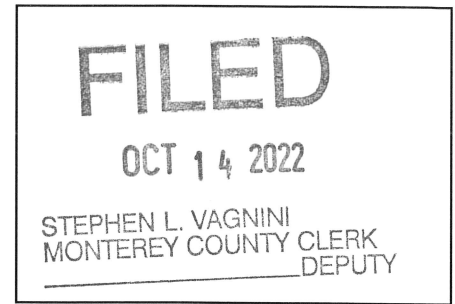


# Exhibit C

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



<b>Project Title:</b>	KANI ALI & CHRISTINE DORIS TRS
<b>File Number:</b>	PLN210203
<b>Owner:</b>	ALI & CHRISTINE KANI
<b>Project Location:</b>	26398 Isabella Avenue, Carmel
<b>Primary APN:</b>	009-441-014-000
<b>Project Planner:</b>	Son Pham-Gallardo
<b>Permit Type:</b>	Combined Development Permit
<b>Project Description:</b>	Combined Development Permit consisting of: 1) Coastal Administrative Permit & Design Approval for the partial demolition and rebuild of an existing 3,188 square foot multi-level single family dwelling; and 2) Coastal Development Permit for development within 750 feet of archaeological resources.

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

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

<b>Decision Making Body:</b>	Planning Commission
<b>Responsible Agency:</b>	County of Monterey Housing & Community Development
<b>Review Period Begins:</b>	October 14, 2022
<b>Review Period Ends:</b>	November 14, 2022

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

# MONTEREY COUNTY

HOUSING & COMMUNITY DEVELOPMENT

1441 SCHILLING PL SOUTH 2<sup>ND</sup> FLOOR, SALINAS, CA 93901

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



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

NOTICE IS HEREBY GIVEN that Monterey County Housing & Community Development – Planning has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Kani; PLN210203) at 26398 Isabella Avenue, Carmel (Assessor's Parcel Number 009-441-014-000) (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Housing and Community Development – Planning, 1441 Schilling Pl South 2<sup>nd</sup> Floor, Salinas, California, 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.co.monterey.ca.us/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/recent-environmental-documents> .

The Monterey County Planning Commission will consider this proposal at a public hearing on a future date to be determined, in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2<sup>nd</sup> Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from **October 14, 2022** to **November 14, 2022**. Comments can also be made during the public hearing.

**Project Description:** Combined Development Permit consisting of: 1) Coastal Administrative Permit & Design Approval for the partial demolition and rebuild of an existing 3,188 square foot multi-level single family dwelling; and 2) Coastal Development Permit for development within 750 feet of archaeological resources.

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@co.monterey.ca.us](mailto:CEQAcomments@co.monterey.ca.us)

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 and Community Development – Planning 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: Son Pham-Gallardo  
1441 Schilling Pl South 2<sup>nd</sup> Floor  
Salinas, CA 93901

Re: Kani; File Number PLN210203

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. California Coastal Commission
4. Monterey Bay Air Resources District
5. California Department of Fish & Wildlife, Monterey Field Office Environmental Review, Marine Region
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. Pebble Beach Community Services District (Fire)
10. Monterey County Public Works, Facilities and Parks
11. Monterey County HCD-Environmental Services
12. Del Monte Forest Conservancy, Laura Dadiw
13. Ali & Christine Kani, Owner
14. Josh Harwayne C/O Denise Duffy & Associates, Agent
15. The Open Monterey Project
16. LandWatch Monterey County
17. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

18. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: [galacatos@usace.army.mil](mailto:galacatos@usace.army.mil) )
19. Juan Barboza ([jbarboza@nccrc.org](mailto:jbarboza@nccrc.org) )
20. Molly Erickson ([Erickson@stamplaw.us](mailto:Erickson@stamplaw.us) )
21. Margaret Robbins ([MM\\_Robbins@comcast.net](mailto:MM_Robbins@comcast.net) )
22. Michael Weaver ([michaelrweaver@mac.com](mailto:michaelrweaver@mac.com) )
23. Monterey/Santa Cruz Building & Construction ([Office@mscbctc.com](mailto:Office@mscbctc.com) )
24. Garry Hofer ([garry.hofer@amwater.com](mailto:garry.hofer@amwater.com) )
25. Jack Wang ([Jack.Wang@amwater.com](mailto:Jack.Wang@amwater.com) )
26. Jeana Arnold ([jeana.arnold@pge.com](mailto:jeana.arnold@pge.com) )
27. Louise Miranda-Ramirez ([Ramirez.louise@yahoo.com](mailto:Ramirez.louise@yahoo.com) )
28. Mimi Sheridan ([mimisheridan@msn.com](mailto:mimisheridan@msn.com) )
29. Janet Laurain ([jlaurain@adamsbroadwell.com](mailto:jlaurain@adamsbroadwell.com) )
30. California Department of Fish & Wildlife ([r4cequa@wildlife.ca.gov](mailto:r4cequa@wildlife.ca.gov) )

# MONTEREY COUNTY

## HOUSING AND COMMUNITY DEVELOPMENT

### PLANNING

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

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



## *INITIAL STUDY*

### *I. BACKGROUND INFORMATION*

**Project Title:** Kani Ali & Christine Doris Trs

**File No.:** PLN210203

**Project Location:** 26398 Isabella Avenue, Carmel

**Name of Property:** Ali & Christine Kani/

**Owner/Applicant:** Josh Harwayne, Denise Duffy & Associates, Inc. with Studio Schicketanz

**Assessor's Parcel Number(s):** 009-441-014-000

**Acreage of Property:** Approximately 0.1 acre, or 4,464 square feet

**General Plan Designation:** Residential – Medium Density

**Zoning District:** Medium Density Residential, 2 units per acre, with a Design Control Overlay [MDR/2-D (CZ)]

**Lead Agency:** County of Monterey

**Prepared By:** Rincon Consultants, Inc.

**Date Prepared:** October 2022

**Contact Person:** Son Pham-Gallardo, Senior Planner, County of Monterey  
Housing and Community Development Department

Phone: (831) 755-5025

Email: [pham-gallardos@co.monterey.ca.us](mailto:pham-gallardos@co.monterey.ca.us)

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

### **A. Description of Project:**

The proposed project is located at 26398 Isabella Avenue, Assessor's Parcel Number 009-441-014-000, within the Carmel Area Land Use Plan (LUP) in unincorporated Monterey County. Figure 1 shows the regional location of the project site and Figure 2 provides an aerial image of the project site in its neighborhood context.

The proposed project entails the renovation of the exterior and interior of an existing three-level, 3,188 square foot single-family dwelling with the addition of an elevator, solar panels, and a front deck on the second level with the capability of supporting a hot tub. Additional improvements include grading for new footings, driveway reconstruction, new landscaping, interior lighting and plumbing upgrades, and installation of new fire sprinkler system. The project would remodel the existing structure and result in a net reduction of 112 square feet (sf), as shown in Table 1 below. Although the existing legal non-conforming floor area ratio (FAR) at 71.43 percent exceeds the 45 percent allowable FAR, the proposed remodel would result in a decrease of 2.51 percent. Figure 3 shows the proposed site plan, Figure 4 shows the project site and Figure 5 show the project site in the context of surrounding land uses.

**Table 1 Project Components (square feet)**

Type	Existing	Proposed	Net Change
First Floor	1,539	1,427	-112
Second Floor	1,265	1,167	-98
Third Floor	384	482	+98
<b>Total Single-Family Residence</b>	<b>3,188</b>	<b>3,076</b>	<b>-112</b>
<b>Total Building Coverage</b>	<b>1,828</b>	<b>1,582</b>	<b>-246</b>
<b>Total Paved Area</b>	<b>1,266</b>	<b>1,111</b>	<b>-155</b>
<b>Total Impervious Surfaces</b>	<b>3,094</b>	<b>2,693</b>	<b>-401</b>

The proposed project would have a 20-foot setback in the front yard, 5-foot setback in the rear yard, and a 5-foot set back on the side yards.

### **Site Access and Parking**

During construction the project site would be accessible via Isabella Avenue. The proposed project would be locally accessible from Isabella Avenue via a private driveway. The project site is regionally accessible via State Route (SR) 1. The project would include a one car garage and driveway for off-street parking.

### **Utilities**

AT&T would continue to provide telecommunication services to the project site and proposed project. Pacific Gas and Electric Company (PG&E) would continue to provide above ground gas



and maintenance of electrical infrastructure to the project site and proposed project. Electricity would continue to be provided by Central Coast Community Energy (3CE) via PG&E infrastructure. Water would be provided by the California American Water Company and wastewater and sewage services would be provided by Carmel Area Wastewater District.

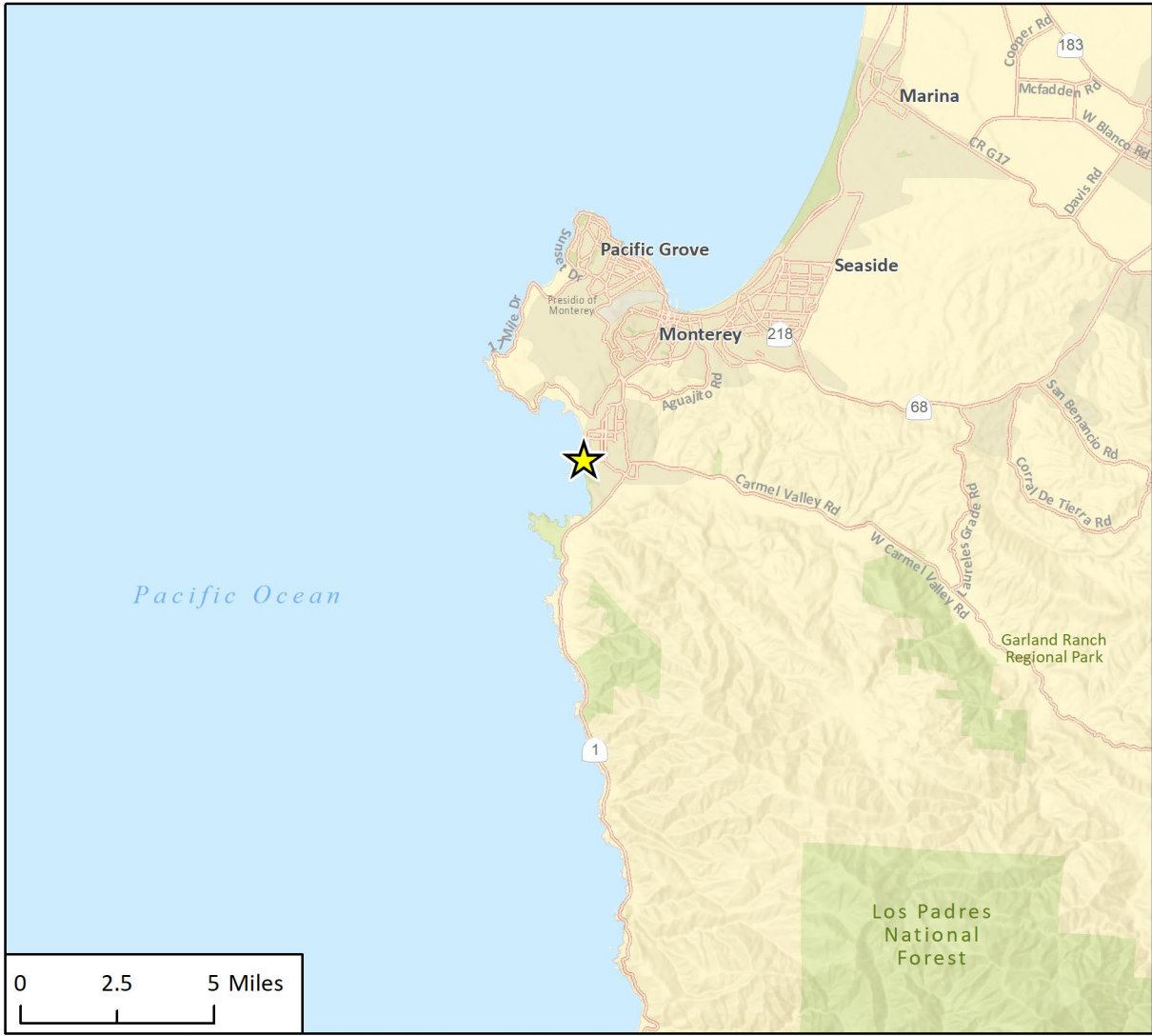
### **Construction**

Project construction would occur over approximately 12 months beginning in early 2023. Construction would include site preparation, grading, and construction. The proposed project would include 5.10 cubic yards of grading, with 39.52 cubic yards of fill, and a total of 34.42 cubic yards of imported soil. Outside of the grading, minimal disturbance would be required (i.e., mowing and grubbing). Grading is anticipated to take place over a 20-day period.

### **Hours**

Construction would occur Monday through Friday between 7:30 a.m. and 5:30 p.m., occasionally construction on Saturdays would take place from 8:00 a.m. to 5:00 p.m.

**Figure 1 Regional Setting**



Imagery provided by Esri and its licensors © 2022.

★ Project Location

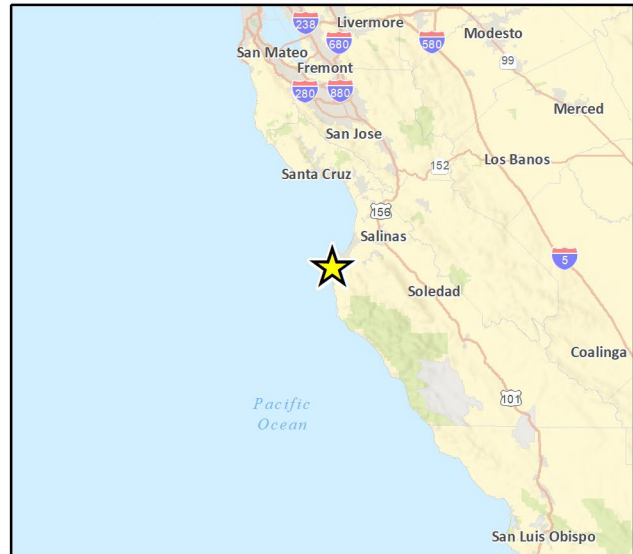
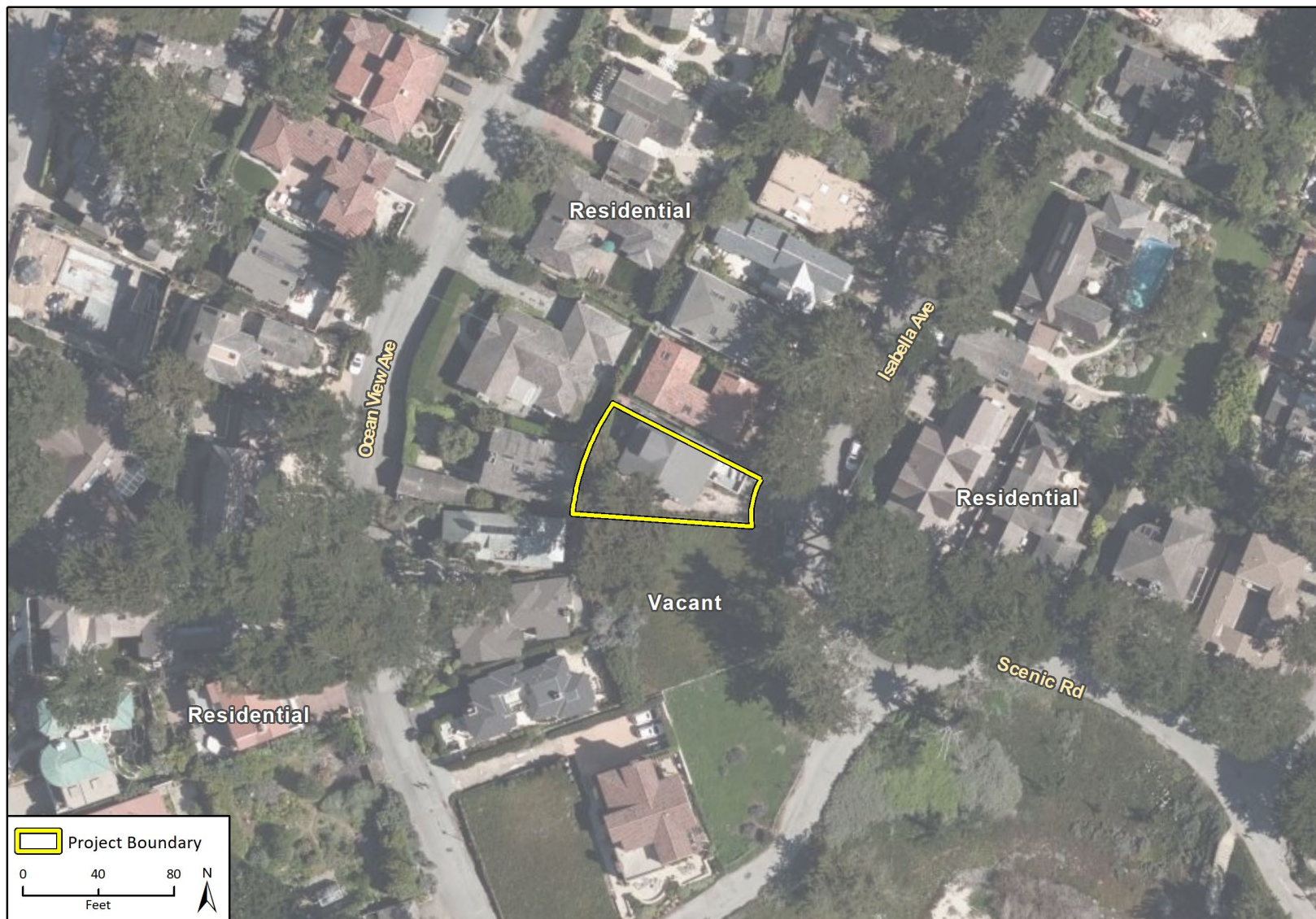


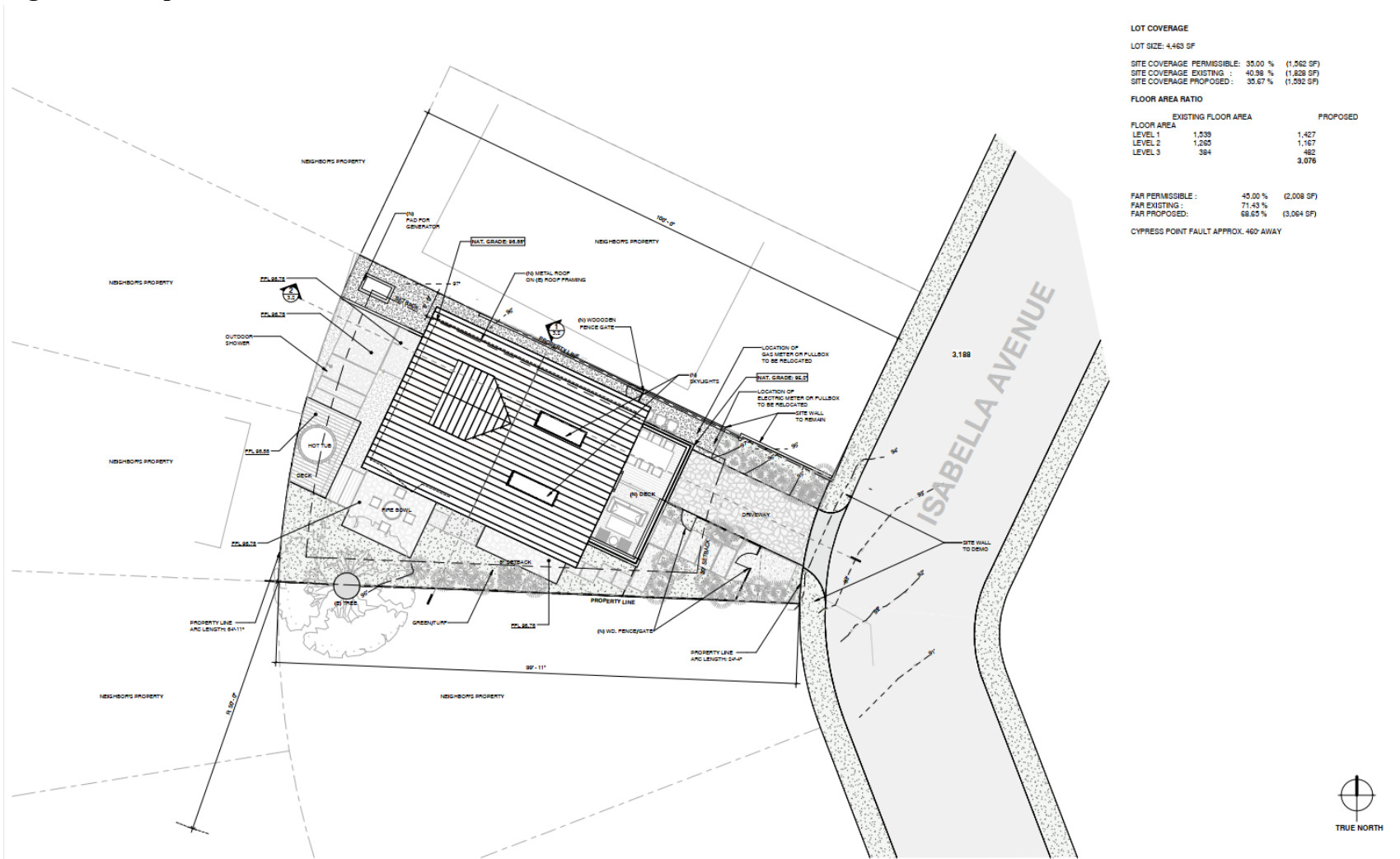
Fig 1 Regional Location\_Barone\_JS-MND

**Figure 2 Project Site Location**





**Figure 3 Proposed Site Plan**



**LOT COVERAGE**

LOT SIZE: 4,463 SF

SITE COVERAGE PERMISSIBLE: 35.00 % (1,562 SF)  
 SITE COVERAGE EXISTING : 40.98 % (1,828 SF)  
 SITE COVERAGE PROPOSED : 35.67 % (1,592 SF)

**FLOOR AREA RATIO**

FLOOR AREA	EXISTING FLOOR AREA	PROPOSED
LEVEL 1	1,239	1,427
LEVEL 2	1,289	1,167
LEVEL 3	384	3,076

FAR PERMISSIBLE : 45.00 % (2,008 SF)  
 FAR EXISTING : 71.43 % (3,188 SF)  
 FAR PROPOSED : 68.65 % (3,064 SF)

CYPRESS POINT FAULT APPROX. 400' AWAY

TITLE PROPOSED SITE DEVELOPMENT PLAN

**KANI RESIDENCE REMODEL**

KANI 26398 ISABELLA AVE. CARMEL, CA. 93923 APN 005-441-014

**STUDIO SCHICKETANZ** P.O. Box 2704, Carmel, CA, 93921 831.822.9900

DATE	12/06/21	SHEET	<b>3</b>
SCALE	1/8" = 1'-0"		
DRAWN BY	JS		
JOB NUMBER	2103	12/06/21	

**Figure 4 Project Site Photographs**



**Photograph** View from Isabella Avenue, facing west on to project site



**Photograph** View from Isabella Avenue, looking northwest onto project site with views of vacant lot to the south of site on the left and residence to the north of the site on the right

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

The project site is located in an unincorporated portion of Monterey County, approximately 0.3 mile south of Carmel-by-the-Sea. The site and surrounding properties are zoned Medium Density Residential with an allowed density of two units per acre (MDR/2-D [CZ]). The project site is currently developed with a non-conforming, 3,188 sf, two story, home that was built in 1973.

The surrounding properties to the north, east and west are developed with single-family residences and the site immediately to the south is vacant (Source: IX.1). The proposed project site is an approximately 0.1-acre (4,464 square feet) lot located within the Carmel Area LUP. Vegetation on surrounding properties is similar to that of the project site, consisting of landscaped residential properties interspersed with native tree species. The project site is located in the Coastal Zone as defined by the California Coastal Zone Act of 1976. The proposed project is in a residential neighborhood, located approximately 360 feet northwest of the Carmel River State Beach and adjacent Carmel River Lagoon.

The project site is in an area identified in County records as having a high archaeological sensitivity and is within 750 feet of known archaeological resources; therefore, the project requires a Coastal Development Permit to allow development within an area of positive archaeological reports. See Sections VI.5 and VI.18 (Cultural Resources and Tribal Cultural Resources, respectively) below for further discussion.

## **C. Other Public Agencies Whose Approval is Required:**

The discretionary land use entitlement described in the Project Description in Section II.A would be appealable to the County of Monterey Board of Supervisors and the California Coastal Commission.

The proposed project would not require approval from outside agencies. No State or Federal permit(s) would be required. In addition, the applicant would be required to obtain ministerial building and grading permits through the HCD-Building Services, where review and approval by the Cypress Fire Protection District (fire protection), HCD-Planning, HCD-Engineering Services, HCD Environmental Services and Environmental Health Bureau would also occur. HCD-Environmental Services has conditioned the project to schedule weekly inspections for stormwater discharge during the rainy season as part of the erosion control plan. HCD-Planning Services has conditioned the project to follow appropriate steps in the event of a cultural resource discovery during construction. HCD-Engineering has conditioned the project to submit a construction management plan that specifies construction hours of operation. No other public agency permits would be required.

The project is also within the jurisdictional boundary of the Monterey Peninsula Water Management District (MPWMD) and would require issuance of a Water Permit from them prior to issuance of building permits. Additionally, any work within the County right of way would require an encroachment permit from the County of Monterey Public Works, Facilities and Parks.

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

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

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

General Plan/Local Coastal Program LUP:

The proposed project was reviewed for consistency with the 1982 Monterey County General Plan, Carmel Area Land Use Plan (LUP) and the Monterey County Coastal Implementation Plan, Parts 1 (Title 20) and 4 (Regulations for Development in the Carmel Area LUP). Chapter 20.12 and the Carmel Area LUP outlines three basic tests for demonstrating a project conforms with the plan: 1) The project must be in conformance with the type and intensity of uses permitted within the specific geographical area concerned; 2) The project must conform to the policies of the LUP. Particularly, the proposal must satisfy the natural resource protection policies and fully meet the objectives, polices and standards for natural resource protection<sup>1</sup>; and 3) the project must fully meet any specific zoning provisions adopted to implement the plan. Zoning on the property is Medium Density Residential, 2 units per acre, with a Design Control Overlay [MDR/2-D (CZ)]. Although the existing legal non-conforming floor area ratio FAR of 71.43 percent exceeds the 45 percent allowable FAR, the proposed remodel would result in a decrease of 2.51 percent. and is consistent with the land use designation. The proposed design of the renovation of exterior and exterior of an existing single-family dwelling meets the standards of a Design Control District and was also approved by the Carmel Unincorporated/Highlands Land Use Advisory Committee. Therefore, the proposed project would have no impact on land use planning. **CONSISTENT**

Air Quality Management Plan: The Air Quality Management Plan (AQMP, Source: IX.2) for the Monterey Bay Region addresses attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. Consistency with the AQMP is an indication that the project avoids contributing to a cumulative adverse impact on air quality; not an indication of project specific impacts which are evaluated according to the Monterey Bay Air Resources District’s (MBARD) adopted thresholds of significance. The project includes renovation of an existing residence. The project is conservatively assumed to result in an increase in population equivalent to one household, or approximately three persons (see Section IV.A.4, *Population/Housing*, below) which is within the population growth projections for the County (Source: IX.3, IX4.). Therefore, the project would not result in a population increase not already accounted for in the

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<sup>1</sup> If land use and natural resource protection policies conflict, natural resource protection policies shall prevail

AQMP. The project's construction emissions that would temporarily emit precursors of ozone are accommodated in the emission inventories of state- and federally required air plans. The proposed project grading per day would not surpass the construction activity with potential significant impacts for PM<sub>10</sub> 2.2 acres per day screening threshold. The proposed construction would not result in significant construction related air quality impacts nor construction related pollutant concentrations (Source: IX.2). **CONSISTENT.**

Water Quality Control Plan: The project site lies within the Central Coast Regional Water Quality Control Board (CCRWQCB), which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The Water Quality Control Plan for the CCRWQCB serves as the master water quality control planning document and designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater, and includes programs of implementation to achieve water quality objectives (Source: IX.5). Operation of the project would not generate pollutant runoff in amounts that would cause degradation of water quality (see Section IV.10, *Hydrology and Water Quality*, below). **CONSISTENT.**



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

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

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

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

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

Check here if this finding is not applicable

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

##### **EVIDENCE:**

1. Agriculture and Forest Resources. The project site and surrounding areas are classified by the Department of Conservation's Important Farmland Finder as Urban and Built-Up Land; are not zoned or used for agricultural purposes, farmland, or timberland; and are

not subject to Williamson Act contracts (Source: IX.1, Source: IX.6). Therefore, the project would not convert any Important Farmland to non-agricultural use or conflict with any Williamson Act contracts. The project site is currently developed and is not located on or near land that is considered forest or timberland. Furthermore, according to Carmel LUP General Policy 9, commercial timber harvesting is not an appropriate land use and is therefore not permitted within the Carmel Area (Source: IX.7). Therefore, the project would not conflict with any existing zoning for forest land, timberland, or timberland production. *Therefore, the proposed project would not result in impacts to Agriculture and Forest Resources.*

2. Land Use and Planning. The proposed project would involve the renovation of an existing single-family residence and would not cut off connected neighborhoods or land uses from each other. No new roads or other development features are proposed that would divide an established community or limit movement, travel, or social interaction between established land uses. Additionally, project construction would not physically divide an established community.

The proposed project would be subject to the policies and regulations of the Carmel Area LUP. Chapter 4 of the LUP contains policies that pertain to Land Use and Development in unincorporated areas in the vicinity of Carmel-by-the-Sea. MDR/2-D (CZ) allows for site coverage of 35 percent, and a floor area ratio (FAR) of 45 percent. The existing legal non-conforming single-family residence covers approximately 1,828 sf of the project site (40.96 percent) and has an FAR of 3,188 sf (71.43 percent). The remodel would reduce building site coverage of 1,592 sf (35.67 percent) and an FAR 3,076 sf (68.92 percent).

Given that the project would involve renovation of a single-family residence in an existing residential neighborhood zoned for medium-density residential development, the project would not conflict with land use policies specified in the LUP. Prior to implementation, the project would require issuance of construction permits and coastal development permits from the County of Monterey. The project's compliance with the designated land use, zoning of the project site, and implementation of the County's standard conditions of approval would ensure that there would be no impact. *Therefore, the proposed project would not result in impacts to land use and planning.*

3. Mineral Resources. Carmel Area LUP General Policy 9 states that large-scale mineral extraction is not an appropriate land use and would be in conflict with the protection of the rural character and the scenic and natural resources of the area and is therefore not permitted (Source: IX.7). The project site is not currently used for mineral extraction, and construction of the project would not require the use of substantial mineral resources during construction or operation and would not involve construction in a mineral resource site. *Therefore, the proposed project would not result in impacts to mineral resources.*
4. Population/Housing. The proposed project involves renovation of an existing single-family residence within a developed neighborhood. It is not anticipated that the occupants of the single-family house would relocate to the area from outside the county. However, assuming that occupants of the single-family house would relocate, based on Department of Finance (DOF) population estimations for Monterey County, three people would be

conservatively expected to reside in the single-family home<sup>2</sup> (Source: IX.3). Therefore, the project would be conservatively expected to result in a population increase of approximately three persons, or less than 0.01 percent of Monterey County's current population, which is within the population growth projections for the County (Source: IX.3, IX.4). Additionally, the proposed project would not include the extension of roads or other infrastructure. Therefore, the project would not directly or indirectly induce substantial unplanned growth and there would be no impact. Due to the size and scale of the project, the project would not displace substantial number of people or housing, necessitating the construction of replacement housing elsewhere. *Therefore, there would be no impacts to population and housing.*

5. Public Services. The project site is serviced by the Cypress Fire Protection District (Cypress FPD) and the nearest fire station is the Carmel Fire Department on 6th Avenue, approximately 1.2 miles northeast of the project site. The closest police station is the Carmel Police Department, located at Junipero Avenue and 4th Avenue in Carmel-by-the-Sea, approximately 1.3 miles northeast of the project site. The closest park to the project site is Picadilly Park, located approximately one mile to the northeast. The project site is within the Carmel Unified School District, and the nearest school is Carmel River Elementary School, located at 15th Avenue and Monte Verde Street in Carmel-by-the-Sea, approximately 0.4 mile southeast of the site.

Given that the project would not substantially increase population, as described above under Section IV.A.4, the project would maintain applicable service ratios for fire and police protection services. In addition, the project applicant would be required to pay Carmel Unified School District development fees. Lastly, the County requires the payment of development fees, including fees for the provision of parkland, and park facilities. Because the project would not substantially reduce the provision of public services within the County and would be required to pay applicable development impact fees, the project would not require the provision of new or altered governmental facilities. *Therefore, the proposed project would not result in impacts to public services.*

6. Recreation. Given that the project would not substantially increase population, as described above, it would not result in an increase in use of existing recreational facilities that would cause substantial physical deterioration or require the construction or expansion of recreation facilities in the vicinity of the project. No parks, trail easements, or other recreational facilities would be permanently impacted by the proposed project. *Therefore, the proposed project would not result in impacts related to recreational facilities.*
7. Utilities and Service Systems. Water would be provided to the proposed project by California American Water Company (Cal-Am). Cal-Am sources its water for the Monterey area from the Santa Margarita, Paso Robles, and Carmel Alluvial aquifers as well as surface water from the Sand City Desalination Plant and groundwater recharged by the Pure Water Monterey Project (Source: IX.9). The project site would continue to be served by the Carmel Area Wastewater District (CAWD) for sewer service. The CAWD

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<sup>2</sup> Population based upon DOF estimate of three people per home

Wastewater Treatment Plant has a permitted capacity of 3.0 million gallons per day (MGD) of dry weather flow. As of 2020, average dry weather flow (ADWF) was approximately 1.1 MGD, which represents 37 percent of the permitted capacity (Source: IX.9). PG&E would continue to provide above ground gas and maintenance of electric infrastructure, and 3CE would continue to provide electricity to the project site. Additionally, AT&T would continue to provide telecommunication services to the project site and proposed project. The proposed project entails the renovation of a single-family residence. As discussed in Section VI.4, this project is not expected to substantially increase population. Because of this, there would not be a substantial increased demand on utilities such as water, wastewater, electricity, natural gas, and telecommunications. Therefore, the proposed project would not require the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities. Solid waste disposal is provided by the Monterey Regional Waste Management District. Operation of the project would not result in the substantial increase of solid waste production as the project would not substantially increase the population or change the current use of the project site. Any excess construction materials from the proposed project would be recycled as feasible with the remainder being hauled to landfill. The minimal amount of construction waste produced would not affect the permitted landfill capacity. Therefore, the proposed project would not generate solid waste in excess of the capacity of local infrastructure, otherwise impair the attainment of solid waste reduction goals or conflict with federal, state, and local management of solid waste. *Therefore, the proposed project would not result in impacts related to Utilities and service Systems.*

8. Wildfire. The project is not located in a California Department of Forestry and Fire Protection (CAL FIRE) Very High Fire Hazard Severity Zone (FHSZ), a High FHSZ or Moderate FHSZ (Source: IX.8). The nearest Very High FHSZ is located approximately 0.7 mile to the east, and the nearest State Responsibility Area is located approximately 1.5 miles to the northeast. The proposed project consists of the renovation of a single-family residence within a developed neighborhood in a relatively flat area. No roads would be permanently closed during construction or operation of the proposed project. Emergency access to the site would be available via the project driveway. Implementation of the proposed project would not interfere with existing emergency evacuation plans or emergency response plans in the area, would not exacerbate wildfire risk, and would not expose people or structures to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Additionally, project would not involve the construction of new roads or the extension of utilities that could exacerbate wildfire risk or result in temporary or ongoing impacts to the environment. The project would be required to comply with building code and fire safety requirements, as well as General Plan and Carmel Area LUP policies. *Therefore, the proposed project would not result in impacts related to wildfire.*

**B. DETERMINATION**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

8/5/22

Date

Son Pham-Gallardo, HCD Senior Planner

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

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

<b>1. AESTHETICS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX.7, IX.8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX.10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (Source: IX.10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX.7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The Carmel Area LUP contain general policies and specific policies for visual resources. Carmel Area LUP Key Policy 2.2.2 states that to protect the scenic resources of the Carmel area in perpetuity, all future development within the viewshed must harmonize and be clearly subordinate to the natural scenic character of the area. All categories of public and private land use and development including all structures, the construction of public and private roads, utilities, and lighting must conform to the basic viewshed policy of minimum visibility except where otherwise stated in the plan (Source: IX.7).

**Aesthetics 1(a) – No Impact**

The Carmel Area LUP identifies the rocky promontory of Point Lobos and the strips of white sand beaches as scenic vistas. Pasturelands, forested ridges, and open hills rising abruptly from the shoreline are also prominent features of the viewshed in the Carmel Area LUP (Source: IX.7). Views of the project site are not readily available from scenic vistas due to distance and intervening development. Furthermore, as the proposed project entails the remodel of a single-family home, public views would remain relatively consistent with existing conditions as the project would not alter the land use of the site. Additionally, the project would be subject to Design Approval to ensure visual consistency with surrounding land uses. Therefore, the proposed project would not result in a substantial adverse effect on a scenic vista. *No impact would occur.*



### **Aesthetics 1(b) – No Impact**

The nearest designated State scenic highway is a portion of SR 1, located approximately 1.1 miles to the southeast of the project site (Source: IX.10). Due to the distance and intervening development, the project would not be visible from SR 1. Scenic Road, which is approximately 160 feet south of the site, is considered a major public viewing area of the Pacific Ocean to the south. The existing single-family residence is visible from Scenic Road, and thus the project would be visible as well.

The proposed project would be consistent with surrounding and existing land uses. In addition, the project would not substantially alter the height or massing of the existing single-family residence as viewed from Scenic Road and would therefore not drastically alter views from Scenic Road when compared to existing conditions. Furthermore, the project was subject to design review by the Carmel Highlands Land Use Advisory Committee on September 6, 2022 and was determined to be visually consistent and made a recommendation to support the project as proposed. The proposed project is not visible from any other major public viewing areas, including Point Lobos. Therefore, there would be no impacts related to scenic resources near a designated State scenic highway. *As the property is not within view of a scenic highway and does not propose to remove protected trees, any scenic resources such as rock outcroppings, or historic structures, no impact would occur.*

### **Aesthetics 1(c) – Less Than Significant**

The project site is in an existing urbanized area and zoned for medium density residential use, which allows development of single-family dwellings subject to approval of a Coastal Administrative Permit (Source: IX.12). Surrounding and adjacent parcels to the north, east and west are developed with single-family residences in compliance with the designated land use and zoning districts; the lot to the south of the project is currently vacant. The project would result in remodel of an existing single-family residence. The property is subject to the Visual Resources Policies of the Carmel Area Land Use Plan intended to protect the unique visual resources of the area, and their accompanying implementing regulations in the Monterey County Coastal Implementation Plan. Zoning of the project site includes a Design Control Overlay. The Design Control zoning overlay requires the granting of a Design Approval for the proposed development.

The proposed project would alter views for neighboring residents; however, the use of the site would remain consistent with existing use and the surrounding area. The existing residence on the site has a white exterior, a brown shingled roof, a painted blue garage door and painted blue wood framing the windows. Existing visual characteristics of the project site can be seen in Figure 4 and Figure 5. The proposed project would introduce colors and textures that are visually consistent with adjacent residences. Conceptual design can be seen in Figure 6. Key visual aspects of the proposed project include the following:

- Doors and Windows: Aluminum in medium bronze finish
- Exterior Walls: Local stone and wood shake in light paint finish
- Roof: Standing seam metal in medium bronze finish

While these design features would differ from the aesthetic of the existing on-site residence, they would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. In addition, adherence to all applicable Carmel Area LUP policies related

to visual character would ensure that the project would not conflict with applicable zoning and other regulations governing scenic quality. *Impacts would be less than significant.*

**Aesthetics 1(d) – Less Than Significant**

The project site is in a developed area with low to moderate levels of existing lighting from exterior structure lighting, light visible through windows at adjacent residential uses, and from vehicular traffic on Isabella Avenue. The primary sources of glare in the project area are the sun's reflection off light colored and reflective building materials and finishes, and metallic and glass surfaces of parked vehicles.

The project site is currently developed with a single-family residence and modifications to the site as a result of the proposed project would be consistent with current on-site light and glare conditions. Furthermore, windows would be shielded by landscaping and other design features that break up massing and reduce the possibility of excessive glare from reflected light. The project would be required to comply with Carmel Area LUP policies such as Specific Policy 2.2.4.10.D, which requires all exterior lighting be adequately shielded or designed at near-ground level and directed downwards to reduce its long-range visibility (Source: IX.7) *Adherence all applicable Carmel Area LUP policies would ensure impacts related to light and glare would be less than significant.*

**Figure 5 Conceptual Design**



## 2. AGRICULTURAL AND FOREST RESOURCES

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

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

### Discussion/Conclusion/Mitigation:

See Section IV.A.1. *No Impact.*

### 3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

##### Air Quality 3(a) – Less Than Significant

The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. CARB has established 14 air basins statewide, and the project site is in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of Monterey Bay Air Resources District (MBARD). The NCCAB is currently designated as nonattainment for the state particulate matter that is 10 microns  $\mu\text{m}$  or less in diameter ( $\text{PM}_{10}$ ) standards and nonattainment-transitional for the state one-hour and eight-hour ozone standards.. The NCCAB is designated as attainment for all federal standards and other state standards (Source: IX.2). MBARD is responsible for enforcing the state and federal air quality standards and regulating stationary sources through the 2012-2015 AQMP for the Monterey Bay Region, adopted on March 15, 2017.

As discussed in Section IV.A.4, the proposed project is not anticipated to induce substantial population growth, as the project entails renovation of an existing residence. Furthermore, it is not anticipated that construction workers would be sourced from an area outside of the existing local or regional workforce. Accordingly, the project would be consistent with the 2012-2015 AQMP because it would not cause an exceedance of the growth projections that underlie its air pollutant emission forecasts. *Impacts would be less than significant.*

##### Air Quality 3(b-c) – Less Than Significant

As discussed under criterion 3(a), the NCCAB is currently designated as nonattainment for the state  $\text{PM}_{10}$  standard and nonattainment-transitional for the state one-hour and eight-hour ozone standards.

The MBARD CEQA Guidelines set a screening threshold of 2.2 acres of construction earthmoving per day. If a project results in less than 2.2 acres of earthmoving, the project is assumed to be below the 82 pounds per day threshold of significance. The proposed project site is approximately 0.1 acre and site grading would not exceed MBARD's 2.2-acre screening threshold. Therefore, construction activities would not result in PM<sub>10</sub> emissions that exceed MBARD thresholds (Source: IX.2).

As discussed in Section IV.9, the existing residence was constructed in 1973. Due to the age of the structure, there is a potential to encounter lead based paint and asbestos which are hazardous materials that could be released into the environment during demolition activities. However, the applicant would be required to comply with MBARD Rules 424 and 439.

MBARD Rule 424 requires that demolition contractors notify MBARD of the demolition, asbestos survey requirements, work practice standards for handling asbestos, and disposal requirements. Rule 439 requires general practice standards be followed during the deconstruction of structures, including adequately wetting surfaces so pollutants don't become airborne, demolishing structures inward toward the building pad, and not commencing with demolition if peak wind speed exceeds 15 miles an hour. Compliance with these regulations would ensure construction air quality impacts related to construction demolition are less than significant.

Operational emissions would not be substantial as emissions would only involve vehicle trips and energy usage associated with one single-family residence, similar to the existing use of the site. Therefore, the proposed project would result in less than significant impacts relating to a cumulatively considerable net increase of any criteria pollutant or expose sensitive receptors to substantial pollutant concentrations. *Impacts would be less than significant.*

#### **Air Quality 3(d) – Less than Significant**

During construction activities, temporary odors from vehicle exhaust and construction equipment engines would occur. However, construction-related odors would disperse and dissipate and would not cause substantial odors at the closest sensitive receptors (adjacent residences). Contractors would be required to comply with the provisions of 13 California Code of Regulations (CCR) Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes to minimize unnecessary fuel consumption, which would limit exhaust fumes. In addition, construction-related odors would be temporary and would cease upon completion of construction. The proposed project would involve renovation of a single-family residence and would not be expected to produce other emissions, including odors. *Therefore, the proposed project would have less than significant impact related to other emissions, including odors.*

<b>4. BIOLOGICAL RESOURCES</b>			Less Than Significant		
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX.12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX.13, IX.14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: IX.13, IX.14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Discussion/Conclusion/Mitigation:**

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

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the Federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These Acts afford protection to both listed species and those that are formal candidates for listing. The federal Bald and Golden Eagle Protection Act also provides broad protections to both eagle species that in some regards are similar to those provided by ESA. In addition, the California Department of Fish and Wildlife (CDFW) Species of Special Concern, CDFW California Fully Protected Species, United States Fish and Wildlife Service (USFWS) Birds of Conservation Concern, and CDFW Special Status Invertebrates are all considered special-status species. In addition to regulations for special-status species, most native birds in the United States

(including non-status species) are protected by the federal Migratory Bird Treaty Act of 1918 (MBTA) and the California Fish and Game Code (CFGC) (i.e., Sections 3503, 3503.5 and 3513). Under these laws, deliberately destroying active bird nests, eggs, and/or young is illegal. Plant species on the California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (Inventory) with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA.

There are four endangered bird species, two threatened bird species, two threatened amphibian species, and one candidate insect species that could occur within the project area including: California Condor (*Gymnogyps californianus*), California Least Tern (*Sterna antillarum browni*), Least Bell's Vireo (*Vireo bellii pusillus*), Southwestern Willow Flycatcher (*Empidonax traillii extimus*), Marbled Murrelet (*Brachyramphus marmoratus*), Western Snowy Plover (*Charadrius nivosus nivosus*), California Red-legged Frog (*Rana draytonii*), California Tiger Salamander (*Ambystoma californiense*), and Monarch Butterfly (*Danaus plexippus*) (Source: IX.13).

Additionally, the USFWS IPaC Resource List identifies six endangered plant species and two threatened plant species that could possibly occur within the project site including: Clover (tidestrom's) Lupine (*Lupinus tidestromii*), Coastal Dunes Milk-vetch (*Astragalus tener var. titi*), Hickman's Potentilla (*Potentilla hickmanii*), Marsh Sandwort (*Arenaria paludicola*), Monterey Gilia (*Gilia tenuiflora ssp. arenaria*), Yadon's Piperia (*Piperia yadonii*), Monterey Spineflower (*Chorizanthe pungens var. pungens*), and Gowen Cypress (*Cupressus goveniana ssp. goveniana*) (Source: IX.13).

As the project site is currently developed, it does not provide suitable habitat for any special-status wildlife species, and the level of disturbance on the site precludes the presence of special-status plant species, as only ornamental plants are present on site. Furthermore, the renovation activities would not remove any trees from the site.

However, there is the potential for nesting bird species, which are protected under the Migratory Bird Treaty Act (MBTA), to use trees located on or in the vicinity of the project site during the nesting season. Construction could result in damage or destructions of nests, which would result in a substantial adverse effect to these species. However, the project would be subject to the following Condition of Approval to reduce potential impacts to raptors and migratory and nesting birds.

With the following condition of approval (COA), the proposed project would not have a substantial adverse effect on any species identified as a candidate, sensitive, or special-status species. *Impacts would be less than significant.*

### **Condition of Approval**

Project construction, including, but not limited to, vegetation removal, ground disturbance, and construction, shall occur outside of the bird breeding season (February 1 through August 30). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than three days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot inside the project boundary, including a 300-foot buffer (500-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known



to occur in the project vicinity. Following the completion of the survey a report shall be submitted to the County for review before the issuance of a grading or building permit. If nests are found, an avoidance buffer shall be determined and demarcated by the biologist of a minimum of 300 feet for non-raptor bird species and at least 500 feet for raptor species. Larger buffers may be recommended and/or smaller buffers may be established depending upon the species, status of the nest, and construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed, and young have fledged the nest prior to removal of the buffer. Encroachment into the buffer shall occur only at the discretion of the qualified biologist. If buffer zones are determined to be infeasible, a full-time qualified biological monitor shall be on site to monitor construction within the buffer zones to avoid impacts to active nests and nesting birds.

#### **Biological Resources 4(b-c) – Less than Significant**

Sensitive biological communities include habitats that fulfill special functions or have special values, such as wetlands, streams, or riparian habitat. These habitats are protected under federal regulations such as the Clean Water Act; state regulations such as the Porter-Cologne Act, CDFW Streambed Alteration Program, and CEQA; or local ordinances or policies such as city or county tree ordinances, special habitat management areas, and general plans.

There are no native vegetation communities, drainages, or wetlands potentially under the jurisdiction of the USACE or CDFW present on the project site (Source: IX.14). As these habitat and community types are not present on site, project construction would not directly impact riparian habitat, sensitive natural communities, or protected wetlands.

However, the project site is near the Carmel Bay Area of Special Biological Significance (ASBS) (Source: IX.15). The Carmel Bay ASBS is part of 34 ocean areas that support an unusual variety of aquatic life, and often host unique individual species. ASBSs are monitored and maintained for water quality by the State Water Resources Control Board. To ensure that the project would not discharge contaminants into the Carmel Bay ASBS, the applicant will be required to schedule weekly inspections with HCD during the rainy season (October 15 to April 15) in accordance with Monterey County Conditions of Approval. These inspections would confirm that pollutants associated with construction are not carried off site into the ASBS. If pollutants are being carried off site, the County would require a correction prior to continuation of construction. Thus, with implementation of Monterey County Standard Conditions of Approval, the project would not have a substantial adverse effect on the Carmel Bay ASBS.

*Impacts to riparian habitat, sensitive natural community, or state or federally protected wetlands would be less than significant.*

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

Wildlife corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and breeding areas, or they may be regional in nature, allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then return. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, unsuitable habitat, or open areas with little vegetative cover.

Regional and local wildlife movements are expected to be concentrated near topographic features that allow convenient passage, including roads, drainages, and ridgelines.

The project site is currently developed with a single-family residence, gates, and walls, which act as barriers to wildlife movement through the site. The project site is surrounded by developed parcels zoned medium density residential to the north, east and west. The lot to the south of the proposed project is vacant; however, it is fenced in and therefore would not allow for movement of resident or migratory fish or wildlife. Additionally, the project site is not located directly adjacent to intact wildlife habitat. Therefore, the project would not substantially interfere with movement of resident or migratory fish or wildlife, nor impede the use of wildlife nursery sites. *There would be no impact to the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, and the project would not impede the use of native wildlife nursery sites.*

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

The project is subject to the goals and policies of the 1982 Monterey County General Plan and Carmel Area Land Use Plan (LUP) and implementing regulations in the Monterey County Coastal Implementation Plan (CIP). MCC Section 20.146.060 establishes requirements for the removal of protected trees.. A Coastal Development Permit must be obtained for the removal of trees and other major vegetation with several exemptions.

No trees would be removed during the proposed renovations. Furthermore, as described under criteria 4(b-c), the project site does not include significant vegetation, environmentally sensitive habitats, or wetlands, as it has been previously graded and is currently developed. *Therefore, implementation of the project would not conflict with local policies or regulations protecting biological resources, and no impact would occur.*

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

The project site is not under the jurisdiction of any Habitat Conservation Plans, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *Therefore, no impact would occur.*

<b>5. CULTURAL RESOURCES</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Source: IX.15, IX.16, IX.17, IX.18)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

This discussion incorporates the results provided in the Extended Phase I (XPI) Archaeological Assessment prepared by Albion Environmental, Inc. (Albion) in November 2021 (Source: IX.16). Rincon archaeologists meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology and history conducted a review of the 2021 Albion study. Rincon concurs with Albion’s findings and recommendations for the project.

The XPI assessment included a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) at the Sonoma State University in Rohnert Park, California that included the project site and a 0.5-mile radius. The search identified one archaeological site within the project site (P-27-00153/CA-MNT-17) and two previously recorded sites located adjacent to the project site (P-27-00152/CA-MNT-16 and 17P-27-001323/CA-MNT-1286). The XPI assessment included a field survey of the subject property, archival research, and archaeological subsurface testing to determine if P-27-00153/CA-MNT-17 is extent within the project site. The XPI assessment is discussed in more detail in section 5(b) below.

**Cultural Resources 5(a) – No Impact**

The project site contains built environment features. The existing building was constructed in 1973 and therefore does not meet the 50-year age requirement for evaluation as historical resource. No other potential historical resources have been identified within the project site, as such, no additional historical analysis is needed for this project. *No impact would occur.*

**Cultural Resources 5(b) – Less than Significant with Mitigation**

As outlined in the Extended Phase I Archaeological Assessment (Source: IX.16), there is one previously recorded cultural resource (P-27-00153/CA-MNT-17) on the project site as well as two previously recorded sites adjacent to the project site (P-27-00152/CA-MNT-16 and P-27-001323/CA-MNT-1286). Resource P-27-00153/CA-MNT-17 consists of a large, multi-component archaeological site consisting of several blocks at Carmel Point, from Scenic Drive to Carmelo Street, 16<sup>th</sup> Street, and to the beach.

Since the original recording by Pilling in 1949, P-27-00153/CA-MNT-17 has been extensively studied by 22 different archaeological efforts, as the resource is currently the earliest known

resource on the Monterey Peninsula with occupation dating to 9,420 years before present (BP). The resource consists of three areas: coastal orientation, lagoon orientation, and a transitional area between the two. These make up three loci (MNT-17A, MNT-17B, and MNT-17C). Locus MNT-17A consists of biface fragments, cobbles, flakes, and faunal materials dating to 700 to 181 years BP. Locus MNT-17B is the transitional locus consisting of “abalone pavement” (Source: IX.17.), a bedrock mortar complex, some faunal remains, and flaked stone debitage, with date clusters of 470-730 BP and 4476-4485 BP. Lastly, locus MNT-17C dates to 9,420 to 8,120 years BP and contains two human burials, as well as shells, beads, mortar fragments, groundstone artifacts, fishhooks, mammal bone, and projectile points within this locus (Source: IX.18).

For the XPI assessment, Albion excavated three shovel test pits in locations within areas of exposed ground along the northern, southern, and western elevations of the parcel around the existing residence. All three shovel test pits contained minimal archaeological materials (debitage, groundstone, or faunal bone); however, each location is described as highly disturbed due to Carmel Point development. Based on these findings, the XPI assessment recommended that project activities would have no effect to known cultural resources.

However, Albion recommended archaeological and Native American monitoring for all ground disturbing activities of the project due to the sensitivity of the area and an archaeological site is mapped within the project site (Sources: IX.16). Archaeological materials were identified in all three shovel test pits conducted as part of the XPI testing. However, 50 archaeological materials per cubic meter, as per the predetermined threshold for the XPI testing, were not identified in any of the shovel test pits. Rincon concurs and recommends archaeological and Native American monitoring for all ground disturbing work. Additionally, if future archaeological remains are exposed during ground construction, the County’s standard condition of approval outlines steps to take in the event of a discovery during construction, including halting work within 50 meters of the radius of the find(s) until a qualified archaeologist evaluates it. This standard condition of approval would protect unanticipated cultural, archaeological, historical, or paleontological resources uncovered at the project site. *Implementation of Mitigation Measure CR-1 and standard conditions of approval would reduce potential impacts to previously unidentified resources to a less than significant level.*

## **Mitigation Measures**

### **CR-1 Archaeological and Native American Monitoring**

Archaeological and Native American monitoring shall be conducted for all project-related ground disturbing activities. Archaeological monitoring shall be performed under the direction of a qualified archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology. Native American monitoring shall be provided by a locally affiliated tribal member(s). Monitors shall have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and the find evaluated for listing in the CRHR and NRHP. Archaeological or Native American monitoring or both may be reduced or halted at the discretion of the monitors, in consultation with the lead agency, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 50 percent of ground-disturbance. If monitoring is reduced to spot-checking, spot-checking shall occur when ground-disturbance

moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). Furthermore, monitoring may be terminated in the event it is determined that the soils within the project site do not have the potential to encounter cultural resources.

#### Compliance Actions for Mitigation Measure CL-1:

CL-1a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure CR-1, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

CL-1b: Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities for which the archaeological monitor will not be present, how sampling of the excavated soil will occur, and any other logistical information such as when and how work on the site will be halted. The contract shall include provisions requiring the monitor be present and observe all soil disturbance for all grading and excavation, and authorizing the monitor to stop work in the event resources are found. In addition, the contract shall authorize the monitor to prepare a report suitable for compliance documentation to be prepared within four weeks of completion of the data recovery field work. The contract shall be submitted to HCD-Planning for review and approval. Should HCD-Planning find the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.

CL-1c: A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University.

#### **Cultural Resources 5(c) – Less than Significant**

No human remains are known to exist within the project site. The State of California requires that ground disturbing activities cease if unanticipated human remains are unearthed, until the County Coroner has made the necessary findings as to the origin and disposition pursuant to State Health and Safety Code Section 7050.5 and PRC Section 5097.98. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), which would determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The find shall be treated in accordance with Public Resources Code Sections 5097.9 and 5097.933. *Compliance with the State requirements for the treatment of human remains would ensure that impacts remain less than significant.*

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

**Discussion/Conclusion/Mitigation:**

**Energy 6(a) – Less than Significant**

During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. Construction energy consumption would be temporary and would be consistent with that used by other similar projects within the county. The project entails the renovation of a single-family residence. Given the scale of the project, construction energy use would be nominal and short-term. As such, it would not be considered wasteful, inefficient or unnecessary due to the scale of the project. In addition, the project would adhere to applicable federal and state regulations requiring fuel-efficient equipment and vehicles and prohibiting wasteful activities, such as California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Therefore, energy use during construction would have a less than significant impact.

Operational energy consumption would be primarily associated with vehicle trips to and from the project. However, as discussed in Section IV.A.4, the proposed project is not anticipated to add new residents to the area and would not increase trips beyond current conditions. Electricity and natural gas consumption would remain consistent with current conditions as well. *Impacts resulting from the inefficient, wasteful, or unnecessary consumption of energy, as well as from conflicts with state or local plans for renewable energy or energy efficiency would be less than significant.*

**Energy 6(b) – Less than Significant**

The proposed project would be required to be designed and constructed in full compliance with the California Building Code (CBC), including applicable green building standards and building energy efficiency standards such as CALGreen; CBC, Title 24, Part 11, which requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. The project would not conflict with other goals and policies set forth in General Plan pertaining to renewable energy and energy efficiency. *Therefore, potential impacts associated with conflict with a state or local plan for renewable energy or energy efficiency would be less than significant.*

<b>7. GEOLOGY AND SOILS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
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. (Source: IX.20, IX.21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: IX.20, IX.22)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Landslides? (Source : IX.20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source : IX.20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Source: IX.23)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

This discussion incorporates the results provided in the Geotechnical Investigation prepared by Surveys Group Inc., dated November 23, 2021 (Source IX.20).

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

The project site is situated in a region that is considered to have a relatively moderate seismicity based on the proximity to several dominant active faults and seismogenic structures, as well as the historic seismic record. The nearest fault to the proposed project site is Cypress Point fault

located approximately 609 feet to the northwest of the site. However, the fault nearest to the project site with the highest potential for seismic activity is the San Andreas Fault, approximately 39 miles to the northeast of the project site (Source: IX.21).

The Geotechnical Investigation (Source IX.20) found that there are no fault lines mapped or projected through the project site, and the potential for surface rupture is low. Therefore, compliance with the CBC would minimize the risk of potential seismically-induced damage due to rupture of a known earthquake fault. In addition, the proposed project would not increase the potential for fault rupture to occur. *Therefore, the project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death as a result of fault rupture, and impacts would be less than significant.*

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

Ground shaking is the soil column's response to seismic energy transmission. The project site is situated within a region traditionally characterized by relatively moderate seismic activity, and earthquakes along faults in the region are expected to generate strong ground shaking at the site. The proposed project would be designed to meet the requirements of the CBC and its seismic design provisions. Compliance with the CBC would ensure that the project would not expose people and structures to potential substantial adverse effects, including the risk of loss, injury, or death related to ground shaking. The proposed project itself would not exacerbate ground shaking hazards at adjacent properties. *Therefore, impacts related to strong seismic ground shaking would be less than significant.*

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

Soil liquefaction is a phenomenon in which saturated, cohesionless soils and some low-plasticity cohesive soils lose their strength due to the build-up of excess pore water pressure during cyclic loading such as that induced by earthquakes. Soils most susceptible to liquefaction are clean, loose, fine-grained sands, and silts that are saturated and uniformly graded. If liquefaction occurs, foundations resting on or within the liquefiable layer may undergo settlements. This would result in reduction of foundation stiffness and capacities.

The soil underlying the project site is composed of medium dense to dense Oceano loamy sand and ground water was not found at the maximum depth of exploration (20 feet below the surface) (Source IX.20, Source IX.22). Therefore, the potential risk of liquefaction and lateral spreading is low (Source IX.20). *Therefore, the project would not cause potential substantial adverse effects related to liquefaction, and impacts would be less than significant.*

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

Landslides are generally mass movements of loose rock and soil, either dry or water saturated and are usually gravity driven. Thus, the potential for landslides is enhanced by steep slopes. The project site and surrounding area are relatively flat. No steep slopes exist adjacent to the project site (Source IX.20). Additionally, soil on site is medium dense, resulting in low landslide potential. Therefore, the proposed project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death as a result of landslides. *Impacts would be less than significant.*



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

The proposed project would include 5.10 cubic yards of cut, with 39.52 cubic yards of fill, and a total of 34.42 cubic yards of imported soil. Project construction could result in erosion and loss of topsoil from the site. The project site is located approximately 360 feet from Carmel River State Beach. At this distance, it is not anticipated that the site would be subject to coastal erosion, including erosion exacerbated by sea level rise. While the Carmel Area LUP does not include specific policies pertaining to erosion, the proposed project would be required to comply with Chapter 16.12, *Erosion Control*, of the MCC which sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions. Implementation of the recommendations contained within the Geotechnical Investigation, the preparation of an Erosion Control Plan, and other requirements within the grading permit would reduce erosion and loss of topsoil during project construction. Therefore, the project would not result in substantial erosion or loss of topsoil. *Impacts would be less than significant.*

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

Lateral spreading is a potential hazard commonly associated with liquefaction where extensional ground cracking and settlement occur as a response to lateral migration of subsurface liquefiable material. These phenomena typically occur adjacent to free faces such as slopes and creek channels. As previously described, the project site is relatively flat and is not prone to seismically induced landslides. As described in the Geotechnical Investigation (Source IX.20), soils on site are medium dense and considered to have a low susceptibility to lateral spreading. Therefore, the proposed project would not be located on geologic units that are unstable, or subject to landslide, lateral spreading, liquefaction, or collapse. *Impacts would be less than significant.*

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

Expansive soil undergoes volume changes (shrinkage and swelling) with changes in moisture content. As expansive soil dries, the soil shrinks. When the moisture content increases, expansive soil swells. This behavior causes distress and damage to structures that are constructed on expansive soils unless mitigation measures are implemented. Soils on site are predominantly fine sand containing a small amount of silt. However, the Geotechnical Investigation found that the site is suitable for the proposed use, provided that loose soil within the building pad is recompacted following grading. (Source: IX.20). *Therefore, with adherence to these recommendation impacts resulting from development on expansive soils would be less than significant.*

### **Geology and Soils 7(e) – No Impact**

The project would be served by the municipal sewer system and would not require the installation of an on-site septic tank or alternate wastewater treatment systems. *Therefore, no impacts from septic systems or alternative wastewater disposal systems would occur.*

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

The geologic unit underlying the project site and surrounding is Pleistocene fluvial terrace deposits (Qt) (Source: IX.23). This unit may have the potential to contain paleontological resources. The project requires minimal ground disturbance. However, there always remains the

potential to encounter buried or possibly redeposited paleontological resources. In the event of unanticipated discovery of paleontological resources, impacts would be reduced to a less than significant level with implementation of the County's standard condition of approval to halt construction work immediately if cultural, archaeological, historical or paleontological resources are uncovered at the site. *Impacts would be less than significant.*

<b>8. GREENHOUSE GAS EMISSIONS</b>		Less Than Significant		Less Than Significant	
<b>Would the project:</b>	Potentially Significant Impact	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? (Source: IX.24, IX.25)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: IX.17, IX.18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**Discussion/Conclusion/Mitigation:**

**Greenhouse Gas Emissions 8(a-b) – Less than Significant**

The project involves the remodel of a single-family home. Temporary construction-related emissions would result from usage of equipment and machinery. Monterey County does not currently have an adopted greenhouse gas (GHG) reduction plan with numerical reduction targets for individual uses and developments. General Plan policies contain direction for the preparation of such a plan with guidance on what goals or measures should be accomplished in development of a plan. The General Plan includes Policy 13.4.2 which requires all new residential dwellings to meet or exceed the building efficiency standards established by the State of California. In addition, the 1982 General Plan includes Policy 13.4.3 which encourages building designs that reduce demands for artificial heating, cooling, ventilation, and lighting. (Source: IX.24).

The project would comply with California Building Energy Efficiency Standards, which require green building features such as energy-efficient lighting. Therefore, the proposed project would not conflict with the policy direction contained in the General Plan.

The project would not substantially increase population in the area and would therefore not increase demand for electricity, heat and other utilities that create GHG in production. Additionally, as discussed in Section IV.17, the project would not substantially increase traffic compared to existing conditions. Therefore, the proposed project would not result in a substantial increase in operational GHG emissions or conflict with the Monterey County Municipal Climate Action Plan or the Association of Monterey Bay Area Government’s 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy (Source: IX.24, IX.25). The proposed project’s short-term construction and long-term operational GHG emissions would be minimal and would not have a significant impact on the environment. Since the proposed project’s GHG emissions would be minimal, the proposed project would not result in emissions that would conflict with any applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. *Impacts would be less than significant.*

<b>9. HAZARDS AND HAZARDOUS MATERIALS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX.26, IX.27, IX.28, IX.29)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX.30)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Source: IX.8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Hazards and Hazardous Materials 9(a-b) – Less than Significant with Mitigation**

The proposed project would involve the renovation of a single-family residence, which typically would not use or store large quantities of hazardous materials. Potentially hazardous materials such as fuels, lubricants, and solvents would be used during project construction. However, the transport, use, and storage of hazardous materials during project construction would be conducted in accordance with all applicable state and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and CCR Title 22.

As discussed in Section IV.5, the existing residence was constructed in the early 1973. Due to the age of the structure, there is a potential to encounter both lead-based paint and asbestos, which could be released into the environment during demolition activities. The project would be

subject to the County of Monterey Standard Condition of Approval PD047 which requires construction plans incorporate demolition and deconstruction practices consistent with MBARD District Rule 439. Even with consistency to this COA, the project would still be required to mitigate impacts related to lead-based paint and comply with MBARD District Rule 424. Therefore, to reduce potential impacts related to the discovery of lead-based paint and asbestos, Mitigation Measures HAZ-1 and HAZ-2 are required. Through the compliance with applicable laws and regulations and Mitigation Measures HAZ-1 and HAZ-2, the project would have a less than significant impact. *Impacts would be less than significant with mitigation.*

### **Mitigation Measures**

#### **HAZ-1 Lead-Based Paint Abatement**

Any suspect lead-based paint shall be sampled prior to renovation or demolition activities. Any identified lead-based paint shall be abated by a licensed lead-based paint abatement contractor and disposed of in accordance with all state and local regulations.

#### **HAZ-2 Asbestos Abatement**

In addition to MBARD Asbestos Standards as defined within District Rule 424, prior to the initiation of demolition work, areas of the on-site structures proposed for removal shall be sampled as part of an asbestos survey in compliance with the National Emission Standards for Hazardous Air Pollutants. If asbestos is found in any building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials (ACMs) shall be performed by a licensed asbestos abatement contractor under the supervision of a certified asbestos consultant and asbestos shall be removed and disposed of in compliance with applicable State laws. Regardless of whether asbestos is identified in the building, prior to demolition of the existing structure MBARD shall be notified through submittal of the Asbestos Program Demolition and Renovation online notification system.

### **Hazards and Hazardous Materials 9(c) – No Impact**

The nearest school to the project site is Carmel River Elementary School, located at 15th Avenue and Monte Verde Street in Carmel-by-the-Sea, approximately 0.4 mile to the northeast of the site. Additionally, as discussed above, operation of the project would not be expected to create a significant hazard to the public or the environment. Because the project site is not located within 0.25 mile of an existing or proposed school and the project is not expected to create a significant hazard to the public or the environment. *No impact would occur.*

### **Hazards and Hazardous Materials 9(d) – No Impact**

According to the State Water Resources Control Boards (SWRCB) Geotracker database, there are no cleanup sites within a 1,000-foot radius of the project site (Source: IX.26). The California Department of Toxic Substances Controls (DTSC) EnviroStor database also shows no cleanup sites within a 1,000-foot radius of the project site (Source: IX.27). The closest site listed on the SWRCB active Cease and Desist Orders and Cleanup Abatement Orders list is approximately four miles to the northeast at 1036 Munras Avenue, Monterey (Source: IX.28). Additionally, the nearest SWRCB-identified solid waste disposal site is located in Marina (Fort Ord Landfill) (Source: IX.29).

Therefore, the project site and adjacent properties are not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The proposed project would not create a significant hazard to the public or the environment. *No impact would occur.*

#### **Hazards and Hazardous Materials 9(e) – No Impact**

The nearest airport to the project site is the Monterey Regional Airport, located approximately 5.7 miles to the northeast. The site is not within two miles of a public or public use airport or within an airport land use plan. *Therefore, no impact would occur.*

#### **Hazards and Hazardous Materials 9(f) – No Impact**

Monterey County Office of Emergency Services has developed an Emergency Operations Plan, last updated in 2014, which contains response and recovery protocols for several types of natural, technical, and human-caused emergencies. The Emergency Operations Plan outlines the roles and responsibilities of the County and partnering entities during emergency responses (Source: IX.29). Construction of the proposed project would not result in lane closures on Isabella Avenue and therefore, would not create new obstructions to the County’s Emergency Operations Plan. In addition, the proposed project would not result in inadequate emergency access as project plans are subject to review and approval by Cypress FPD during the permit process. The grading and construction plans would require implementation of fire protection safety features, including emergency access. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan. *No impact would occur.*

#### **Hazards and Hazardous Materials 9(g) – Less than Significant**

CAL FIRE’s Fire Hazard Severity Zone (FHSZ) indicate fire risk in an area. The project site is characterized by relatively flat terrain and is not located in a CAL FIRE Very High FHSZ, a High FHSZ or Moderate FHSZ (Source: IX.8). The nearest Very High FHSZ is located approximately 0.7 mile to the east. The project site is within the service area of Cypress FPD – Cypress Fire Protection District Station, located approximately 1.3 miles to the east of the site. Project renovation activities would be performed in compliance with local building code and fire code standards. Additionally, the project is not within or adjacent to wildlands and would therefore not increase exposure to wildland fires. *Impacts related to wildland fires would be less than significant.*

<b>10. HYDROLOGY AND WATER QUALITY</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: IX.20, IX.9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i) result in substantial erosion or siltation on- or off-site? (Source: IX.31)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Source: IX.31)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX.31)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) impede or redirect flood flows? (Source: IX.31)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX.32, IX.33)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Source: IX.34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Hydrology and Water Quality 10(a) – Less than Significant**

Construction of the proposed project would involve site preparation, grading, and renovation. The proposed project would include 39.52 cubic yards of fill and 5.10 cubic yards of cut, and a total of 34.42 cubic yards of imported soil. As required by County standard conditions of approval, the project would require a grading permit and an erosion control plan which would identify Best Management Practices (BMPs) to be implemented on site. Measures that would be taken to reduce potential erosion and sedimentation include adherence to Chapter 16.08 Monterey County Code, which sets forth rules and regulations to control all grading, including excavations, earthwork, road construction, fills and embankments, establishes the administration

procedure for issuance of permits; and provides for approval of plans and inspections of grading construction. Additionally, adherence to recommendations in the Geotechnical Investigation, and compaction of fill to a minimum of 90 percent density. Additionally, all work would be subject to the approval by the County. These requirements would prevent and minimize potential erosion, sedimentation, and spills. *Compliance with the County's standard conditions of approval would reduce potential construction impacts to a less than significant level.*

### **Hydrology and Water Quality 10(b) – Less than Significant**

The project site lies within the Central Coast Regional Water Quality Control Board (CCRWQCB), which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The proposed project site is currently developed. The proposed project would result in a 236 square foot reduction in building coverage and a 155 square foot reduction in paved area on site. Therefore, the project would not be expected to impede groundwater recharge. Because groundwater was not observed at the depth of 20 feet, the project would not directly interfere with the groundwater table (Source: IX.20.)

Water would be provided to the project by the California American Water Company (Cal-Am). Approximately 97.6 percent of Cal-Am's water supply is sourced from groundwater from the Santa Margarita, Paso Robles, and Carmel Alluvial aquifers (Source: IX.9). However, the proposed project is not expected to substantially increase water use from current conditions, as the project would entail renovations to an existing single-family residence.

Because no groundwater was observed on site to the depths of 20 feet, and the project is not anticipated to increase water consumption or involve substantial excavation below ground surface, the project would not directly or indirectly interfere with the groundwater table. *There would be no impacts related to the depletion of groundwater supplies and groundwater recharge.*

### **Hydrology and Water Quality 10(c.i-c.iv) – Less than Significant**

The nearest river to the project site is the Carmel River, located approximately 0.3 mile to the southeast. The proposed project would not alter the course of any stream or river but would slightly alter existing drainage flows on the project site, as project would add a deck to the second floor and reduce overall building coverage.

Prior to project construction, measures that would be taken to reduce potential erosion and sedimentation include adherence to the County's Grading Ordinance Order 2535 and Erosion Control Ordinance Order 2806, adherence to recommendations in the Geotechnical Investigation, and compaction of fill to a minimum of 90 percent density. As previously discussed, the project would require a grading permit, and would be required to provide an erosion control plan, which would identify BMPs to be implemented on site. In addition, in accordance with the County's conditions of approval, weekly inspections by HCD during the rainy season would ensure contaminants are not discharged into the ASBS. Alterations to the existing drainage pattern would not result in substantial erosion, siltation, or flooding on or off site.

The proposed project would result in a 236 square foot reduction in building coverage and a 155 square foot reduction in paved area on site. These alterations could change on-site drainage patterns but would not be expected to increase the volume of stormwater runoff from the site.



Most of the project area would be landscaped, which would help reduce off-site flows and minimize potential erosion. Furthermore, Post-Construction Stormwater Management Requirement in the stormwater control plan would reduce potential erosion and sedimentation in accordance with Resolution No. R3-2013-0032 (Source: XI.31). *Impacts would be less than significant.*

#### **Hydrology and Water Quality 10(d) – No Impact**

The proposed project is approximately 279 feet northwest of Carmel River Beach. However, the project is not with a tsunami hazard zone. The nearest tsunami hazard zone is across Scenic Road, approximately 181 feet south of the project site (Source: IX.32). Additionally, the project site is not located near a large inland body of water and is not subject to potential effects from seiches. The project site is in a floodplain designated as Zone X, or an area of minimal flood hazard (Source: IX.33). Therefore, the proposed project would not have the potential to risk release of pollutants due to project inundation. *No impact would occur.*

#### **Hydrology and Water Quality 10(e) – No Impact**

The project site is underlain by the Carmel Valley Alluvial Aquifer, which is managed by MPWMD. MPWMD has not yet adopted a Groundwater Sustainability Plan for the aquifer (Source: IX.34). The proposed project is not within an area subject to a water quality control plan or sustainable groundwater management plan. Therefore, the project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. *There would be no impact.*

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**11. LAND USE AND PLANNING**

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

**Discussion/Conclusion/Mitigation:**

See Section IV.A.2. *No Impact.*

**12. MINERAL RESOURCES**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section IV.A.3. *No Impact.*

13. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
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? (Source: IX.35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels? (Source: IX.36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Noise 13(a) – Less than Significant**

Construction

Construction of the proposed project would temporarily increase noise in the vicinity of the site due to heavy equipment such as excavators, graders, large trucks, and machinery typically used during residential construction projects. The Carmel Area LUP does not have policies that regulate residential construction noise. However, construction activities would be required to comply with the Monterey County Noise Ordinance (Chapter 10.60). The ordinance applies to “any machine, mechanism, device, or contrivance” within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 dBA measured 50 feet from the noise source. Typical construction equipment used for project construction (including excavators, graders, and large trucks) would have noise level of 85 dBA at 50 feet or less (Source: IX.35). Because anticipated construction equipment would not exceed this threshold, project construction would not exceed County noise level restrictions per Section 10.60.030 of the Monterey County Code. Project construction would take place from 7:30 a.m. to 5:30 p.m. Monday through Friday, and Saturday from 8:00 a.m. to 5:00 p.m. Additionally, Policy S-7.10 of the Monterey County General Plan requires the installation of properly operating mufflers on construction equipment and locating laydown yards and stationary equipment as far as possible from noise-sensitive land uses. Because project construction would comply with the provisions in the Monterey County Code and General Plan, the temporary noise generated during construction would not conflict with any Monterey County thresholds. *Construction phase impacts would be less than significant.*

Operation

Given that proposed renovation would not change use of the project site, ambient noise would remain consistent with existing conditions. Therefore, the project would not result in a substantial permanent increase in ambient noise. *There would be no impact during operation.*

### **Noise 13(b) – Less than Significant**

Project construction would generate a temporary increase in groundborne vibration levels during the excavation and grading phases of project construction. However, it is not anticipated that localized vibration would exceed the threshold for perceptibility (0.04 in/sec PPV) and the threshold for structural damage due to vibration (0.1 in/sec PPV), as no vibration-intensive construction activities, such as pile-driving, are proposed (Source: IX.36). In addition, such effects would be temporary, and limited to a short duration of the construction period.

*Construction vibration impacts would be less than significant.*

Single-family residences are not typically associated with groundborne vibration. *Operational impacts would be less than significant.*

### **Noise 13(c) – No Impact**

The nearest airport to the project site is the Monterey Regional Airport, located approximately 5.7 miles to the northeast. The site is not within two miles of a public or public use airport or within an airport land use plan. Therefore, the proposed project would not expose people or structures to airport noise. *No impact would occur.*

**14. POPULATION AND HOUSING**

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

**Discussion/Conclusion/Mitigation:**

See Section IV.A.4. *No Impact.*

**15. PUBLIC SERVICES**

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

**Discussion/Conclusion/Mitigation:**

See Section IV.A.5. *No Impact.*

**16. RECREATION**

<b>Would the project:</b>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section IV.A.6. *No Impact.*



17. TRANSPORTATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Source: IX.37)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? (Source: IX.38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Transportation 17(a) – Less than Significant**

Regional and local plans and policies addressing the circulation system include the Transportation Agency for Monterey Active Transportation Plan for Monterey County, Monterey County General Plan Circulation Element, and the Association of Monterey Bay Area Governments Metropolitan Transportation Plan and Sustainable Communities Strategy (Source: IX.30). Access to the project site during construction and operation would be provided via the existing residential driveway connecting to Isabella Avenue, which is a two-lane road. The nearest bus stop is located on Rio Road and Atherton Drive, approximately 0.8 mile northeast of the project site (Source: IX.37). There are no sidewalks or bicycle lanes along Isabella Avenue.

Construction traffic would be temporary and limited to the duration of the construction schedule. During the construction period, worker parking would be provided on the shoulder of Isabella Avenue and a staging area would be established to the north of the driveway on site. After construction is complete, the project would not generate substantial amounts of traffic, as the project consist of the renovation of a single-family residence. As discussed in Section IV.4, the project is not expected to add substantially to the existing population. Therefore, the project would not add substantially to existing conditions. Furthermore, in accordance with the County’s conditions of approval, the site-specific construction management plan for the project would include measures to minimize traffic impacts during the construction/grading phase of the project.

The minimal level of additional trips generated as a result of the proposed project would not have the potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. *Impacts would be less than significant.*

### **Transportation 17(b) – Less than Significant**

The County has not adopted vehicle miles traveled (VMT) thresholds at this time; therefore, thresholds provided in the California Office of Planning and Research's Technical Advisory published December 2018 (Source: IX.38) are appropriate. As the proposed project involves the renovation of one single-family residence, operational traffic is not expected to increase substantially. The Technical Advisory provides a screening threshold of 110 trips per day to presume less than significant impacts. *As the project would result in no substantial increase in vehicle trips during operation, impacts would be less than significant.*

### **Transportation 17(c-d) – No Impact**

The proposed project would be reviewed by the Cypress FPD to ensure that sufficient emergency access is provided. As discussed under criterion 17(b), it is not anticipated that there would be a substantial increase in operational traffic. No geometric design features or incompatible land uses would be introduced to the project site and local roadway network as a result of the project. Nevertheless, improvements would be subject to review by the HCD in accordance with the County's conditions of approval. In addition, the project does not include modifications to the local roadway network that could result in inadequate emergency access, and construction of the improved project driveway would allow for on-site emergency access. Therefore, the proposed project would not substantially increase hazards due to a geometric design feature or incompatible use or result in inadequate emergency access. *No impact would occur.*

18. TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
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 (Source: IX.15)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. or (Source: IX.15)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

AB 52 establishes a formal consultation process for California tribes regarding tribal cultural resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

**Tribal Cultural Resources 18(a.i-a.ii) – Less than Significant with Mitigation**

On August 5, 2022, the following Native American tribal groups were formally notified that the County initiated environmental review of the proposed project and were invited to provide AB 52 consultation:

- Ohlone/Costanoan-Esselen Nation
- KaKoon Ta Ruk Band of Ohlone-Costanoan
- The Esselen Tribe of Monterey County

As of the date of this document, one response was received on August 8, 2022 from the Esselen Tribe of Monterey County. The Tribe requested a project description, site plans, and a copy of the cultural resources report for the project. In addition, the Tribe made a recommendation to conduct a Phase II subsurface evaluation for the project site and for all ground disturbance to be monitored by an Esselen Tribe of Monterey representative. As discussed further below,

subsurface evaluations were conducted for the site and were included in the current archaeological report. Furthermore, the project would be required to comply with the County's standard conditions of approval which require tribal monitoring occur on the project site.

The project site lies within a previously recorded archaeological site P-27-00153/CA-MNT-17. The site consists of a large multi-component Native American site dating to 9420 BP in various loci. Albion Environmental, Inc. conducted an XPI assessment of the project site in 2021 due to the proximity to the resource (Source: IX.16), as discussed in Section IV.5. Excavations produced negative results and minimal amounts of artifacts at the boundary of or below the predetermined threshold for an intact archaeological deposit. Within the excavated shovel test pits (STPs), no anthropogenic soils were observed, and no intact archaeological or Tribal cultural deposits were discovered. The excavations revealed that the subsurface of the Project Area contains high densities of modern refuse and very sparse archaeological materials; therefore, the archaeological deposit encountered lacks integrity. This lack of integrity indicated by the presence of significant amounts of modern refuse suggests that precolonial remnants of CA-MNT-17 that may have been located within the Project Area were likely removed and/or highly disturbed during development of the residential neighborhood. Furthermore, the modern refuse suggests low amounts of archaeological and Tribal cultural deposit encountered within the study lack depositional integrity.

Albion's subsurface investigation of the Project Area produced negative results and indicates that potentially significant Tribal cultural materials are not located within the Project Area. This determination was based on two criteria: 1) lack of identification of intact soil strata, lacking evidence of redeposition or disturbance; and 2) artifacts below the threshold for classification as an intact deposit were recovered from the excavation units.

Based on the minimal level of archaeological materials within the project site and depth identified, the XPI assessment recommended no effects to cultural resources. However, there is the possibility of resources to exist below the ground surface of the project area, which could be disturbed by grading and excavation activities associated with the proposed project. Therefore, Mitigation Measure CR-1 requires archaeological and Native American monitoring of initial ground disturbing activities. In addition, as discussed in Section VI.5, compliance with the County's standard conditions of approval would ensure that the discovery of unanticipated tribal cultural resources are handled and treated in accordance with State regulations. Implementation of Mitigation Measures CR-1 and the following standard condition of approval would reduce potential impacts to previously unidentified tribal resources. *Impacts would be less than significant with mitigation incorporated.*

### **Condition of Approval**

Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified local Native American Tribe for monitoring efforts. The contract shall include a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities for which the Tribal monitor will not be present, how sampling of the excavated soil will occur, and any other logistical information such as when and how work on

the site will be halted. The contract shall include provisions requiring the monitor be present and observe all soil disturbance for all grading and excavation and authorizing the monitor to stop work in the event resources are found. In addition, the contract shall authorize the monitor to prepare a report suitable for compliance documentation to be prepared within four weeks of completion of the data recovery field work. The contract shall be submitted to HCD-Planning for review and approval. Should HCD-Planning find the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.

**19. UTILITIES AND SERVICE SYSTEMS**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Source: IX.9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: IX. 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? (Source: IX. 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section IV.A.7. *No Impact.*

**20. WILDFIRE**

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

**Discussion/Conclusion/Mitigation:**

See Section IV.A.8. *No Impact.*

## VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

### Discussion/Conclusion/Mitigation:

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

As discussed in this Initial Study, the proposed project involves renovation of the exterior and interior of an existing single-family residence within a developed neighborhood, on a site that does not provide substantial habitat for wildlife. The project would not cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, or restrict the range of plant or animal species. In addition, with incorporation of the proposed condition of approval to retain a qualified biologist to perform a nesting bird survey for any ground disturbance or tree removal within the typical nesting bird season, potential impacts to raptor and migratory bird species would be less than significant. As described in Section VI.5, the project site does not meet the 50-year age requirements for evaluation as a historical resource. The event of unanticipated discovery of important cultural resources the project would comply with the County’s standard condition of approval to halt construction work immediately if cultural, archaeological, historical, or paleontological resources are uncovered at the site. Additionally, Mitigation Measure CR-1 would reduce impacts to cultural and tribal cultural resources to a less than significant level. Therefore, the proposed project would not eliminate an important example of major periods of California history or prehistory. *Impacts would be less than significant with mitigation incorporated.*



### **Mandatory Findings of Significance (b) – Less than Significant with Mitigation**

As described in the discussion of environmental checklist Sections 1 through 20, with respect to all environmental issues, the proposed project would not result in significant and unmitigable impacts to the environment. All anticipated impacts associated with project construction and operation would be either no impact, less than significant, or less than significant with mitigation incorporated. This is largely due to the fact that project construction activities would be temporary, and project operational activities would be substantially consistent with current conditions.

Cumulatively considerable impacts could occur if the construction of other projects occurs at the same time as the proposed project and in the same vicinity, such that the effects of similar impacts of multiple projects combine to expose adjacent sensitive receptors to greater levels of impact than would occur under the proposed project. For example, if the construction of other projects in the area occurs at the same time as construction of the proposed project, potential impacts associated with noise and traffic to residents in the project area may be more substantial. There are two other planned projects within the immediate vicinity of the project site: an addition to a single-family residence located at 2467 San Antonio Avenue, approximately 240 feet southeast of the project site; and demolition and reconstruction of a single-family residence located at 2445 Bay View Avenue, approximately 0.2 miles to the northeast of the project site. There is the potential for the construction periods of the proposed project and cumulative project to overlap; however, all projects would be required to adhere to the County's standard conditions of approval and construction hours limitations, which would result in less than significant cumulative noise impacts.

Due to the known sensitivity of the Carmel Point area for archaeological and tribal cultural resources, insensitive re-development of several sites could potentially contribute to cumulative degradation of sites CA-MNT-17, CA-MNT-16, CA-MNT-15, and CA-MNT-1286. However, in this case, the project has been designed in a way that minimizes new disturbance in accordance with the Carmel Area Land Use Plan policies protecting archaeological resources; the phase II analysis conducted by the project archaeologist was that the likelihood of encountering buried cultural resources was extremely low; and the project has been conditioned requiring a tribal cultural monitor and cultural sensitivity training for construction crews to prevent impact to tribal cultural resources. Therefore, the projects contribution to this potential impact is less than significant with mitigation.

The proposed project would not create indirect population growth and would not contribute to cumulative impacts related to population growth, such as impacts to public services, recreation, and population and housing. Impacts related to cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, and tribal cultural resources are inherently restricted to the project site and would not contribute to cumulative impacts associated with existing and future developments. In addition, air quality and GHG impacts are cumulative by nature, and as discussed in Section VI.3, *Air Quality*, and Section VI.8, *Greenhouse Gas Emissions*, the project would not generate substantial air pollutant emissions or GHG emissions; therefore, it would not contribute to the existing significant cumulative air quality impacts related to the NCCAB's nonattainment status for ozone and PM<sub>10</sub> or the existing significant cumulative climate change impact. Furthermore, the project's operational impacts to resources such as aesthetics, agriculture and forestry resources, biological resources, hydrology and water quality, noise, transportation, and utilities and service systems would be minimal and would not have the

potential to constitute a cumulatively considerable contribution to cumulative impacts that may occur due to existing and future development in the region. Therefore, the proposed project would not result in a cumulatively considerable contribution to a significant impact. *Impacts would be less than significant with mitigation incorporated.*

**Mandatory Findings of Significance (c) – Less than Significant with Mitigation**

In general, impacts to human beings are associated with such issues as air quality, hazards and hazardous materials, and noise impacts. The project would have no impact or result in a less than significant impact in air quality, noise, and transportation as discussed in the Initial Study. The existing building was built in the early 1973. Due to the age of the structure, there is a potential to encounter both lead-based paint and asbestos, which could be released into the environment during demolition activities. Therefore, to reduce potential impacts related to the discovery of lead-based paint and asbestos, Mitigation Measures HAZ-1 and HAZ-2 are required. *Impacts to human beings would be less than significant with mitigation incorporated.*

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

### **Assessment of Fee:**

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

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

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

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

**Evidence:** Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN21203 and the attached Initial Study/Proposed Mitigated Negative Declaration.

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