the anticipated start of construction activities, a qualified biologist shall survey the trees and snags in and immediately adjacent to the work areas for bat roosts. If bats are found to be present, the biologist shall provide to the Applicant/Owner and their construction team a set of recommendations to implement, which may include buffer zones, installation of exclusion devices and/or scheduling constraints, depending on whether maternity, bachelor, or night roosts are identified.

If a single bat and/or only adult bats are roosting, construction activity may proceed after the bats have been safely excluded from the roost. Exclusion techniques shall be determined by the biologist and depend on roost type. Applicant/Owner shall ensure the recommendations are followed: the biologist shall prepare a memorandum describing the survey results, identified bat protection measures and their duration. Applicant/Owner shall submit the memorandum to HCD-Planning and State and Federal wildlife agencies (if required) within 30 days of construction start. Bat protection measures shall be followed for the period prescribed by the qualified biologist.

Mitigation Measure BIO-7 Monitoring Actions: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction bat surveys meeting the requirements of Mitigation Measure BIO-7. If bats are found to be present, Applicant/Owner shall ensure a memorandum including the bat survey results, identified bat protection measures and their duration are submitted to HCD – Planning for review and approval. On an ongoing basis during construction, bat protection measures provided in an HCD-Planning approved memorandum shall be followed.

Mitigation Measure BIO-8 (MONTEREY DUSKY FOOTED WOODRAT). The Monterey dusky-footed woodrat ("MDFW") is listed as a "California Species of Special Concern"; there is evidence that individuals of the species occupy the subject parcel. To reduce the potential impact to MDFW, avoidance and/or removal of the MDFW shall be employed.

A qualified biologist shall perform a pre-construction survey for MDFW houses within the project work boundaries and a 25-foot buffer around the project site perimeter. The biologist shall flag the nests and establish buffers around each MDFW house observed. The buffer width should be determined by the qualified biologist, but shall not be less than 20 ft. If a MDFW house is present within the work area and cannot be avoided, the qualified biologist shall contact CDFW for approval to implement a woodrat relocation plan, which may include live trapping and/or the construction of alternate houses in adjacent suitable habitat. The woodrat relocation plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of MDFW. Authorization by CDFW must be obtained prior to the implementation of this measure.

Post-relocation monitoring may be required by CDFW, as part of the plan. A memo describing the survey results shall be submitted to state and federal agencies (if required) and the County Housing and Community Development Department within 30 days of MDFW treatment.

Mitigation Measure BIO-8 Monitoring Action: Prior to the issuance of any construction permit for this development, Applicant/Owner shall submit the results of the MDFW pre-construction survey to HCD – Planning for review and approval.

Mitigation Measure BIO-9 (HABITAT ADAPTIVE CARE AND CONSERVATION SCENIC EASEMENT DEED [CRLF]). Parcel A had positive results for California red-legged frog ("CRLF," *Rana draytoni*) as indicated by a 2024-2025 pitfall trapping study of the Project site (Mori, 2025, HCD-Planning Library Doc. No. LIB230236).

To mitigate potential CRLF migration interruption, Applicant/Owner shall:
1) design curbs to avoid creating barriers to movement. Wherever curbs are proposed, they shall be designed as rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians. Drainage systems shall be designed to incorporate the use of French drains which avoid grated openings to unintentionally capture amphibians. Avoid grates with ¼ inch openings or greater or incorporate the use of

mesh screens. HCD-Planning will only approve construction permits which incorporate these designs into the construction plans.
2) implement the Habitat Adaptive Care Program outlined below and
3) dedicate a conservation scenic easement ("CSED") for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat which the project permanently impacts.

Habitat Adaptive Care Program. Applicant shall implement an adaptive care program within habitat areas to achieve the following goals and objectives:

1. Protect habitats (oak woodland, mixed grassland, costal scrub, maritime chaparral) located outside the 100-foot fuel management zone (Figure 16 of the biological assessment) and ensure CRLF habitat is high-quality by implementing the following:
    a. Within oak woodland, maritime chaparral and coastal scrub implement a management program that benefits oak woodland growing conditions and stimulates expression of native trees, shrubs and groundcovers. The identified best management practice is to avoid removal of native plant species and decrease the cover of target invasive non-native species. Within the mixed grassland implement a management program that benefits native perennial grasses and native forbs (i.e., wildflowers). The identified best management practice is mowing in the spring season that reduces the growth/seed production of annual, non-native grasses and forbs. Revegetate the temporarily disturbed Mixed Grassland with a native grass and forb seed mix. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).
    b. The soil stockpile area shall receive erosion control treatment after placement and be revegetated to grassland. A native grass and forb seed mix shall be applied prior to the fall rains, approximately mid-October. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).
    c. Target species observed or with potential to occur on the parcel are listed within Table 6 of the biological assessment; additional invasive plant species may be identified in the future. Manual removal techniques will be used and depending upon the species, actions will include hoeing, cutting, hand-pulling and/or weed-whipping.
2. Monitor. Applicant along with a qualified botanist, ecologist, or revegetation specialist (as needed), will inspect the seeded grassland areas one year after seed application. Plant cover will be measured; if plant cover is less than 60%, remedial actions will be implemented, such as supplemental seeding. An inspection report, describing site conditions and plant cover, shall be prepared by the Applicant/Owner, with the services of a qualified botanist, ecologist, or revegetation specialist (as needed); the landowner will be responsible for submitting the report to the County of Monterey HCD-Planning by the end of January following each monitoring year.
3. In all areas, Applicant/Owner shall implement actions to remove/control invasive, non-native plant species. Applicant shall confer with a qualified restoration specialist, as needed, to determine the most effective methods for removing and controlling the target invasive species within the area(s) and remove materials from the site. The removal of invasive plant species will likely require several consecutive treatments as new seedlings of invasive plants such as Italian

and bull thistles and French broom can sprout each spring and summer until the seed bank is exhausted. Additional invasive plant species beyond Table 6 of the biological assessment may be identified in the future.

4. Applicant/Owner shall manage habitats on the property in a manner conducive to protection of native wildlife species. Achieve this goal by implementing the following:
    a. Prior to removal of invasive, non-native plant species conduct a walking survey to identify active bird nests and MDFW houses such that impacts to nests are avoided during invasive plant removal.
    b. All round-disturbing activities shall occur only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within burrows in the grassland.
5. Applicant/Owner shall provide to HCD-Planning annual monitoring reports during Years 1-7 describing yearly actions, results of monitoring and remedial actions needed or implemented. Applicant/Owner utilizing the services of a qualified botanist, ecologist, or revegetation specialist (as needed), shall periodically inspect the habitats at least once a year during Year 1-7. The inspections shall assess how the habitat management actions are proceeding and identify any problems or potential problems that may exist. During these inspections, Applicant/Owner (and specialist, as needed) shall look for plant damage, document compliance with program objectives and make recommendations to correct any significant problems or potential problems.

    The inspection visits will also be used to document the need to change or adjust revegetation plan actions (i.e., altering the maintenance schedule, adding extra weed control visits, increasing or reducing the frequency or amount of irrigation water, etc.).

    The progress of invasive non-native plant species removal shall be ascertained during the inspections, with a trend of decreasing cover/occurrences each year. Natural revegetation is expected to occur in areas where invasive, non-native plant species have been removed. Native seeds in the soil seedbank will likely colonize the treated areas.

    Photos shall be taken of the habitat area(s) at least once a year in Years 1-7. Photos will be taken from the same vantage point and in the same direction every year; a minimum of ten photo points shall be established. The location and photo direction of each photo stations shall be established in Year 1, which shall be the first year following Planning Permit issuance. The photos shall reflect the findings discussed in the monitoring report.

    Annual reports for monitoring Years 1-7 shall present data on the habitat area(s), actions implemented, the progress toward meeting program goals and any remedial actions required.

    Applicant/Owner shall prepare monitoring reports, with the services of a qualified botanist, ecologist, or revegetation specialist (as needed); Applicant/Owner will be responsible for submitting the annual reports to the County of Monterey HCD-Planning by January 31st following each monitoring year.

Conservation Scenic Easement Dedication: Prior to issuance of any construction permits for Parcel A, Applicant shall dedicate a conservation scenic easement ("CSE") for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat impacted by the Project. The

approximately 1-acre CSE area shall be chosen with the services of a qualified biologist or ecologist to best preserve an area that is of the highest quality for CRLF.

The CSE shall be conveyed to the County of Monterey. The Conservation Scenic Easement Deed ("CSED") shall describe the area in which no structures shall be placed but which shall allow Habitat Adaptive Care Program activities and fire fuel management. The CSED shall be submitted to, reviewed and approved by the Chief of Planning and accepted by the Board of Supervisors.

Prior to issuance of building permits, the Owner/Applicant/Certified Professional shall submit the CSED and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to HCD - Planning for review and approval. Prior to or concurrent with building permits final, the Owner/Applicant shall provide recording fees for County Clerk to record the CSED.

Mitigation Measure BIO-9 Monitoring Actions: Prior to the issuance of any construction permit, Applicant 000 shall submit all design plans that include curb design to HCD – Planning for review. Prior to final permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, Applicant/Owner, along with the services of a qualified biologist, or other specialist (as needed); shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

Mitigation Measure BIO-10 (OAK WOODLAND RESTORATION). The Arborist Report for the Project (HCD-Planning Library Doc. No. LIB230235) projected a 0.08-acre loss of oak woodland tree canopy, which represents or 1.19% of the total property canopy coverage of 10.13 acres.

To compensate for Project impacts to oak woodland, Applicant/Owner shall develop and implement an oak woodland restoration, enhancement and revegetation plan consistent with the biological resources report and arborist report. The plan shall provide a 3:1 restoration or enhancement to impact ratio. This ratio will provide suitable mitigation by replacing native oak woodland impacted by construction.

The plan shall:

1. Specify restoration/enhancement of a minimum of 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence. The primary restoration actions will be done in concert with Mitigation Measure BIO-9: removal/control of invasive, non-native plant species, reduction of annual, non-native annual grasses; seasonal weeding and mowing of restored area(s) in the oak woodland. The oak woodland plan shall specify oak tree replacement planting at a minimum 1:1 replacement ratio for "protected" trees and 2:1 ratio for "landmark" oak trees and adhere to the Project Forest Management Plan for tree protection requirements.

2. Include a program to establish oak replacement plantings and sapling recruits to meet a 60% survival rate, as outlined in the arborist's Forest Management Plan. The plan shall include implementation of a revegetation program within the designated oak recruitment area that establishes the required number of oak trees.
3. Implement a 7-year revegetation maintenance program for the planted and recruited oak trees. Provide a minimum of three years of supplemental irrigation during plant establishment period (i.e., Year 1-3). Maintain a yearly 60% survival rate for installed trees for 7 years, implementing remedial actions (i.e., replanting) if necessary, to maintain the required plant survival rate each year. The 7-year period shall start upon Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

Mitigation Measure BIO-10 Monitoring: Prior to building final inspection, Applicant/Owner shall submit to HCD-Planning for review and approval a final oak woodland restoration, enhancement and revegetation plan developed by a qualified biologist/arborist.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning by the end of January following each monitoring year.

Implementation of **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10** will reduce potential impacts to the species discussed above to a less than significant level.

Biological Resources Impact (b) and (c) Less than Significant with Mitigation: The Project will not have a substantial adverse effect on any riparian habitat, wetlands, or other sensitive natural communities. No riparian habitat or wetlands were identified within the Project site. The Project will not have a substantial adverse effect on state or federally protected wetlands as none exist within the Project site. The Project site is on the upper portion of a ridge, approximately 1,200 ft east of Elkhorn Slough.

Potentially adverse indirect impacts may occur through erosion, sedimentation and introduction of hazardous materials. To minimize construction-generated water quality impacts, the contractor/engineer shall implement standard construction BMPs and is required to comply with Monterey County requirements for water-quality impacts. Additionally, project design Project shall direct drainage away from structures, septic systems and away from steep slopes and utilizing dispersion trenches and other energy reducing features for reducing runoff and erosion (**Section VI.10 Hydrology and Water Quality).**

The Project does support habitats are considered "sensitive" for ecological reasons including oak woodland, coastal scrub, maritime chaparral and native grassland. The Project does impact oak woodland and mixed grassland habitats. As shown in **Table 4-2 Impacts to Habitat**, the Project will result in a temporary impact of 0.089 acres of habitat with a permanent impact of 0.04 acres of sensitive habitat.

Additionally, as shown in **Table 4-3 Tree Removal Summary**, the Project would require the removal of oak trees. The Project includes application for a Coastal Development Permit for removal of up to 20 Coast Live Oak trees and a Coastal Development Permit for development within 100 ft of a Pajaro manzanita and oak woodland ESHA.

These potentially significant impacts can be reduced to less than significant with implementation of **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10** described above.

Biological Resources Impact (e) Less than Significant with Mitigation: The Project, as mitigated, will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation

policy or ordinance. The Project site includes maritime chaparral and oak woodland vegetation types, designated as sensitive resources in the LUP.

Forest Resources Policy 2.3.3.A.4 requires development on North County parcels within oak woodland habitat to minimize the amount of oak tree removal to that required for construction of structures and access road. While the Project proposes removal of 20 coast live oaks and contains native habitat (i.e., ESHA), the Project has been designed to either 1) avoid development within these sensitive natural communities and 2) enhance woodlands and replace trees on the site consistent with the recommendations and mitigation measures identified in the biological resource assessment and Forest Management Plan.

CIP section 20.144.040.C.1.e describes protection of oak woodland within the Environmentally sensitive habitat development standards. This section also provides regulations for development within 100 feet of maritime chaparral. The Project involves construction within 100 feet of maritime chaparral. Impacts to maritime chaparral are avoided and significant impacts to oak woodland are minimized and mitigated, as discussed in this section. See **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10**, above.

The site is designated as an ESHA, however, areas proposed for construction and operation avoid Pajaro manzanita, a protected plant, and development is sited to minimize impact to oak woodland. The Project will result in net benefits to these environments as construction will move infrastructure away from sensitive areas (i.e., Pajaro Manzanita) and restore the site through oak woodland restoration and invasive species eradication efforts.

Implementation of mitigation measures identified in this study ensure temporary impacts during construction are minimized and protection, restoration and management plans are established and adequately implemented to minimize operational impacts.

Biological Resources Impact (f) No Impact: The Project does not conflict with the provisions of an adopted habitat conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. Development on or within the vicinity of the site is governed by several documents including the LUP and the CIP.

Overall, the Project shall have a less than significant impact on Biological Resources through the application of Mitigation Measure BIO-1 through BIO-10 and the application of standard County and State regulations.

5. CULTURAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (sources: 18, 26, 27, 28, 37)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (sources: 18, 26, 27, 28, 37)	☐	☐	☒	☐

5. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries? (sources: 18, 26, 27, 28, 37)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The southern portion of the Project Site along Elkhorn Road is in an area of high archaeological sensitivity, the remaining portion of the Project site has low archeological sensitivity. The Dudek archaeological assessment Project (HCD-Planning Library Doc. No. LIB240019). The reports, *Archaeological Assessment Results for Elkhorn Road Driveway Water Line and Septic Field Improvements, Monterey County (January 2024)* presents the results of the archaeological records searches, results of the Phase I inventory, results of local Native American and Tribal outreach and recommendations.

The Dudek Report discussed the Paleo-Indian era (pre-8000 cal BC) as representing people's initial occupation of the region which is quite sparse across the Central Coast region. Evidence of this era is generally found through isolated artifacts or sparse lithic scatters.

Possible evidence for Paleo-Indian occupation is reported north of the site at Wilder Ranch and Scotts Valley, where traditional interpretation of the Paleo-Indian is that they were highly mobile hunters of large mammals. Other archaeologists propose that the earliest inhabitants of the Central Coast region focused their economic pursuits on coastal resources. Archaeological sites that support this hypothesis are mainly from locations in southern Central Coast. More Paleo-Indian sites in the northern Central Coast region may exist but have been inundated by rising ocean levels during the Holocene.

The Dudek Report discussed human occupation of the northern Central Coast being archaeologically more common and often found in estuarine settings along the coast or along river terraces inland and are present in both Monterey and Santa Cruz Counties in what archaeologists consider the Early Period (3500 to 600 cal BC). The Middle period occupants of the northern Central Coast used more technology to hunt and collect species include small schooling fishes, sea otters, rabbits and plants such as acorn (600 cal BC to cal AD 1000). Archaeologists find the Middle-Late Transition (cal AD 1000-1250) corresponds with social reorganization across the region, responses to rapid climate shifts and a decline in regional populations. Late Period (cal AD to 1250-1769) artifacts indicate to archaeologists that the northern Central Coast occupation tended to be semi-sedentary and focused on resource acquisition; encampments related to processing resources with seasonal availability.

In the late period, the Dudek report indicated that *Tiuvta in Calendaruc* people controlled the shore of Monterey Bay from present day Moss Landing in the south to a point about halfway between present day Aptos and the Pajaro River, a territory that includes the Project area.

The Dudek report concluded the site did not include any historic resources, nor was it probable that Project implementation would cause a substantial adverse change in the significance of any archaeological resource. A pedestrian survey conducted on December 29, 2023, yielded no cultural resources.

Cultural Resources Impact (a) No Impact: CEQA Guidelines Sec. 15064.5 defines a historical resource as one being listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources. Public Resources Code Section 21084.1 states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

The Project does not contain a historical resource nor is the Project located near a historical resource. As a result, the Project does not have an impact on historical resources.

Cultural Resources Impact (b) Less than Significant: Public Resources Code Section 21083.2 requires that lead agencies evaluate potential impacts to archaeological resources and determine whether a project may have a significant effect or cause a substantial adverse change in the significance of an archaeological resource.

A records search through the Northwest Information Center of the California Historical Resources Information System ("NWIC") was conducted on December 19, 2023and found no archeological resources previously recorded in the Project site and found one (1) resource within 0.25 miles of the Project Site, located approximately 800 ft east on the south side of Elkhorn Road.

A Native American Heritage Commission ("NAHC") Sacred Lands File ("SLF") search was conducted in December 2023 and reported negative results for tribal cultural resources. A pedestrian survey for the Project was conducted on December 29, 2023, which yielded no cultural resources. Although the records search and pedestrian survey determined no known cultural resources in the Project Site, ground disturbing activities could potentially impact previously unknown or buried archaeological resources. While unlikely, the possibility of disturbing previously unknown archaeological resources represents a potentially significant impact that would be minimized with implementation of Monterey County Condition of Approval #3 –" PD003(A) Cultural Resources Negative Archaeological Report" which requires that work be halted immediately in the event a cultural, archaeological, historical, or paleontological resource is uncovered during construction. Therefore, the Project would have a less than significant impact.

Cultural Resources Impact (c) Less than Significant: No human remains, including those interred outside of a dedicated cemetery, are known to occur on the Project site. As a result, finding human remains during construction would be unlikely. Nevertheless, while unlikely, the Project could impact previously unknown human remains. The implementation of a standard Monterey County Condition of Approval requiring that work halt immediately in the event of the discovery of any human remains would ensure less than significant impacts. This condition further requires that no excavation or ground-disturbing activities shall occur at the site or nearby area until the Monterey County coroner has been contacted in accordance with Section 7050.5 of the California Health and Safety Code. If the coroner determines that the human remains are of Native American origin, the appropriate Native American tribe shall be contacted to provide recommendations for the disposition of the remains. Work will not resume in the immediate area of the discovery until such time as the remains have been appropriately removed from the site. Therefore, this represents a less than significant impact with mitigation.

The Project would have a less than significant impact on Cultural Resources through the application of standard County Planning condition of approval No. 3.

6. ENERGY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (sources: 27, 28, 33, 34, 35)	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (sources: 27, 28, 33, 34, 35)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The Project includes a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and does not propose any connection to an existing electrical grid.

Energy Impact (a) and (b) Less than Significant: The Project would not result in a potentially significant environmental effect due to the wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during construction or operation. Project construction Project will require energy for materials procurement and transportation along with site preparation (e.g., minor grading, materials hauling).

Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these activities. The construction energy use has not been quantified. However, construction will not cause inefficient, wasteful, or unnecessary consumption of energy because 1) the construction schedule and process is designed to be efficient to avoid excess monetary costs and 2) energy use required to complete construction is temporary in nature.

Operation of the Project would not result in a significant increase in energy, as the project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage and associated improvements. The Project includes construction and operation of a rooftop solar system to provide electrical power on-site and will not connect to an existing electrical grid.

Project construction shall comply with the current California Building Code, which include energy efficiency standards (Title 24, Part 6) minimizing wasteful, inefficient, or unnecessary consumption of energy resources during operation. Additionally, the Project will be required to comply with the California Green Building Standards Code ("CalGreen"), which establishes mandatory green building standards for all buildings in California. For these reasons, this represents a less-than-significant impact.

The Project will have a less than significant impact on Energy through the application of standard County and State regulations during construction permitting.

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. (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)	☐	☐	☐	☒
ii) Strong seismic ground shaking? (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction? (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)	☐	☐	☒	☐
iv) Landslides? (sources: 20, 25, 26, 33, 36, 41, 42, 43)	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil? (sources: 20, 25, 26, 33, 36, 42, 43)	☐	☒	☐	☐
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? (sources: 7, 20, 25, 26, 33, 36, 42, 43)	☐	☐	☒	☐
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? (sources: 20, 25, 26, 33, 36, 42, 43)	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (sources: 20, 25, 26, 33, 36, 42, 43)	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (sources: 9, 20, 26, 33, 36, 37)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Rock Solid Engineering, Inc. prepared a geotechnical investigation for the Project. The investigation, *Geotechnical Investigation Proposed Residence and Workshop 827 Elkhorn Road Royal Oaks, California*

APN: 181-151-009-000 (June 2023), evaluated potential impacts associated with the Project's construction and operation. Rock Solid Engineering, Inc. conducted a field investigation and collected six (6) soil borings on April 20, 2023. The geotechnical investigation as conducted to determine near surface and subsurface soil conditions and determine suitability for Project construction.

Additionally, Fox Onsite Solutions LLC prepared an Onsite Wastewater Treatment System Feasibility Study for the Proposed Project. The investigation, *Monterey County Onsite Wastewater Treatment System Feasibility Study APN 181-151-009-000 827 Elkhorn Road Royal Oaks, CA 95076 (July 2023)*, evaluated potential impacts associated with the Project's onsite wastewater treatment system. As a component of the onsite wastewater treatment report, Fox Onsite Solutions LLC conducted field investigations and soil tests on May 19, 2023and May 26, 2023, within three study sites of the Project site. Fox Onsite Solutions LLC evaluated the characteristics of the soil conditions to determine suitability and provide recommendations for the Project's on-site septic system.

Seismicity and Fault Zones

The geologic structure of central California is primarily a result of tectonic events during the past 30 million years. Faults in the area are believed to be a result of movements along the Pacific and North American tectonic plate boundaries. Movements along these plates are northwest-trending and largely comprised of the San Andreas Fault system. Monterey's complex geology is a result of changes in sea level and tectonic uplifting. Geologic units in the region have been displaced by faulting and folding. The Granitic basement and overlying tertiary deposits have been juxtaposed along many of the northwest/southeast-trending faults.

The Project, located at 827 Elkhorn Road in Royal Oaks, California, is in the northeastern portion of the Elkhorn Slough. The site slopes towards Elkhorn Slough and towards the south end of the Site. The nearest active faults or potentially active faults Project include the Zayante-Vergeles fault zone located 6.6 miles northeast, the San Andreas fault zone located 7.4 miles northeast, the Sargent fault zone located 10.5 miles northeast, the Reliz fault zone located 11.3 miles south, the Carnadero fault located 12.3 miles north-northeast, the Chupines fault zone located 16.3 miles south and the Monterey Bay-Tularcitos fault zone located 18.4 miles south-southwest.

Soils

The Natural Resources Conservation Service ("NRCS") characterizes the dominant soil type within the site as *Arnold,* a series of deep, excessively drained soils that formed in material weathered from soft sandstone. This series of soils typically occurs on hills and hilly uplands at elevations of 100 to 2,500 ft and have slopes of 9 to 75 percent. Arnold soils are somewhat excessively drained, with very low to medium runoff and rapid permeability above the sandstone and slow in the sandstone. The south portion of the Project Site near Elkhorn Road consists of Santa Ynez, a series of deep, moderately well drained soils that formed in material weathered in alluvium from shale, sandstone and granite. Santa Ynez soils are on coastal terraces and foot slopes between 20 to 1,200 ft and have slopes of 0 to 50 percent. Santa Ynez soils are moderately well drained, with slow to rapid runoff and very slow permeability.

Geology and Soils Impact (a.i) No Impact: The Project is not located within any of the Alquist-Priolo Earthquake Fault Zones established by the Alquist-Priolo Earthquake Fault Zone Act of 1972. No impact would occur.

Geology and Soils Impact (a.ii) Less than Significant: The Project site is in a seismically active region. Due to the proximity of the Project to active and potentially active faults, there is the potential for strong onsite seismic shaking during its design lifetime. While the Project could be exposed to seismically induced

hazards, it Project will be required to comply with California Building Code seismic design standards. As a result, potential impacts due to seismic hazards would be minimized. Therefore, the Project development will result in a less than significant impact.

Geology and Soils Impact (a.iii) Less than Significant: The Project is in an area of low liquefaction susceptibility. Liquefaction and lateral spreading tend to occur in loose, fine saturated sands and in places where the liquefied soils can move toward a free face (e.g., a cliff or ravine). Due to the heavy clays and hardpan present throughout of the site and low liquefaction susceptibility, the potential risk of lateral spreading is low. The potential risk for occurrence of damaging liquefaction would be low during a strong seismic event. This represents a less than significant impact.

Geology and Soils Impact (a.iv) Less than Significant: The Project is in an area of moderate landslide risk. While landslides are common in Monterey County due to the combination of uplifting mountains, fractured and weak rocks and periods of intense rainfall, the level of susceptibility is highly dependent on the site's geologic conditions. The geotechnical report determined that the Project Site is suitable for the proposed development from a geotechnical and engineering standpoint. The Project will be constructed in accordance with the recommendations of the geotechnical report, standard engineering and seismic safety design techniques and applicable LUP guidelines, thereby minimizing potential impacts. For these reasons, this represents a less than significant impact.

Geology and Soils Impact (b) Less than Significant with Mitigation: The Project is in an area identified as having high erosion hazards risk. Grading and excavation could result in localized erosion on-site. The Project would temporarily disturb 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre of an approximately 18.14-acre parcel (13.53 acres after the LLA). Of the cut required to site the structures, approximately 550 cy of excavated soil will be produced.

The excess excavated soil is proposed to be spread on-site within an area in the southeastern portion of the Project site. The excavated soil would be six to twelve inches deep, covering approximately 30,000 sf (0.69 acres). The Project will implement standard construction BMPs to minimize potential erosion-related effects and will also be required to implement standard erosion control measures during construction (**Figure 7. Erosion Control Plan)**.

The Project will implement all geotechnical analysis recommendations to further ensure erosion impacts are minimized. All disturbed areas will be revegetated consistent with **Mitigation Measure BIO-9**, which includes seven years of adaptive grassland and oak woodland management.

The Project will also be required to comply with standard County conditions of approval related to grading restrictions, as well as comply with requirements of MCC Chapter 16.08 and 16.12and the LUP. Implementation of standard construction BMPS, in addition to adhering to applicable MCC requirements, ensures that impacts will be minimized. For these reasons, this represents a less than significant impact.

Geology and Soils Impact (c) Less than Significant: The Project is in an area with low liquefaction and moderate landslide risk. The soils within the Project site have low liquefication susceptibility. The Project site is also not located in a known subsidence zone; and therefore, it is unlikely that the Project would be subject to subsidence related hazards. While the site is in a seismically active region, there are no potentially active faults in close proximity to the Project and surface rupture and lateral spreading are considered improbable.

The geotechnical report determined that, from a geotechnical and engineering standpoint, the project site is suitable for the proposed development. Because the Project will be constructed in accordance with the

geotechnical report recommendations, standard engineering and seismic safety design techniques and applicable LUP guidelines, thereby minimizing potential impacts.

The Project is not located on unstable geologic units or soil or soil that may become unstable, is not identified to result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction, or located on expansive spoil creating a direct or indirect risk to life or property. For these reasons, this represents a less than significant impact. Therefore, impacts would be less than significant.

Geology and Soils Impact (d) Less than Significant: The Project is not located in an area known for expansive soil issues. The Site contains loam sand soils with excessive drainage. Rock Solid Engineering, Inc and Fox Onsite Solutions LLC did not identify any significant geotechnical characteristics that require immediate attention and found the Project site to be suitable for the Project. For these reasons, this represents a less than significant impact.

Geology and Soils Impact (e) Less than Significant: The Project will construct and operate an onsite wastewater treatment system. Fox Onsite Solutions LLC prepared a Feasibility Study for the Project and found the Project site suitable for a standard wastewater treatment system with a shallow gravity leach field in the lower hillside area. For this reason, this represents a less than significant impact. Please refer to **Section VI.19 Utilities and Service Systems** for more information regarding the wastewater disposal.

Geology and Soils Impact (f) No Impact: Significant paleontological resources are fossils or assemblages of fossils that are unique, unusual, rare, uncommon and diagnostically or stratigraphically important, as well as those that add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally. They include fossil remains of large to very small aquatic and terrestrial vertebrates, remains of plants and animals previously not represented in certain portions of the stratigraphy and assemblages of fossils that might aid stratigraphic correlations – particularly those offering data for the interpretation of tectonic events, geomorphic evolution, paleoclimatology and the relationships of aquatic and terrestrial species.

Most fossils found in Monterey County are of marine life forms and form a record of the region's geologic history of advancing and retreating sea levels. A review of nearly 700 known fossil localities within the County was conducted in 2001; 12 fossil sites were identified as having outstanding scientific value. The Project site is not located on or near any of those sites. No impact would occur.

The Project shall have a less than significant impact on Geology and Soils through the application of Mitigation Measure BIO-9 and the standard County Building Services BMP requirements for grading and construction permits.

8. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (sources: 22, 23, 24, 33, 34)	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (sources: 22, 23, 24, 27, 28, 33, 34)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Various gases in the Earth's atmosphere, when exceeding naturally occurring or 'background' levels due to human activity, create a warming or greenhouse effect and are classified as atmospheric GHGs. These gases play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide ("CO_2"), methane ("CH_4"), ozone ("O_3"), water vapor, nitrous oxide ("N_2O")and chlorofluorocarbons ("CFCs"). Human-caused emissions of these GHGs exceeding natural ambient concentrations are responsible for the greenhouse effect. In California, transportation is the largest emitter of GHGs.

MBARD has not yet adopted a threshold for construction-related GHG emissions but recommends utilizing thresholds set by neighboring districts (e.g., Sacramento Metropolitan Air Quality Management District ["SMAQMD"]). SMAQMD adopted an updated threshold based on the 2030 target year in April 2020. According to SMAQMD, a project would result in a significant GHG related impact if the Project would emit more than 1,100 metric tons of Carbon Dioxide equivalent-CO_2e ("$MTOCO_2e$") per year. Operation of a stationary source project will not have a significant GHG impact if the project emits less than 10,000 $MTOCO_2e$.

Greenhouse Gas Emissions (a) Less than Significant: The Project is in the NCCAB, where air quality is regulated by MBARD. As discussed above, if a project emits fewer than 1,100 $MTOCO_2e$ per year, its GHG emissions impact would be less than significant. The Project will generate temporary construction related GHG emissions. Any potential effects from GHG generation during construction would be short-term and temporary.

Project operation will not increase permanent greenhouse gas emissions that may have a significant impact on the environment because of the Project's limited scope. The Project will be constructed in accordance with contemporary building standards and include energy efficient upgrades (e.g., rooftop solar arrays). The installation of the on-site electrical infrastructure will not require the Project to connect to an existing electrical grid and therefore would reduce emissions.

The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and onsite

wastewater treatment system. The Project will result in minimal additional traffic increases once operational, (**Section VI.17 Transportation)**. Therefore, there are no significant impact generated by operational emissions associated with traffic-related impacts; the Project will not create a substantial increase in traffic impacts near the Project vicinity. For these reasons, the Project will result in a less than significant impact to GHG emissions during operation.

Greenhouse Gas Emissions (b) Less than Significant: Monterey County does not currently have an adopted GHG reduction plan with numerical reduction targets for individual uses and developments. As described above, the Project is not expected to generate GHG emissions exceeding applicable thresholds. Therefore, the Project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases; Project impacts Project are less than significant.

The Project shall have a less than significant impact on Greenhouse Gasses by design and with the application of the State and County regulations and requirements through construction permitting.

9. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (sources: 12, 14, 33, 34)	☐	☐	☒	☐
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? (sources: 12, 14, 33, 34)	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (sources: 26, 33, 34)	☐	☐	☐	☒
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? (sources: 12, 14, 26, 33, 34)	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area? (sources: 26, 33, 34)	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (sources: 26, 27, 28, 33, 34)	☐	☐	☒	☐

9. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (sources: 10, 11, 26, 30, 33)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer.

The Hazardous Waste and Substances Site ("Cortese") List is a planning tool used by the state, local agenciesand developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California EPA ("CalEPA") to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. There are no hazardous materials release sites in the vicinity of the Project site. Similarly, according to the California Department of Toxic Substances Control's ("DTSC") EnviroStor database and State Water Resources Control Board ("SWRCB") GeoTracker database, there are no open or active cleanup sites in the vicinity of the Proposed Project.

Hazards and Hazardous Materials Impact (a) Less than Significant: Construction of the Project would entail the use of hazardous materials (e.g., fuel, cleaning materials, etc.). The types and amounts of hazardous materials used would vary according to the type of activity. It is unlikely that Project construction would create a significant impact due to the routine transport, use, or disposal of hazardous materials in part due to Project size and the temporary nature of construction. Hazardous materials shall be handled and stored in compliance with all local, state and federal regulations pertaining to hazardous materials. The implementation of these measures would ensure that impacts would be less than significant.

Project operation could generate surface runoff that may contain urban pollutants from vehicles, including cleaning and maintenance materials, oil, grease and heavy metals. Hazardous materials would be handled and (if needed) stored in compliance with all local, state and federal regulations pertaining to hazardous materials. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacturer and/or applicable regulations. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacture and/or applicable regulations. Therefore, this represents a less than significant impact.

Hazards and Hazardous Materials Impact (b) Less than Significant: Construction and operation of the Project could generate surface runoff that may contain urban pollutants from vehicles, including oil, grease and heavy metals. Hazardous materials would be handled and (if needed) stored in compliance with all

local, state and federal regulations pertaining to hazardous materials. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacture and/or applicable regulations. The Applicant/Owner shall implement erosion control measures consistent with MCC Chapter 16.12 to minimize potential impacts due to contaminated runoff. Additionally, the Project shall implement standard BMPs and erosion control measures (e.g., minimize grading, re-vegetate disturbed areas, etc.) that minimize potential impacts associated with the Project. Therefore, this represents a less than significant impact.

Hazards and Hazardous Materials Impact (c) No Impact: The Project is not located within one-quarter mile of an existing or proposed school. Therefore, no impact would occur.

Hazards and Hazardous Materials Impact (d) No Impact: The Project site is not listed on any hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would occur.

Hazards and Hazardous Materials Impact (e) No Impact: The Project is not located within an airport land use plan or within two (2) miles of an airport and will not result in a safety hazard to, or significant noise for people residing or working in the Project area. No impact would occur.

Hazards and Hazardous Materials Impact (f) Less than Significant: The Project will be accessed via a private rural driveway connecting to Elkhorn Road. The Monterey County 2021 Evacuation and Transportation Plan does not identify specific designated evacuation routes because evacuation routes are considered dynamic and change based on the nature and location of an emergency. As a result, all local roadways in the Project's vicinity Project can potentially be utilized as evacuation routes during an emergency.

The Project will not generate additional traffic once operational that could interfere with emergency response or evacuation resulting in a significant impact. Additionally, Project design Project will comply with the Monterey County Regional Fire District Fire Prevention safety standards. Safety standards include specific driveway and road turnabout minimum widths and radii which the PLN220229 plans illustrate (and North County FPD reviewed and found suitable during application submittal review). The Project will not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan. For these reasons, impacts would be less than significant.

Hazards and Hazardous Materials Impact (g) Less than Significant: The Project is in a California Department of Forestry and Fire Protection ("CAL FIRE") State Responsibility Area, categorized as a "High Fire Hazard Severity Zone". Structures and people could be exposed to a significant risk of loss, injury or death involving wildland fires. Potential fire hazards during construction could occur in connection with the operation of equipment and other activities, which could cause sparks or other sources of ignition in dry areas. This is a temporary construction impact.

During routine residential use, potential fire hazards due to sparks or sources of ignition could occur. The Project shall comply with fire safety provisions of the California Building Code and Monterey County Code; thereby reducing the risk of damage from wildland fire to the maximum extent practicable. Additionally, the Project shall implement the fuel and vegetation management recommendations presented in the Fuel Management Plan and create defensible spaces within 30 ft and 100 ft of all structures (**Section VI.4 Biological Resources).** For these reasons, impacts would be less than significant.

The Project shall have a less than significant impact on Hazards and Hazardous Materials by design and with the application of the State and County regulations and requirements through construction permitting.

10. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (sources: 4, 17, 20, 34, 36, 38)	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (sources: 1, 4, 17, 20, 29, 33, 34, 36, 38)	☐	☐	☒	☐
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:				
i) result in substantial erosion or siltation on- or off-site? (sources: 20, 26, 33, 36)	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (sources: 19, 20, 26, 33, 36)	☐	☐	☒	☐
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 (sources: 20, 26, 33, 36)	☐	☐	☒	☐
iv) impede or redirect flood flows? (sources: 19, 20, 26, 33, 36)	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (sources: 8, 19, 20, 26, 33, 36)	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (sources: 4, 17, 29, 33, 34, 38)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The Project site is located to the east of the Elkhorn Slough. The Elkhorn Slough flows southwest into the Pacific Ocean near Moss Landing, California. The Site slopes south, east and southeast towards Elkhorn Slough.

The Project site is in the Alisal-Elkhorn Slough watershed, in a groundwater recharge area designated by the County of Monterey and within the 180/400 Foot Aquifer Subbasin of the Salinas Valley Groundwater

Basin. The subbasin is co-managed by the Salinas Valley Basin Groundwater Sustainability Agency ("SVBGSA"), Marina Coast Water District Groundwater Sustainability Agency ("MCWD GSA") and the Monterey County Groundwater Sustainability Agency ("MCGSA") and is categorized as critically over drafted. A Groundwater Sustainability Plan ("GSP") for the 180/400 Foot Aquifer Subbasin was prepared for the aquifer and approved in 2020 and amended in 2022. According to the GSP, the current sustainable yield of the Subbasin is 98,000 acre-feet per year ("AFY") of water and the 2030 projected sustainable yield is 107,200 AFY. Additionally. the GSP includes management actions and projects for achieving groundwater sustainability in the Salinas Valley Groundwater Basin and its six (6) subbasins. Examples include pumping restrictions, reservoir reoperation, Castroville Seawater Intrusion Project ("CSIP") expansion and Monterey One Water ("M1W") Recycled Water Plant Modifications Project.

The Project is within Federal Emergency Management Agency ("FEMA") Flood Zone X, an Area of Minimal Flood Hazard (areas outside the Special Flood Hazard Area and higher than the elevation of the 0.2-percent-annual-chance flood). The Project site is currently developed with an existing access road with approximately 579,052 sf of pervious coverage. The Project when built out, will result in 19,679 sf of impervious coverage and 569,693 sf of pervious coverage. Specifically, the Project will result in 4,739 sf of impervious building coverage and 14,940 sf of impervious hardscape and paving.

Hydrology and Water Quality Impact (a) Less than Significant: The Project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The Project site is located on the upper western slope of a ridge, approximately 1,200 ft to the east of Elkhorn Slough. Construction will result in ground-disturbing activities from excavation and grading. Ground-disturbing activities and vegetation removal could generate temporary soil erosion and could potentially affect existing water quality.

To minimize construction-generated water quality impacts, the contractor/engineer shall implement standard construction BMPs. The Project will also be required to comply with MCC Chapter 16.08 requirements, which ensure that temporary construction-related water quality impacts are minimized. The Project will be required to comply with the drainage policies of MCC Chapter 16.14 Monterey County Stormwater Ordinance and the recommendations of the Project's geotechnical investigation.

Project operation could result in water quality effects from hazardous material usage. Potential water quality effects could occur in connection with on-going maintenance activities, use of routine household cleaning products and operation of mechanized equipment (e.g., generator, vehicles). Similar to construction-related impacts, operational impacts will be temporary in nature and would not substantially increase potential water quality impacts. Project design will direct drainage away from structures, septic systems and away from steep slopes utilizing dispersion trenches, storm drains and gutters for reducing runoff and erosion. For these reasons, any temporary construction-related impacts associated with the Project are less than significant.

Hydrology and Water Quality Impact (b) Less than Significant: As discussed, the Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, water storage tanks and on-site septic system including a leach field.

The Project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge nor impede sustainable groundwater basin management. Temporary water use will occur during Project construction in connection with dust suppression activities. Construction water use will be minimal and will not decrease groundwater supplies or interfere with the process of groundwater recharge.

The Project will install two new water tanks, a pump and backup generator; utilizing an existing well (Elkhorn Road Water System #9) which currently serves two connections, which has capacity to serve four. The estimated well capacity is approximately 17 gallons/minute.

Water will be used during operation for the single-family residence, guest house, restoration activities in oak woodland for the first three years and on an as-needed basis for fire suppression. Water demand calculations were estimated by Fox Onsite Solutions and determined to be approximately .0.8 AFY (750 gallons per day). These estimates were further compared against Monterey Peninsula Water Management District ("MPWMD") Rule 24 Water Use Capacity Use Factors.

Single-family-related water fixtures include:

a. one (1) master bathroom with two (2) sinks, one (1) shower, (1) bathtub and (1) toilet;
b. two (2) bathrooms each with one (1) sink, one (1) toilet and one (1) shower;
c. one (1) half-bathroom with one (1) sink and one (1) toilet;
d. one (1) kitchen sink and one (1) dishwasher; and one (1) laundry sink and one (1) clothes washer.

Guesthouse-related water fixtures include one (1) bathroom with one (1) sink, one (1) shower and one (1) toilet). The Project includes four (4) water tanks of currently unknown size. (**Figures 8c – 8d**).

MPWMD determines residential water use by identifying the water fixtures (e.g., sinks, toilets, showers, etc.)and multiplying the fixture unit value by .01 to determine acre feet per year.

Table 10-1 Residential Unit Water Use identifies the fixtures within the residential unit and MPWMD fixture unit value. Based on the fixtures proposed, the Project would require an estimated 0.3 AFY (with potential for demand upwards of 0.8 AFY).

Table 10-1
Residential Unit Water Use for the Proposed Project

Residential Unit Water Fixture	Number of Fixtures	MPWMD Water Fixture Value	Water Value
Primary Dwelling			
Bathroom Sink	3	1	3
Two Master Bathroom Sinks	1	1	1
Toilet	4	1.8	7.2
Bathtub	1	2	2
Shower	3	2	6
Kitchen Sink and adjacent Dishwasher	1	2	2
Laundry Sink	1	2	2
Clothes Washer	1	2	2
Guesthouse			
Bathroom Sink	1	1	1
Toilet	1	1.8	1.8
Shower	1	2	2
Total			**30**
Acre Feet per year (Water Value x 0.01)			**0.3**

Sources: Riewe, Carol, 2024. Boccone & Igel New Residence and Workshop 827 Elkhorn Road Royal Oaks CA APN 181-151-009. Plan Submittal (PLN220229)and MPWMD, Rule 24 Calculation of Water Use Capacity and Capacity Fees, available at: https://www.mpwmd.net/wp-content/uploads/Rule24.pdf

The Project will result in an increase to groundwater demand, but not a significant impact. As described above, the GSP for the 180/400 Foot Aquifer Subbasin includes management actions and projects for achieving groundwater sustainability. The GSP plans for buildout of residences on residentially-zoned parcels like the Project.

AMBAG's regional growth forecast has anticipated population growth in unincorporated Monterey County; the Project will not induce substantial population growth either directly or indirectly. As a result, the Project will not substantially decrease water supplies or interfere substantially with groundwater recharge. This represents a less than significant impact.

Hydrology and Water Quality Impact (c) Less than Significant: The Project will not substantially alter the site's existing drainage pattern resulting in substantial erosion or siltation on- or off-site. The Project could cause temporary increases in erosion during construction due to ground-disturbing activities. The Project will include construction of new impervious surfaces, which could cause localized increases in erosion on- or off-site in the absence of drainage improvements and could result in potential operational water quality impacts. The Project includes on-site drainage improvements (i.e., dispersion trenches) to address impacts due to increases in impervious surfaces. The Project would implement an erosion control plan to reduce sediment and stormwater impacts during construction.

Project construction will result in improvements which will alter the site's existing drainage pattern through the introduction of impervious surfaces. However, the Project includes drainage improvements in the form of dispersion trenches. Runoff from new impervious surfaces will be collected by gutters and storm drains, flowing to dispersion on-site trenches to percolate runoff into the soil.

Cut and fill slopes will be planted with annual rye grass and mulched with compost. The soil stockpile area resulting from grading will be revegetated with a native grass and forb seed mix. The non-developed portions of the parcel would be conserved with existing vegetation. Therefore, the Project would provide adequate drainage to mitigate increases in surface runoff.

There are no major stormwater drainage improvements or planned improvements located within Project site boundaries. The Project will not create or contribute runoff exceeding existing or planned drainage system improvement capacity. The Project will include on-site drainage improvements construction to accommodate stormwater runoff from increased impervious surfaces.

The Project will not substantially alter the site's or area's existing drainage pattern (including through the alteration of the course of a stream or river or through the addition of impervious surfaces), in a manner to impede or redirect flood flows. As noted above, the Project site is located approximately 1,200 ft to the east of Elkhorn Slough. The distance of the Project from the Elkhorn Slough and the implementation of on-site drainage improvements will avoid potential direct and indirect environmental effects.

As a result, the Project does not entail alteration of a stream or river course. Accordingly, the Project will not impede or redirect flood flows due to changes to the site's existing drainage pattern through stream or river course alteration. This represents a less than significant impact.

Hydrology and Water Quality Impact (d) Less than Significant: The Project Site is not located in an area subject to significant seiche or tsunami effects and is not in a flood hazard area. The Elkhorn Slough, located south of the Project site, is in a Tsunami Hazard Area designated by the California Department of Conservation and is also in Special Flood Hazard Area Zone AE designated by FEMA. The Project does not propose construction in the flood hazard zone or tsunami zone of the Elkhorn Slough. As a result, the

Project will not result in the risk of release of pollutants due to Project inundation from a tsunami, seiche, or flood hazard. This represents a less than significant impact.

Hydrology and Water Quality Impact (e) Less than Significant: The Project will not conflict with or obstruct a water quality control plan or sustainable groundwater management plan. The Project proposes to connect to an existing well with an estimated capacity of approximately 286 gallons, using 0.3 AFY to 0.8 AFY of water. This represents a less than significant impact.

11. LAND USE AND PLANNING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (sources: 3, 26, 27, 28, 33, 34, 35)	☐	☐	☐	☒
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? (sources: 3, 18, 26, 27, 28, 33, 34, 35, 37)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The Project lies within the Coastal Zone and is regulated by the LUP, the certified LCP for the region. The LUP's overall philosophy is to maintain the scenic beauty and rural character of the northern Monterey County's coastal zone. The LCP's basic objectives and key policies include, but are not limited to:

- Protecting visual resources of North County,
- Protecting, maintaining, enhancing and restoring environmentally sensitive habitats,
- Preserving and protecting coastal estuaries and wetlands,
- Protecting groundwater aquifers and controlling new development to a level that can be served by available, long-term water supplies,
- Ensuring compatibility between agriculture and adjacent development,
- Regulating land uses and development in areas of natural hazards,
- Minimizing or avoiding impacts to archaeological resources,
- Expanding or managing roads to accommodate traffic volumes and provide for a safe and uncongested flow of traffic and
- Ensuring future development is consistent with the protection of the area's significant human and cultural resources, agriculture, natural resources and water quality.

The LUP identifies the Project's land use as "Rural Density Residential." The "Rural Density Residential" land use category supports low density residential and agricultural development with development densities from 1 unit on 40 or more acres to a maximum of 1 unit per 5 acres. The Rural Density Residential designation allows for a first single family dwelling and guesthouse residential uses and temporary residences used as living quarters during construction of the first dwelling on a lot.

Located within the coastal zone, the Project site must comply with the California Coastal Act to receive a Coastal Development Permit from the County of Monterey. The California Coastal Commission ("CCC")

was a voter initiative established in 1972 and made permanent by the California State Legislature through the adoption of the California Coastal Act of 1976. The CCC, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone.

Land Use and Planning Impact (a) No Impact: The division or disruption of an established community would occur if a project creates a physical barrier that separates, isolates, or divides a portion of a built community. The physical division of a community is traditionally associated with the construction of large-scale transportation improvements (e.g., highways) or the creation of a large university campus.

The Project, located within a rural residential area, consists of the following:

1. Single-family dwelling, attached carport and deck,
2. Detached guesthouse with an attached workshop and garage,
3. Private driveway,
4. Solar energy system, water storage tanks, on-site septic system including a leach field.
5. Tree removal to accommodate structural development and a new driveway.
6. Building site and road grading.
7. Lot Line Adjustment.

The project is consistent with the area's land use and planning. Due to the nature of the Project and location, the Project would not create a barrier that would divide an established community.

Land Use and Planning Impact (b) Less than Significant: The Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purposes of avoiding and/or mitigating an adverse environmental effect.

North County Land Use Plan's Visual Resources Policy 2.2.2.5 states that "structures should be located to minimize tree removal and grading for the building site and access road." It also requires disturbed slopes to be restored to their previous visual quality and landscape screening and restoration to consist of native plant and tree species.

PLN220229's original design included a much longer driveway with more disturbed slopes and potential to alter the public viewshed. The LLA was initiated between neighboring parcel owners to enable the owner of APN 181-151-009-000 (Parcel A, where new residential development is proposed) to shorten the driveway because the owners of the neighboring parcel preferred this solution over the granting of an access easement.

The resulting parcels involved in the LLA, A, B, and C, will conform with the development standards for Rural Density Residential (RDR) zoned parcels as to size. The three parcels have different minimum size restriction pursuant to Title 20 but are all part of the Rural Density Residential (RDR) zoning district. Table 11-1 shows the final sizes of the parcels after the LLA, and their respective minimum parcel size in the zoning district.

Table 11-1
Resulting Parcel Sizes and Zoning District Requirements

Parcel	Minimum size pursuant to zoning district
Parcel A will be 13.53 acres in size.	10 acres
Parcel B will be 290.14 acres in size.	40 acres
Parcel C will be 5.13 acres in size.	5 acres

The Project Site General Plan land use designation as Residential – Rural Density and the Project would not conflict with the land use designation of the Project site or LUP Land Use Policies 4.3.5.8 and 4.3.6.D. The 1982 General Plan and LUP anticipated future residential growth within the region. The Project develops an appropriate location and alters the size and shape of three parcels to accommodate residential development according to site constraints.

The Project does not conflict with LUP Policies regulating impacts on visual resources. The Project does not significantly impact public viewsheds. Given the existing topography and vegetation and the Project's design, materials and colors, the Project will be visually screened when viewed from the Elkhorn Slough and the trail that extends along the Slough to the north of Kirby Park, (protected public viewsheds). As designed, the Project is tucked into a wooded section of the parcel with one structure partially visible from public viewing areas, consistent with the rural residential characteristics of the surrounding area. The Project is not visible from a public roadway, due to the topography and design. Therefore, the Project is consistent with LUP Policies G.1 and 2.2.2.1-5 and 2.2.3.1-6.

The Project would not conflict with LUP Policies regulating impacts to environmentally sensitive habitats. Development impacts oak woodland but those impacts have been minimized through the LLA to reduce the driveway as well as careful siting of the structures in natural openings within the oak woodland.

Pajaro manzanita is present near the construction site (within 100 feet) but direct impact is avoided by the Project's design. Mitigation Measures proposed in this Initial Study, will improve the long-term health of the oak woodland and improve grassland habitat elsewhere, creating a net benefit to environmentally sensitive habitats through Project development. These Mitigation Measures include avoidance of sensitive terrestrial and avian species and a proposed CSED over a habitat area (See **Section VI.4 Biological Resources**). Therefore, the Proposed Project, as designed and mitigated, is consistent with LUP Policies 2.3.2.1-10.

The Project would not conflict with LUP Water Resources Policies. A Key Water Resources Policy states that water quality of the North County groundwater aquifers shall be protected and new development shall be controlled to a level that can be served by identifiable, available, long term-water supplies and estuaries and wetlands of North County shall be protected from excessive sedimentation resulting from land use and development practices in the watershed areas.

As discussed in **Section IV.10 Hydrology and Water Resources**, the Project incorporates an erosion control plan and will be inspected by HCD-Building Services for plan compliance., MCC Chapter 16.08 Grading code and Chapter 16.12, Erosion Control code. The new rural development is located and developed in accordance with erosion controls to protect the Elkhorn Slough watershed from excessive sedimentation during construction.

The shared well which provides the potable water for the Project is already permitted by the Environmental Health Bureau (EHB) and meets water quantity for this residential unit and another future connection in the area. This is the first dwelling on the parcel and the Project does not include new parcels. The Project would not conflict with LUP Water Resources Policies 2.5.2.1-6 and 2.5.3.A.1-5 which direct new development to minimize point source pollution, siltation and allow adequate water to maintain aquatic and riparian life.

North County Buildout is less than 50% of the projected build out for the area. The Groundwater Sustainability Plan (GSP), and the GSP for the subject site, as well as other GSPs in North County, are making strides to balance their water basins as required by State Law to do so in adaptive management.

The Project would not conflict with LUP Water Resources Policies 2.5.3.B.3-5 which direct onsite waste disposal limitations as to minimum parcel size, appropriate maintenance and siting.

The Project's onsite wastewater treatment system is not built on slopes exceeding 30 percent; EHB found the proposed design adequate to limit pollution of surface waters and protect public health. The Project complies with the Land Disturbance Target requirements for private development described in LUP Water Resources Policy 2.5.3.C.

The Project's total "Land Disturbance by type" was measured as follows:
Temporary changes result in 1.04 acres of "new bare land." However, permanent changes result in approximately 0.28 developed footprint (including pervious pavers on a section of driveway). Land Disturbance due to this residential development avoids impact to erosion through the uniform application and enforcement of MCC Chapters 16.08 and 16.12.

The Project would not conflict with LUP Geologic Hazards Policies 2.8.2.1-4 as the Project site is not considered "high hazard" and the driveway construction is sited on the lowest slope to contribute the least to erosion and with appropriate hammerhead turnarounds for fire trucks to contribute the least to fire hazards.

The Project meets LUP Fire Hazards Policies 2.8.3.C.4 and 5 by the driveway design and choice of fire-resistant roofing materials. Both PLN220229 and PLN240187 Project applications were reviewed for conformance with applicable hazard policies by HCD offices and Fire District staff.

The Project does not conflict with applicable LUP Geologic Hazards Policy 2.8.3.A.1 as the residential design and driveway were sited to conform to site topography and adheres with key LUP Visual Resources Policies on the same issue.

There was a geotechnical report prepared for the residence which demonstrates that the Project minimizes risks to life and property.

The Project does not conflict with LUP Archaeological Policies as there was an archaeological survey prepared – the new development was found compatible with the level of archaeological sensitivity in the Project site (See **Section VI.5 Cultural Resources**).

The Project does not conflict with LUP Transportation Policies 3.1.2.6 and 3.1.3.2 and 3.1.3.5-6 because Engineering Services staff reviewed the proposed residential use and found that it would not conflict with the road capacity of Elkhorn Road. PLN220229 is required to pay regional and countywide traffic fees to support the upkeep and management of County roadways.

The Project does not conflict with LUP Wastewater Management Facilities Policies 3.2.1, 3.2.2 and 3.2.3. A new septic system is proposed and the parcel is not within a wastewater service area. The EHB found the proposed design adequate to limit pollution of surface waters and protect public health. The wastewater collection and treatment system are constructed with tanks near the habitable structures where visual resources would not be significantly impacted.

Natural resources (grasslands that have the potential to support sensitive species) are temporarily impacted by the installation of the trench and leach field. The potential for significant impact is reduced to a level of less than significant through mitigation (**Section VI.4, Biological Resources**).

12. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (sources: 9, 26, 27, 28)	☐	☐	☐	☒
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? (sources: 9, 26, 27, 28)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The Project would have no impact on mineral resources (**Section IV.A Environmental Factors Potentially Affected**).

13. NOISE Would the project result in:	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? (sources: 26, 27, 28, 33, 34, 39)	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels? (sources: 26, 27, 28, 33, 34, 39)	☐	☐	☒	☐
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? (sources: 26, 27, 28, 33, 34)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Noise is commonly defined as unwanted sound. Sound levels are usually measured and expressed in decibels ("dB") with zero (0) decibels corresponding roughly to the threshold of hearing. Most sounds consist of a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Most environmental noise includes a conglomeration of noise from distant sources, which creates a relatively steady background noise in which no source is identifiable.

The Project, located off Elkhorn Road in the Royal Oaks community, consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, water storage tanks and on-site septic system including a leach field.

The primary source of noise in the Project vicinity would be from vehicle traffic along Elkhorn Road and noise generated from the neighboring land uses. The nearest sensitive receptor is located approximately 300 ft to the southeast of the Project site. The North County Coastal LUP does not include specific policies related to noise but encourages land use compatibility to preserve the peace and tranquility of the existing neighbors and to reduce impacts to the environment. In the absence of noise related policies within the North County Coastal LUP, the 1982 Monterey County General Plan policies are applicable. Also, the County-wide Noise Ordinance is applied to coastal areas (MCC Chapter 10.60).

Noise Impact (a) Less than Significant: Project construction will generate temporary noise in the project vicinity due to the use of equipment (e.g., trucks, tractors, excavators). The North County Coastal LUP contains no specific noise policies, therefore this analysis relies on noise policies contained in the Monterey County 1982 General Plan and regulations from the current Noise Ordinance (MCC Chapter 10.60).

Construction activities are required to comply with the Monterey County Noise Ordinance as described in MCC Chapter 10.60. The ordinance applies to "any machine, mechanism, device, or contrivance" within 2,500 ft of any occupied dwelling unit and limits the noise generated to 70 dBA at a distance of 50 ft from the noise source. Noise generating construction activities are limited to the hours between 7 AM. and 7 PM. Monday through Saturday. No construction noise is allowed on Sundays or holidays.

While the extent, duration and volume of noise generated by Project construction has not been identified, it is unlikely construction noise would result in a significant impact given the site location, proximity of existing sensitive receptors, type of construction and the temporary nature of construction activities. **Table 13-1 Construction Equipment Noise Emission Levels** identifies typical noise emissions (i.e., levels) generated by construction equipment and how equipment noise reduces with distance.[5]

Table 13-1
Construction Equipment Noise Emission Levels

Equipment	Typical Noise Level (dBA) 50 ft from Source	Typical Noise Level (dBA) 100 ft from Source[1]	Typical Noise Level (dBA) 200 ft from Source[1]	Typical Noise Level (dBA) 400 ft from Source[1]
Air Compressor	81	75	69	63
Backhoe	80	74	68	62
Ballast Equalizer	82	76	70	64
Ballast Tamper	83	77	71	65
Compactor	82	76	70	64
Concrete Mixer	85	79	73	67
Concrete Pump	82	76	70	64
Concrete Vibrator	76	70	64	58
Dozer	85	79	73	67
Generator	82	76	70	64
Grader	85	79	73	67
Impact Wrench	85	79	73	67
Jack Hammer	88	82	76	70
Loader	80	74	68	62

[5] The rate of noise diminishes as the distance from the source of noise doubles.

Table 13-1
Construction Equipment Noise Emission Levels

Equipment	Typical Noise Level (dBA) 50 ft from Source	Typical Noise Level (dBA) 100 ft from Source[1]	Typical Noise Level (dBA) 200 ft from Source[1]	Typical Noise Level (dBA) 400 ft from Source[1]
Paver	85	79	73	67
Pneumatic Tool	85	79	73	67
Pump	77	71	65	59
Roller	85	79	73	67

Source: U.S. Department of Transportation, *Transit Noise and Vibration Impact Assessment,* 2018.
Construction generated noise levels drop off at a rate of about 6 dBA per doubling of distance between the source and receptor.

The nearest sensitive receptor is a residence located approximately 300 ft to the southeast of the Project site. Based on the proximity of the nearest receptor and the rate that noise diminishes, construction related activities would not exceed the County's noise related threshold.

Operational noise will not result in a substantial permanent increase in ambient noise within the surrounding area. The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field. The Project would result in minimal new traffic increases once operational. For these reasons, the Project would have a less than significant impact.

Noise Impact (b) Less than Significant: The Project would not generate excessive ground-borne vibration or ground-borne noise. Project construction would require excavation and grading. These activities will be minor and temporary in nature. Project operation will not create a new source of vibration. For these reasons, the Project would have a less than significant impact.

Noise Impact (c) No Impact: The Project is not located within the vicinity of a private airstrip of an airport land use plan, or within two miles of a public airport. For these reasons, no impact would occur.

14. POPULATION AND HOUSING **Would the project:**	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)? (sources: 1, 27, 28, 33, 34)	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (sources: 1, 27, 28, 33, 34)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The Project would have no impact on population and housing. (**Section IV.A Environmental Factors Potentially Affected**.

15. PUBLIC SERVICES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (sources: 26, 30, 34)	☐	☐	☐	☒
b) Police protection? (sources: 26, 34)	☐	☐	☐	☒
c) Schools? (sources: 26, 34)	☐	☐	☐	☒
d) Parks? (sources: 26)	☐	☐	☐	☒
e) Other public facilities? (sources: 26, 34)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Please refer to **Section IV.A Environmental Factors Potentially Affected**.

16. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (sources: 34)	☐	☐	☐	☒
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? (sources: 34)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The Project would have no impact on recreational resources. (**Section IV.A Environmental Factors Potentially Affected).**

17. TRANSPORTATION **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? (sources: 27, 28, 31, 32, 33, 34, 35)	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (sources: 27, 28, 31, 32, 33, 34, 35)	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? sources: 2, 27, 28, 31, 32, 33, 34, 35)	☐	☐	☒	☐
d) Result in inadequate emergency access? (sources: 2, 27, 28, 31, 32, 33, 34, 35)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The Project constructs a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field. The Project also includes a LLA that alters shape and size of three adjacent parcels but does not create new parcels. The Project consisting of a rural residential use, is zoned Rural Residential. The Project would be required to comply with Condition of Approval PW0045 – Countywide Traffic Fee. The Applicant would be required to pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. Additionally, the Project would be required to comply with Condition of Approval PW0043 – Regional Development Impact Fee to pay the Regional Development Impact Fee pursuant to Monterey County Code Chapter 12.90.

Significance Criteria - Vehicle Miles Traveled

Senate Bill (SB) 743 required that starting July 2020 transportation impact for projects per CEQA be based on a project's Vehicle Miles Traveled ("VMT"). CEQA Guidelines Section 15064.3, subdivision (b)(1) calls for the evaluation of transportation impacts of projects based on Vehicle Miles Traveled ("VMT"). CEQA uses the VMT metric to evaluate a project's transportation impacts. The publication *Technical Advisory on Evaluating Transportation Impacts in CEQA, State of California Governor's Office of Planning and Research*, December 2018, suggests that a significant environmental impact would occur if a project would generate more than 110 trips per day.

Transportation Impact (a) and (b) Less than Significant: The Project does not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The Project does not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

The Project will result in temporary construction-related traffic. Construction is expected to last approximately 12-18 months. Construction activities shall be limited to the hours between 8 AM to 5 PM, Monday through Friday and between 9 AM to 5 PM on Saturday. Vehicle use of the shared private driveway will be monitored and directed during grading, excavation and construction of the new driveway at locations to the north and south of the new driveway access point to the Project site.

Temporary construction parking construction will be located at the base of the Project parcel near Elkhorn Road. No parking, construction access, or material delivery would be allowed from the upper turnout of the shared private driveway onto the neighboring parcel. For these reasons, impacts would be less than significant.

Operation of the Project consists of rural residential uses and would not result in a significant increase in operational traffic. For the purposes of this IS/MND, the Project would result in a significant traffic-related effect if the Project would exceed the 110 daily trip threshold recommended by the Governor's office of Land Use and Climate Innovation ("LCI") (formerly Office of Planning and Research). It is anticipated that vehicle trips per day would be low due to the size of the project and duration of construction and would be below the 110 daily trips threshold. The Project would not result in a significant VMT-related impact and impacts would be less than significant.

Transportation Impact (c) Less than Significant: The Project would not substantially increase hazards due to a design feature. The Project would be accessed via an existing paved private road. The driveway of the Project includes a 55 ft truck turn-around between the primary dwelling and guesthouse, has been designed to accommodate a 30 ft fire truck and has been revised to reduce grading. For these reasons, impacts would be less than significant.

Transportation Impact (d) Less than Significant: The Project would not result in inadequate emergency access. The Project would access Elkhorn Road via an existing paved private road and the driveway has been designed to accommodate emergency vehicles. Construction of the Project would not require the closure of any public roads and temporary construction parking would be located at the base of the Project parcel and accessed through the private road. Therefore, impacts would be less than significant.

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 Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (sources: 18, 26, 27, 28)	☐	☒	☐	☐

18. TRIBAL CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (sources: 18, 26, 27, 28)	☐	☒	☐	☐

Discussion/Conclusion/Mitigation:

As discussed in Section VI.3 Cultural Resources, because an area on the western edge of APN 181-151-009-000 is mapped as "high archaeological sensitivity," the Applicant for PLN220229 caused a Phase I archaeological report to be prepared. The results of the *Archaeological Assessment Results for Elkhorn Road Driveway Water Line and Septic Field Improvements, Monterey County (January 2024)* prepared by Dudek inform this section. The information contained in this discussion is supplemented with additional information provided by a Native American Tribal Representative as part of the Tribal consultation process undertaken by the County of Monterey in accordance with AB 52.

California Assembly Bill ("AB") 52, in effect since July 2015, provides CEQA protections for tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California Public Resources Code Sec. 21074, tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a tribe and that are eligible for or listed on the California Register of Historic Resources or a local historic register, or that the lead agency has determined to be of significant tribal cultural value.

Pursuant to AB 52, Tribal notification letters were sent out on January 25, 2024. One request for consultation was received. The requesting Tribal Representative of the Ohlone/Costanoan-Esselen Nation ("OCEN") met with County of Monterey HCD-Planning staff on February 13, 2024 and requested the presence of a Tribal Monitor during soil disturbance activities, protection of sacred sites, inclusion of mitigation and recovery programs, reburial of Ancestral remains and burial artifacts, return of cultural items to OCENand 50 meters of protection surrounding remains and cultural disturbances.

Additionally, on December 21, 2023, Dudek sent letters to 17 Tribal contacts during the SLF search. On December 26, 2023, a Tribal Representative for the Amah Mutsun Land Trust responded to Dudek and requested a Tribal archaeologist to survey the site or perform monitoring. This letter was not a response to an AB 52 consultation request letter; rather, it signifies that there are at least two Tribal groups willing to perform onsite monitoring.

Tribal Resources Impact (a.i) and (a.ii) Less than Significant with Mitigation: Public Resources Code Sec. 21074 defines a tribal cultural resource as "sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American Tribe that are either of the following: a)

included or determined to be eligible for inclusion in the California Register of Historical Resources, [or] b) included in a local register of historical resources as defined in subdivision (k) of [Public Resources Code] Section 5020.1" (Public Resources Code Sec. 21027(a)).

No Tribal cultural resources, as defined in Public Resources Code Section 21074, are listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources, are known to exist at the Project site. No known or previously recorded archeological sites are located in the Project site. Additionally, the pedestrian survey conducted December 29, 2023, did not find surface evidence of potentially significant historic period archaeological resources. While no known Tribal cultural resources exist at the Project site, construction-related activities could potentially affect a buried Tribal cultural resource or previously unknown Tribal cultural resource. This represents a potentially significant impact that would be reduced to a less than significant level through the implementation of **Mitigation Measure TR-1**.

To minimize potential impacts to previously unknown or subsurface tribal cultural resources, Native American tribes shall be notified prior to ground-disturbing activities. Prior to the issuance of any permit for ground-disturbing activities, the Applicant shall submit evidence (i.e., a contract) to HCD – Planning demonstrating that the Applicant has retained a tribal cultural monitor to monitor initial ground-disturbing activities. The tribal cultural monitor shall be responsible for preparing daily monitoring reports and shall prepare a final report following the completion of ground disturbing activities. The final report, along with the daily monitoring reports, shall be submitted to HCD – Planning for review within 60 days following the completion of ground-disturbing activities. All work shall stop if a tribal cultural resource is discovered during construction. The Tribal Monitor shall evaluate the resource to determine whether the finding is significant. If the finding is a historical resource or unique tribal cultural resource, avoidance measures or appropriate mitigation shall be implemented. Work will cease in the immediate vicinity of the find until mitigation can be implemented. In accordance with CEQA Guidelines Section 15064.5(f), work may continue in other parts of the project site during the implementation of potential resource mitigation (if necessary). The County of Monterey shall be responsible for reviewing and approving the mitigation plan in consultation with the Native American monitor prior to the resumption of ground-disturbing activities. All tribal resources shall be returned to the affected Native American tribe.

Mitigation Measure TR-1: (TRIBAL MONITOR). A portion of the Project site is with a "high archaeological sensitivity" area in County resource mapping, due to the proximity of the Elkhorn Slough. Therefore, through Native American Tribal consultation, it was found that there is potential for impacts to Tribal cultural resources within the "high sensitivity" area of the PLN220229 parcel during ground disturbance associated with installation of the onsite wastewater treatment system's trenching and leach field. In order to prevent adverse impacts to potential cultural resources, a qualified Tribal Monitor shall be present during soil disturbance in the western area of APN 181-151-008-000. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If human remains are identified, work shall be halted to within a safe working distance (approximately 165 ft), the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. If potentially significant archaeological resources are discovered, work shall be halted in the lower western area of APN 181-151-008-000, not including vehicular passage on the existing driveway or stockpiling of soil in the soil stockpile area and otherwise to 165 ft, until the find until it can be evaluated. If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. If intact, significant features should be encountered, the Tribal Monitor in conjunction with an archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, significant shell mounds and/or caches of stone tools. If a feature is an artifact that cannot be moved, it must be documented in situ. In the case of in situ documentation of an artifact, Applicant/Owner of

PLN220229/APN 181-151-009-000 shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. In the case of a significant feature, Applicant/Owner shall cause the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource in a report. The report shall be submitted to HCD-Planning and appropriate State-required offices/repositories that are available at the time (as determined by the archaeologist).

Mitigation Measure TR-1 Monitoring Action: Prior to the issuance of construction permits, Applicant/Owner shall submit evidence (e.g., contract) to HCD – Planning for review and approval demonstrating that the Applicant/Owner has retained a Tribal Monitor and evidence that the Tribal Monitor has been made aware of the dates and times of earth disturbing activities o.5n the lower portion of APN 181-151-008-000 (onsite wastewater treatment system installation).. During these earth disturbance activities, the approved Tribal Monitor shall be onsite observing the work. Prior to final of construction permits, Applicant/Owner shall submit a letter from the Tribal Monitor verifying all work was done consistent with the contract to HCD-Planning. The Tribal Monitor shall prepare daily monitoring reports that shall be available upon request by HCD – Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities. If Tribal cultural resources are encountered, additional measures may be determined to be required to minimize impacts. They shall be formulated by the tribal monitor and a qualified archaeologist (to be hired from the qualified consultant list). Additional measures shall be reviewed and approved by HCD-Planning and implemented by the tribal monitor and a monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

Potential impacts to Tribal Cultural Resources would be reduced to a less than significant level through the implementation of Mitigation Measure TR-1.

19. UTILITIES AND SERVICE SYSTEMS **Would the project:**	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? (sources: 4, 17, 20, 29, 33, 34, 36, 38)	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry , and multiple dry years? (sources: 4, 17, 29, 33, 34, 38)	☐	☐	☒	☐

19. UTILITIES AND SERVICE SYSTEMS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (sources: 20, 33, 34, 36)	☐	☐	☐	☒
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? (sources: 15, 16)	☐	☐	☒	☐
e) Comply with federal, state and local management and reduction statues and regulations related to solid waste? (sources: 15, 16)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field.

Electrical Power
The Project would utilize a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and would not connect to an existing electrical grid.

Potable Water
The Project would construct two 5,000-gallon water tanks, a pump and backup generator. The Project would use 0.3 AFY to 0.8 AFY of water and utilize an existing 160 ft deep well (Elkhorn Road Water System #9) with an estimated capacity of approximately 286 gallons that currently serves four (4) connections.

Wastewater
The septic system would consist of 540 linear ft of pipe, two (2) 1,500-gallon septic tanks located a minimum of 5 ft away from the primary dwelling and guest houses, 4 in septic system lines in a 12 in by 24 in trench line and a 2,160 sf leach field consisting of a 3 ft wide trench, with 1 ft of flow depth and 2.5 to 3 ft of total depth.

Solid Waste
Solid waste generated by the Project would be transported and disposed of at the Monterey Peninsula Landfill and Recycling Facility north of the City of Marina. The Monterey Regional Waste Management District ("MRWMD") operates the landfill which has a permitted capacity of 3,500 tons per day of solid waste and currently receives approximately 1,100 tons per day. The remaining capacity is approximately 48 million tons or 72 million cy. At current rates of disposal, the landfill will continue to serve the present service area for approximately 150 years. Based on Cal Recycle Residential Sector Generation Rates, a single-family residential unit generates an average of 12.23 pounds ("lb.")/household/day, which would be 0.01% of the current daily intake of solid waste at the landfill.

Utilities and Service Systems Impact (a) Less than Significant: As described above, the Project would utilize on-site electrical power generation including a rooftop solar array, would connect to an existing well for potable water and would utilize an on-site septic system for wastewater disposal. The potable water tanks and pump would be located uphill from the guesthouse on a gentle slope and within the Zone 2 100 ft fuel management area. The Monterey County Environmental Health Bureau ("EHB") Drinking Water Protection Services ("DWPS") reviewed the source capacity test for the Elkhorn Road Water System #9 well and tested the well water. The septic system would be located on the lower hillside area of the Project parcel away from the structures and existing well and in an area with appropriate soils for a septic system and with adequate space for future capacity. Additionally, EHB reviewed the Project and confirmed that soils are adequate to accommodate on-site wastewater disposal.

The Project would be required to comply with Monterey County Condition of Approval EHSP01 – Amend Public Water System Permit, where the Applicant/Owner of PLN220229/ APN 181-151-008-000 would be required to submit the application, reports and testing results to the Monterey County Environmental Health Bureau for review and approval prior to issuance of construction permits in order to receive an amended water system permit. This would have a less than significant impact.

Utilities and Service Systems Impact (b) Less than Significant: The Project is within the 180/400 Foot Aquifer Subbasin of the Salinas Valley Groundwater Basin. The Basin is managed by SVBGSA, MCWD GSA, MCGSA. The GSP includes management actions and projects for achieving groundwater sustainability in the Basin. The current sustainable yield of the Subbasin is 98,000 AFY and the 2030 projected sustainable yield is 107,200 AFY. The Project would use 0.3 AFY to 0.8 AFY of water. Monterey County EHB DWPS witnessed the source capacity test for the existing well. Water supplies in the Basin would be managed by the four (4) groundwater agencies and the GSP. Water would be used during operation for the single-family residence, guest house, landscaping and on an as-needed basis for fire suppression. Additionally, AMBAG's regional growth forecast has anticipated population growth in unincorporated Monterey County and the Project would not induce substantial population growth either directly or indirectly. As a result, there is sufficient available water supply to serve the Proposed Project. See **Section VI.10 Hydrology and Water Quality.** This represents a less than significant impact.

Utilities and Service Systems Impact (c) No Impact: The Project will construct an on-site septic system for wastewater disposal. The septic system will be located in an area with appropriate soils for a septic system and with adequate space for future capacity. Additionally, EHB reviewed the Project, confirming the soils are adequate to accommodate on-site wastewater disposal. The Project will not affect a wastewater treatment provider and no impact would occur.

Utilities and Service Systems Impact (d) Less than Significant: As described above, Solid waste generated by the Project would be transported and disposed of at the Monterey Peninsula Landfill and Recycling Facility. The landfill has a remaining capacity of approximately 48 million tons or 72 million cy and will continue to serve the present service area for approximately 150 years. A single-family residential unit generates an average of 12.23 lb./household/day, which would be 0.01% of the current daily intake of solid waste at the landfill. The Project would not generate solid waste exceeding state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. This would have a less than significant impact.

Utilities and Service Systems Impact (e) Less than Significant: The Project complies with all Federal, State and local statues and solid waste regulations. All waste generated in connection with the Project will be handled in accordance with all applicable statutes and regulations to the extent they are applicable to the Project. This would have a less than significant impact.

20. WILDFIRE **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:**	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? (sources: 10, 11, 26, 30, 33)	☐	☐	☒	☐
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? (sources: 10, 11, 26, 30, 33)	☐	☐	☒	☐
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? (sources: 10, 11, 26, 30, 33)	☐	☐	☒	☐
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? (sources: 10, 11, 25, 26, 30, 33)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The Project is in a CAL FIRE State Responsibility Area and is categorized as a High Fire Hazard Severity Zone. The Project site could be subject to wildland fire hazards. The Project site and surrounding area is served by the North County Fire Protection District ("NCFPD") and CAL FIRE. The nearest fire station to the Project site is NCFPD Station 3 at 301 Elkhorn Road, located approximately 1.4 miles to the north of the Project site.

The Project residential development (PLN220229) component would implement a Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fuel Management Plan will remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures in a manner sensitive to the biological resources and compatible with CAL FIRE guidelines. Activities within Zone 1 (30 ft from structures) would include removal of dead vegetation, trimming tree limbs and branches and creating separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc. Activities within Zone 2 (100 ft from all structures) would include maintaining a low (12-18 in tall) understory of native vegetation, removing fallen trees and plant material and inspection of clearances by NCFPD. See **Section VI.4 Biological Resources.**

Wildfire Impact (a) – (d) Less than Significant: The Project could expose persons and structures to wildland fire hazards or exacerbate fire risks and thereby expose people and/or structures to potential

wildland fire hazards. The Project has been designed to accommodate emergency vehicles and construction of the Project would not require the closure of any public roads or interfere with an adopted emergency response plan or emergency evacuation plan. Operation of the Project would not result in a significant impact to acceptable service ratios, response times, or other performance objectives for wildfire. During construction, potential fire hazards could occur in connection with the operation of equipment and other activities that could cause sparks or other sources of ignition in dry areas. This is a temporary construction impact.

Project operation could also result in potential fire hazards due to the introduction of new development and increased site use. The Project PLN220229 component would also install a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and would not connect to an existing electrical grid. Pursuant to LUP Hazard Policy 2.8.2.4, the Project was evaluated for conformance with the ability to comply with adopted hazard mitigating codes and regulations that are found in the MCC Fire Code and Building Code as part of the development review process. The Project demonstrates consistency with these policies as regulations for driveway design, water tanks and recommendations for fire-resistant roof materials are incorporated. A fire hydrant would be installed along the private driveway between the single family dwelling and the guesthouse and would be utilized in the event of a fire. Additionally, the two proposed 5,000-gallon water tanks would be of sufficient capacity to serve the Project in the event of a wildfire. The Project would implement a Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fuel Management Plan would remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures. The Project would comply with the applicable fire safety provisions of the California Building Code.

The single-family dwelling unit with attached carport and deck, detached guesthouse with an attached workshop and garage and two 5,000-gallon water storage tanks and the septic tanks of the Project is located on the upper slope of a west-facing ridge with the leach field located downslope of the other PLN220229 Project components. Structural development is designed to result in a site coverage of 4,899 sf. The new driveway extension is proposed to consist of approx. 4,620 sf pavement and 2885 sf pervious pavers. To accommodate potential changes to the surface water flow, the Project includes a stormwater drainage system. Collected stormwater will be received, spread and infiltrated through the dispersion trenches. As a result, the Project is not anticipated to 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.

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? (sources: 2, 18, 21, 26, 27, 28, 33, 34)	☐	☒	☐	☐
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.) (sources: 2, 3, 18, 33, 34, 35)	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (sources: 2, 3, 18, 33, 34, 35)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Mandatory Findings Impact (a) Less than Significant with Mitigation Incorporated: As discussed in this IS/MND, the Project would not 1) degrade the quality of environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife population to drop below self-sustaining levels; 4) threaten to eliminate plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of major periods of California history or prehistory. The Project would result in temporary construction-related impacts to biological resources that would be mitigated to less than significant through mitigation measures identified in Section VI.4. Similarly, the Project site does not contain, nor is located near, any known cultural resources.

While unlikely, construction could unearth previously unknown resources. Mitigation for potential impacts to Tribal cultural resources shall be avoided through onsite monitoring during ground disturbance in the "high sensitivity" area of the PLN220229 parcel. In addition, the Project would implement standard County Conditions of Approval to ensure potential impacts related to the inadvertent discovery of previously unknown resource are minimized. All potentially significant impacts associated with the Project would be minimized to a less than significant level through the implementation of mitigation measures identified in this IS/MND and the standards followed in construction permit issuance and inspections in compliance with County, State and Federal codes.

Mandatory Findings Impact (b) Less than Significant: To determine whether a cumulative effect requires an EIR, the lead agency shall consider whether the impact is significant and whether the effects of the project are cumulatively considerable (CEQA Guidelines §15064(h)(1)). In addition, CEQA allows a

lead agency to determine that a project's contribution to a potential cumulative impact is not considerable and thus not significant when mitigation measures identified in the initial study will render those potential impacts less than considerable (CEQA Guidelines 15064(h)(2)). This IS/MND contains recommendations and mitigation measures to ensure that all potentially significant impacts are minimized to a less than significant level. Furthermore, the County has identified Conditions of Approval to minimize potential impacts. Implementation of these various measures would ensure that the Project's impacts would be less than significant. As there is limited development of this type in the area and the development is organized and restricted under the General Plan, Coastal Zoning Ordinance, MCC codes and the LUP, the Proposed Project, in combination with other residential development, would not result in a cumulatively considerable adverse environmental effect.

Mandatory Findings Impact (c) Less than Significant: The Project would not have a substantial adverse effect on human beings, either directly or indirectly. The Project would result in temporary construction-related impacts that would be minimized to a less than significant level through the incorporation of construction best management measures and mitigation measures identified throughout this IS/MND. The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage and associated improvements. The Project will not conflict with the allowable use at the site. Conditionally-allowed uses (development within 100 feet of Pajaro manzanita and oak woodland) are supported by the resource protections, impact avoidance, oak woodland restoration and adaptive care program that are included in the Mitigation Measures and Monitoring Plans for the Proposed Project. Additionally, the Project would not induce substantial population growth either directly or indirectly or result in a substantial increase in traffic.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as embodied in the County of Monterey HCD-Planning files pertaining to PLN220229, PLN240187and the attached Initial Study / Proposed (Mitigated) Negative Declaration.

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