

**MITIGATED NEGATIVE DECLARATION**

**FILED**

**NOV 19 2019**

STEPHEN L. VAGNINI  
MONTEREY COUNTY CLERK  
DEPUTY

<b>Project Title:</b>	Haley Timothy M & McGourty Ethna C Trust
<b>File Number:</b>	PLN180434
<b>Owner:</b>	Haley Timothy M & McGourty Ethna C Trust
<b>Project Location:</b>	26226 Isabella Avenue, Carmel
<b>Primary APN:</b>	009-451-013-000
<b>Project Planner:</b>	Joe Sidor
<b>Permit Type:</b>	Combined Development Permit
<b>Project Description:</b>	Lot Line Adjustment, including a lot merger, between three legal lots of record, resulting in two lots of 9,369 square feet and 8,587 square feet; demolition of an existing single-family dwelling and construction of a 2,661 square foot single-family dwelling and an attached two-car garage of 557 square feet, and a minor remodel and construction of a 225 square foot carport to a separate existing 865 square foot single-family dwelling.

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
<b>Review Period Begins:</b>	November 20, 2019
<b>Review Period Ends:</b>	December 20, 2019

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

# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING

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 Resource Management Agency – Planning has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Haley & McGourty, File Number PLN180434) at 26226 Isabella Avenue, Carmel (APN 009-451-013-000) (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Resource Management Agency – Planning, 1441 Schilling Place 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:

<http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/resources-documents/environmental-documents/pending>.

The Planning Commission will consider this proposal at a meeting on January 29, 2020 at 9 a.m. in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 1<sup>st</sup> Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from November 20, 2019 to December 20, 2019. Comments can also be made during the public hearing.

**Project Description:** Combined Development Permit consisting of: 1) Coastal Development Permit to allow a Lot Line Adjustment, including a lot merger, between three legal lots of record, resulting in two lots of 9,369 square feet and 8,587 square feet; and 2) Coastal Administrative Permit and Design Approval to allow demolition of an existing single-family dwelling and construction of a 2,661 square foot single-family dwelling with an attached two-car garage of 557 square feet, and a minor remodel and addition of a 225 square foot carport on a separate 865 square foot single-family dwelling. The properties are located at 26226 Isabella Avenue, Carmel Point (Assessor's Parcel Number 009-451-013-000), Carmel Area Land Use Plan, Coastal Zone.

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

[CEQAcomments@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:** Resource Management Agency – 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  
Resource Management Agency  
Attn: Brandon Swanson, Interim Chief of Planning  
1441 Schilling Pl South 2<sup>nd</sup> Floor  
Salinas, CA 93901

Re: Haley & McGourty; File Number PLN180434

From:                      Agency Name: \_\_\_\_\_  
                                 Contact Person: \_\_\_\_\_  
                                 Phone Number: \_\_\_\_\_

- \_\_\_\_ No Comments provided  
\_\_\_\_ Comments noted below  
\_\_\_\_ Comments provided in separate letter

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. California Coastal Commission
4. Association of Monterey Bay Area Governments
5. Monterey Bay Air Resources District
6. California Department of Fish & Wildlife, Monterey Field Office Environmental Review, Marine Region
7. California Department of Fish & Wildlife, Region 4, Renee Robison
8. California American Water Company
9. Native American Heritage Commission, Sacramento Office
10. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esselen Nation
11. City of Carmel-by-the-Sea
12. Cypress Fire Protection District, Mark Mondragon
13. Monterey County RMA-Public Works
14. Monterey County RMA-Environmental Services
15. Monterey County Environmental Health Bureau
16. Timothy Haley Trust, Owner
17. Anthony Lombardo & Associates, Agent
18. The Open Monterey Project
19. LandWatch Monterey County
20. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

31. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: [galacatos@usace.army.mil](mailto:galacatos@usace.army.mil))
32. Emilio Hipolito ([ehipolito@nccrc.org](mailto:ehipolito@nccrc.org))
33. Molly Erickson ([Erickson@stamplaw.us](mailto:Erickson@stamplaw.us))
34. Margaret Robbins ([MM\\_Robbins@comcast.net](mailto:MM_Robbins@comcast.net))
35. Michael Weaver ([michaelrweaver@mac.com](mailto:michaelrweaver@mac.com))
36. Monterey/Santa Cruz Building & Construction ([Office@mscbctc.com](mailto:Office@mscbctc.com))
37. Tim Miller ([Tim.Miller@amwater.com](mailto:Tim.Miller@amwater.com))

# MONTEREY COUNTY

## RESOURCE MANAGEMENT AGENCY

---

### PLANNING

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



**Project Title:** Haley Timothy M & McGourty Ethna C Trust

---

**File No.:** PLN180434

---

**Project Location:** 26226 Isabella Ave, Carmel

---

**Name of Property Owner:** Haley Timothy M & McGourty Ethna C Trust

---

**Name of Applicant:** Anthony Lombardo & Associates

---

**Assessor's Parcel Number(s):** 009-451-013-000

---

**Total Acreages of Property:** 0.41 acres

---

**General Plan Designation:** Carmel Area Land Use Plan

---

**Zoning District:** MDR/2-D (18) (CZ)/Medium Density Residential, 2 units per acre with a Design Control overlay and 18-foot height restriction

---

**Lead Agency:** County of Monterey, Resource Management Agency – Planning

---

**Prepared By:** Mary Israel, Associate Planner

---

**Date Prepared:** November 18, 2019

---

**Contact Person:** Joe Sidor, Associate Planner

---

**Phone Number:** 831-755-5262

---

## II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

### A. Project Description:

The project application is for a Combined Development Permit consisting of: 1) Coastal Development Permit to allow a Lot Line Adjustment to merge, three legal lots of record, resulting in two lots of 9,370 square feet (ft<sup>2</sup>) (Lot A) and 8,587 ft<sup>2</sup> (Lot B), a 2) Coastal Administrative Permit and Design Approval to allow demolition of an existing single-family dwelling and construction of a 2,661 ft<sup>2</sup> single-family dwelling with an attached two-car garage of 557 square feet on Lot A, and 3) a Design Approval for a minor remodel and addition of a 225 square foot carport to a separate existing 865 ft<sup>2</sup> dwelling on Lot B, and 4) a Coastal Development Permit for development within 750-feet of a known archaeological site. The properties are located at 26226 Isabella Avenue, Carmel Point (Assessor's Parcel Number 009-451-013-000). (Fig. 1).

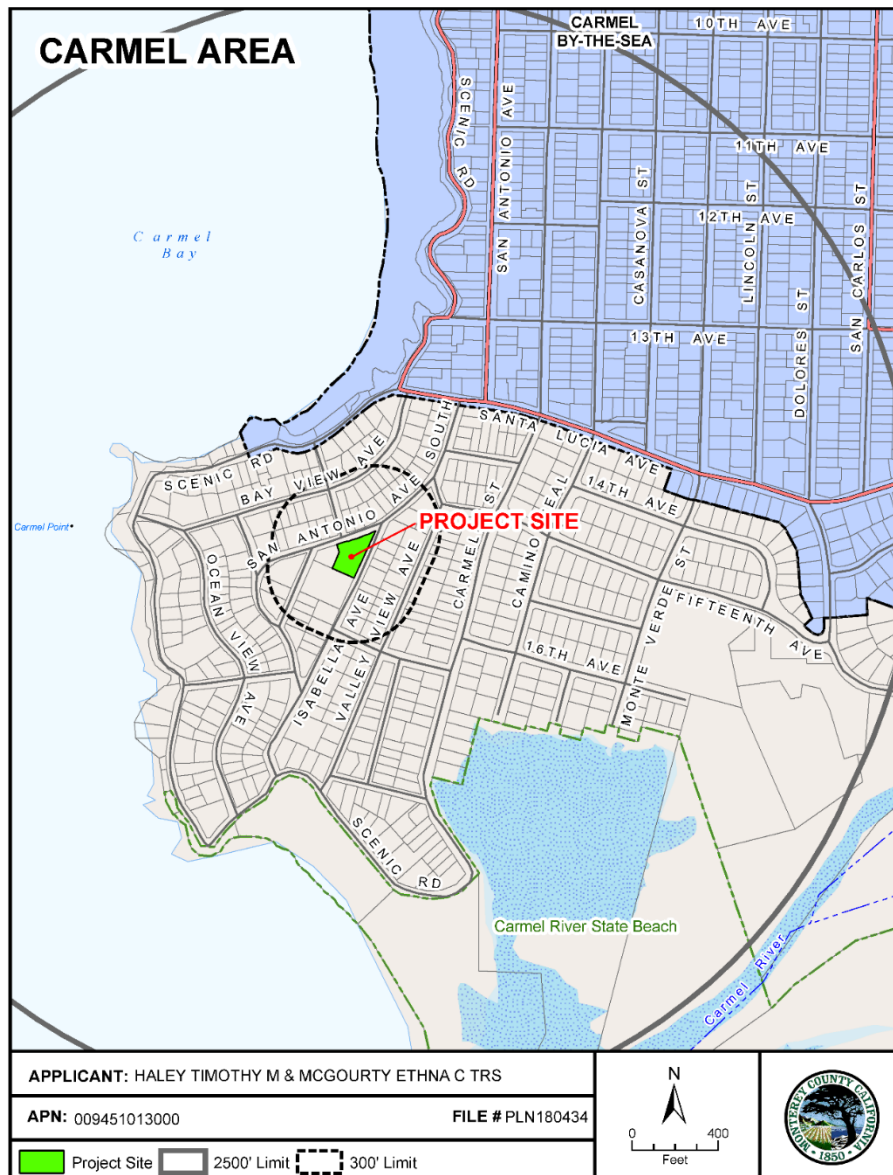


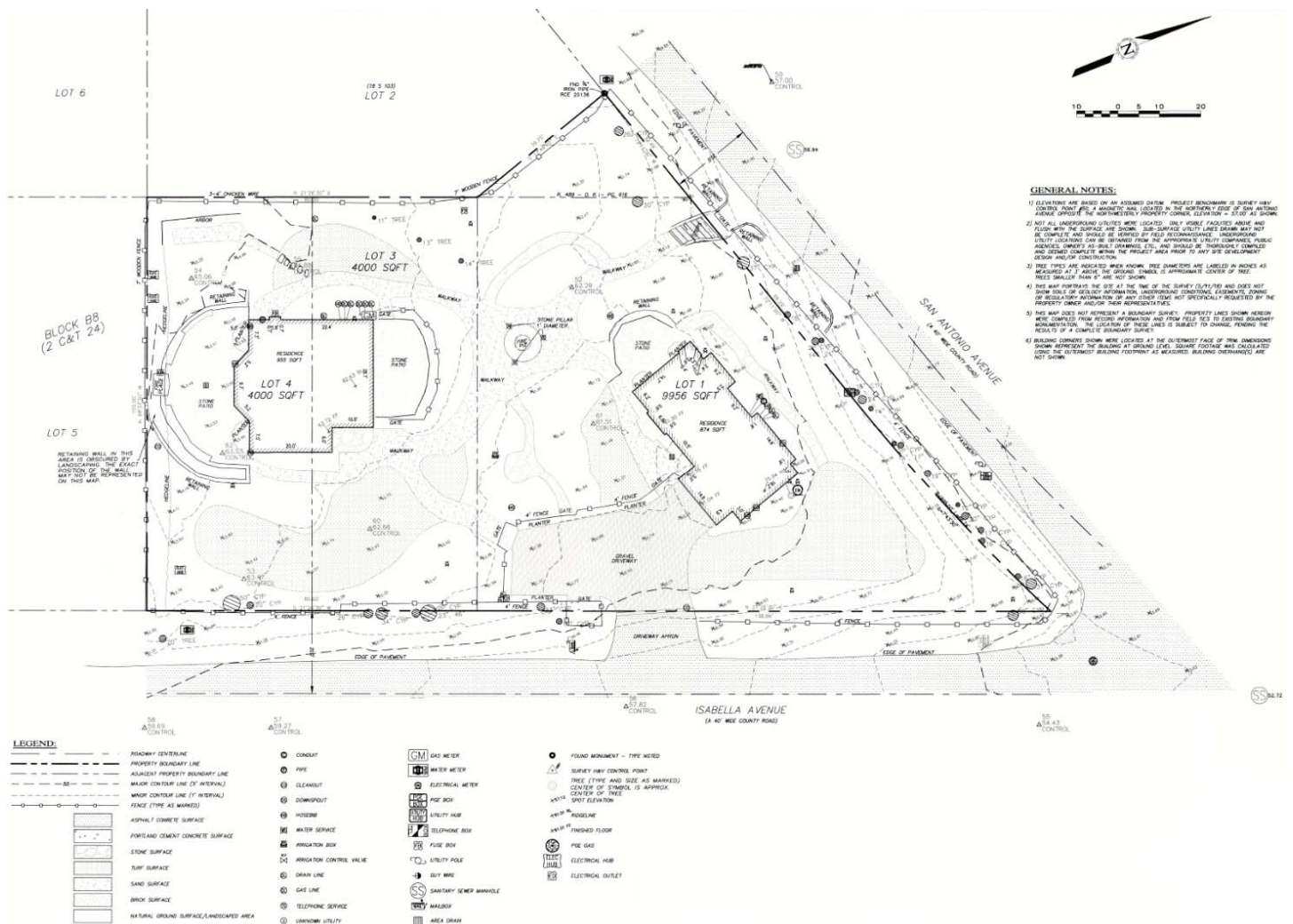
Figure 1. Vicinity Map: 26226 Isabella Avenue in Carmel (subject parcel)

The subject properties are zoned MDR/2-D (18) or Medium Density Residential, 2 units per acre with a Design Control overlay and an 18-foot height restriction and is governed by regulations and policies in the 1982 General Plan (Source 2), the Carmel Area Land Use Plan (LUP) (Source 3), the Carmel Coastal Implementation Plan (CIP) (Source 4), the Monterey County Coastal Zoning Ordinance, Title 20 (Source 5), and the Monterey County Subdivision Ordinance, Coastal (Title 19) (Source 21).

To comply with the procedures established for project review, the applicant submitted the following: Architectural Plan submittal which included a Cover Sheet, Survey, Site Plan, Floor Plans, Roof Plan, Elevations, Construction Management Plan, Grading and Drainage and Erosion Control (C1-C3) (Source 1). The lot line adjustment and architectural plan set was routed to the following agencies: Cypress Fire Protection District, RMA-Public Works, Environmental Health Bureau, Water Resources Agency, and RMA-Environmental Services.

The Survey (**Fig. 2**) shows existing site conditions, which are three developed lots with two small residences on them; a 9,959 ft<sup>2</sup> dwelling on Lot 1 and a 4,000 ft<sup>2</sup> dwelling straddling Lots 3 and 4. The property is improved with a large shared gravel driveway, sand walkways, a fire pit, many cypress trees on the perimeters, and what is called out as steps to a walking gate with retaining walls extending beyond the property line on the northern corner of the lots. The lots front Isabella Avenue and are adjacent to existing developed residential lots located to the south along Isabella Avenue and to the west on San Antonio Avenue. The site has minimal topographic relief and there are no steep slopes located near the site.





**Figure 2. Site Survey**

**Figure 3** provides a view of the Site Plan with the project as proposed. From Isabella Avenue, the main structure and the attached non-habitable accessory structure (garage) are both set back twenty feet from the front property line along Isabella Avenue. The main and accessory structures maintain five-foot side yard setbacks and a ten-foot rear yard setback. An opening on the southern corner of the lot will be created to accommodate a new proposed driveway with a thirteen-foot wide gate. The proposed development will not require tree removal.

The floor plans are detailed in Sheet A201 (**Figs. 4 and 5**). The proposed design for Lot A is a single-level house with egress from the master bedroom into a garden on the southwest area of the lot, egress from the second bedroom into a yard on the northwest area of the lot, and egress from the living rooms on the north central area of the building onto a patio. The front egress toward Isabella Avenue is beside the garage; two garage



doors face Isabella and an egress opens to the southwest from the garage as well.

The proposed design for an addition to the existing residence on Lot B is a covered parking area for one car with a low wall and a trellis above. Some interior renovations will also be done on the existing residence.

Roof plans are detailed in Sheet A202, and show a peaked roof and a chimney with a stone chimney cap on the center section of the new residence on Lot A. Although the roof plan shows many steeply-pitched areas, there is also a large flat area. The roof of the carport on Lot B is a trellis.

Allowable site coverage in the Medium Density Residential zoning designation is 35% or 3,280- ft<sup>2</sup> for the subject parcel; project plans show the proposed structure to be 3,218 ft<sup>2</sup>, or 34%. The proposed FAR is shown to be 34% which meets the allowable 45% FAR in MDR/2. Therefore, the proposed project meets coverage and FAR allowances for its zoning designation.

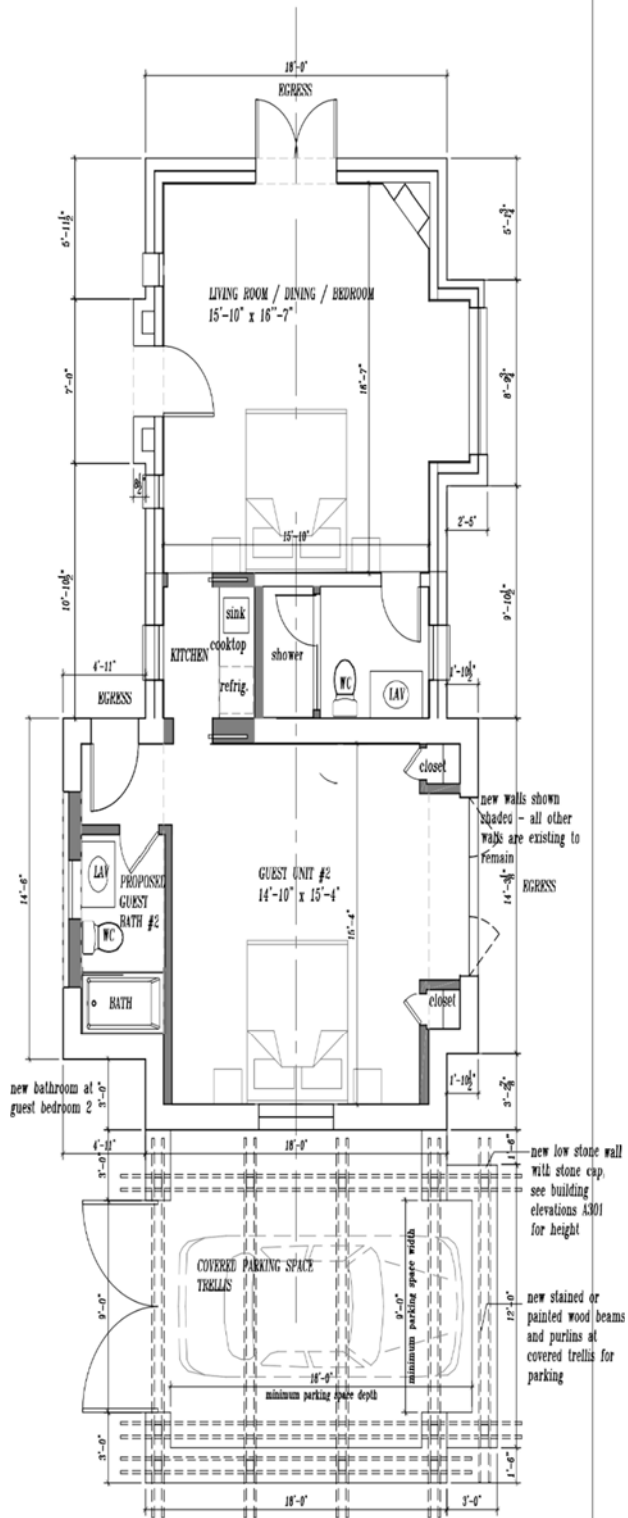
The applicant has furnished a Malpaso Water Company Water Entitlement which conveys/assigns/grants 0.25-acre feet per year dedicated to the real property described (subject property, Parcel One and Parcel Two) to account for the proposed fixture unit count (29.5 fixtures).

The proposed elevations of the new residence on Lot A (**Figs. 6 and 7**) meet the restricted height allowance of eighteen (18) feet. The Elevations section puts the main structure at eighteen feet from average natural grade (82' – 64') the maximum height allowed. The high point of natural grade within the footprint of the house is 65.5', and the low point is 62.5'.

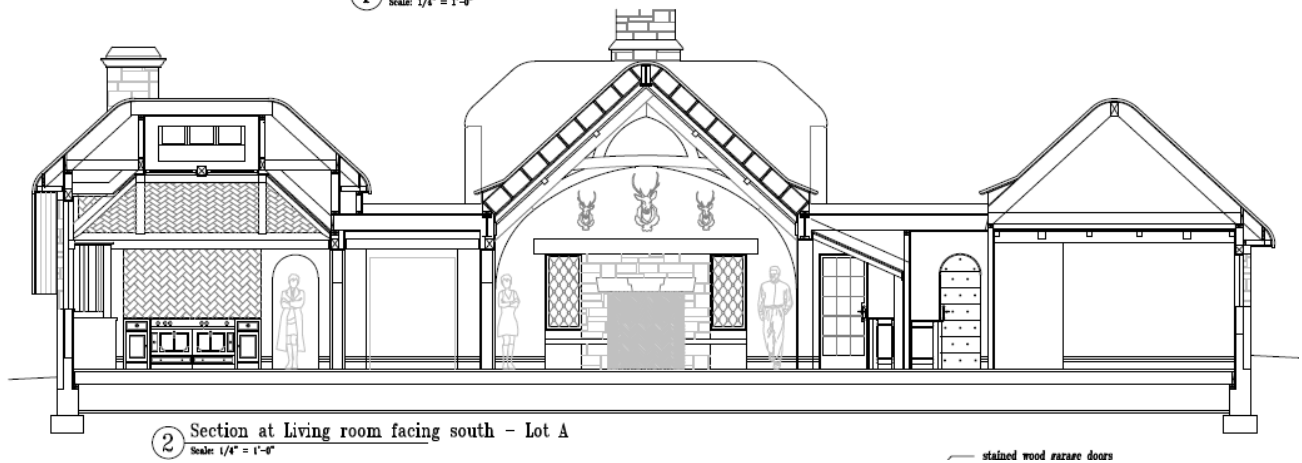
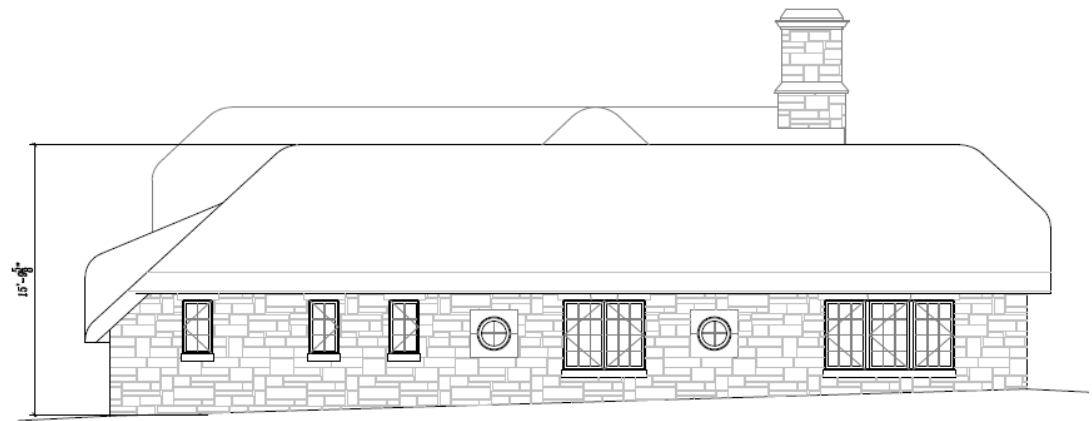
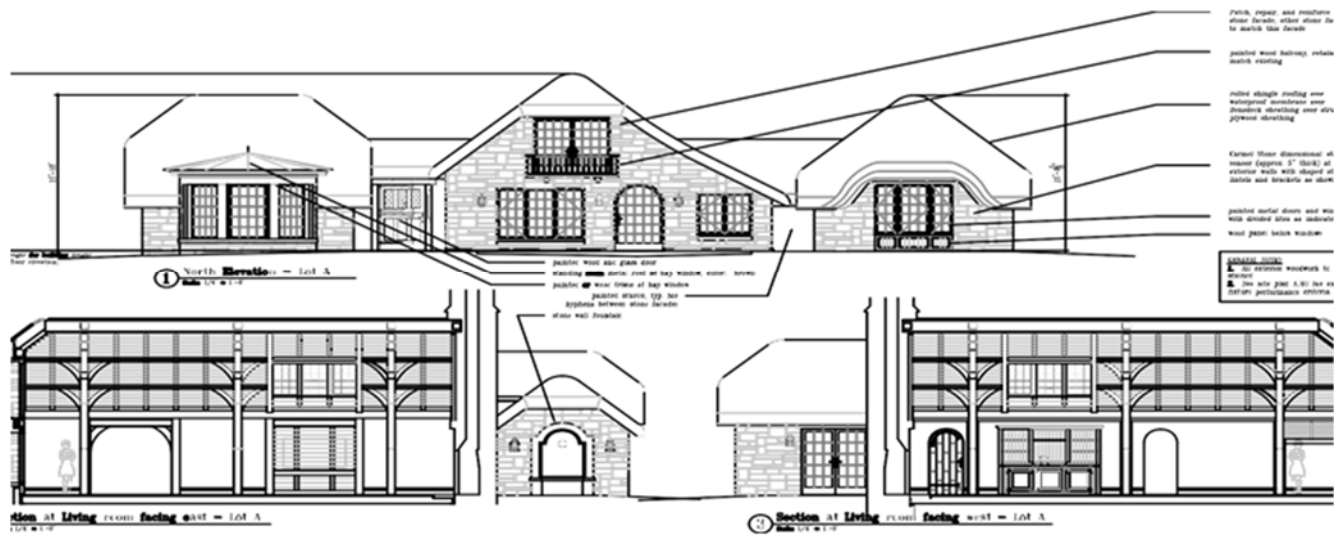
The proposed elevations of the new carport on Lot B (**Fig. 8**) meet the restricted height allowance of eighteen (18) feet. The Elevations put the top of the trellis at just over 8 feet from average natural grade (69' and 5.5" – 61' and 3").

[illegible]

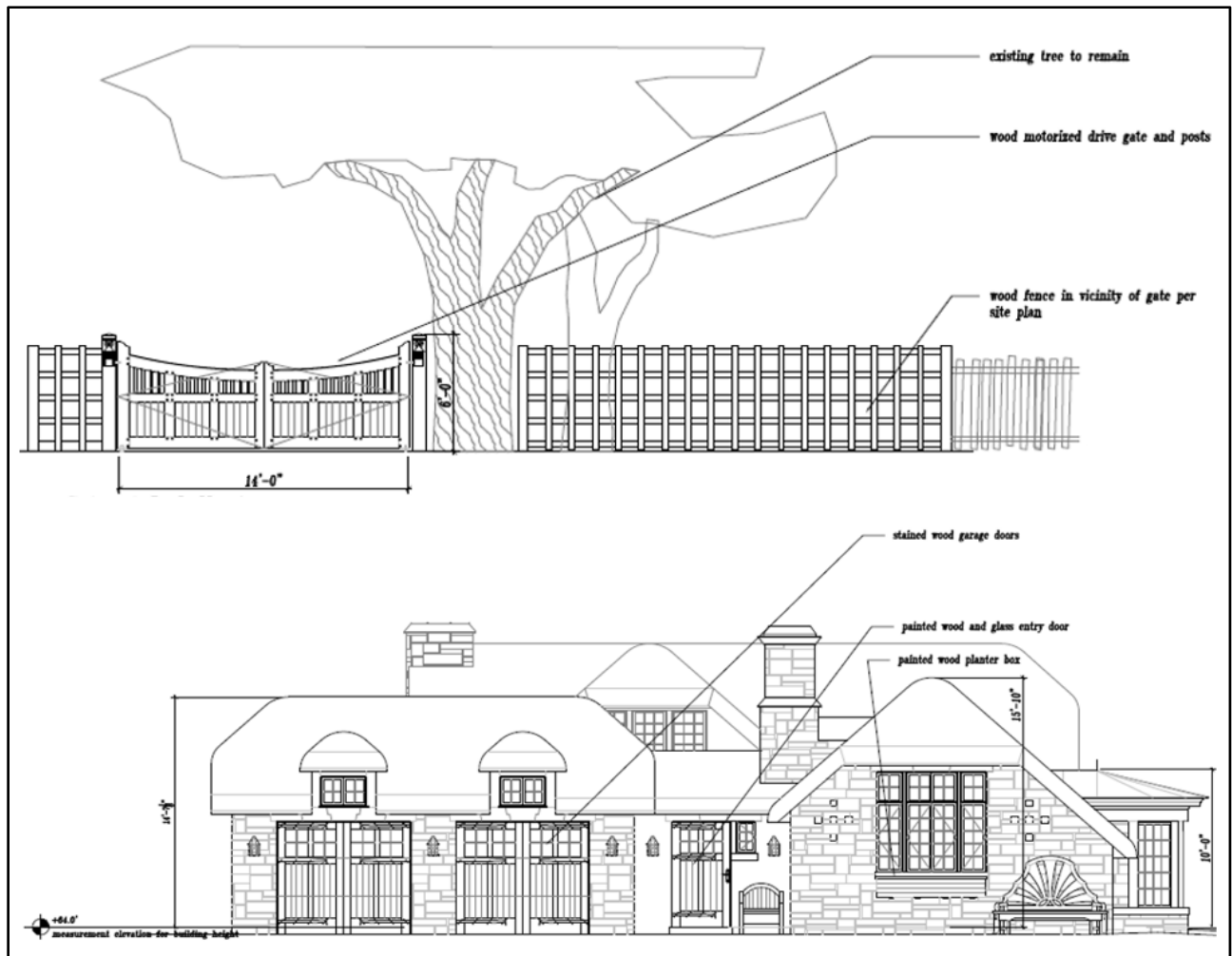




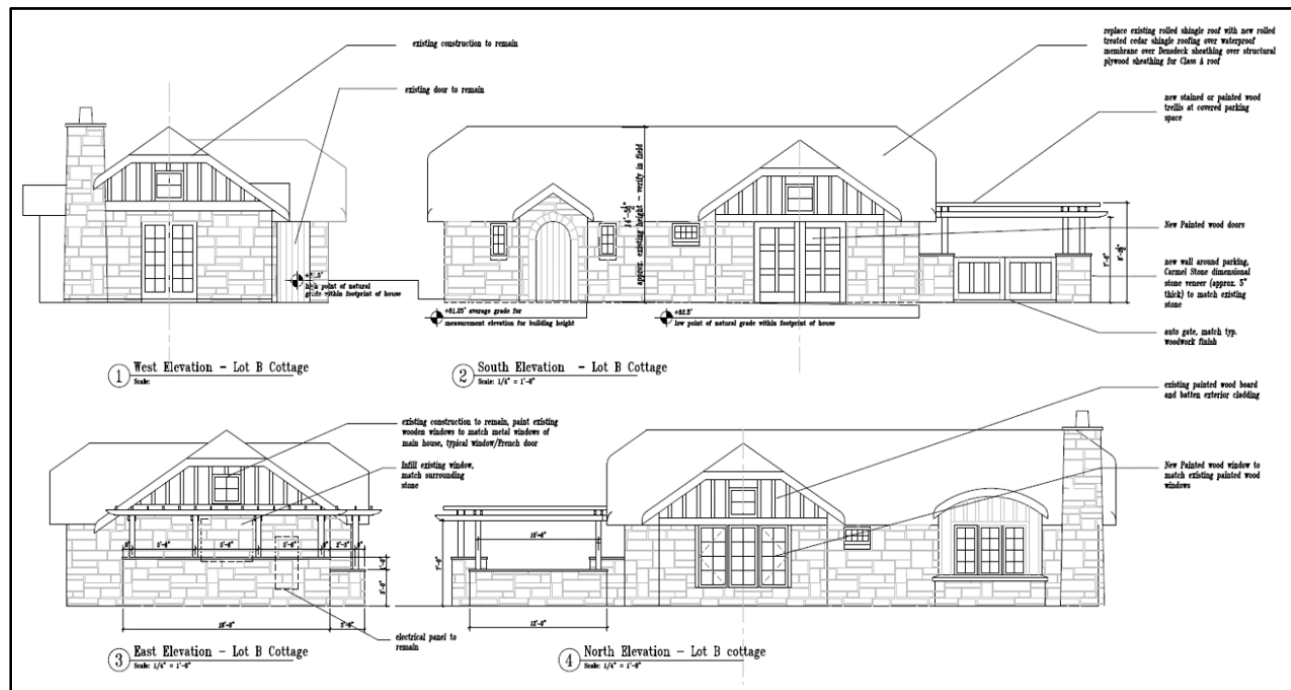
**Figure 5. Lot B Floor Plan**



**Figure 6. Elevations of New Residence on Lot A**



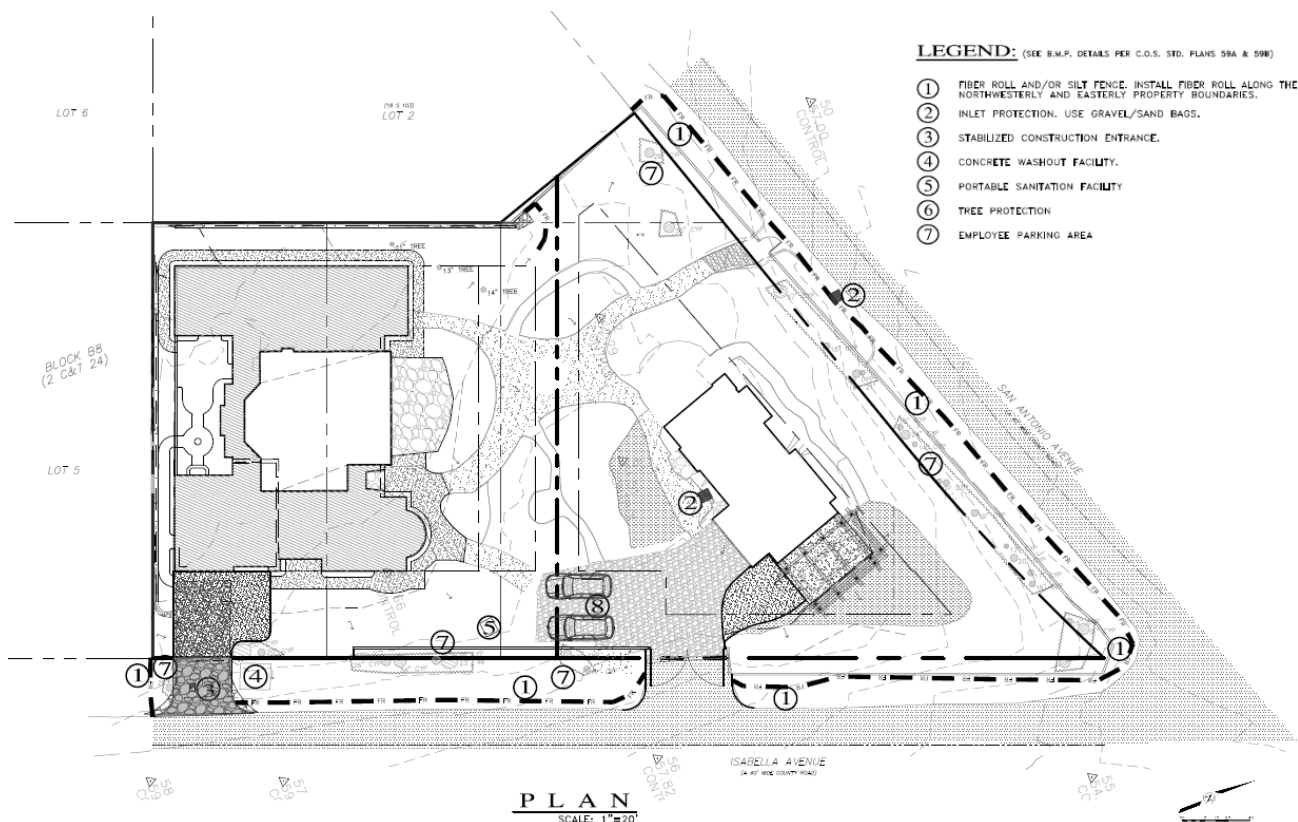
**Figure 7.** Elevations of New Residence on Lot A and New Gate



**Figure 8.** Elevations of Existing Residence on Lot B and New Carport



A construction plan concept map (**Fig. 9**) and notes for construction management are detailed in Sheet C1 and illustrated in Sheet C3. It includes a schedule of inspections with RMA-Environmental Services, controlling dust during grading, and Best Management Practices for painting, plastering, tiling, mixing concrete, and the location and discharge control of a portable sanitation facility. A preliminary Construction Management Plan (CMP) prepared by Klein, Malick and Associates (Source 1), in the form of a list, was also submitted with the permit application. Shown at location 8 below, resident parking will be on the current driveway, and a portable sanitation facility will be near it to the south along the property edge on Isabella Avenue, at location 5. Locations marked 7, all along the perimeter of the property, are planned employee parking. Worker parking will occur onsite and in appropriate parking areas of the public road. A concrete washout location is planned at location 4, at the planned driveway for the residence on Lot A. The preliminary CMP lists the hours of construction as Monday through Friday between 8 a.m. and 6 p.m. and occasional Saturdays with the same hours, excluding holidays, with an estimated project completion within 18 months to 2 years. Material delivery will be phased based on as needed, delivered by trucks to and from the project site scheduled only during non-high traffic hours. The hauling route is Highway 1 via Rio Road to the site. Stockpile of materials will be onsite, entirely.

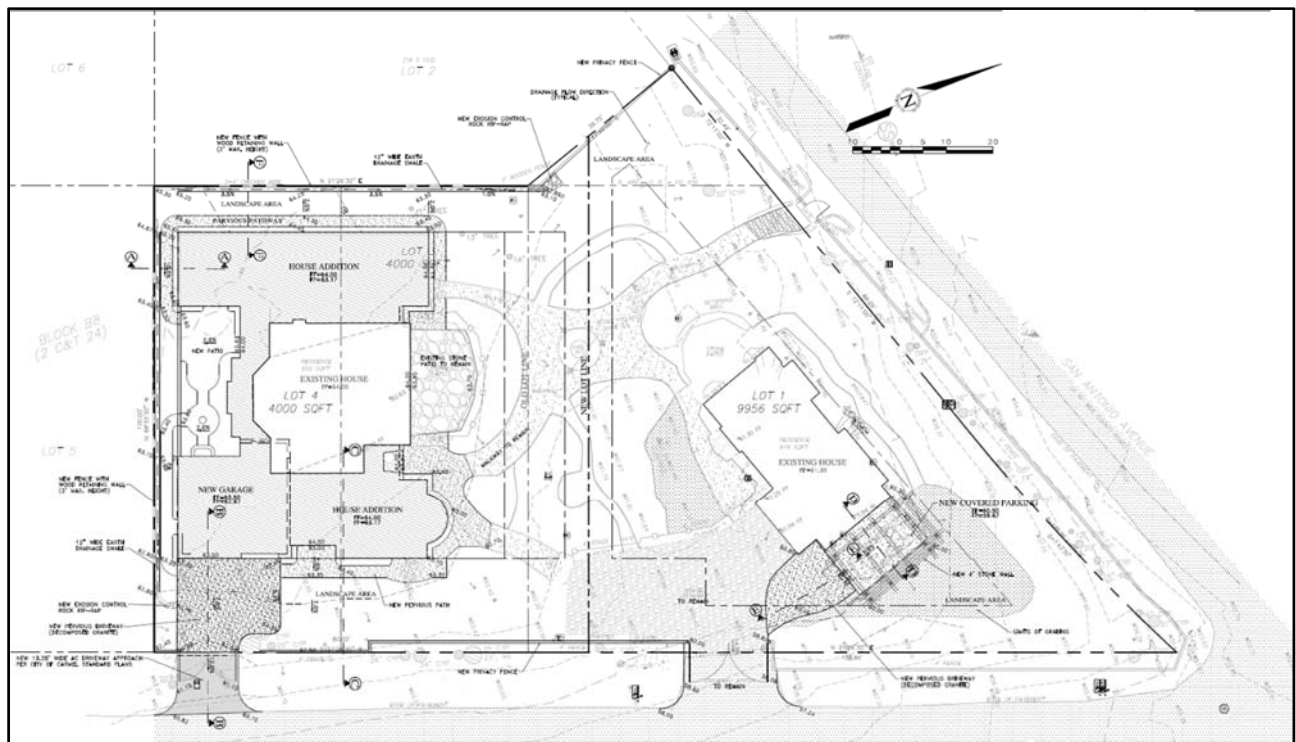


**Figure 9.** Construction Management Plan

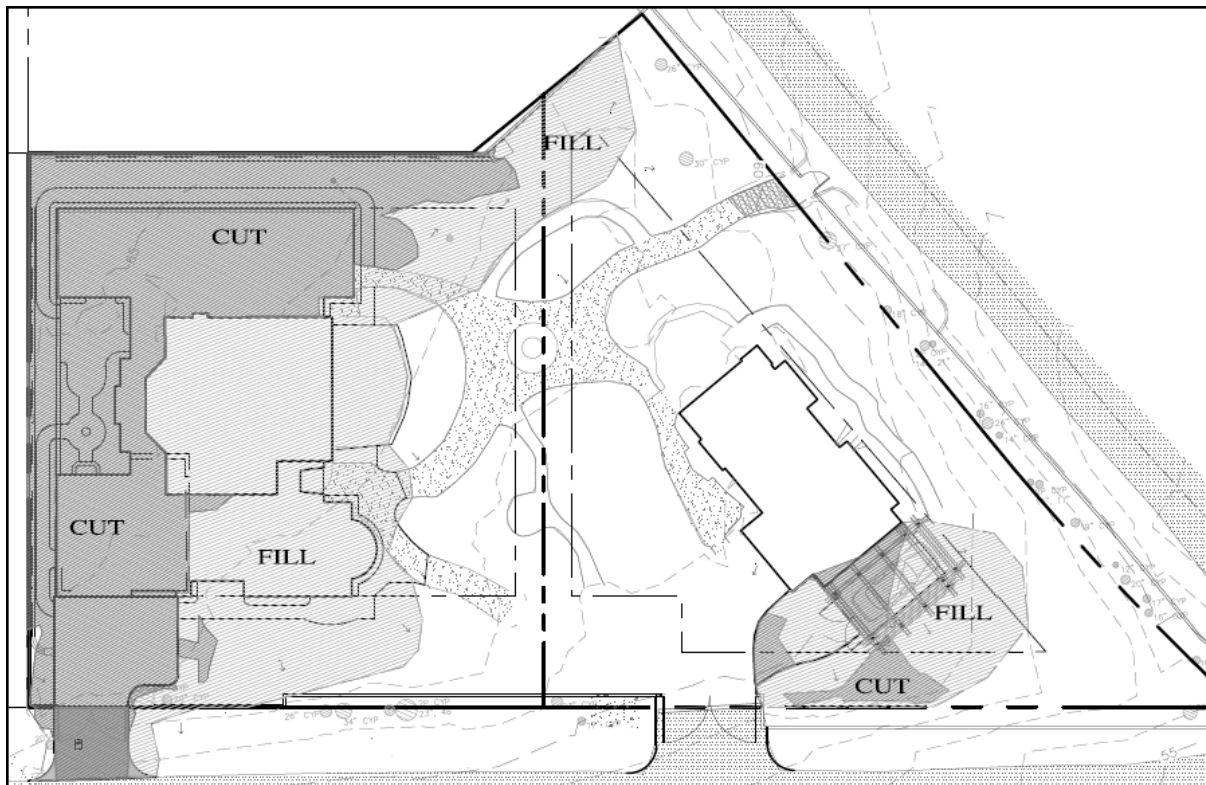
The Erosion Control Plan is described and illustrated on the same sheets. Erosion control measures include fiber rolls and/or silt fence, sand bags, and tree protection. A stabilized

construction entrance/exit is shown in **Fig. 9**, marked location 3. Storm water will be managed by installation of type 1 protection at the storm drain on the northern side of the project, along San Antonio Avenue (shown as location 2 in **Fig. 9**). The Erosion Control Plan estimates the amount of land disturbance as 7,900 ft<sup>2</sup>. The Erosion Control Plan does not show the soil types and erosion potential hazards, but a Soil Engineering Investigation made for the project in June 2018 (Source 11) found fairly uniform loose to medium dense silty sand for the first four to five feet of topsoil. The study found weakly consolidated poorly graded sand in medium dense to dense deposits under the topsoil to the maximum depth explored of 16.5 feet below ground surface.

The Grading and Drainage Plan (**Figs. 10 and 11**) are detailed in Sheets C1 and C2. The plans show the expectation of 120 cubic yards (CY) of cut and 40 CY of fill. 80 CY will be hauled offsite to a County-approved landfill; stockpiled materials are proposed to be kept entirely onsite.



**Figure 10.** Grading and Drainage Control Plan



**Figure 11.** Grading Plan Cut and Fill Locations

In the Medium Density Residential zoning designation, a detached single-family dwelling requires 2 off-street parking spaces, 1 of which shall be covered. The project proposes an attached two-car garage for the new structure on Lot A. The project proposes a new covered parking space in addition to the space for one car outside the residence on Lot B. Therefore, the project meets the minimum required parking standard.

General development standards in the CIP and LUP include retaining existing trees and other native vegetation to the maximum extent possible, both during the construction process and after it is completed. All new landscaping must be compatible with the scenic character of the area and should retain existing shoreline and ocean views. No tree removal is proposed for the development of this project, and the trees are typical of the area. Figure 3, Site Plan, illustrates the placement and layout of the proposed planting plan. Most landscaping plants and all trees on the property are retained. On the southwest edge of the property, there will be additional plantings surrounding a patio. The varieties are not listed.

The LUP policies on exterior lighting are that it be shielded and designed at near-ground level and directed downwards to reduce its long-range visibility (LUP Policy 2.2.4.10.d). Preliminary locations of decorative wall-mounted light fixtures are shown on Sheets A301, A302 and A303 (Figs. 3 through 8). Notes on Sheet A101 indicate that the proposed project will use recessed lighting with fully shielded sources, and follow Section 5 of Monterey County Design Guidelines for Exterior Lighting, although that ordinance does not govern the coastal zone.

The Combined Development Permit will also include a Design Approval because the subject project is in a Design Control District. This overlay requires design review of structures to assure the protection of the public viewsheds, neighborhood character, and the visual integrity of certain developments without imposing undue restrictions on private property.

The Design Approval application contains information on colors and materials proposed for the residence: steamed rolled cedar shingle roof with a natural finish, powder coated steel sash windows, clad wood windows in dark green, custom dark green painted wood garage and entry doors, and stone exterior to match existing stone. The subject project was reviewed by the Unincorporated Carmel Highlands Land Use Advisory Committee (LUAC) on November 15, 2018 and was given a recommendation of approval with conditions. The members were concerned with their impression that the buildings were historical, and so resisted demolition of the residence on Lot A and additions to the residence on Lot B. The conditions for approval were beyond the scope of a LUAC, such as requiring only one lot be created, instead of two.

Monterey County Land Use Advisory Committee Procedures, adopted November 18, 2008 and amended December 16, 2014, established that the purposed of a LUAC is to 1) Advise the Appropriate Authority by providing comments and recommendations on referred land use planning matters; 2) Reflect the perspective of the local community with focus on neighborhood character, unique community site and conditions and potential local effects or contributions that would likely result from the implementation of a proposed project; 3) Perform such other review of land use issues as may be requested from time to time by the Planning Commission or the Board of Supervisors; 4) Provide a venue for project neighbors to provide input on proposed projects; and 5) Identify concerns in response to staff-provided scope of review on neighborhood, community and site issues excluding regional impacts which are the purview of the Appropriate Authority.

The CIP defines public viewshed determination as an on-site assessment by a planner when the development is indicated with poles and stakes with flags. The project planner visited the site on November 12, 2019. The stake and flagging was in place, and his assessment, based on the visit and extensive knowledge of Carmel Point, is that the proposed project has no impact on the public viewshed.

The CIP defines ridgeline development as visible from major public viewing areas, which in the Carmel are typically 17 Mile Drive, Scenic Road, Highway 1 Corridor and turn-outs, roads/viewpoints, Carmel River State Beach, Carmel City Beach. The subject property is over 840 feet east of Scenic Road and is not included in the Public Access Map (**Fig. 12**, Figure 3 in the LUP) or the General Viewshed Map (**Fig. 13**, Map A).

### **Primary CEQA Impacts**

Although the project does not include the development of a basement, primary CEQA issues involve cultural resources, tribal cultural resources, and geology. Based on the archaeological reports (Sources 13, 14, and 15), this resource could potentially be affected by the proposed project. However, there is evidence that impacts will be less-than-significant with mitigation incorporated. Detailed analysis for this issue can be found in Section VI. Environmental

## Checklist of this Initial Study.

The subject site is not located within prime or unique farmlands, forest land, an area that poses a threat caused by flooding, or on a mineral resource recovery site. The project is not located within a public viewshed or ridgeline. As noted above, the site has minimal topographic relief and there are no steep slopes located near the site. The site is located much more than fifty feet from a coastal bluff. There are no identified environmentally sensitive habitats located on the property. The result of the project would not require large amounts of water or energy, induce or reduce the population or availability of housing, or cause reduction of the existing level of services for fire, police, public schools, or parks. Therefore, the project would have no impact on Agriculture/Forest Resources, Energy, Hydrology/Water Quality, Mineral Resources, Population/Housing, Public Services, Recreation, Utilities/Service Systems, or Wildfire. It does not conflict with Land Use/Planning for the Carmel Point.

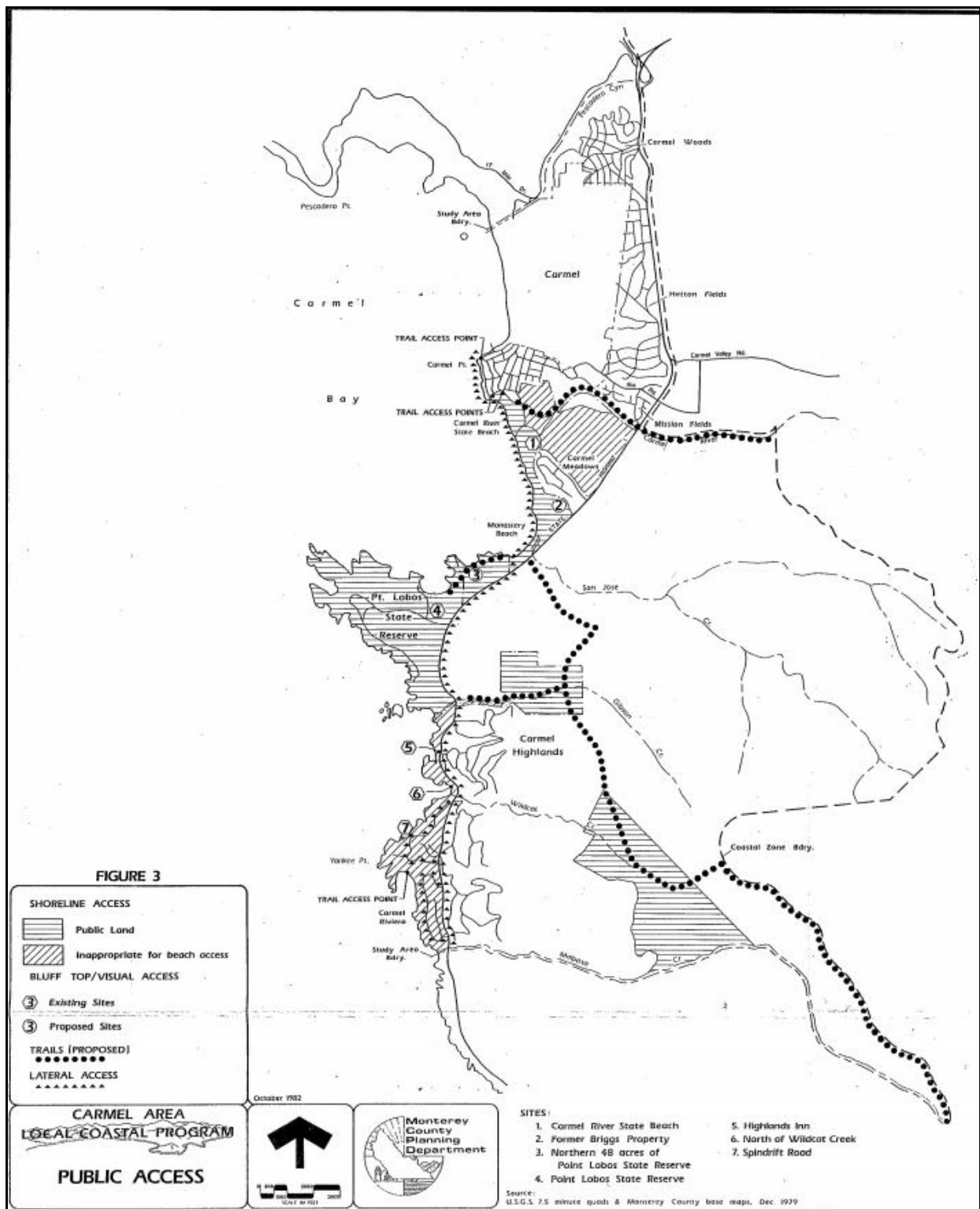
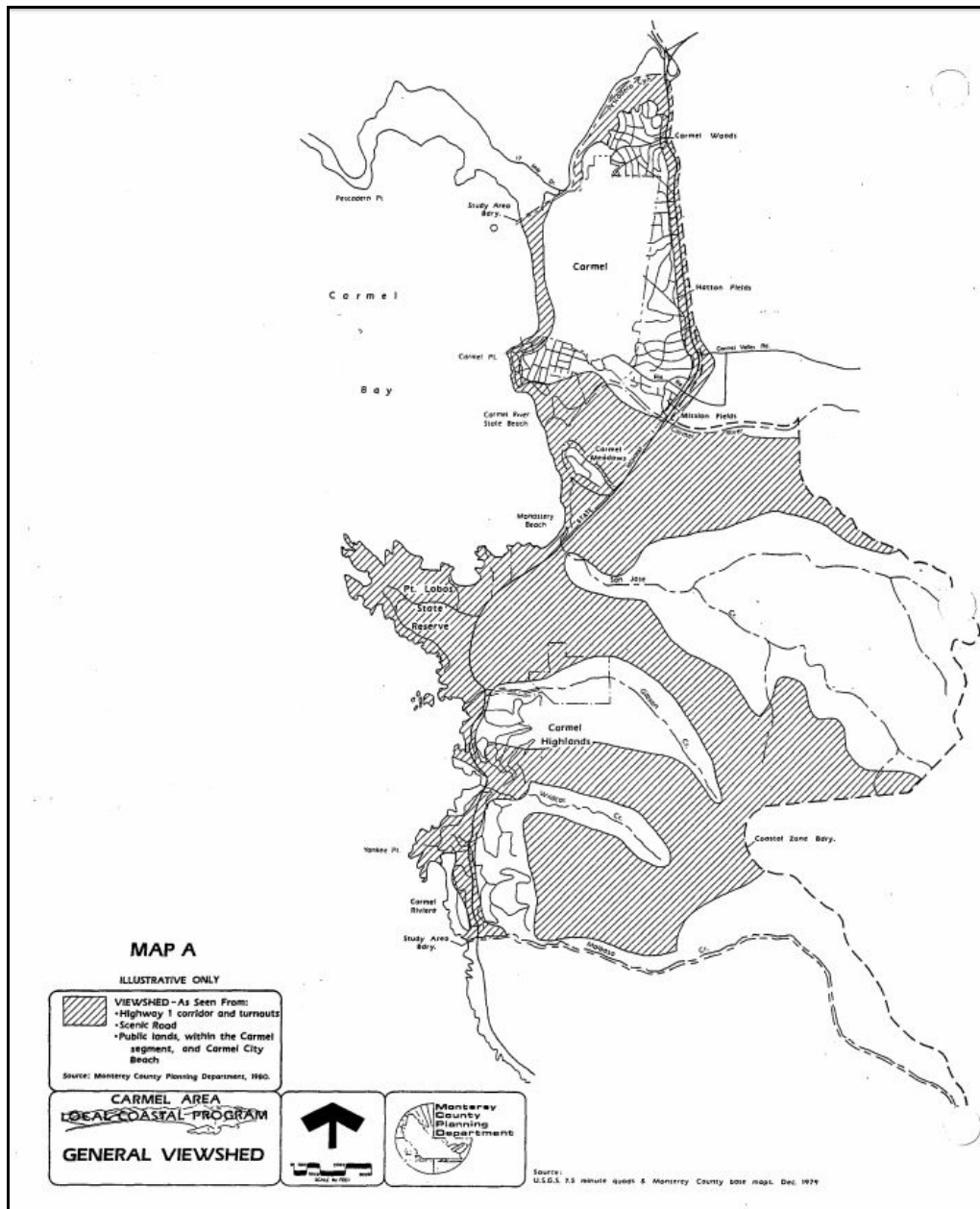


Figure 12. Carmel Area Local Coastal Program, Public Access (Fig. 3)



**Figure 13.** Carmel Area Local Coastal Program, General Viewshed, Map A

## B. Surrounding Land Uses and Environmental Setting

The project site (**Fig. 14**) is within an established residential neighborhood located on the northern portion of the Carmel Point area, at the intersection of San Antonio and Isabella Avenues. The parcel is approximately 1.5 road miles west of Highway 1 and 675 feet south of the city of Carmel-by-the-Sea on San Antonio Avenue South.

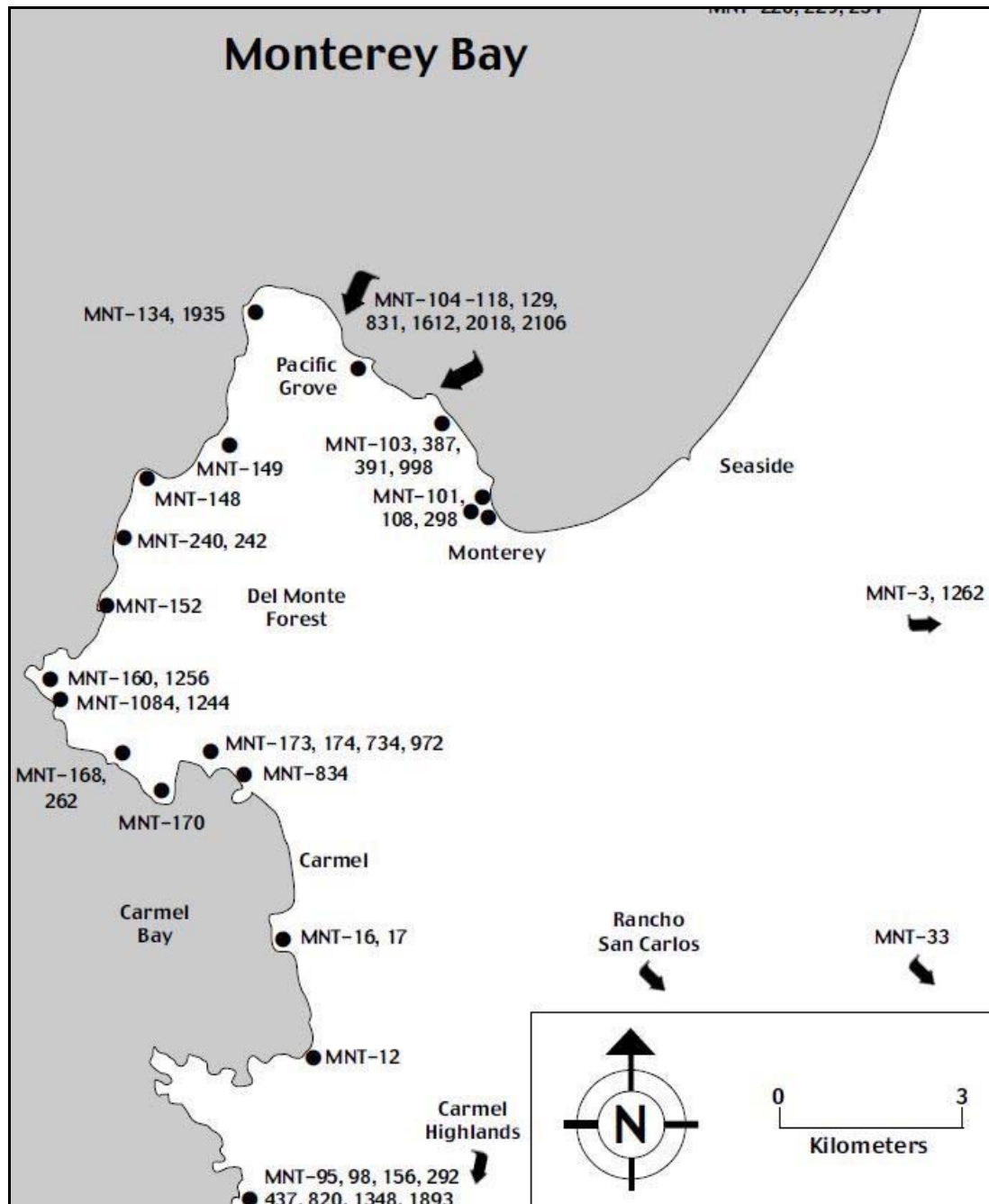
The proposed development is within a high archaeological sensitivity zone, within 750 feet of three positive Archaeological reports, and within the zone of Potential Hazards (e.g. within 660' of Cypress Point Fault).





**Figure 13.** Project Site

The LUP recognizes the intensive prehistoric use of the Carmel area. According to the LUP, the Carmel area shoreline from Carmel Point to Point Lobos Reserve contains one of the densest remaining concentrations of shellfish gathering activities in central California. These archaeological deposits have been identified as a highly significant and sensitive resource. The LUP's Key Policy 2.8.2 states that Carmel's archaeological resources, including those areas considered to be archaeologically sensitive but not yet surveyed and mapped, shall be maintained and protected for their scientific and cultural heritage values. Both public and private new land uses should be considered compatible with this objective only where they incorporate all site planning and design features necessary to minimize or avoid impacts to archaeological resources.



**Figure 18.** Monterey Bay Archaeological Sites (Source 11)

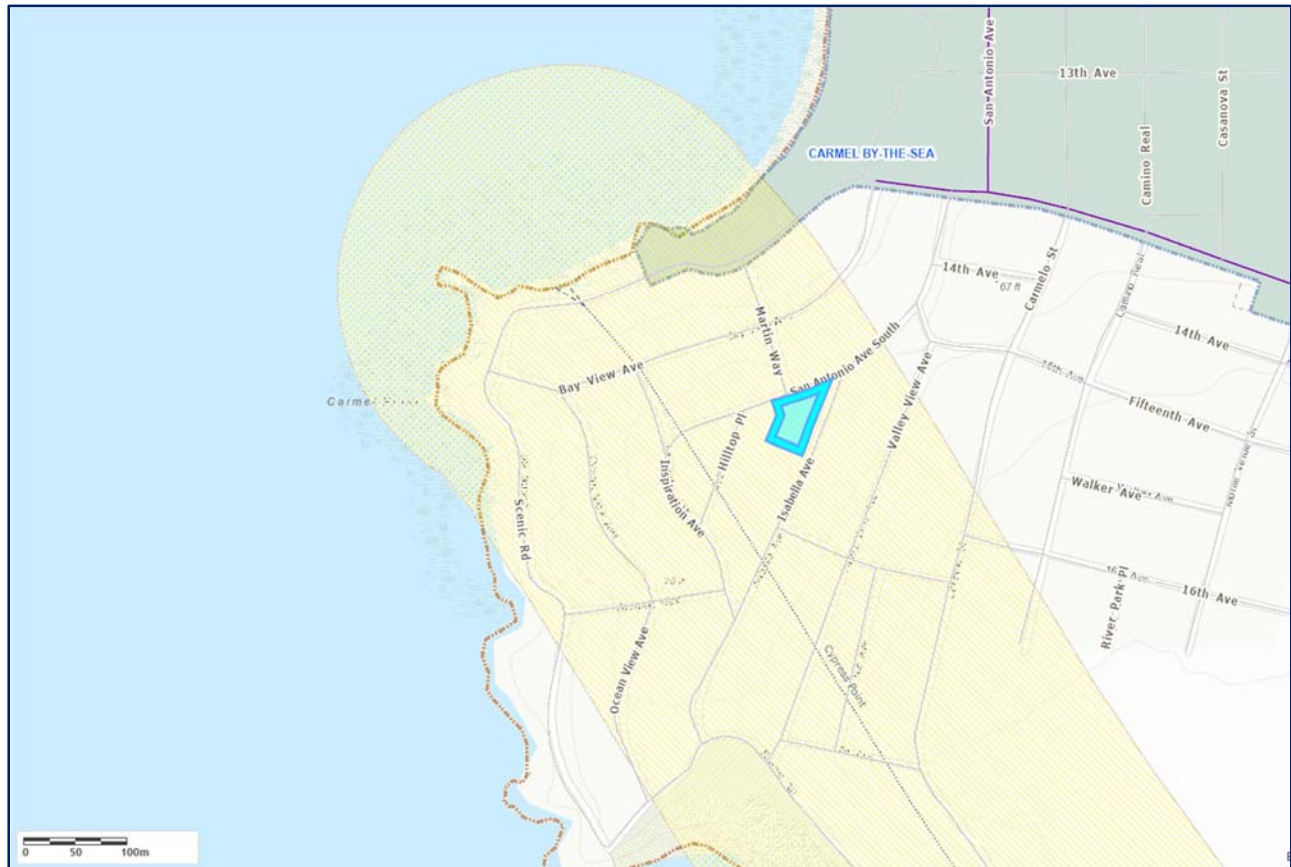
Chapter 20.146.020 of the Monterey County Coastal Implementation Plan (Source 4) defines archaeological sensitivity zones in terms of categories that describe the probability of finding archaeological resources throughout the County, as shown on County Archaeological sensitivity maps. In the “High” sensitivity zone, there are archaeological sites already identified in the area with a strong possibility that Native Americans lived in and occupied that area. An archaeological site is a place of known Native American remains or activity, evidenced by shells, fire-cracked rocks, other lithic remains, bedrock mortars, rock art, quarry sites, etc.

Carmel Point is rich in archaeological resources and has been an area of archaeological study for at least thirty years. CA-MNT-17 is the oldest archaeological site in Monterey County, and among the oldest on the central California coast (Source 13, pg.7). The earliest radio carbon date from the site is in excess of 9,400 years before present (Source 13, pg.7). Early habitation is considered to have been semi-sedentary and occupation sites can be expected most often at the confluence of streams, other areas of similar topography along streams, or in the vicinity of springs. Resource gathering and processing areas and associated temporary campsites are frequently found on the coast (Source 15, pg.3). See Part VI, Sections 5. Cultural Resources of this Initial Study for specific mitigation measures proposed by the project archaeologists.

A recent addition to the California Environmental Quality Act ("CEQA") is the Native American Historic Resource Protection Act (Assembly Bill 52, Source 20), which is intended to minimize conflict between Native American and development interests. AB 52 adds "Tribal Cultural Resources" to the specific cultural resources protected under CEQA, and requires lead agencies to notify relevant tribes about development projects. It also mandates lead agencies to consult with tribes if requested, and sets the principles for conducting and concluding the required consultation process. After July 1, 2015, AB 52 applies to all projects for which a lead agency has issued a notice of preparation of an environmental impact report ("NOP") or notice of intent to adopt a negative declaration or mitigated negative declaration ("NOI") (Source 20).

There are two tribes asserting heritage in the area this proposed project that the County confers with: the Esselen Tribe and the Ohlone/Costanoan-Esselen Nation (OCEN). On October 8, 2019, the OCEN Chairwoman met with the supervising planner and the author of this Initial Study. OCEN's priority is that their ancestors' remains be protected, undisturbed, and the site be preserved. If excavation is unavoidable, OCEN requests all cultural and sacred items be handled with dignity. On October 17, 2019, the Cultural Officer of the Esselen Tribe met by phone with the author of this Initial Study. See Part VI. Sections Section 18, Tribal Cultural Resources of this Initial Study for specific mitigation measures proposed by OCEN and the Esselen Tribe.

The subject site is also located within the coast range geomorphic province of central California (Source 12, pg.3). The Cypress Point fault line, an active/potentially active fault as per Monterey County Geographic Information System data (County GIS, Source 6), runs past the subject site within one hundred and fifty feet (**Fig. 19**). According to the Geotechnical Investigation (Source 12, pg.1), the nearby Palo Colorado-San Gregorio fault and the San Andreas fault both have the potential to produce an earthquake of 6.75 maximum credible earthquake or greater in the next fifty years. The report deems the Cypress Point fault as “potentially active Therefore, significant seismic shaking will occur at the site during the lifetime of the project.



**Figure 19. Carmel Point:** Active/Potentially Active Faults (660-feet), subject parcel in blue. 660’ fault line zone shown in yellow.

At this time, RMA-Planning does not require an additional entitlement for development within 660-feet of an active/potentially active fault. Pursuant to Section 20.146.080(f) Hazardous Area Development Standard in the Coastal Implementation Plan (Source 4), where geotechnical evaluation determines that the hazard is unlikely to lead to property damage or injury, construction is permissible if certified by a registered geologist/soils engineer that the proposed development will not result in an unacceptable risk or injury or structural damage and the County Building Official and Environmental section concurs. The Certification shall be recorded with a copy of the deed at the County Recorder's Office.

The proposed project site is located within a zone that is designated as having a low potential for liquefaction. This evaluation takes into account the general geologic subsurface conditions, groundwater patterns and the seismic setting of the area (Source 12, pg.20). The site is located within a zone designated as having a low potential for seismically-induced land sliding and low flooding.

The Carmel Point neighborhood is a coastal community in close proximity to the Carmel River State Beach/Pacific Ocean. As such, it provides unique habitat for the many plant and animal species that thrive near the ocean. The California Natural Diversity Database (CNDDB) is an inventory of the status and locations of rare plants and animals in California, and this data is available via County GIS (Source 6). The native species of special concern that have been historically reported as present offsite of this proposed project site, but with a potential range in the area that includes it or is at the edge of including the project site are Monterey Pine (*Pinus radiata*), Sandmat manzanita (*Arctostaphylos pumila*), Marsh microseris (*Microseris paludosa*), Jolon clarkia (*Clarkia jolon*), Kellogg's horkelia (*Horkelia cuneate* var. *sericea*), Fragrant fritillary (*Fritillaria liliacea*), Eastwood's goldenbush (*Ericameria fasciculata*), and Santa Lucia bush-mallow (*Malacothamnus palmeri* var. *palmeri*). CNDDB notes species presence in terms of the condition of the occurrence at the location when it was last observed. Presumed Extant -- presumed to still be in existence until evidence to the contrary is received by the CNDDB, Possibly Extirpated -- evidence of population extirpation or habitat destruction has been received by the CNDDB for the observation location, but questions remain as to whether the element still exist, and Extirpated -- the observation location has been searched for but the species has not seen for many years or the habitat is destroyed. Of these eight vascular plants with the potential to grow on the proposed project site, most are presumed extant. Sandmat manzanita and Fragrant fritillary are considered possibly extirpated (Source 6 and 7).

Monterey County Coastal Implementation Plan Section 20.146.040 (Source 4), Environmentally Sensitive Habitats Development Standards, identifies, sensitive plant communities of the Carmel coastal area. Because it is a developed parcel that has been landscaped and crisscrossed with gravel and sand pathways, the parcel is highly unlikely to support protected special status species because the CNDDB report shows no known historic occurrences of these species on the property. The planner's site visit confirmed that all the area that is not covered with gravel paths or artificial grass turf is heavily mulched and planted with ornamental plants (Source 16).

**C. Other Public Agencies whose approval is required:**

Prior to obtaining the necessary discretionary permit approvals, the project will require ministerial approval from the following agencies: Monterey County Environmental Health Bureau, RMA-Public Works, RMA- Environmental Services, Monterey County Water Resources Agency, and Cypress Fire Protection District. In addition, any conditions of approval required by the reviewing agencies require compliance prior to issuance of permits. The subject parcel is also within the appeal jurisdiction of the California Coastal Commission (CCC). No other public agency permits would be required under this request.

### 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"/>

#### 1982 Monterey County General Plan

The project site is subject to the *1982 Monterey County General Plan* (General Plan) which provides the regulatory framework, through goals and policies, for physical development. The proposed project is consistent with the medium density land use designation of this residential site, continuing the existing land use at a density of two units per acre. The proposed project is lot line adjustment to merge three developed parcels resulting in creation two parcels, demolition of an existing residential dwelling then new construction of a residential dwelling on one resulting parcel, and new construction of a carport on an existing residential dwelling on the second resulting parcel within a built-out single-family residential neighborhood. Therefore, the project proposal is consistent with the General Plan. **CONSISTENT.**

#### Carmel Area Land Use Plan

The project site is subject to the *Carmel Area Land Use Plan* that provides development standards and policies for unincorporated Carmel. The subject parcel 'Lot A' (0.215 acre) includes the demolition of the existing single-family dwelling and subsequent new construction of a replacement single-family dwelling which has been considered within the policies for existing residential development. The subject parcel 'Lot B' (0.197 acre) involves new construction of a carport on an existing single-family dwelling which has also been considered within the policies for existing residential development.

Pursuant to Table 4.6-Residential Development Density, two units per acre is the allowed density for this parcel; the completed project would result in one single-family residence occupying each parcel. Chapter 2.7 (Hazards), includes a key policy which requires that development permitted by the County in areas of high geologic, flood, and fire hazard be carefully regulated through the best available planning practices in order to minimize risks to life and property and damage to the natural



environment.

Chapter 2.8 (Archaeological Resources), includes a key policy with respect to Archaeological Resources in Carmel whereby those areas considered to be archaeologically sensitive be maintained and protected for their scientific and cultural heritage values. All site planning and design features necessary to minimize or avoid impacts to archaeological resources are to be incorporated.

According to the review and analysis of multiple reports prepared for various sites in the general area at the respective applicants' expense, Monterey County has identified that the Carmel Point area, as a macro-site, contains historic archaeological resources; archaeological reports prepared at the applicant's expense have been used to analyze the subject parcel discretely. The subject parcel yielded negative findings for evidence of archaeological resources on Lot A in a 2018 study (LIB180401, Landset Engineers, Inc., Source 11, pg.14). A preliminary test excavation on the Lot B area of the parcels in 2001 found indication of potential impacts (LIB180383, Archaeological Consulting, Source 14, pg.2). Both the 2001 and 2018 studies recommended an archaeological monitor to be present during ground disturbing activities. The project proposal of a lot line adjustment to create two parcels from three, demolition of the existing dwelling and construction of a new one-story single-family residential dwelling and the addition of a carport is consistent with the Carmel Area Land Use Plan. **CONSISTENT.**

#### Air Quality Management Plan

The 2012-2015 and the 2008 Air Quality Management Plan (AQMP) for the Monterey Bay Region (Source 9) address attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring site in Carmel Valley has given no indication during project review that implementation of proposal for a replacement single-family residence and addition of a carport on an existing residence would cause significant impacts to air quality or greenhouse gas emissions (GHGs). **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 type="checkbox"/> Biological Resources               | <input checked="" type="checkbox"/> Cultural Resources       | <input 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 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:**

**IV.2 Agricultural and Forest Resources** – County GIS data indicates that the subject property does not contain farmland that is Prime, Unique, or of Statewide or Local Importance; nor is it encumbered by a Williamson Act contract. As described in the Section II.A, the subject property contains three lots to be adjusted into two and two existing residential structures, zoned for residential uses, within an established residential neighborhood of similar sized lots. There are no ongoing agricultural uses on the property or vicinity observed during staff's onsite visit. The subject property is not considered a forest or timber resource inventoried with the State of California as a "Demonstration State Forest." *The proposed project would not result in conversion of prime agricultural lands to non-agricultural uses or impact agricultural resources and would have no impact on forest resources.* (Source: 1, 2, 3, 4, 6, and 16) *No Impact.*

**IV.3 Biological Resources** – County GIS data indicates that the subject property is within an area that has potential to be Monterey Pine, Sandmat manzanita, Marsh microseris, Jolon clarkia, Kellogg's horkelia, Eastwood's goldenbush, Fragrant fritillary, and Santa Lucia bush-mallow habitat. However, the project site and surrounding neighborhood has been developed since at least the 1950s. The project site and surrounding neighborhood is characterized by cypress trees, ornamental landscaping, though there are examples of Monterey pine as a landscaping component in isolated instances. The subject lot does not have any Monterey pine trees, and is landscaped with sand pathways, turf, and ornamental plant varietals. There have been no CNDDB occurrences of the native plant species of special concern listed herein and discussed in Section II.B on the subject site. No critical habitat for special status animal species is not identified on the site. *The proposed project would not result in impacts to biological resources.* (Source: 1, 2, 3, 4, 6, and 16) *No Impact.*

**IV.4 Energy** – Implementation of the proposed project includes the construction of a replacement single-family residence and the construction of a carport on an existing single-family residence on a developed lot within a built-out residential neighborhood, as described in the Section II.A. The project would meet all building requirements to meet Title 24 of the Uniform Building Code (UBC). The proposed project would consume modest energy for functions such as internal building lighting, heating and/or air conditioning. *The proposed project would not result in impacts to energy resources.* (Source: 1, 2) *No Impact.*

**IV.5 Land Use/Planning** – The proposed project involves a lot line adjustment to three parcels to make two, the demolition of an existing single-story single-family dwelling and construction of a replacement single-story single-family dwelling, and the construction of a carport on an existing single-family dwelling. The existing parcel is zoned Medium Density Residential, 2 units per acre, with a Design Control overlay district (Coastal Zone) [MDR/2-D (CZ)], and the surrounding area has this same zoning and land use designation; the adjacent land uses are single-family residential. The project will have no impact on this designation or use, and the proposed project is consistent with this designation and use. The site does not support any development beyond the existing single-family dwelling. Therefore, the project would not physically divide, disrupt, or otherwise have a negative impact upon an established community, the existing neighborhood, or adjacent properties. Also, the project would not

conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan and the Carmel Area Local Coastal Program (LCP). As designed, the project is consistent with applicable General Plan and LCP policies as discussed in Section III of this Initial Study. The proposed replacement single-family dwelling on Lot A and the addition of a carport on the existing single-family dwelling on Lot B would both meet setback regulations, height limitations, site coverage and FAR limitations. *The proposed project would not result in impacts to land use and planning.* (Source: 1, 2, 3, 4, 5, 6) *No Impact.*

IV.6 Mineral Resources – County GIS data on the parcel confirm that there are no mineral resources for commercial use on the site. *The proposed project would have no impact on mineral resources.* (Source: 1, 6) *No Impact.*

IV.7 Population and Housing – Implementation of the proposed project would add square footage to the existing single-family residence on Lot B and add square footage to the footprint of the single-family residence on Lot A but not result in additional residential units or the displacement of existing housing units. Therefore, the proposed project would not cause an increased demand for additional housing or substantially induce population growth in the area, either directly or indirectly, as no new public infrastructure would be extended to the site. *The proposed project would have no significant impacts related to population and/or housing.* (Source: 1 and 6) *No Impact.*

IV.8 Public Services – The proposed project includes the demolition of the existing single-family dwelling and subsequent construction of a single-family dwelling. The replacement structure would not result in impacts to existing public services provided by the Cypress Fire Protection District, Monterey County Sheriff Department, schools within the Carmel Unified School District, or public parks (also see evidence for IV.11 Recreation, below). The proposed project would not result in the expansion of other public facilities such as public roads (also see Section VI.12 Transportation/Traffic). *The project would have no impact to public services.* (Source: 1 and 6) *No Impact.*

IV.9 Recreation – The proposed project includes the demolition of the existing single-family dwelling and subsequent construction of a replacement single-family dwelling. The proposed replacement single-family dwelling unit and demolition of an existing single-family dwelling unit does not trigger the need to provide park or recreation land and/or in-lieu fees established by the 1975 Quimby Act. Therefore, the proposed project would not result in a significant increase of the use of existing neighborhood and regional parks or other recreational facilities, causing substantial physical deterioration. The proposed project does not include or require construction or expansion of recreation facilities. *The project would not create significant recreational demands.* (Source: 1 and 6) *No Impact.*

IV.10 Utilities and Service Systems – Potable water for the existing residence is provided by California American Water (Cal-Am) company, which supplies water from the Carmel Valley

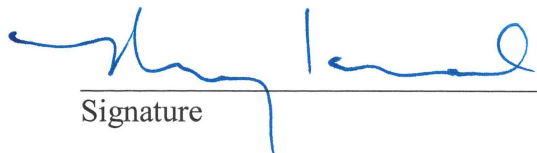
Alluvial Groundwater Basin (Carmel River System). Monterey Peninsula Water Management District (MPWMD) allocates and manages available water supplies to the region, including those of Cal-Am. The applicant has secured additional water credits from the Malpas Water Company. Existing wastewater service is provided by Carmel Area Wastewater District (CAWD). The demolition of the existing single-family dwelling and construction of a single-family dwelling on Lot B would not result in a substantial increase to the production of wastewater on the site. The construction of a carport on the existing single-family dwelling on Lot A would not result in an increase to the production of wastewater on the site. Existing solid waste disposal is provided by the Monterey Regional Waste Management District and the operational component of the project would not result in the substantial increase of solid waste production. Any excess construction materials from the proposed project would be recycled as feasible with the remainder being hauled to landfill. However, the minimal amount of construction waste produced would not affect the permitted landfill capacity. *The proposed project would not result in impacts related to utilities/services.* (Source: 1) *No Impact.*

IV.11 Wildfires – The proposed project would not pose a risk of fire beyond the normal risks associated with single-family residential development within a developed residential neighborhood. The project site is not located in an area designated as High Fire by any public safety agency. The project site – and neighborhood – are served by the Cypress Fire Protection District. Additionally, the project is required to meet all current Fire codes; the Cypress FPD did not impose any conditions on the project. Furthermore, County GIS data and the Carmel Area Land Use Plan does not indicate that the subject property is located in or near state responsibility areas or lands classified as very high fire severity zones. *The Project would have no impact to wildfires.* (Source: 1, 3, and 6) *No Impact.*

**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

Mary Israel, Associate Planner

11/18/2019  
Date

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

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated

or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.



## VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS				
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporate	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista? (Source: 1, 3, 4, 5, 6 & 16)	<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: 1, 3, 4, 5, 6, 10 & 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 3, 4, 5, 6 & 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: 1, 3, 4, 5, 6 & 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

The project site is approximately 300 feet outside (south) of the nearest limits of a viewshed as mapped in County GIS. The proposed project would not be visible from any scenic roadway or public viewpoints. The project would not damage any scenic resources and would not result in ridgeline development because the project site is not part of a scenic vista or panoramic view. The project would not substantially degrade the existing visual character of the site and its surroundings. As discussed below, the project's siting and design is consistent with the Visual Resources Key Policy 2.2.2 of the Carmel Area Land Use Plan, which requires all future development within the area to harmonize and be clearly subordinate to the natural scenic character of the area.

The subject property contains two existing one-story single-family dwellings that features stone walls and façades with wood siding, and wooden shingle roofing (see **Figure 12**). Members of the Carmel Land Use Advisory Committee raised the concern that the existing buildings hold some aesthetic value and is "iconic." It was noted that the current design "sets a beautiful open space for the neighborhood." (Source: 1)

Neither existing dwelling has a garage, but the new dwelling for Lot A will have an attached garage, and the dwelling on Lot B will have a carport constructed (see **Figures 13 and 14**). The new dwelling is very similar in materials and design to the existing dwellings. The exterior materials of the new dwelling are stone cut in multiple sizes of rectangles and squares, to match the original. Some of the original stone walls will be retained. Wood soffits, garage doors and trims will be stained wood, sash windows on the new dwelling will be powder coated steel sash. Some stucco, in warm sand color, will be used in hyphens between stone facades.

**1(a)(b). Conclusion: No Impact.**

The proposed project is not located within a Scenic corridor or viewshed. The project site is not visible from any public turnouts, Highway 1, or viewing points. The proposed project does not involve the removal of trees or rock outcroppings. The proposed project includes demolition and construction that are not visible from any common public viewing area or state scenic highway. A Phase I Historical Report (Anthony Kirk, Source 10) prepared and submitted with the application evaluated the structure for architectural and historical significance under the criteria of the National Register of Historic Places, the California Register of Historic Resources, and the Monterey County Local Register of Historic Resources. Preservation Specialists concluded that the property nor the existing residential development of the site or neighborhood does not meet the criteria of the above registers and does not comprise a historical resource as defined by CEQA. Therefore, the project would result in no impact to scenic resources, including trees, rock outcroppings, a state scenic highway, or historic buildings/setting.

**1(c) and (d). Conclusion: Less Than Significant Impact.**

The proposed development would result in the demolition of one existing structure and replacement with a structure that is approximately four times larger (**Figures 2, 3 and 10**). Although the project would be a substantially larger dwelling, the sense of openness that LUAC members called “beautiful” from the street may not be lost due to the fact that no trees would be removed, and the open landscaping between Lot A and Lot B would remain. Physical access to the new dwelling would be increased by the addition of a driveway from Isabella Avenue. The proposed design and materials consist of stone cut in multiple sizes of rectangles and squares to match the original, wood soffits, garage doors and trims will be stained wood, powder coated steel sash windows, and accents of warm sand colored stucco, in warm sand color; this is all compatible with those already on the site. The proposed development would result in the addition of a carport to the existing dwelling on Lot B; the “iconic” dwelling would remain otherwise unchanged. The project would have no effect on a scenic vista.

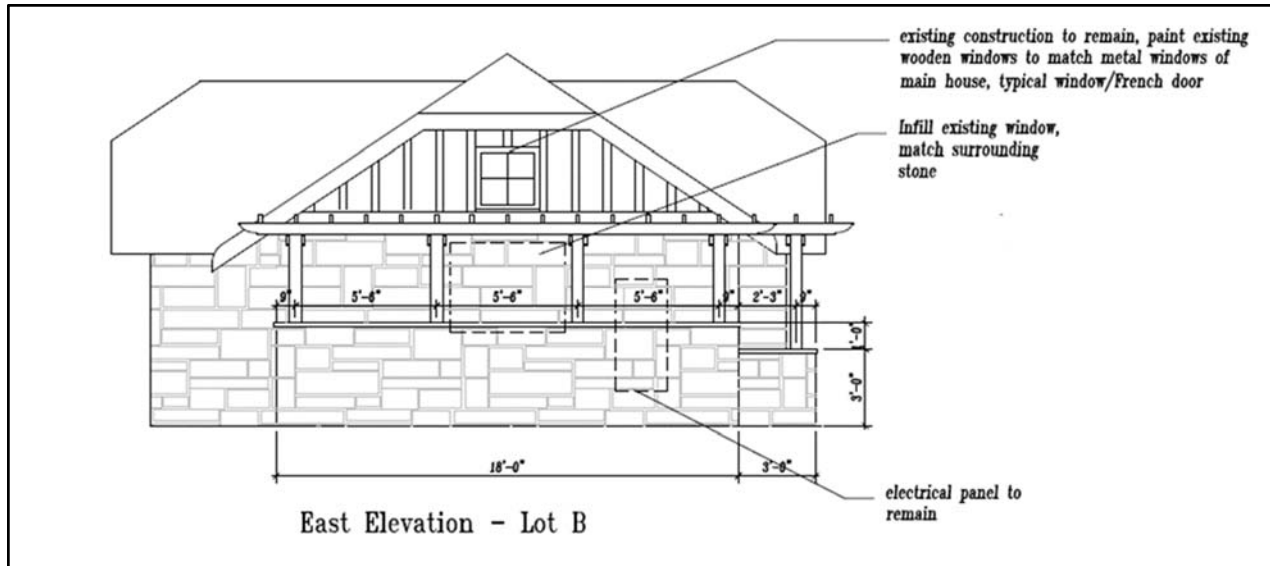


**Figure 12 – Existing Architectural Style as Viewed from Isabella Avenue (both Lot A and B)**



**Figure 13 – Proposed Architectural Style as Viewed from Isabella Avenue, Lot A**

The architectural style of the proposed dwelling is distinct from many of the existing homes in the neighborhood but is also consistent with the Tudor architectural style of the existing dwellings on the site, as demonstrated in **Figures 12, 13 and 14**, and is consistent with the assortment of styles that are characteristic of the neighborhood (**Figure 15**). The project proposal complies with all development standards of Title 20, and the Carmel CIP for height, setbacks, bulk and scale. The project proposal is subject to design control, which regulates the location, size, configuration, materials, and colors of structures to assure protection of the public viewshed and neighborhood character. (Title 20 sec. 20.44, Source 5). In this respect, the proposed project complies with Title 20. The Carmel Area LUP key policy for Visual Resources is for all future development within the viewshed to harmonize and be clearly subordinate to the natural scenic character of the area. Policy 2.2.4.10.c calls for blending into the site and the surroundings, and Policy 2.2.4.10.e recommends existing trees be retained to the maximum extent possible, and landscape screening may be used. Although the residence on Lot A would be larger than the existing carriage house, the proposed project does not remove trees from the property and would remain screened by ornamental trees, as demonstrated in the photograph taken of the staking and flagging from the just inside pedestrian gate to San Antonio Avenue on Lot B, **Figure 16** (Source 16).



**Figure 14 – Proposed Architectural Style as Viewed from Isabella Avenue, Lot B**



**Figure 15 – Existing Neighborhood Character**





**Figure 16 – View of staking and flagging of proposed new residence on Lot A screened by ornamental trees when viewed from walkway gate on Lot B, San Antonio Avenue.**

## 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? (Source: 1, 3, 5 & 6)	<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? (Source: 1, 3, 5 & 6)	<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)). (Source: 1, 3, 5 & 6)	<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? (Source: 1, 3, 5 & 6)	<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? (Source: 1, 3, 5 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

See previous Sections II. B. Project Description, II.C. Environmental Setting, and IV.A. Environmental Factors Potentially Affected, as well as the sources referenced.

### 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:1, 8, & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Source:1, 8, & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in significant construction-related air quality impacts? (Source:1, 8, & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations? (Source:1, 8, & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source:1, 8, & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. The subject property is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). The most current air quality report that covers NCCAB is the MBARD 2012- 2015 Air Quality Management Plan (AQMP). Monterey County is within the federal and state attainment standards for carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), lead, and fine particulates (PM<sub>2.5</sub>), and within the federal attainment standards for ozone (O<sub>3</sub>) and respirable particulates (PM<sub>10</sub>). The AQMP plans for attainment of the State zone standard. The Association of Monterey Bay Area Governments (AMBAG) tracks the region's population growth, housing, and employment out to the year 2040. The model AMBAG chose to utilize is employment-driven. The forecast projects that the region's population will grow by approximately 120,600 people between 2015 and 2040, for a total population of 883,300 in 2040. That averages to 4,800 residents added per year. 57% of the growth for the region (Monterey, Santa Cruz and San Benito Counties) is expected to be specific to Monterey County.

#### 3(a), (b), and (e). Conclusion: No Impact.

The proposed project includes replacement of a single-family dwelling on the same lot, which would not result in a population increase not already accounted for in the 2018 *Regional Growth Forecast*. The rest of the proposed project, lot adjustment and the construction of a carport on a second existing single family dwelling, will not result in a population increase.

The proposed project would include the temporary use of large vehicles and construction

equipment through the duration of the demolition and construction of the replacement structure on Lot A as well as the partial demolition associated with the remodeling and construction of the carport on Lot B. Emissions from these sources have been accounted for in the AQMP, therefore the proposed project has no conflict or obstruction of the AQMP. Dust and runoff would be controlled using Best Management Practices (BMPs). The construction of the proposed project could produce temporary odors during construction. The long-term residential use would not result in activities that produce sustaining objectionable odors that would affect a substantial number of people.

**3(c) and (d). Conclusion: Less Than Significant Impact.**

Projects resulting in a substantial increase in particulates PM<sub>10</sub> emissions would cause a significant impact to air quality in the region, because the NCCAB has nonattainment status of state standards for Ozone (O<sub>3</sub>) and respirable particulates (PM<sub>10</sub>) (Source 9). Implementation of the project would result in temporary impacts resulting from construction and grading activities caused by dust generation and fuel combustion of construction vehicles (major sources of primary PM<sub>10</sub>). In addition, the O<sub>3</sub> precursors nitrogen oxide (NO<sub>x</sub>) and reactive organic gases (ROG) emitted into the atmosphere would temporarily increase.

Earth disturbance is limited to grading and excavation needed to accommodate the structural footprint of the dwelling (120 cubic yards of cut, 40 cubic yards of fill, and the remaining 80 cubic yards exported offsite). The proposed earth movement is well below the 2.2 acres of disturbance threshold established by the CEQA Air Quality Guidelines (Source 8). This analysis is based on the assumption of the worst-case-scenario where all soils associated with a 2.2-acre grading project would be hauled offsite. The preliminary Construction Management Plan (Sheet G1.1, Source 1) states that grading activities would be limited to dry periods, and follow California Stormwater Quality Association (CASQA) BMPs. The project has been reviewed by RMA-Environmental Services (RMA-ES). In accordance with the regulations contained in Monterey County Code Chapter 16.12, a condition of approval has been incorporated requiring stabilization of disturbed areas and implementation of temporary erosion and sediment control measures to the satisfaction of RMA-ES.

The proposed project includes demolition of the residence that was built in 1920 or 1921, an era where lead paint and asbestos were found in building materials. The Phase 1 Historic Assessment (LIB180326, Anthony Kirk, Source 10) found that the dwelling was altered since its initial construction by additions made in 1955 that included an attached one-car garage and habitable space. It also describes the construction materials as largely wood and stone. In accordance with MBARD Rule 439, a standard condition of approval has been incorporated with the project requiring the applicant to obtain any necessary permits from the Monterey Bay Air Resources District (MBARD) and implementation of best management practices during demolition.

Demolition/construction-related air quality impacts would be controlled by implementing the above-mentioned conditions. Therefore, implementation of the proposed project would result in less than significant impacts to air quality caused by pollutants currently in nonattainment for NCCAB and construction-related activities. Air pollutants would increase temporarily and return to base-line conditions after project completion. Therefore, impacts due to exposure of sensitive receptors to pollutant concentrations would be less than significant.



#### 4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 6, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 6)	<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? (Source: 1, 3, 4, 5, & 6)	<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? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See previous Sections II. B. Project Description, II.C. Environmental Setting, and IV.A Environmental Factors Potentially Affected, as well as the sources referenced.

## 5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Source: 1, 6, 10, & 19)	<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: 1, 6, 13, 14, 15, & 19)	<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? (Source: 1, 6, 13, 14, 15, 17, 18, 19)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

The subject property is located in Carmel Point, an area well known to be inhabited by the aboriginal peoples of the area for thousands of years. The Carmel Area Land Use Plan (LUP) cites that “[T]he Carmel area experienced intensive prehistoric use.” These aboriginal people, referred to as “Costanoans” in the LUP, lived a semi-sedimentary life with semi-temporary village sites that moved depending on seasons and food availability. One constant is that occupation sites have almost always been found near bodies of water, such as streams, rivers, and the Pacific Ocean. This is consistent with what is found on the Point. Historical data shows that the first known village site dates back approximately 9,000 years ago. The project site is located approximately 2,900 feet from the closest portion of the beach/Pacific, and approximately 4,000 feet from the Carmel River.

In November 2018, a cultural resources auger testing was prepared for the project site concluded that there is no surface evidence of potentially significant archaeological resources (LIB180401 Morley, S., RPA Source 13). An archaeological study was prepared April 26, 2001 for the parcel that will be Lot B of the project site, APN 009-451-013, that excavated a single test unit and found some evidence of potentially significant archaeological resources (LIB180383, Breschini, G., Archaeological Consulting, Source 14). The demolition and subsequent construction would occur in an area that had been disturbed by previous site alterations associated with the existing residence. Site disturbance in the form of excavation is required to prepare the foundation is modest. The potential for inadvertent impacts to cultural resources is limited and will be controlled by application of the County’s standard project condition which requires work to stop if previously unidentified resources are discovered during construction. Despite a negative finding in the report associated with this proposed project, the physical setting of the cultural resources, finding of previous reports (Source 14, 15) and tribal cultural resources discussed in Section VI.17 of this Initial Study are sufficient basis to opt for mitigation of any potential archaeological impact. A tribal representative would be onsite during grading activities.

**5(a). Conclusion: No Impact.**

Due to the age of the single-family dwelling (built in 1920-21), submittal of a Phase 1 Historic Assessment was required as part of the application to address any impact to a potentially historical resource. This report, prepared by Anthony Kirk, dated March 14, 2018 (LIB180326, Source 10) concludes that the existing single-family dwelling does not rise to the level of architectural distinction necessary to qualify for listing in the National Register, California Register or the Monterey County Register of Historic Resources at any level of significance because no architect of note has been identified with the property and the design of the residence cannot be considered to be significant, historically or architecturally. Therefore, the project would have no impacts to historical resources.

**5(b) and (c). Conclusion: Less Than Significant with Mitigation Incorporated**

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 based on County GIS maps and a 2001 archaeological report on the parcel containing Lot B showed a single previously-disturbed midden, which now pertains to Tribal Cultural Resources (Source 20). The 2018 preliminary cultural resources survey (Source 13) on Lot A noted that the project parcels are located in the neighborhood of three known archaeological sites. As a result, the recommendation of the report was for an archaeologist to be notified and invited to the preconstruction meeting to be apprised of the scope of work and the methods for the construction, and for the same archaeologist to be present to monitor ground disturbing activities. Based on the interpretation of the policies in the Carmel LUP and provisions in CEQA with respect to development on sites likely to contain unique archaeological resources, mitigation measures and recommendations made in the archeological report has been incorporated for the development of the residence (Sources 3, 13, and 20).

**Mitigation Measure No. 1: Onsite Archaeological Monitor.**

In order to reduce potential impacts to cultural resources that may be discovered during development of the site, a qualified archaeological monitor shall be present during demolition that involves soil disturbance and during foundation excavation. If at any time, potentially significant archaeological resources or intact features are discovered, the monitor shall temporarily halt work until the find can be evaluated by the archaeological monitor. If the find is determined to be significant, work shall remain halted until a plan of action has been formulated, with the concurrence of the RMA-Planning, and implemented. In order to facilitate data recovery of smaller midden components, such as beads or lithic debitage, the excavated soil from the project site shall be screened during monitoring.

**Mitigation Measure Monitoring Action No. 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 No. 1. The owner/applicant shall submit said plans to RMA-Planning for review and approval.

**Mitigation Measure Monitoring Action No. 1b:** Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to RMA-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include a preconstruction meeting agenda with specific construction activities that the

monitor shall be present for, any construction activities where the archaeological monitor will not be present for, 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 preconstruction meeting agenda information shall include the scope of work and the methods for the demolition and construction of the residence on Lot A and the carport on Lot B. The contract shall include provisions requiring the monitor be present during demolition that involves soil disturbance and during foundation 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 RMA-Planning for review and approval. Should RMA-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.

**Mitigation Measure Monitoring Action No. 1c:** If archaeological resources are unexpectedly discovered during construction, work shall be halted on the parcel until the find can be evaluated and appropriate mitigation measures are formulated and implemented. Data recovery shall be implemented during the construction and excavation monitoring. If intact cultural features are exposed, they shall be screened for data recovery using the appropriate method for site and soil conditions. The owner/applicant shall allow the onsite Tribal Monitor (see **Mitigation Measure No. 2**) an opportunity to make recommendations for the disposition of potentially significant cultural materials found.

**Mitigation Measure Monitoring Action No. 1d:** 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 RMA-Planning and the Northwest Regional Information Center at Sonoma State University.

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? (Source: 1, 3, 4, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: 1, 3, 4, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See previous Sections II.A. Project Description, II.B. Environmental Setting, and IV.A Environmental Factors Potentially Affected, Evidence IV.6, as well as the sources referenced.

## 7. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 6) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 3, 6, 11, & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 6, 11, & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: 6, 11, & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 6, 11, 12)	<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: 6, 11, & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? (Source: 11, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? (Source: 1, 11, & 12)	<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: 1, 11, 13, 14, & 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

The overview of geological hazards contained in Section 2.7.1 of the LUP states that the “Carmel  
*Haley and McGourty Initial Study*  
 PLN180434

coast, like many other areas in California, is located in an area of high seismic activity.” General Policy 2.7.3.1 of the LUP requires all development to be sited and designed to minimize risk from geologic hazards. The LUP Seismic Hazards Map, County GIS indicate that the subject property is located within 1/8<sup>th</sup> of a mile of a known fault. The project is located approximately 220 feet southwest of the Cypress Point Fault. The applicant prepared a technical geological report in conjunction with this project. The June 2018 report (LIB180362, Landset Engineers, Inc., Source 11) found the potential for surface rupture to occur on the site to be low. The report also found liquefaction potential and landslide potential to be low.

County GIS indicates that the site is located in a moderate erosion hazard area. The technical geological report noted that the site soils are erodible when disturbed, and recommended incorporation of Low Impact Development (LID) drainage improvements in the project Stormwater plan. The report recommends over-excavation by approximately two feet below the building area, then scarification and re-compaction to 90 percent of maximum dry density. See conclusion 6(b) below.

**6(a.i), (a.ii), (a.iii), (a.iv), (c), (d), (e) and (f). Conclusion: No Impact.**

Data contained in the Monterey County GIS (Source 6) indicates that the subject property is not located within an Alquist-Priolo Quake Zone or in proximity to an identified fault within an earthquake fault zone, that the seismic hazard zone of the property is Class II. Both landslide and liquefaction risks are determined to be low. Therefore, the project would have no impact related to exposing people or structures to rupture of an earthquake fault and hazards caused by landslide or liquefaction. New construction would not include septic tank or alternative wastewater disposal system installation. Wastewater service for the subject property is provided by Carmel Area Wastewater District (CAWD). Therefore, there would be no impact caused by soils supporting an onsite wastewater system.

**6(b). Conclusion: Less Than Significant Impact**

The soils report (Source 11) identified subsurface conditions consisting of 4 to 5 feet of loose to medium dense silty sand topsoil. In response to these conditions, the soils engineer recommended the top 2 feet of soil underlying the building areas be subexcavated down to firm native soil and replaced with engineered and compacted fill prior to foundation construction. In addition, it was recommended that an erosion control plan prepared by a registered civil engineer be included in the project design. In accordance with Monterey County Code Chapter 16.12, the project would require submittal, review, and approval of an erosion control plan. Based on the requirement of Chapter 16 and the recommendations of the soils engineer, the project would not result in significant soil erosion because the scope of the project is minor, and Best Management Practices are integrated into the preliminary grading plan and will be carried forward with the final construction plans.

8. GREENHOUSE GAS EMISSIONS		Less Than Significant		
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				



- 
- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1, 8, 9)      ☐      ☐      ☒      ☐
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1, 8, 9)      ☐      ☐      ☐      ☒

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

According to the United States Environmental Protection Agency (EPA), greenhouse gases (GHG) are emitted by natural processes and human activities such as electricity production, motor vehicle use, and agricultural uses. These gases trap heat in the atmosphere and the elevation of GHGs has led to a trend of unnatural warming of the earth's climate, otherwise known as the "greenhouse effect." Prominent GHGs are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), ozone (O<sub>3</sub>), water vapor, nitrous oxide (N<sub>2</sub>O), and chlorofluorocarbons (CFCs). Emissions of these GHGs in excess of natural ambient concentrations by humans are the root cause of the greenhouse effect, or "climate change." In an effort to reduce the statewide level of GHG emissions, the State Legislature adopted California Assembly Bill 32 (AB 32) California Global Warming Solutions Act of 2006. With this statewide program to achieve reductions in GHG emissions through market mechanisms and regulations, California has planned a lowered contribution to global climate change.

The 2012-2015 and the 2008 Air Quality Management Plan (AQMP) for the Monterey Bay Region (Source 9) address attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring site in Carmel Valley has given no indication during project review that implementation of proposal for a replacement single-family residence and addition of a carport on an existing residence would cause significant impacts to air quality or GHGs. (Source 1, 8, & 9)

### **7(a). Less Than Significant Impact.**

The proposed project includes the demolition of an existing single-family dwelling and construction of a replacement single-family dwelling and construction of a carport on an existing single-family dwelling. Temporary construction activities of the proposed project would be the main contributor to GHG emissions. However, quantifying project emissions at this time would be too speculative. Therefore, in lieu of State guidance or locally adopted thresholds, a primarily qualitative approach was used to evaluate possible impacts from the proposed project. The operational use of the single-family dwelling and carport would result in no change to the GHGs of the surrounding area.

Ambient ozone levels depend largely on the number of precursors, such as nitrogen oxide (NO<sub>x</sub>) and reactive organic gases (ROG), emitted into the atmosphere. Implementation of the Project

would result in temporary impacts resulting from construction and grading activities that require fuel combustion of construction vehicles, a primary source of NO<sub>x</sub> and ROG emittance. The typical construction equipment that would be used for the proposed project do emit NO<sub>x</sub> and ROG, but such equipment use has been accommodated within the AQMP. Therefore, implementation of the proposed project would not cross the threshold of significance of 82 pounds per day of GHG precursors and these precursor emissions would have a less than significant impact on GHGs (Source: 1, 8, & 9).

**7(b). No Impact.**

As described above, the project's temporary construction and permanent use emissions are below the applicable GHG significance thresholds established by CARB, and the MBUAPCD has no established GHG thresholds. The project would not conflict with any local or state GHG plans or goals. Therefore, the project would not result in impacts (Source: 1, 8, & 9).

9. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? (Source: 1, 6)	<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: 1, 6, and 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 6)	<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: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The proposed project includes the demolition of an existing single-family dwelling and construction of a replacement single-family dwelling and construction of a carport on an existing single-family dwelling within a residentially zoned site, surrounded by residential uses. Due to the nature of the project, hazards and hazardous materials would not be typically found during the operational use of the project. However, demolition could have the potential to temporarily expose the immediate area to lead-based paint and asbestos. The Geological Report made on the Lot A area of the parcel in October, 2000 noted the site is on a layer of coastal terrace deposits which are underlain by olivine basalt to mafic andesitic flows and flow-breccias (Source 13, pg. 3). There should not be occasion for naturally-occurring asbestos from serpentinite or ultramafic rocks to be pulverized in the demolition, construction or operation of the project. The project site is just over a quarter-mile west of the Carmel River Elementary School (0.28 mile measured in County GIS).

**8(a), (c), (d), (e), (f), (g), and (h). Conclusion: No Impact.**

The proposed use does not include routine transport or disposal of hazardous materials, produce hazardous emissions, nor is it located on a hazardous materials site per the State Cortese List (Source 25). In addition, the subject property is not located in proximity of an airport or private airstrip. The project site is located within an area that is considered a built-out residential neighborhood, and operational use would not typically involve the use of hazardous materials or create hazards. The project would not conflict with the Multi-Jurisdictional Hazard Mitigation Plan adopted by Monterey County. Therefore, implementation of the project would have no impact on the environment based on these hazards. Implementation of the project would not result in the accidental release of hazardous materials into the environment or emit hazardous emissions, materials, substances, within .25 miles of a school. The nearest schools are Junipero Serra School, which is approximately 0.5 mile northeast from the proposed project site, and Carmel River Elementary School, which is 0.28 mile east.

**8(b). Conclusion: Less Than Significant Impact.**

The existing single-family residence is estimated to have been built in 1920-21 (Source: 10, pg 1). Although the primary materials are wood and stone, it was built during a time when construction materials typically contained asbestos and lead paint. The residence has been the subject of an addition and subject to relevant renovation standards of the time but it is unknown if any hazardous materials were removed. Implementation of the project could have the potential to create a temporary impact during demolition. To address this impact, the project has been conditioned to incorporate work-practice standards in accordance with Monterey Bay Air Resources District Rule 439. Compliance with these standards would ensure that any hazardous materials do not become airborne during demolition activities. Therefore, the project as conditioned, would have a less than significant impact to the environment due to potential release of hazardous materials.

---

**10. HYDROLOGY AND WATER QUALITY**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (Source: 1, 2, and 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: 1, 2, and 6)	<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: 1, 11)	<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: 1, 6, & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 6, & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: 1, 6)	<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: 1, 4, 6 & 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The proposed project includes the demolition of an existing single-family dwelling and construction of a replacement single-family dwelling and construction of a carport on an existing single-family dwelling within a residentially zoned site. Due to this continuation of residential use of the property, water quality and waste discharge from the two residences will remain within normal parameters. The proposed project does not involve alteration of surface water, ground water, or new positioning of a dwelling into a floodplain. The application includes an assignment of Malpas Water Company

Water Entitlement sufficient to supply the small increase in water use by the new residence on Lot A (Source 1). The proposed project would not require a SWPPP because the project consists of a replacement single-family residence with a modest increase in footprint coupled with a modest increase in permeable surfaces on the 0.215-acre Lot A, and the construction of a carport with a modest increase in footprint and permeable surfaces on the 0.197-acre Lot B. The project includes Best Management Practices (BMPs) to control storm-water runoff or erosion during the construction phase of the project.

**9(a), (b), (c.ii), (c.iii), (d), and (e). Conclusion: No Impact.**

The proposed project includes the replacement of a single-family dwelling and the construction of a carport. The proposed project would not violate any water quality standards or waste discharge requirements nor substantially alter the existing drainage pattern of the site or area. County GIS data show the proposed project is not located within a 100-year floodplain and would not impede or redirect flood flows. There are no public storm water facilities that would service the project sites, potentially creating issues related to runoff. The new residence on Lot A would be connected to the public sewer service (Carmel Area Wastewater District). Potable water would be provided by California American Water (Cal-Am) company, which supplies water from the Carmel Valley Alluvial Groundwater Basin. This Carmel River System is ranked as high priority by the California Department of Water Resources. Monterey Peninsula Water Management District (MPWMD) allocates and manages available water supplies to the region, including those of Cal-Am. MPWMD Resolution No. 2019-12 modifies District Rule 160 to reflect projected quantity of production available to Cal-Am for diversion from the Carmel River and Seaside Groundwater Basins for Water year 2020. The modification reflects diversion of no more than 8,310 acre feet from the Carmel River system sources, specifically (Source 23). The applicant has provided RMA-Planning with proof of purchase of additional water credits from the Malpaso Water Company. Malpaso water comes with historic water rights and is exempt from the state's cease and desist order that requires Cal-Am Water to reduce pumping from the Carmel River. The applicant's purchase of 0.25 acre feet of water to serve the project's additional 10.6 count of fixtures on Lot A is expected to be authorized by MPWMD, and does not conflict with the sustainable water plan of the area. Although the Salinas Valley Basin Groundwater Sustainability Agency was formed in 2017, the agency has not adopted the Groundwater Sustainability Plan at the time of this Initial Study. (Source: 1, 6, and 23)

**9(c.i). Conclusion: Less Than Significant Impact.**

The proposed project includes the demolition of an existing single-family dwelling and the grading of roughly half of Lot A for construction of a new, larger residence and a new driveway. The proposed project is in an area that County GIS identifies as moderate erosion hazard. The Soil Engineering Investigation for the Haley Residence Additions classified the site topsoil as silty sand and noted that the site soils are erodible when disturbed (LIB180362, Landset Engineers, Inc., Source 12, pg.7). To reduce potential erosion impacts, the project will be conditioned to meet the County's erosion control standards.

<b>11. LAND USE AND PLANNING</b>				
<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? (Source: 1, 2, 3, 4, & 6)	<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? (Source: 1, 2, 3, 4, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation: No impact.**

See previous Sections II.B. Project Description, II.C Environmental Setting and IV.A. Environmental Factors Potentially Affected, as well as the sources referenced.

<b>12. MINERAL RESOURCES</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1, 2, 3, 4, & 12)	<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? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See previous Sections II.B. Project Description, II.C Environmental Setting and IV.A. Environmental Factors Potentially Affected, as well as the sources referenced.

13. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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: 1, 2, 6 & 25)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels? (Source: 1, 2, 3, 4, 5, 6, & 25)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 2, 3, 4, 5, 6 & 25)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The subject property is located within a medium density residential area where there are sensitive noise receptors established. Project components include demolition and construction of a single-family dwelling and construction of a carport on an existing dwelling within an established residential neighborhood. There would be potential for temporary noise impacts associated with construction activities. The 1982 General Plan and Monterey County Code Chapter 10.60 (Noise Control, Source 25) establish noise levels in the unincorporated County areas. The work hours of the project are proposed to be 8 a.m. to 6 p.m. on weekdays and the same hours on occasional Saturdays, excluding national holidays, over a period of eighteen months to two years (Source 1). Although operational components of the project, once completed, would have no impact on existing noise levels in the area, there would be temporary noise impacts during construction.

**13(a). Conclusion: Less than Significant Impact.**

Noise generated during demolition and construction of the single-family dwelling on Lot A and the construction of a carport on Lot B would likely cause temporary increase in noise levels, these activities would not typically exceed the unsafe noise threshold established by the Noise Hazards section of the 1982 Monterey County General Plan or Chapter 10.60, Noise Control, of the Monterey County Code. The preliminary Construction Management Plan (CMP) proposes to limit construction to 8 a.m. to 6 p.m. on weekdays and the same hours on occasional Saturdays, excluding national holidays, over a period of eighteen months to two years. With the implementation of both the preliminary CMP and the Construction Management notes and illustration on Sheet C3 of the project plans, temporary impacts to noise levels caused by the proposed construction activities would have a less than significant impact on the environment. (Source 1)

**13(b) and (c) Conclusion: No Impact.**

The operational component of the Proposed project would not result in the change of use of the existing single-family dwellings. Therefore, implementation would not expose people to noise levels that exceed Monterey County standards and would not substantially, and/or permanently, increase ambient noise levels. County GIS data and staff's site visit observations (Source 6), confirm that the subject property is not within an area subject to an airport land use plan, within 2 miles of an airport, or within the vicinity of a private airstrip. Therefore, the proposed project would not expose people residing or working in the area excessive noise levels associated with airports.



<b>14. POPULATION AND HOUSING</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1, 2, 3, 4, & 5)	<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)? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See previous Sections II.B. Project Description, II.C Environmental Setting and IV.A. Environmental Factors Potentially Affected, as well as the sources referenced.

<b>15. PUBLIC SERVICES</b>				
<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? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See previous Sections II.B. Project Description, II.C Environmental Setting and IV.A. Environmental Factors Potentially Affected, as well as the sources referenced.

---

**16. RECREATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1, 2, 3, 4, & 5)	<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? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See previous Sections II.B. Project Description, II.C Environmental Setting and IV.A. Environmental Factors Potentially Affected, as well as the sources referenced.

---

**17. TRANSPORTATION/TRAFFIC**

	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: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Source: 1, 2, 3, 4, 5, & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access? (Source: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The proposed project includes the demolition of an existing single-family dwelling and construction of a replacement single-family dwelling and construction of a carport on an existing single-family dwelling within a residentially zoned site, surrounded by residential uses. The proposed project is designed to decrease potential traffic hazards by creating independent entry for the vehicles of two single-family residences where they previously shared a common ungated egress. The new driveway

on Lot B, equipped with a gate opening out into the right-of-way but several feet back from the pavement of the street, adds parking access and increases off-street parking. (The proposed project will have to secure an encroachment permit as part of the process for this improvement in the Monterey County right-of-way.) The project is not located in the vicinity of an airport and would not result in a change in air traffic. The project would not change public bus routes or alter bus shelters. Implementation of the operational component of the project would not result in generation of high-volume, long-term traffic trips. There would be additional trips to and from the site during construction, but the trips are limited to a small team of employees within a limited time frame (18 to 24 months). Construction, however, would result in a temporary increase of traffic on roadways in proximity of the subject property.

**16(a). Conclusion: Less Than Significant Impact.**

Temporary construction impacts would have the potential to conflict with the effectiveness for performance of the circulation system. The total acreage of the properties is approximately 0.41 acres, demolition and construction will occur on approximately 2/5ths of it. The preliminary Construction Management Plan (CMP) indicates that construction will last two years, with the movement of trucks removing 80 yards of cut materials during non-high traffic hours, and trucks delivering construction materials in phases as needed. The (Source 1). Implementation of the preliminary CMP and the Construction Management notes and illustrations as described in Sheets C3 (Source 1) would address temporary traffic impacts from construction activities and reduce those impacts to a less than significant level.

**16 (b), (c), and (d). Conclusion: No Impact.**

The proposed project does not include the use of aircraft or establishment of structures with heights or exterior lighting that would not result in a change in air traffic patterns. There are no needed improvements along Isabella Avenue or other streets in the neighborhood as the result of this project. There would not be a substantial increase of hazards due to a design failure or result in inadequate emergency access or parking capacity. The operation of the proposed project will increase off-street parking for the properties. The operation of the proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation. Neither the replacement single-family dwelling nor the carport would introduce new traffic to existing local or regional roadways. Therefore, and in accordance with regulations established by the Transportation Agency for Monterey County, the project is not required to pay their fair share portion for regional traffic impacts through the Regional Development Impact Fee.

18. TRIBAL CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code (PRC) section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k); or (Source: 1, 6, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Source: 1, 6, 17, 18, & 19)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The subject parcel is located in the aboriginal territory of the Ohlone/Costanoan-Esselen Nation (OCEN) and the Esselen Tribe. Pursuant to Assembly Bill 52 or “AB 52”, tribal consultations took place in October 2019, regarding the proposed project. The outcome of the consultation with OCEN on October 8<sup>th</sup> was a recommendation to have a Native American Monitor from OCEN, approved by the OCEN Tribal Council, to be present onsite during any ground disturbance for the project. Although there is no listed or observed historical resource, there is evidence that significant tribal cultural resources may exist for OCEN. The outcome of the consultation with the Esselen Tribe on October 17<sup>th</sup> was a recommendation to have a Native American Monitor to be present onsite during any ground disturbance for the project. Although there is no listed or observed historical resource, the Archaeological Officer of the Esselen Tribe concurred with the Cultural Resources Auger Testing of the site that recommended a Native American Monitor be retained when the archaeological monitoring program begins, due to the possibility that human burials could be impacted during construction grading because of the location of the project on Carmel Point.

**18(ai), Conclusion: No Impact.**

A Historical Report by Anthony Kirk, PhD, (Source 10) was prepared and submitted with the application that evaluated the structure for architectural and historical significance under the criteria of the National Register of Historic Places, the California Register of Historic Resources, and the Monterey County Local Register of Historic Resources. Dr. Kirk concluded that neither the property nor the existing residential development of the site meet the criteria of the above registers and does not comprise a historical resource as defined by CEQA. Therefore, the project would result in no impact to historic buildings or setting.

**18, (a.ii). Conclusion: Less Than Significant with Mitigation Incorporated.**

The proposed project will involve ground disturbance consisting of demolition of the existing dwelling, slab foundation, and hardscapes, followed by grading for the replacement residential dwelling. Though the project site is located within an area noted for potentially rich archaeological resources, the archaeological study performed on site for the project was “negative” in that no cultural or archaeological artifacts were observed. An archaeological survey prepared for the Lot B site on October 30, 2000 (LIB180383, Breschini, G., Source 14) stated that the reconnaissance was positive with a probably previously disturbed midden observed. The development of the project associated with that report did not uncover any additional cultural or archaeological artifacts. The project site is approximately 375 feet from the nearest state archaeological site, CA-MNT-1286. RMA-Planning consulted with an Ohlone Costanoan Esselen Nation (OCEN) representative on September 10, 2019. Ms. Miranda Ramirez stated that OCEN request consultation with the lead agency, that mitigation measures reflect the request for an OCEN Tribal Monitor, reburial of any ancestral remains, burial artifacts, placement/return of all cultural items to OCEN and that a Native American Monitor of OCEN, approved by the OCEN Tribal Council, is used within their territory. (Source 17) The author of this Initial Study spoke in consultation with an Esselen Tribal representative on October 17, 2019. Therefore, a mitigation measure has been included with the project that requires a tribal monitor on the site during site disturbance activities. (Source 18) Therefore, a mitigation measure has been included with the project that requires a tribal monitor on the site during site disturbance activities.

**Mitigation Measure No. 2:** 1) In order to prevent adverse impacts to potential cultural resources, a

qualified tribal monitor shall be present during demolition that involves soil disturbance and during foundation excavation. 2) The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. 3) If human remains are identified, work shall be halted to within a safe working distance, the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. 4) If potentially significant, archaeological resources are discovered, work shall be halted in the area of the find until it can be evaluated. 5) If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. 6) If intact, significant features should be encountered, the tribal monitor in conjunction with an archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, and/or caches of stone tools. If a feature is an artifact that cannot be moved, it must be documented *in situ*. 7) In the case of *in situ* documentation of an artifact, the applicant shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. 8) A monitoring report shall be produced by the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource.

**Monitoring Action No. 2a.:** Prior to issuance of a construction permit, the applicant shall provide a copy of the contractual agreement with a qualified tribal representative to RMA-Planning for review and approval. If additional measures are determined to be required to minimize impacts, they shall be formulated by the tribal monitor and a qualified archaeologist, reviewed and approved by the RMA-Planning Department, and implemented by the tribal monitor and a monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

**Mitigation Monitoring Action No. 2b:** During earth disturbance activities, the OCEN-approved Native American Tribal Monitor shall be onsite observing the work, consistent with the approved contract discussed in Mitigation Measure No. 1. Prior to final of construction permits for grading or building, the owner/applicant shall submit a letter for the Native American Tribal Monitor verifying all work was done consistent with the contract to RMA-Planning.

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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: 1, 2, 3, 4, & 5)	<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: 1, 2, 3, 4, 5, & 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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: 1, 2, 3, 4, & 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See previous Sections II.B. Project Description, II.C Environmental Setting and IV.A. Environmental Factors Potentially Affected, VI.10, Hydrology and Water Quality, as well as the sources referenced.

20.	WILDFIRE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: 1, 3, 4 & 16)		<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? (Source: 1, 3, 4 & 16)		<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? (Source: 1, 3, 4, & 16)		<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? (Source: 1, 3, 4, & 16)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See previous Sections II.B. Project Description, II.C Environmental Setting and IV.A. Environmental Factors Potentially Affected, as well as the sources referenced.



## VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

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? (Source: 1, 6, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source: 1, 6, 8, & 9) ("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)? (Source: 1, 6, 8, & 9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 6, 8, 9, 10, 11, 12, 13, 14, 16, 17, & 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

**(a) Conclusion: No Impact.** The proposed project is located within a built-out residential neighborhood characterized by small lots. There are no streams located within the neighborhood, the neighborhood is not a migratory route for wildlife. The project would not 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, or restrict the range of a rare or endangered plant or animal. There would be no impacts to Biological Resources. The proposed project would not result in impacts to Agriculture and Forest Resources, Hydrology and Water Quality, and Mineral Resources, and have less than significant impacts on Geology and Soils. (Source: 1, 2, 3, 4, 5, & 6)

**(c) Less than Significant.**

The project would have the potential to result in less than significant impacts to Air Quality, Greenhouse Gas Emissions, Soils and Geology, Water Quality and Hydrology, Hazards and Hazardous Materials, and Noise. Operation of vehicles during construction activities may generate airborne odors (e.g., diesel exhaust); however, such emissions would be localized to the immediate area under construction and the duration of activity will be confined. The construction equipment is the main source of precursors to GHGs and air pollutants. When implemented, the Preliminary Construction Management Plan would control equipment overuse and limit the hours of demolition and construction activities. In this way, pollutant emissions resulting from equipment used during construction would not exceed significance thresholds established by the CARB for GHG. Operative use of the project would not create significant air emissions beyond those associated with the current residential uses established on the property. Construction-related noise or vibration impacts would be minimized by the limited project scope. The cultural resources analysis (see Section VI.5 above) indicates that the site does not contain significant archaeological or historical resources, and would not eliminate important examples of the major periods of California history or prehistory. Mitigation actions would protect any possible cultural resources that would be accidentally uncovered during ground disturbance. (Source: 1, 2, 3, 4, 5, 6, 8, 9, & 19)

**(b). Conclusion: Less Than Significant with Mitigation Incorporated.**

This Initial Study has identified mitigation measures to be incorporated to reduce impacts to Tribal Cultural Resources to a less than significant level. Projects being proposed within the vicinity of this property are similarly proposed (e.g. development within 750-feet of a known archaeological resource) (Source 22); however, they include excavation of basements.

"Cumulatively considerable" is defined such that 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. This proposed project has the incremental effect of topsoil removal to two feet, with an estimated cut of 120 cubic yards. The proposed development does not include construction of a basement. The two feet of topsoil on this site has been disturbed for as long as 100 years, from the first usage as a carriage house with horses in the 1920s to the decades of intensive ornamental tree planting and bush gardening by previous occupants. Thus, the project's potential impacts to Tribal Cultural Resources would not be considered cumulatively significant when compared to nearby projects referenced above.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

## ***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 applicant will be required to pay the fee.

**Evidence:** Based on the record as a whole as embodied in the RMA-Planning files pertaining to PLN180434 and the attached Initial Study / Proposed Mitigated Negative Declaration.

## ***IX. REFERENCES***

1. Project Application/Plans
2. 1982 Monterey County General Plan
3. Carmel Area Land Use Plan
4. Monterey County Coastal Implementation Plan, Part 4 (Carmel CIP)
5. Monterey County Coastal Implementation Plan, Part 1 (Title 20 Zoning Ordinance)
6. Monterey County Geographic Information System (County GIS)
7. California Native Plant Society Inventory, accessed during October and November 2019, <http://www.rareplants.cnps.org>
8. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008
9. The 2012-2015 Air Quality Management Plan (AQMP), including the 1991 AQMP and the 2009-2011 Triennial Plan Revision
10. Phase 1, Historic Assessment, dated March 14, 2018 (Monterey County File No. LIB180326) prepared by Anthony Kirk, PhD, Los Gatos, CA
11. “Soil Engineering Investigation for the Haley Residence Additions”, dated June 2018 (Monterey County File No. LIB180362) prepared by Landset Enginners, Inc., Salinas, CA
12. “Geological Report for 26226 Isabella Avenue Carmel, CA APN009-451-013”, dated October 30, 2000 (Monterey County File No. LIB180384) prepared by CapRock Geology, Inc., Salinas, CA
13. “Cultural Resources Auger Testing of Assessor’s Parcel 009-451-013, Carmel, County of Monterey, California” dated November 2018 (Monterey County File No. LIB180401) prepared by Susan Morley, M.A., RPA, Salinas, CA
14. Archaeological Test Excavation at Assessor’s Parcel 009-451-013 in Carmel, Monterey County, California dated April 26, 2001 (Monterey County File No. LIB180383) prepared by Gary S. Breschini, PhD, Archaeological Consulting, Salinas, CA
15. “Preliminary Archaeological Reconnaissance of Assessor’s Parcel 009-451-013 in Carmel, Monterey County, California,” dated September 20, 2000 (Monterey County File No. LIB180382) prepared by Mary Doane and Trudy Haversat, Archaeological Consulting, Salinas, CA
16. Site Visits conducted by the Project Planner and the author of the Initial Study on November 12, 2019
17. Tribal Consultation Letter dated October 8, 2019 from the Ohlone/Costanoan-Esselen Nation
18. Tribal Consultation Email dated October 17, 2019 from the Esselen Tribe

19. CEQA Statute and Guidelines 2019
20. California AB-52 Native Americans: California Environmental Quality Act 2014.  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB52](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52)
21. Monterey County Subdivision Ordinance, Coastal (Title 19)
22. Monterey County Permit Tracking Database: Accela Automation.
23. Monterey Peninsula Water Management District Resolution No. 2019-12.  
<https://www.mpwmd.net/regulations/resolutions/>
24. California EPA. Cortese List: Section 5962(a).  
[https://www.envirostor.dtsc.ca.gov/public/map/?global\\_id=60002209](https://www.envirostor.dtsc.ca.gov/public/map/?global_id=60002209)
25. Monterey County Health and Safety Ordinance, Noise (Title 10)