

Exhibit B

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DRAFT RESOLUTION

Before the Zoning Administrator in and for the County of Monterey, State of California

In the matter of the application of:

FERLINGHETTI LORENZO (PLN230207)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding that proposed test well qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303, and there are no exceptions pursuant to Section 15300.2; and
- 2) Approving a Combined Development Permit consisting of:
 - a. Coastal Administrative Permit for a test well; and
 - b. Coastal Development Permit for development within 100 feet of a riparian corridor.

[PLN230207, Lorenzo Ferlinghetti, 39350 Coast Road, Monterey, Big Sur Coast Land Use Plan, Coastal Zone (Assessor's Parcel Number: 418-121-049-000)]

The FERLINGHETTI LORENZO application (PLN230207) came on for a public hearing before the Monterey County Zoning Administrator on March 14, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, including the conditions of approval, the Monterey County Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan;
 - Big Sur Coast Land Use Plan;
 - Coastal Implementation Plan, Part 3 (CIP); and
 - Monterey County Zoning Ordinance (Title 20).No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
b) Allowed Use. The property is located at 39350 Coast Road, Monterey, Big Sur Coast Land Use Plan, (Assessor's Parcel Number 418-121-049-

000). The parcel is zoned Rural Density Residential, 40 acres per unit with a Design Control overlay within the coastal zone or “RDR/40-D(CZ)”, which allows for wells and small water systems serving 14 or fewer connections with approval of a Coastal Administrative Permit pursuant to Title 20 Section 20.16.040.J. The project involves drilling a test well on a residential lot. The project does not require a Design Approval since no new structures were proposed. Therefore, the project is an allowed land use for this site.

- c) Lot Legality. The subject 1.31-acre property (APN 418-121-049-000) is identified in its current size and configuration as Lot 19 on a Record of Survey of a Portion of The Land of the Bixby Canyon Properties, INC., located in the northwest quarter of section 17, Lot 1 and the northeast quarter of the northeast quarter of fractional Section 18, all in T.18 S., R.1E. M.D.D., filed August 17, 1954, in Volume 5 of Surveys at Page 16. Further, this Record of Survey was approved as a Tentative Map of Record of Survey by the Board of Supervisors of the County of Monterey on May 10, 1954, which is recorded in Minute Book 5, page 68-9. Therefore, the County recognizes the subject property as a legal lot of record.
- d) Development Standards. The proposed test well is required to be setback 100 feet from a septic system. The test well will be located beneath the tree canopy in an open area of the subject parcel. The applicant owns the adjacent parcel to the east of the property (Lot 21, which shares the same Assessor’s Parcel Number: 418-121-049-000), and the well will be drilled approximately 21 feet from the adjacent property line, approximately 15.14 feet from the top of the bank, and 30 feet from Bixby Creek. The well will be situated approximately 103 feet from the conceptual locations of the septic tank, leach field and expansion field anticipated for a future single family dwelling on the property, and approximately 125 feet from the septic system on the adjacent parcel. The location of the well maintains the required 100-foot radius from existing septic systems and future expansion leach fields in the area.
- e) Biological Resources. As demonstrated in Finding 5 and supporting evidence, the project, as proposed and conditioned, is consistent with the biological resource protection policies and regulations of the Big Sur Coast Land Use Plan and Coastal Implementation Plan.
- f) Cultural Resources. County records identify that the project site is within an area of high sensitivity for cultural resources. The Big Sur Coast Land Use Plan requires that impacts to archaeological resources be avoided or minimized to the extent feasible. On March 12, 2017, archaeologists Susan Morley conducted a physical survey at the site in areas that would be impacted by construction of the test well (see Finding 2, Evidence “b”). Reconnaissance did not reveal any of the indicators expected of a prehistoric archaeological site in the region. The report also states that there are no archaeological sites, either historic or prehistoric, within at least a half mile radius of the project parcel. Consistent with BSC LUP Key Policy 3.11.1, the scope of the project is minimized to avoid excessive ground disturbance. No grading or imported fill is needed to perform the test well installation. A limited

access hollow-stem auger drilling will be used for the test well installation. In addition, a standard condition of approval (Condition No. 3) has been incorporated into this project to assure construction work would be halted if archaeological resources are accidentally uncovered.

- g) Public Access. As demonstrated in Finding No. 7, the development is consistent with public access policies of the Big Sur Coast LUP.
- h) Land Use Advisory Committee (LUAC) Review. Based on the Land Use Advisory Committee (LUAC) procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application does not meet any of the criteria in the guidelines requiring LUAC review because the project is for a test well and does not propose to build any new structures at this time.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230207.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Mid-Coast Fire Brigade. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to biological and cultural resources. The following reports have been prepared:
 - “Biological Resource Review” (LIB230335) prepared by Fred Ballerini, Pacific Grove, CA, October 27, 2023.
 - “Preliminary Cultural Resources Reconnaissance” (LIB230336) prepared by Susan Morley, Marina, CA, March 17, 2017.County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the use. All development shall be in accordance with these reports.
 - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230207.

3. FINDING: HEALTH AND SAFETY – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD- Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Mid-Coast Fire Brigade. The respective agencies have

recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

- b) At this time, there are no existing facilities or potable water sources. The purpose of the well is to provide potable water for a future single family dwelling. The Environmental Health Bureau reviewed the project site plan for conceptual placement of the well and future septic system locations. The Environmental Health Bureau concurred that the well development and location is in compliance with well and septic setback standards identified in Title 15 of the Monterey County Code.
- c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230207.

4. FINDING: **NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) Staff researched County records to assess if any violation exists on the subject property.
 - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230207.

5. FINDING: **ENVIRONMENTALLY SENSITIVE HABITAT AREAS** – The project minimizes impacts on environmentally sensitive habitat areas (ESHA) in accordance with the applicable goals and policies of the 1982 Monterey County General Plan (1982 GP); Big Sur Coast Land Use Plan (BSC LUP); Monterey County Coastal Implementation Plan, Part 3 (CIP); and the Monterey County Zoning Ordinance (Title 20).

- EVIDENCE:**
- a) ESHA Determination – The project parcel lies within the lower Bixby Creek drainage corridor and as illustrated in the attached plans, the streambank traverses the northern portion of the subject property. BSC LUP Policy 3.3.2.2 states that field surveys by qualified individuals shall be made to determine locations of sensitive habitats and recommend measures to ensure its protection. In accordance with CIP section 20.145.040.A.1.b, and as described in Finding 2, Evidence “b”, a biological report was submitted for the project. The report confirms presence of quality riparian vegetation throughout the property. Although no visual sightings were noted, the subject property lies within the federally designated critical habitat range for California red-legged frog and foothill yellow-legged frog, the coast range newt has the potential to occur within the development area, and suitable habitat for Monterey dusky footed woodrat exists on the property. The Pacific lamprey has the potential to occur, while steelhead are documented to occur, in Bixby Creek. The project site and surrounding area have potential to be overwintering sites for Monarch butterflies due to tree

canopies and sheltered conditions.

- b) Riparian Habitat – BSC LUP Specific Policy 3.3.3.A.3 requires siting of development so that riparian habitat values are protected and that development adjacent to stream courses shall be restricted to low intensities and constructed to minimize erosion, runoff, and water pollution with the goal to avoid diminishing stream surface flows to levels that will result in loss of plant or wildlife habitat. CIP section 20.145.040.C.1.c states that development and land use activities adjacent to riparian habitat shall not adversely impact the long-term maintenance of the habitat nor diminish the stream's surface flow to a level that causes loss of the riparian plant or wildlife habitat. Determination of the potential impacts shall be made through a biological survey. As demonstrated in Evidence “a” above, the subject property contains riparian habitat. However, the project biologist concludes that the test well location (10-inch auger hole footprint approximately 15 feet from the top of bank) and impact zone (25 square foot drilling/staging equipment areas) has been sited to avoid soil disturbance impacts to nearby riparian habitat. An existing dirt driveway will be used for ingress and egress and equipment staging shall be sited on the existing mowed area within the low-growing blackberry bramble and the well will be drilled utilizing a low-impact, augering method limited to only the area necessary for development. Although the project proposes a shallow well (estimated to be 20-foot depth), the application indicates that the well is estimated to produce 3 gallons per minute. Staff consulted with Aaron Bierman with Bierman Hydrogeologic who stated that there are approximately 11 other wells along Bixby Creek, which flows year round, and the amount of water use typical of a single family dwelling would be de minimis and would not result in an impact to surface or stream flows of the creek.
- c) Special Status Species – BSC LUP General Policy 3.3.2.1 states that development shall not be permitted in ESHA if it results in any potential disruption of habitat value. In order to approve development in ESHA, CIP section 20.145.040.B.1 requires that the disruption not be significant. Although California red-legged frog, foothill yellow-legged frog, coast range newt, Monterey dusky footed woodrat, Pacific lamprey, steelhead and Monarch butterfly were not observed in the development area, there is suitable habitat and/or potential for the special status species to occur on the property. As such, the project biologist recommended specific actions to avoid potential disruption of ESHA. Therefore, a standard condition of approval has been incorporated requiring the applicant to file a Notice of Report (Condition No. 4) stating that all development shall be done in accordance with the Biological Assessment.
- d) Stream Setback. Coastal Implementation Plan section 20.145.040.1.d requires all development set 150 feet back from stream banks unless a biological survey indicates a reduced setback is sufficient to protect against impacts from development. The report concludes that the impacts from the test well will be less than significant due to the limited scope of development and protective measures.

- 6. FINDING:** **CEQA** – The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts new construction of small new facilities.
 - b) The proposed project qualifies for a Class 3 exemption because the project involves a test well for the purpose of determining if sufficient water supply exists on-site to support the future establishment of a single family dwelling, which is a small and temporary facility.
 - c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect, or development that would result in a cumulative significant impact. The subject property is located within a riparian corridor and a high archeological sensitivity area; however, due to the confined area of disturbance for the well (a 10-inch auger hole footprint, and a 5-foot by 5-foot soil staging area), the project would not result in a significant impact to resources (see Finding No.1, Evidence “f” and Finding No.5, and supporting evidence).
 - d) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230207.
- 7. FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.145.150 of the Big Sur Coastal Implementation Plan can be demonstrated.
 - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - c) The subject property is not described as an area where the Local Coastal Program requires visual or physical public access to the shoreline (Figure 2, Shoreline Access Plan, in the Big Sur Coast Land Use Plan). The subject property does lie next to a public trail (Figure 3, Trails Plan, North Section), but does not prohibit public access.
 - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230207.
- 8. FINDING:** **APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and California Coastal Commission.
- EVIDENCE:**
- a) Board of Supervisors. Pursuant to Section 20.86.030 of Title 20, an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.

- b) Coastal Commission. Pursuant to Section 20.86.080.A.3 of Title 20, the project is subject to appeal by/to the California Coastal Commission because it involves development that is permitted as a conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Monterey County Zoning Administrator does hereby:

1. Find the test well qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303(d), and there are no exceptions pursuant to Section 15300.2; and
2. Approve the Combined Development Permit consisting of a:
 - a. Coastal Administrative Permit for a test well; and
 - b. Coastal Development Permit for development within 100 feet of a riparian corridor.

All of which are in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 14th day of March, 2024.

Mike Novo, AICP
Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 1-27-2021

County of Monterey HCD Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN230207

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Combined Development Permit consisting of: 1) Coastal Administrative Permit for construction of a test well; and 2) Coastal Development Permit for development within 100 feet of a riparian corridor. The property is located at 39350 Coast Road, Monterey (Assessor's Parcel Number 418-121-049-000), Big Sur Coast Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number _____) was approved by the Zoning Administrator for Assessor's Parcel Number 418-121-049-000 on March 14, 2024. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PD016 - NOTICE OF REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:
"A Biological Assessment (Library No. LIB230335), was prepared by Fred Ballerini Horticultural Services on October 27, 2023 and is on file in Monterey County HCD - Planning. All development shall be in accordance with this report."
(HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to HCD - Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the HCD - Planning.

5. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

6. EHSP01- WELL CONSTRUCTION PERMIT (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Obtain a water well construction permit from the Environmental Health Bureau pursuant to Monterey County Code Chapter 15.08, Water Wells.

Compliance or Monitoring Action to be Performed: Prior to drilling the well, a CA-licensed well drilling contractor shall obtain a water well construction permit from the Environmental Health Bureau on behalf of the property owner.

7. EHSP02 - NEW WELL SOURCE CAPACITY TEST IN NON-ALLUVIAL FORMATION (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: In order to determine the yield of the well and demonstrate compliance with Section 601.1 of the Uniform Plumbing Code, all new or rehabilitated wells constructed in a non-alluvial formation that are proposed to serve as the sole source or be added to a potable water distribution system shall first undergo a minimum of a 72-hour continuous source capacity test, witnessed by the Environmental Health Bureau ("EHB"). The testing shall conform to the Source Capacity Test Procedure, available from the EHB. The source capacity testing must yield a sufficient quantity to support the proposed development, as determined by EHB. The applicant shall pay all associated fees to the EHB.

Compliance or Monitoring Action to be Performed: Prior to the EHB recommending that the test well be approved for conversion to a production well, contact Drinking Water Protection Services of the EHB to schedule a Source Capacity Test and obtain procedure guidelines. A qualified professional shall perform the test and prepare a report as detailed by the EHB Source Capacity Testing Procedure to demonstrate minimum standards have been met. Submit the report to EHB for review and acceptance.

If the applicant chooses not to pursue utilizing the well as a source for domestic use, this condition shall not be applicable.

8. EHSP03 - NEW DOMESTIC WELL: WATER QUALITY (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: A residential building shall be provided with an adequate supply of potable water pursuant to Section 601.1 of the Uniform Plumbing Code. In order to demonstrate a potable supply, a new domestic well shall first undergo water quality testing. Sample collection shall be done after development of the well and shall include analysis of coliform bacteria, and primary inorganics and secondary compounds as listed in Tables 64431-A and 64449-A&B in Title 22 of the California Code of Regulations. Waivers for asbestos, MTBE, and thiobencarb may be available upon request. Sample collection shall be done by a person approved by EHB and shall be analyzed by a laboratory certified by the Environmental Laboratory Accreditation Program (ELAP). If water quality results indicate that the well exceeds a primary drinking water standard(s), an EHB approved water treatment system shall installed before a building is occupied and the applicant shall record a deed restriction indicating that treatment is necessary for the well water to meet Title 22, CCR primary drinking water standards. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to the EHB recommending that the test well be approved for conversion to a production well, the applicant shall submit water quality analysis results to the Environmental Health Bureau (EHB) for review. If EHB determines that the water quality is adequate, no further action is required.

If EHB determines that treatment is necessary, prior to the EHB recommending that the test well be approved for conversion to a production well the applicant shall provide to EHB for review and acceptance preliminary water treatment system plans, including treatment waste management/disposal, prepared by a qualified individual.

If the applicant chooses not to pursue utilizing the well as a source for domestic use, this condition shall not be applicable.

Map Information:

Basis of Bearings: The bearing of S49° 40' 39"E as calculated from 5 SURV 16 and as found monumented is taken as the basis of bearings for this survey.

Vertical Datum: Assumed.

Site Benchmark: Control Point 2 as shown hereon.

Contour Interval: Contours as shown hereon are interpolated using computer digital terrain modeling software and spot elevations. Ground may be more irregular than contours indicate.

Note: The abbreviation and symbol lists below are comprehensive and not all abbreviations or symbols will appear on the map.

- Boundary Legend
A.G.S. - above ground surface
A.S.O. - as shown on
AP - angle point
BC - brass cap or begin curve
BFP - backflow preventer
B.G.S. - below ground surface
BOC - back of curb
COR - corner
CP - control point
CTL - CONTROL
DOC - document
ENG/ENGR - engineer
FD/FND - found
F.C.C. - from calculated corner
I.P. - iron pipe
L&T - lead & tag
LS - land surveyor
MAG - MAG NAIL
MKD - marked
MON - monument
N&T - nail & tag
N.R.F. - no reference found
N.S.F. - not searched for
O.R. - Official Records, Monterey County
O.U. - origin unknown
POL - point on line
PP - plastic plug
RCE - registered civil engineer
ROW - right of way
S.F.N.F. - searched for, not found
SPK - spike
STA - station(control point)
TBM - temporary benchmark

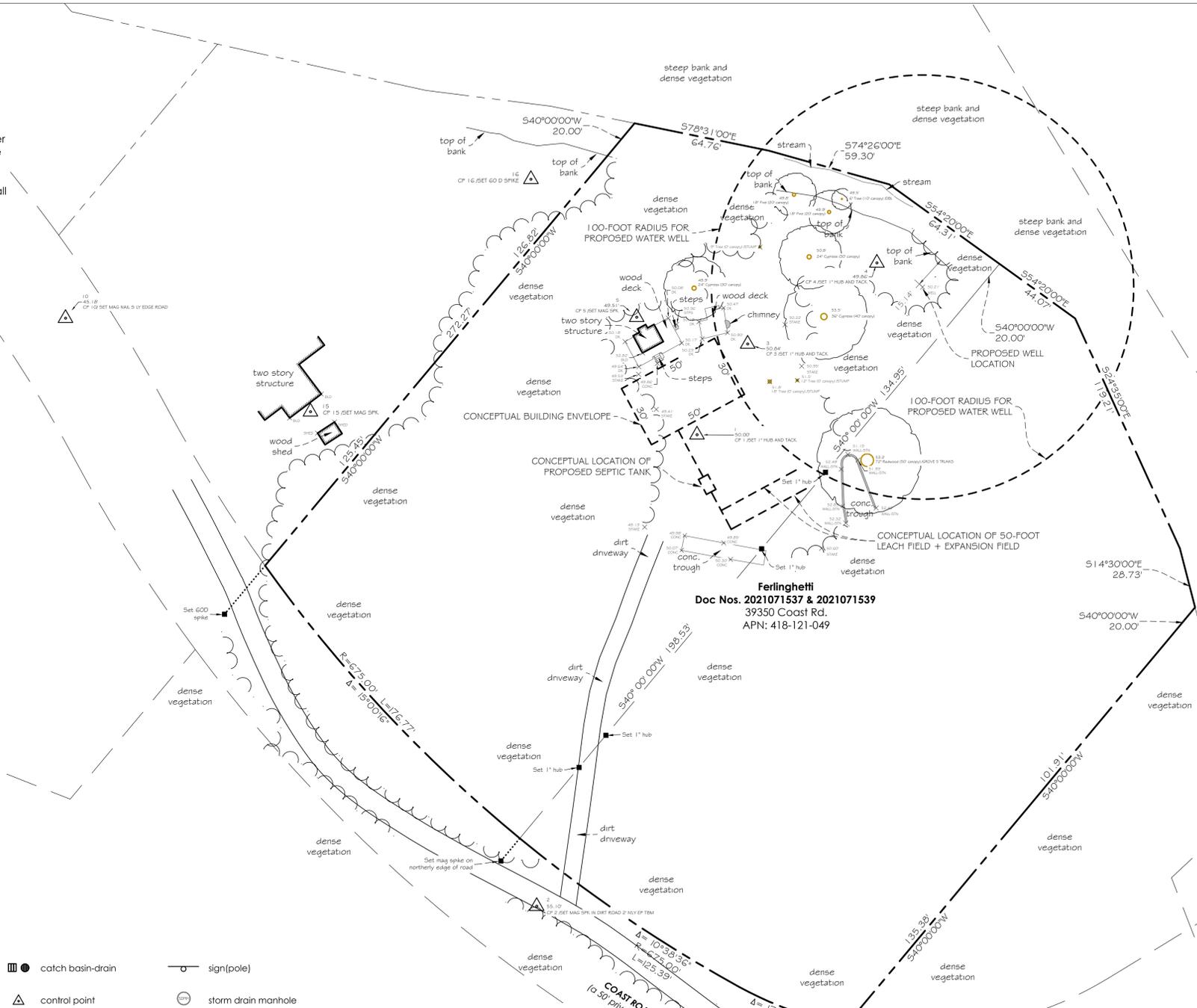
- Topography Legend
AC - asphalt concrete
AD - area drain
AL - area light
BLD/BLDG - building
BLDR(S) - boulder(s)
BOC - back of curb
BRK - brick
BTM/BOT - bottom
BW - back of sidewalk
CF - curb face
CHIM - chimney
CL - centerline
CLM - column
CONC - concrete
D - dirt
DG - decomposed granite
DK - deck
DW - driveway
EA - exposed aggregate concrete
ENCL - enclosure
EP - edge of paving
FP - finished floor
FF-THRESH - finished floor threshold
FH - fire hydrant
FL - flow line
FL-NG - flow line natural grade
FNC - fence
FNC-BRD - board fence
FNC-BW - barbed wire fence
FNC-CL - chain-link fence
FNC-GS - grapestake fence
FNC-HW - hogwire fence
FNC-I - iron fence
FNC-LAT - lattice fence
FNC-PR - post & rail fence
FNC-WD - wood fence
FNC-WI - wrought iron fence
FNC-WR - wire fence
FOB - face of building
FOW - face of wall
FS - finished surface
FTG - footing
FW - front of sidewalk
GAR - garage
GB - grade break
GUT - edge of gutter
GUYA - guy anchor
GUYP - guy pole
GVL - gravel
HC - handicap
HDG - hedge
HRAIL - hand rail
INT - intersection

- Utility Legend
CATV - cable tv
COMM - communications
CO or G/O - clean out
DDCV - double detector check valve
ELEC - electric
EM - electric meter
EO - electric outlet
GM - gas meter
GV - gas valve
HB - hose bib
ICV - irrigation control valve
IRR - irrigation
JP - joint utility pole
LT - light
LT-STD - light standard/pole
PB - utility pull box
PB-? - unmarked pull box
PF-PIN FLAG
PF-B - blue pin flag
PF-G - green pin flag
PF-O - orange pin flag
PF-P - pink pin flag
PF-PL - purple pin flag
PF-R - red pin flag
PF-W - white pin flag
PF-Y - yellow pin flag
PM - paint mark
PM-B - blue PM (water)
PM-G - green PM (sewer)
PM-O - orange PM (catv/comm)
PM-P - pink PM (unknown facilities)
PM-PL - purple PM (reclaimed water/irr)
PM-R - red PM (elec)
PM-W - white paint mark
PM-Y - yellow PM (gas)
PP - power pole
PVR - paver
SCO - sewer clean out
SDMH - storm drain manhole
SSMH - sanitary sewer manhole
ST LT - street light
STN - stone
TELCO - telephone
TG - top of drain grate
T.O.B. - top of bank
UP - utility pole
UTI - utility
VLT - vault
VLT-GIE - GIE vault
VLT-PB - PacBell vault
VLT-PGE - PG&E vault
VLT-TELCOM - telecommunications vault
VLT-? - unmarked vault
VLT-VRZ - Verizon vault
WD-wood
WL - water line
WM - water meter
WV - water valve

Record Map References:

R1: Record of Survey filed in Volume 5 of Surveys at Page 16, in the Monterey County Recorder's Office, State of California.

DRAWING REVISIONS:
August 2023 - Original Survey
October 2023 - Additional topographic data added



Surveyor's Notes:

This map portrays the site at the time of the survey and does not show soils or geologic information, underground conditions, easements, zoning setbacks, regulatory information or any other items not specifically identified by the party requesting the survey.

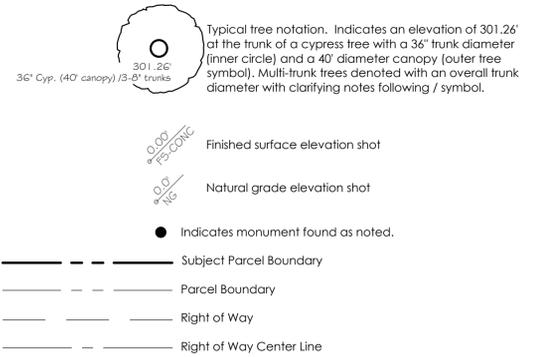
Visible evidence of underground utilities such as utility meters, manhole lids, clean outs, valve covers, pull boxes and similar features are shown hereon. Underground utility pipes, conduits, transmission lines sewer laterals, etc. were not located.

Elevations are based on an assumed datum as noted. Ground may be more irregular than contours indicate.

Distances are expressed in feet and decimals thereof.

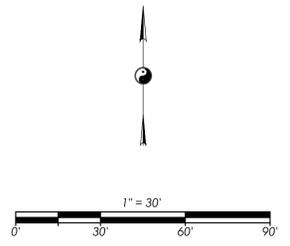
The cross symbol (x) marks the horizontal position of the spot elevation shown. Tree symbols indicating tree trunk and tree canopy are drawn to scale based on approximate trunk and canopy diameters.

Sufficient boundary ties were made to graphically show existing features however a complete boundary survey was not performed. The monuments found and tied that provide the basis for this boundary location are of record and fit well in comparison to the record. However all of the found monuments lie westerly of the subject parcel. Additionally, no monuments on the parcel boundary were recovered. We recommend additional monument ties to improve the accuracy of the boundary location.



Project Data Summary Table:

- (Provided by Bierman Hydrogeologic for reproduction hereon)
1) Project Type: Coastal Administrative Permit (CAP) for a Test Well
2) File Number: PLN230207
3) Project Address: 39350 Highway 1, Carmel CA 93940
4) Assessor Parcel Number: 418-121-049-000
5) Parcel Size: 2.61 acres
6) General Plan Land Use Designation: Rural Density Residential
7) Zoning Designation: RDR/40-D(CZ)
8) Contour Interval not shown - refer to Site Survey with a 2-ft contour interval.
9) Proposed Well Location is shown with a 100-ft Well Radius.
10) Predicted (assumed) locations of existing leach-fields from neighboring parcels to well is shown.
11) Conceptual location of Onsite Wastewater Treatment System (OWTS) with expansion-field is shown.
12) Erosion Control Plan: Silt fencing and hay-wattles installed between well and Bixby Creek during digging of pit for well
(Well to be installed on 'point-bar' of property by using back-hoe to dig down 18-ft and install 20-ft of 5" dia. casing, then backfill).
13) NO Tree Removal.
14) SPECIAL NOTE: "Stop work within 50 meters (165 feet) of uncovered resources and contact Monterey County HCD and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."



Survey Plat

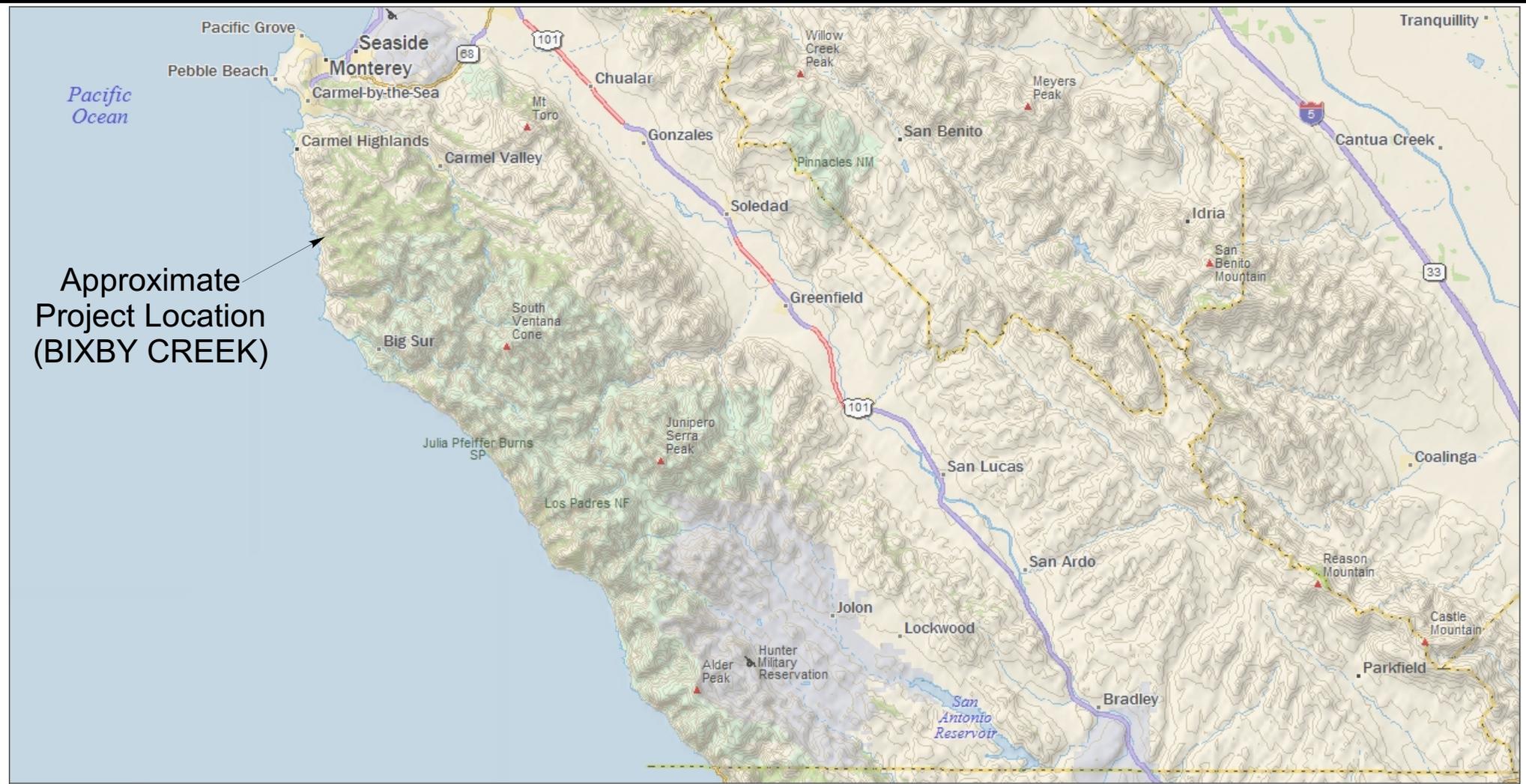
39350 Coast Rd., APN: 418-121-049
Located in the City of Monterey, Monterey County, State of California

Prepared For & Requested By: Lorenzo Ferlinghetti

Original Survey - August 2023
Revised - October 2023

Rasmussen Land Surveying, Inc.
2150 Garden Road, Suite A-3, Monterey, California 93940
P: 831.375.7240 F: 831.375.2545

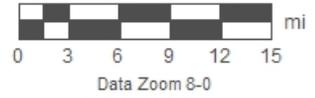




Approximate
Project Location
(BIXBY CREEK)



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www.delorme.com



BIERMAN
Hydrogeo logic
A Professional Company

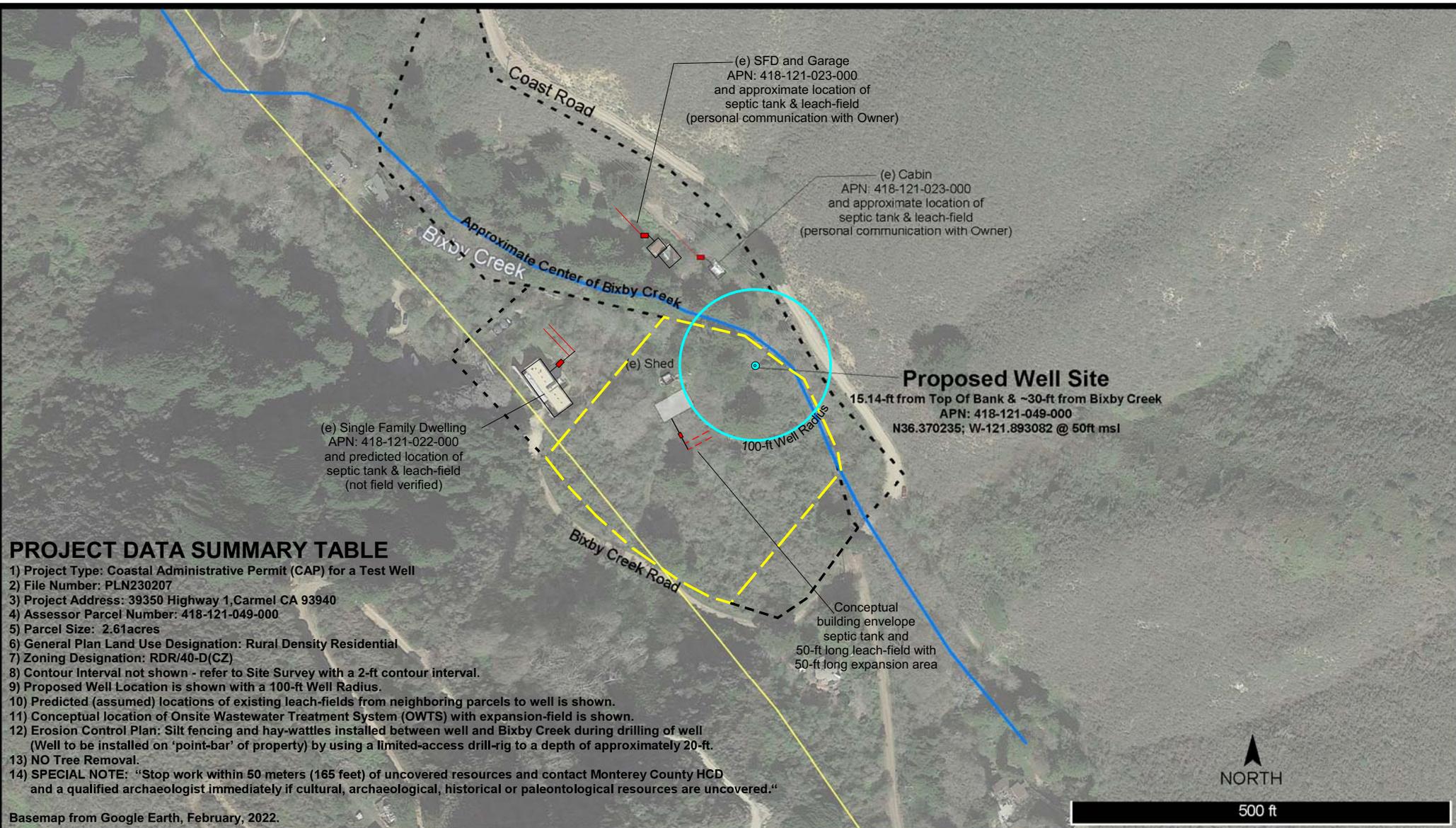


Hydrogeologic Consulting & Water Resource Management

LOCATION MAP
39350 HIGHWAY 1
BIG SUR, MONTEREY COUNTY, CALIFORNIA

FIGURE
1

AB; 6/6/2023
Feringhetti/Figures/Location Map



PROJECT DATA SUMMARY TABLE

- 1) Project Type: Coastal Administrative Permit (CAP) for a Test Well
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- 9) Proposed Well Location is shown with a 100-ft Well Radius.
- 10) Predicted (assumed) locations of existing leach-fields from neighboring parcels to well is shown.
- 11) Conceptual location of Onsite Wastewater Treatment System (OWTS) with expansion-field is shown.
- 12) Erosion Control Plan: Silt fencing and hay-wattles installed between well and Bixby Creek during drilling of well (Well to be installed on 'point-bar' of property) by using a limited-access drill-rig to a depth of approximately 20-ft.
- 13) NO Tree Removal.
- 14) SPECIAL NOTE: "Stop work within 50 meters (165 feet) of uncovered resources and contact Monterey County HCD and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

Basemap from Google Earth, February, 2022.



WELL SITING MAP
 39350 HIGHWAY 1
 BIG SUR, MONTEREY COUNTY, CALIFORNIA

FIGURE 2

AB: 6/6/23, Revised 7/22/23
 Ferlinghetti/Figures/Well Siting Map



Looking East
showing Well-Site and approximate
distance to Top-Of Bank: ~ 15-ft
(See Topographic Survey Map)

**NOTE: WELL SITE WAS MOVED FURTHER
FROM TOP OF BANK**

Looking North
Well-Site and Top-Of Bank



Looking West
Well-Site and Top-Of Bank



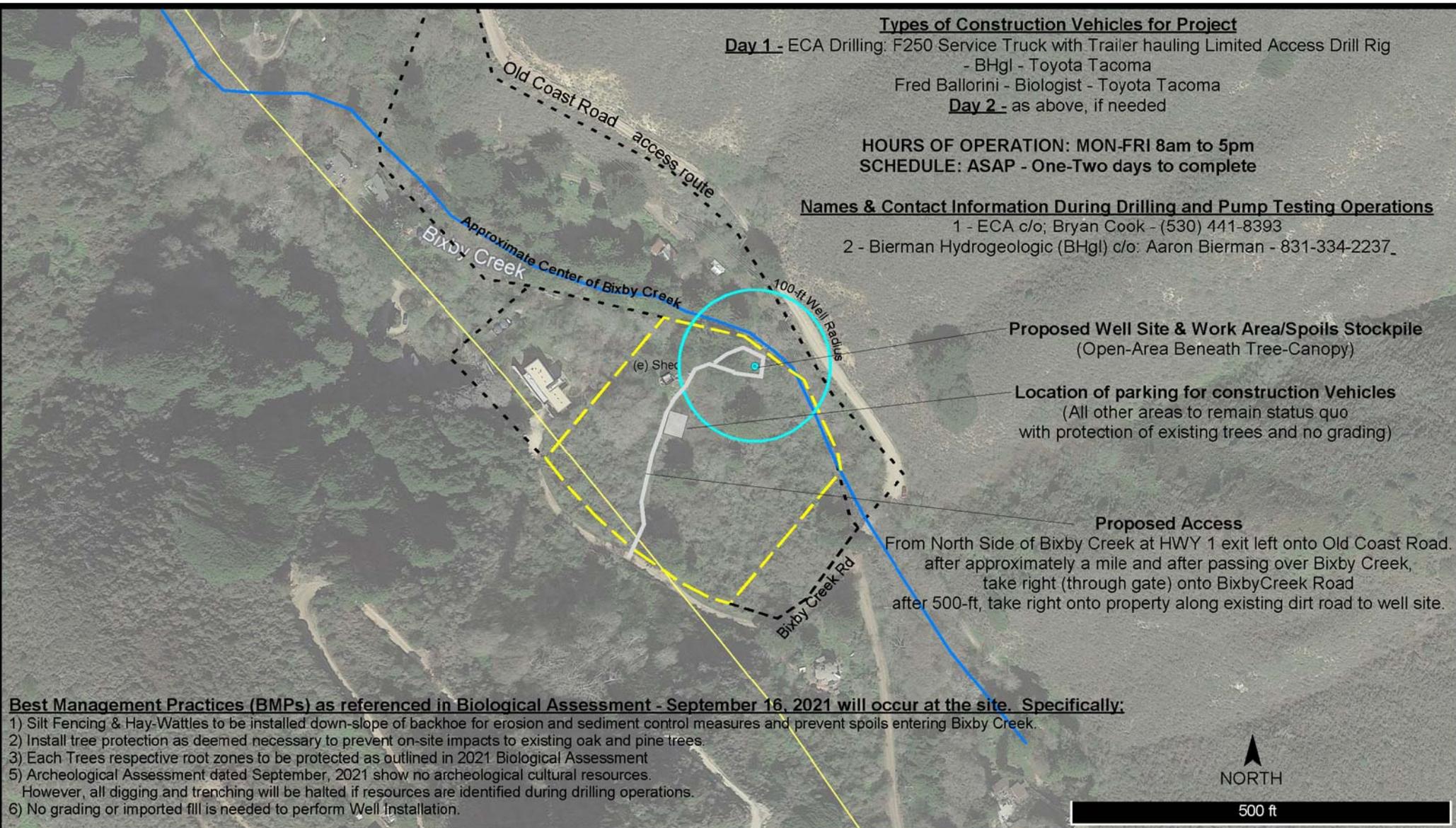
Types of Construction Vehicles for Project

Day 1 - ECA Drilling: F250 Service Truck with Trailer hauling Limited Access Drill Rig
- BHgl - Toyota Tacoma
Fred Ballorini - Biologist - Toyota Tacoma
Day 2 - as above, if needed

HOURS OF OPERATION: MON-FRI 8am to 5pm
SCHEDULE: ASAP - One-Two days to complete

Names & Contact Information During Drilling and Pump Testing Operations

1 - ECA c/o; Bryan Cook - (530) 441-8393
2 - Bierman Hydrogeologic (BHgl) c/o: Aaron Bierman - 831-334-2237



Proposed Well Site & Work Area/Spoils Stockpile
(Open-Area Beneath Tree-Canopy)

Location of parking for construction Vehicles
(All other areas to remain status quo with protection of existing trees and no grading)

Proposed Access
From North Side of Bixby Creek at HWY 1 exit left onto Old Coast Road. after approximately a mile and after passing over Bixby Creek, take right (through gate) onto BixbyCreek Road after 500-ft, take right onto property along existing dirt road to well site.

Best Management Practices (BMPs) as referenced in Biological Assessment - September 16, 2021 will occur at the site. Specifically:

- 1) Silt Fencing & Hay-Wattles to be installed down-slope of backhoe for erosion and sediment control measures and prevent spoils entering Bixby Creek.
- 2) Install tree protection as deemed necessary to prevent on-site impacts to existing oak and pine trees.
- 3) Each Trees respective root zones to be protected as outlined in 2021 Biological Assessment
- 5) Archeological Assessment dated September, 2021 show no archeological cultural resources.
However, all digging and trenching will be halted if resources are identified during drilling operations.
- 6) No grading or imported fill is needed to perform Well Installation.



CONSTRUCTION MANAGEMENT PLAN

39350 HIGHWAY 1
BIG SUR, MONTEREY COUNTY, CALIFORNIA

FIGURE 4

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