

MONTEREY COUNTY

HOUSING AND COMMUNITY DEVELOPMENT

Mike Novo, AICP, Interim Director

HOUSING, PLANNING, BUILDING, ENGINEERING, ENVIRONMENTAL SERVICES

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INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	Knoop Michael & Michelle
File No.:	PLN200047
Project Location:	100 & 120 Country Club Heights Lane, Carmel Valley
Name of Property Owner:	Michael Knoop and Michelle Wright
Name of Applicant:	Jay Auburn C/O Studio Schicketanz
Assessor's Parcel Number(s):	187-021-040-000, 187-021-041-000 (187-021-028-000, and 187-021-013-000)
Acreage of Property:	262.7 acres (does not include driveway easement on APNs 187-021-028-000, and 187-021-013-000)
General Plan Designation:	Residential-Rural Density 5+ac/unit and Permanent Grazing 10-160ac min
Zoning District:	Rural Density Residential, 10 acres per unit with Design Control, Site Plan, and Residential Allocation Districts zoning overlay or "RDR/10-D-S-RAZ" and Permanent Grazing, minimum of 40 acres with a Visual Sensitivity District zoning overlay "PG/40-VS"
Lead Agency:	Monterey County Housing and Community Development – Planning
Prepared By:	Denise Duffy & Associates (DD&A)
Date Prepared:	April 2021
Contact Person:	Jaime Scott Guthrie, AICP, Associate Planner
Phone Number:	831.796.6414

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

Project Description:

The Knoop Residence Project (project or proposed project) consists of a lot line adjustment and a residential development in the northern foothills of Carmel Valley, California within Monterey County Assessor's Parcel Numbers (APNs) 187-021-040-000 and 187-021-041-000 (**Figures 1 and 2**). The project also includes road improvements on adjacent APNs 187-021-028-000 and 187-021-013-000, owned by the Roger and Jane Consani Trust and Insite Towers Development, LLC., respectively. (**Figure 2**). (Source IX: 1, 2)

Figure 1: Project Vicinity

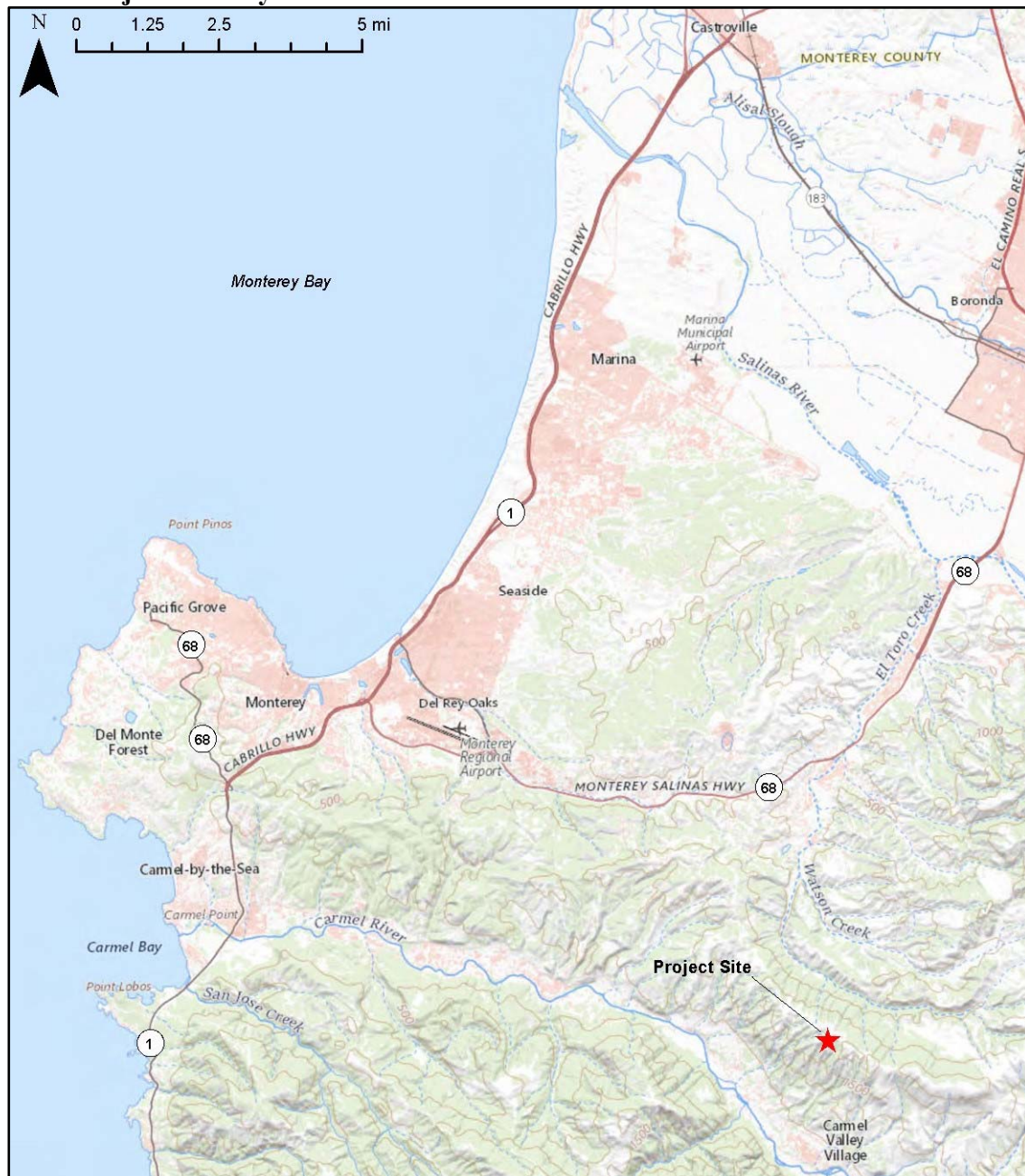
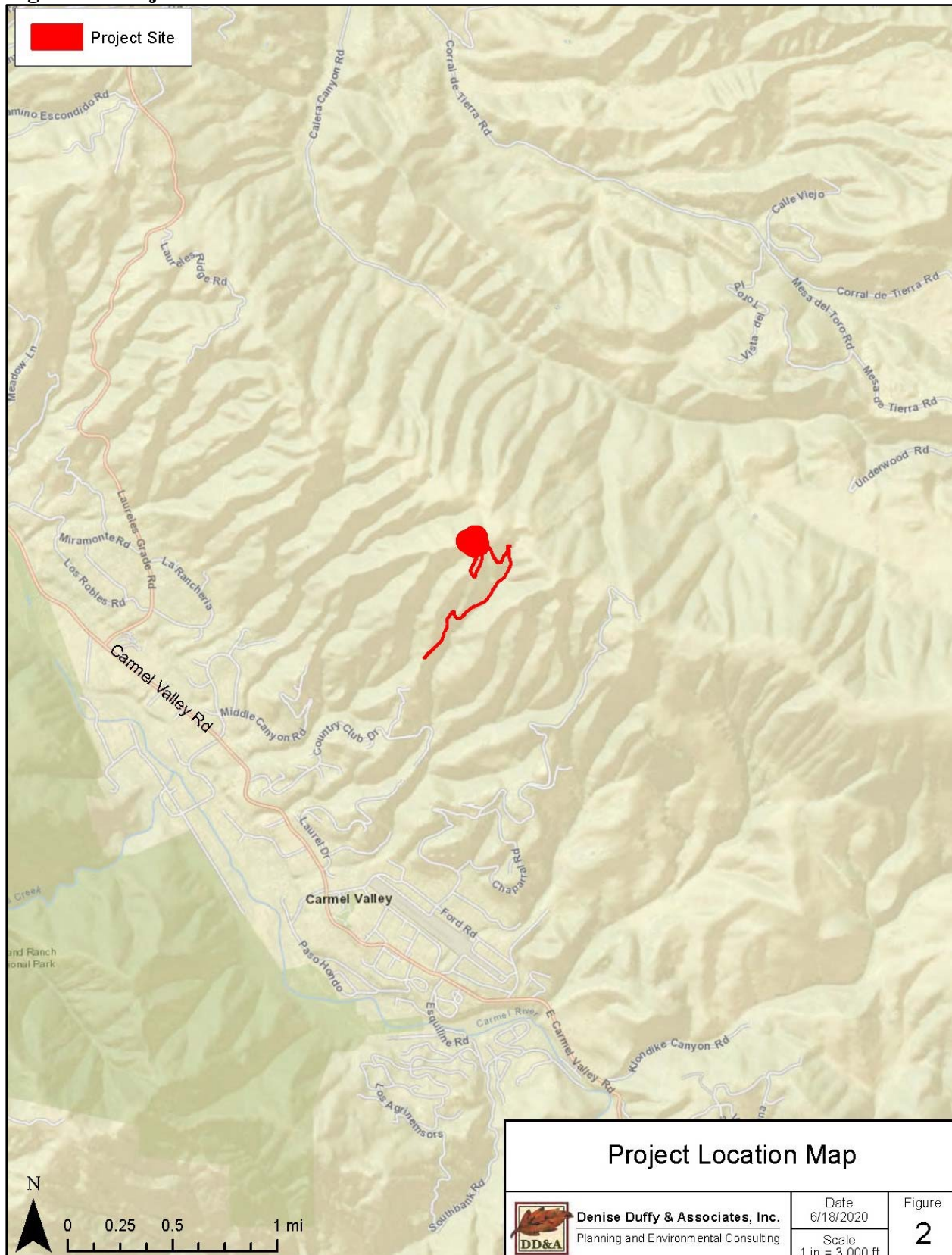


Figure 2: Project Location



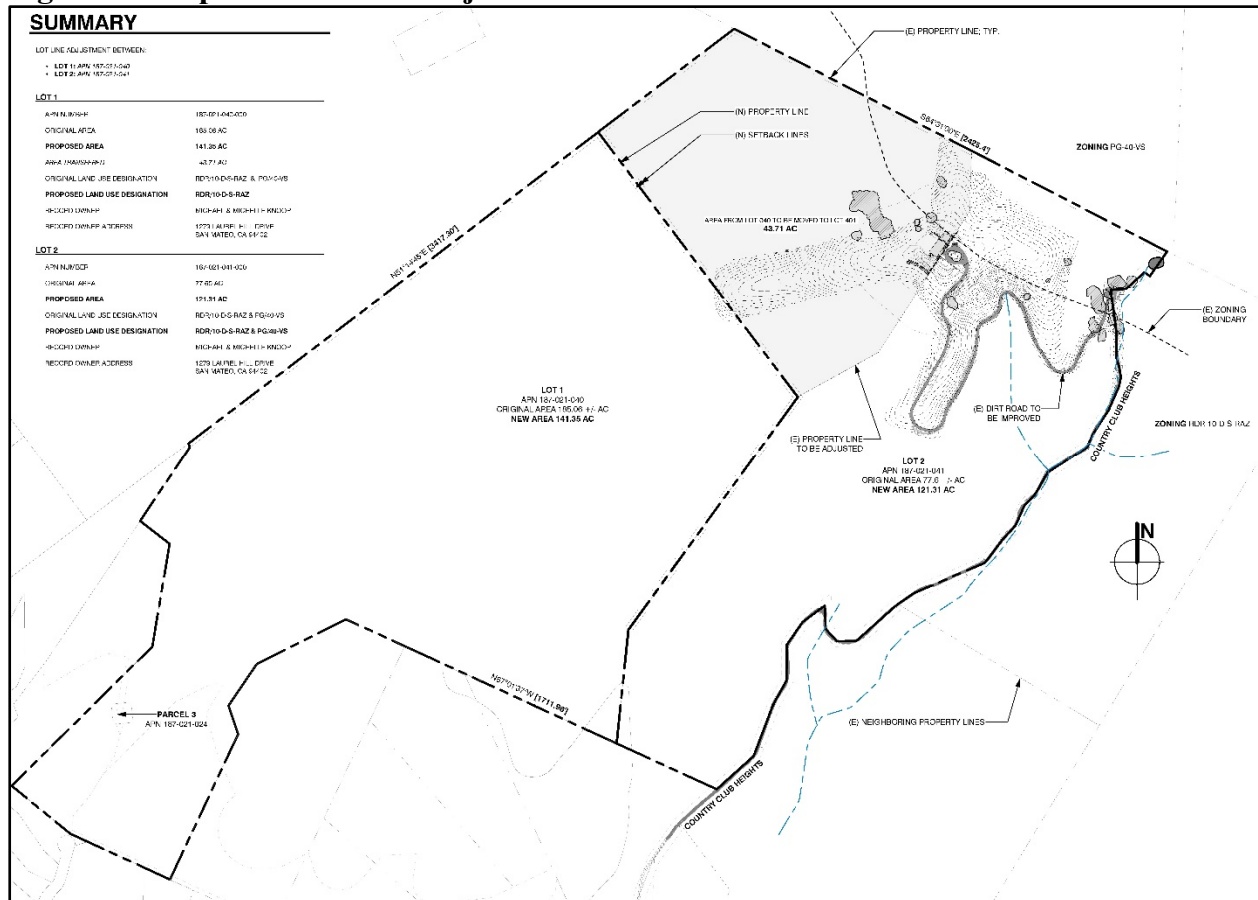
Lot Line Adjustment

The existing lot line between APN 187-021-041-000 and APN 187-021-040-000 bisects the flattest and most suitable development location of the property (**Figure 3**). The lot line adjustment will allow development within APN 187-021-041-000 (where the single family residence is proposed, as described below) outside of the viewshed and affords the best opportunities for integrating the proposed structure into the existing landforms. (*Source IX: 1, 2*) **Table 1** identifies the change in acreage of each parcel.

Table 1. Proposed Change in Parcel Area Due to Lot Line Adjustment

APN	Current Area	Increase/ Decrease	Proposed New Area
187-021-041-000	77.60 ac	+43.71 ac	121.31 ac
187-021-040-000	185.06 ac	-43.71 ac	141.35 ac

Figure 3: Proposed Lot Line Adjustment



Single Family Residence

Construction of the single family residence includes a 3,996 ft² main residence with a 1,490 ft² detached garage and guest suite (guest suite: 560 ft²; garage: 930 ft²), and 2,165 ft² of retaining walls and patios (**Table 2, Figure 4**). The proposed main residence will be situated on the flattest portion of a knoll which generally has a northwest-southeast orientation. The main level will be above grade while the lower level will be built into the hillside below grade (**Figures 5 and 6**). The main level will be 2,786 ft² and will include the living room, dining room, kitchen, a powder room, a laundry room, an office, the master suite, and a stairway to the lower level. The lower level will be 1,210 ft² and will include two bedrooms, a bathroom, a mechanical room, and a stair atrium. (*Source IX: 1*)

The detached guest suite and garage will be located south of the main residence. The guest suite includes a bedroom, bathroom, living space, and closet. The garage will share a wall with the guesthouse and will include a mechanical area, equipment room, and a dedicated trash space.

The structures will be nestled into the site, with the main floor being partially below existing grade, and the lower floor and guest suite/garage being nearly entirely below existing grade. This will allow for natural mounding around the home and a lower profile. Ample space around the perimeter will keep the structure away from descending slopes. Portions of the structures would be buried into the uphill slope to further reduce the profile and visual impacts. A living roof and retention of existing trees on the perimeter of the proposed site would provide adequate screening. Muted earth tones and stone equal to the composition and color of the native rock outcrops found in the vicinity will be utilized to further blend the structures into the environment.

An area west of the main residence has also been sighted to a future pool; however, construction of the pool is not planned at this time.

Table 2. Residence Components

Component	Area (Square Feet)
Two-story, single-family residence	3,996
<i>Main level</i>	2,786
<i>Lower level</i>	1,210
Detached guest suite and garage	1,490
<i>Guest suite</i>	560
<i>Garage</i>	930
Retaining walls, patios, and pool	2,165

Figure 4: Site Plan

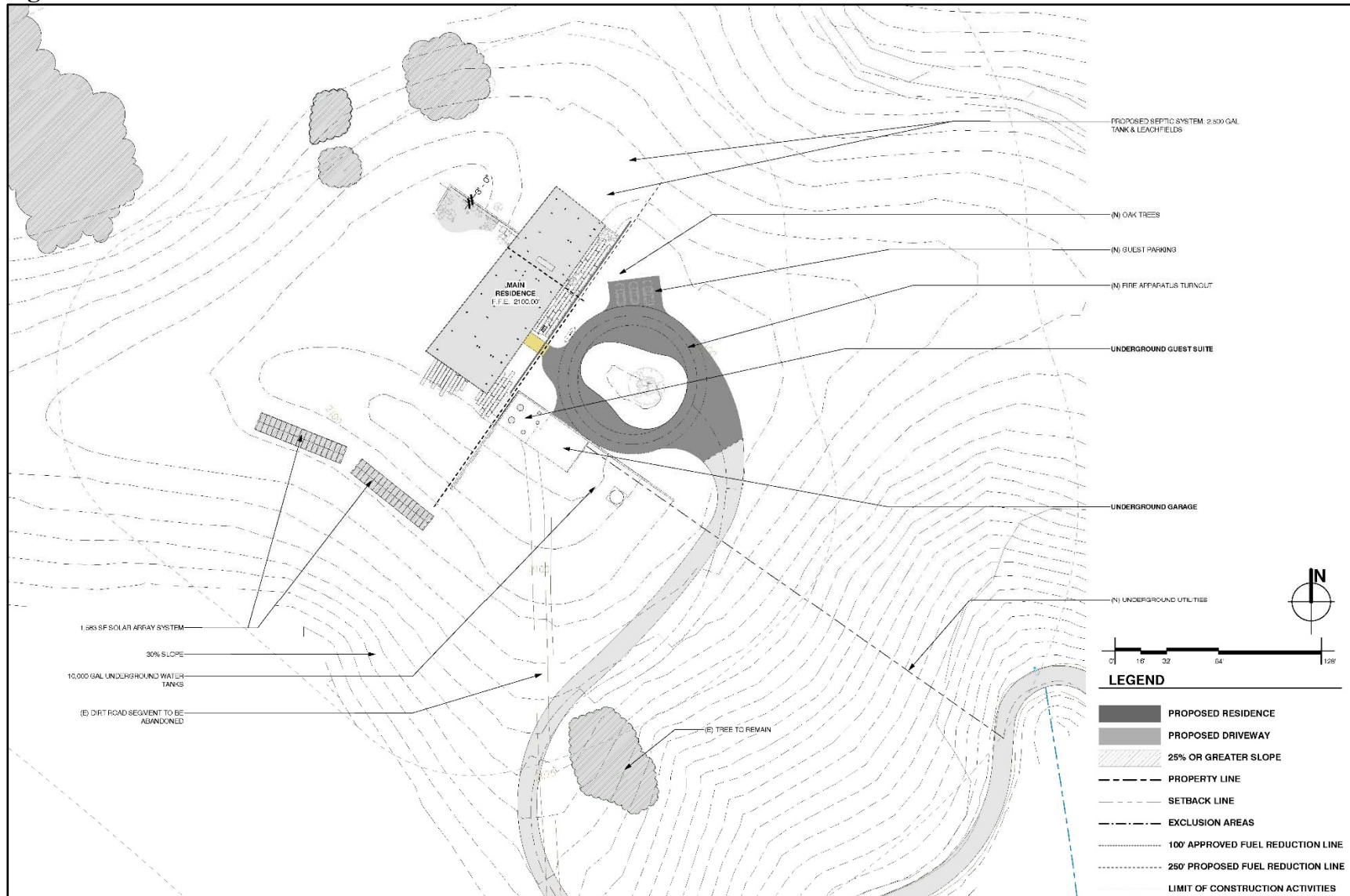


Figure 5: Proposed Residence North-South Elevation

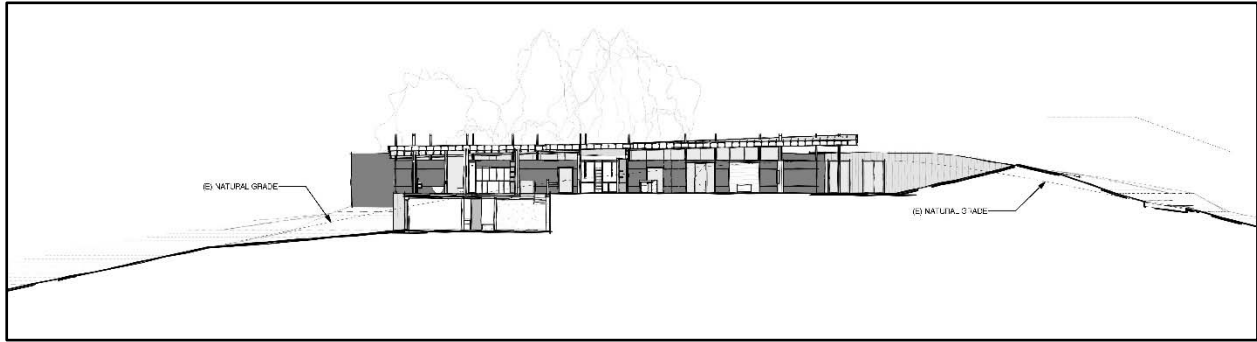
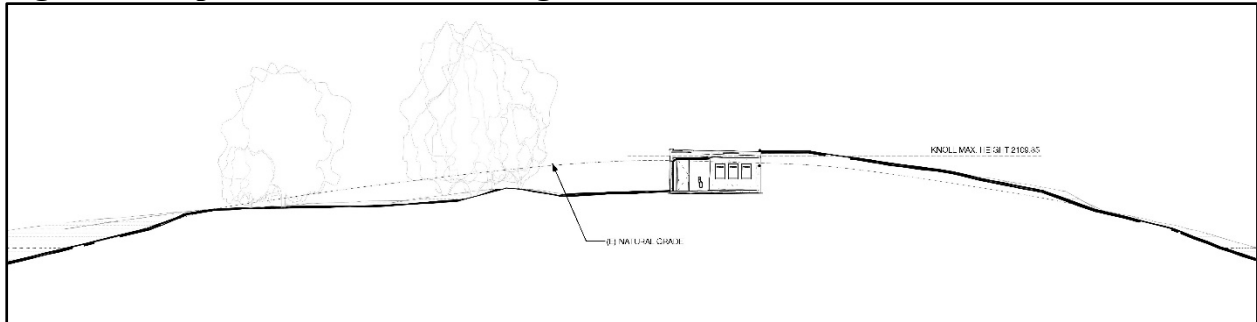


Figure 6: Proposed Guest Suite/Garage North-South Elevation



Infrastructure

In addition to the proposed structures, approximately 6,800 linear feet of an existing dirt road will be improved to provide access from Country Club Heights Lane to the residence. Proposed road improvements include widening the road to 12 feet where necessary, paving the road, installing turnouts where required by the Monterey County Regional Fire District (MCRFD), installing retaining walls and drainage improvements where necessary, installing a new road base, and installing a road gate. Four trees are proposed for removal to safely construct the roadway improvements. (Source IX: 1, 3)

The project will also include utility expansions and improvements. A 1,270 ft² ground-mounted photovoltaic panel (i.e., solar) array system will be installed southwest of the main residence (Figure 4). In addition, power extensions, a septic system (including a 2,500 gallon septic tank and two leachfields), a 500 gallon propane tank, two 5,000-gallon water tanks, and connection to the existing on-site well will be installed underground. (Source IX: 1)

Grading

Grading for construction of the residence will consist of approximately 6,170 cubic yards (CY) of cut and 6,170 CY of fill as shown on Sheet 9 of the Project Plans (Appendix A). Grading for the driveway improvements will consist of approximately 9,750 CY of cut and 2,950 CY of fill and Sheets C0.1 and C1.1 through C2.0 of the Civil Plans (Appendix B). The excess 6,800 CY of fill would be exported. (Source IX: 1)

Construction Equipment, Erosion Control, and Staging

In support of these activities and for the assumptions for this document, the types of equipment that may be used at any one time during construction may include, but not be limited to:

- Bulldozer,
- Excavator,
- Compactor/roller,
- Bobcat with sweep, bucket, and drill attachments,
- Grader,
- Asphalt paver,
- Dump truck,
- Equipment delivery trucks,
- Medium to large passenger trucks, and
- Water truck.

Erosion control during construction consists of standard Best Management Practices (BMPs), including installation of silt fencing and/or fiber rolls; designated staging, stockpile, and concrete waste management areas; a stabilized construction entrance; and inlet protection as shown on Sheet 11 of the Project Plans (**Appendix A**) and Sheets C3.1 and C3.2 of the Civil Plans (**Appendix B**). The areas surrounding the structures, patios and terraces, and driveway will be stabilized with long-term erosion control measures that may include slope stabilization (e.g., retaining walls), drainage improvements. Additionally, a Revegetation Plan has been prepared for the project that includes planting and/or seeding of temporarily impacted areas with locally occurring native grassland species collected from the project vicinity of acquired from local suppliers (**Appendix C**). (*Source IX: 1, 4a*)

Project Schedule

Construction will typically occur from 7am to 5pm, Monday through Friday. Construction of the project is anticipated to last approximately 22 months from June 2021 and March 2023. Grading for the residence is proposed to occur from June through August 2021. Construction of the residence will then occur from September 2021 through December 2022. Improvements on the access road will occur in the spring of 2023.

Environmental Setting and Surrounding Land Uses:

The project is located in the foothills on the north side of Carmel Valley, California (**Figures 1 and 2**). The property is zoned Rural Density Residential 10 acres per unit with Design Control, Site Plan Review, and Residential Allocation Zoning Overlay [RDR/10-D-S-RAZ] and Permanent Grazing minimum 40 acres with a Visual Sensitivity District Overlay [PG/40-VS]; however, no structures will be located within the Permanent Grazing zone (See Sheet 2 of the Project Plans in **Appendix A**). (*Source IX: 1, 5*)

The proposed residence is located at the top of a hill that is completely surrounding by open space, consisting mostly of grassland with areas of scrub and oak woodland. The residence site has views

of the Santa Lucia mountain range, Carmel Valley, and Carmel Bay to the south/southwest; the Monterey Bay and Pacific Ocean, and Santa Cruz Mountains to the west/northwest; and the foothills on the south side of the Highway 68 corridor and the Salinas Valley to the northeast/east. The driveway improvements will be along an existing dirt road that winds up the hillside through oak woodland, scrub, and grassland habitats. The driveway begins just past the nearest residence along County Club Heights Lane and a portion of the driveway provides access to the cell phone tower on the neighboring property.

The project site is not located within a visually “sensitive” or “highly sensitive” area, as identified in Policy GMP-3.3 and shown on the Greater Monterey Peninsula Scenic Highway Corridors and Visual Sensitivity Map (Figure 14) of the 2010 Monterey County General Plan (General Plan) and the Greater Monterey Peninsula Area Plan (GMPAP). The project parcel is visible from two locations of Carmel Valley Road (a designated Scenic Highway) and from areas within Garland Ranch Regional Park (a key public viewing area as identified in Policy CV-3.3 of the Carmel Valley Master Plan). However, due to distance, topography, siting of the structure and significant design elements which reduce visibility (lowered into the ground and facing away from the southern slopes), the project is not visible and therefore would not create an adverse visual impact from these locations. (*Source IX: 1, 6, 7, 8, 9*)

Pursuant to General Plan Policy OS-5.4, a Biological Report was prepared that identified potential impacts to several special-status species and other sensitive biological resources that could result from construction and development activities (**Appendix D**). The Biological Report provided measures to avoid, reduce, or mitigate impacts to these resources. (*Source IX: 4, 7*)

The project site is located 1.52 km from the Chupines Fault and 1.55 km from the Laureles Fault. Pursuant to General Plan Policy S-1.7, a Geotechnical Report was prepared for the project that determined the soil conditions are suitable for the proposed use and provided site specific recommendations (**Appendix E**). (*Source IX: 7, 9, 10*)

Any of the active or potentially active faults located near the project site could become active and cause seismic ground shaking. The next nearest mapped faults that could produce an earthquake are the Chupines and Laureles Faults, located approximately 1.52 km and 1.55 km away, respectively. The severity of ground shaking during an earthquake depends on a number of factors including earthquake magnitude, epicenter distance to site, local geologic conditions, and topographic setting. The proposed project would introduce one single-family residence and a detached guest suite/garage to the site, which would incrementally increase the risk of loss, injury, or death. However, structures would be designed in strict compliance with the 2019 California Building Code to help withstand such seismically generated ground accelerations for a reasonably expected duration without suffering major damage. The project itself could not increase ground shaking hazards at adjacent properties.

The subject property is located within a moderate archaeological resource zone. Pursuant to General Plan Policy OS-6.3, a Phase I Archaeological Assessment was prepared for the project. The report found that there was no evidence of archaeological resources on the property. (*Source IX: 7, 9, 11*) A standard condition of approval requiring that work be stopped

if cultural resources are discovered during construction will be included with the discretionary permits.

Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)

United States Fish and Wildlife Service (USFWS)

The USFWS requires Incidental Take Permits for take of federally listed species. Federally listed species which have the potential to occur in the development area for the project include: California red-legged frog (*Rana draytonii*; CRLF; Threatened), California tiger salamander (*Ambystoma californiense*; CTS; Threatened). An Incidental Take Permit application has been submitted to the USFWS for these species.

California Department of Fish and Wildlife (CDFW)

The CDFW requires Incidental Take Permits for take of any listed species pursuant to Section 2081(b) of the California Fish and Game Code. State listed species which have the potential to occur in the development area for the project include: CTS (Threatened). An Incidental Take Permit application has been submitted to the CDFW for CTS.

The CDFW regulates alterations of streambeds under Section 1600 of the California Fish and Game Code. Installation of culverts for the driveway improvements will require acquisition of a Lake and Streambed Alteration Agreement.

United States Army Corps of Engineers (ACOE)

The ACOE regulates placement of fill within waters of the U.S. under the Clean Water Act. Installation of culverts for the driveway improvements will require acquisition of a Section 404 Permit.

Central Coast Regional Water Quality Control Board (RWQCB)

The RWQCB regulates placement of fill within waters of the state under the Clean Water Act. Installation of culverts for the driveway improvements will require acquisition of a Section 401 Permit.

Monterey County Building Services Department

Building and Grading Permits will be required for site improvements and construction of structures.

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 type="checkbox"/>

General Plan / Land Use Plan

The proposed lot line adjustment and single-family dwelling and accessory dwelling unit were reviewed for consistency with the General Plan, GMPAP, Carmel Valley Master Plan, and the Toro Area Plan. Section IV(A) identifies that the project does not physically divide an established community or conflict with any applicable area plan, policy, or regulation of an agency with jurisdiction over the project. As discussed therein, the project is consistent with the General Plan, GMPAP, Carmel Valley Master Plan, and the Toro Area Plan. In addition, consistency with these plans is discussed in Section IV and Section V for specific topics. (Source IX: 7, 8, 12, 13) **CONSISTENT**

Air Quality Management Plan

Consistency with the Air Quality Management Plan (AQMP) is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Monterey Bay Air Resources District's (MBARD's) adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five-year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The regional forecasts adopted by the Association of Monterey Bay Area Governments' (AMBAG) Board of Directors in AMBAG's 2018 *Regional Growth Forecast* were used for this consistency determination. Establishment of a single-family dwelling and accessory dwelling unit on a residentially zoned vacant parcel would not contribute to an increase in the population forecasts of the AQMP and would not result in substantial population changes. Therefore, the project is consistent with the 2018 regional forecasts and the AQMP. (Source IX: 14, 15a) **CONSISTENT**

Water Quality Control Plan

The RWQCB incorporates the County's General Plan in its preparation of regional water quality plans. The project is consistent with the parameters required for a Regional Board Subsurface Disposal Exemption. Section IV(8) (Hydrology and Water Quality) below discusses how the project will not violate any water quality standards or waste discharge requirements, groundwater supplies, groundwater discharge or site drainage. The proposed project will not contribute to runoff that may exceed the capacity of the existing or planned stormwater drainage. **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 type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Some proposed applications that are not exempt from California Environmental Quality Act (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:

Agriculture and Forest Resources: The County's Geographic Information System (GIS) demonstrates that the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide importance. The property is not under a Williamson Act contract. The majority of property (approximately 248 acres) is zoned Rural Density Residential [RDR/10-D-S-RAZ]; however, approximately 14 acres of the property is zoned Permanent Grazing [PG/40-VS]. While project activities (such as grading) will occur within this area, no structures will be located within the areas zoned Permanent Grazing. The proposed project does not include any agricultural use. The lot line adjustment will not impact any zoning for agricultural use. No part of the site meets the definition of forest land as defined in Public Resources Code section 12220(g), timberland as defined in Public Resources Code section 4526, or timberland zoned Timberland Production as defined by Government Code section 51104(g). The area proposed for development will not impact any forest resources or individual trees. *(Source IX: 1, 5, 6, 7, 8, 9, 12, 13) Therefore, the proposed project will have no impacts to agriculture and forest resources.*

Air Quality: The project site is located within the North Central Coast Air Basin, which is under the jurisdiction of MBARD. Impacts to air quality from construction-related activities would be minor and temporary in nature. Construction would involve equipment typically involved in residential construction projects, such as excavators and trucks. The project would entail construction of a single-family residence, a detached guest suite/garage, and associated site improvements on the property and would not result in the emission of substantial amounts of criteria pollutants. According to the MBARD CEQA Guidelines, a project would have a significant short-term construction impact if the project would emit more than 82 pounds per day or more of PM10. Further, the MBARD CEQA Guidelines set a screening threshold of 2.2 acres of construction earthmoving per day, meaning that if a project results in less than 2.2 acres of earthmoving, the project is assumed to be below the 82 pounds per day threshold of significance. The proposed project would result in less than 2.2 acres of earthmoving per day, and as a result, is considered below the threshold and would have no impact due to construction activities. The area of project impact would encompass approximately 3.51 acres for construction including roadway improvements and utility installation, and approximately 8.39 acres for fuel management, for a combined total of approximately 11.90 acres. The area of fuel management would only involve trimming of vegetation (i.e., it would not involve earthmoving). The minor construction-related impacts would not violate any air quality standards or obstruct implementation of the MBARD Air Quality Management Plan. Operational emissions would not be substantial as they would only involve vehicle trips and energy usage associated with one single-family residence. Therefore, the proposed project would not result in impacts to air quality *(Source IX: 1, 14, 15).*

Greenhouse Gas Emissions: The project would incrementally increase energy consumption at the project site and traffic in the surrounding vicinity, thus increasing greenhouse gas emissions. Temporary construction-related emissions would result from usage of equipment and machinery. Operationally, the project would generate new and permanent greenhouse gas emissions; however, they would not be substantial given that the project involves one single-family residence, a detached guest suite/garage, and associated site improvements. Monterey County does not have a greenhouse gas reduction plan by which consistency or conflicts can be measured; however, the proposed project does not conflict with the policy direction contained in the Monterey County Municipal Climate Action Plan or the AMBAG's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy because it would only represent an incremental increase in greenhouse gas emissions as it only involves the construction of one single-family residence on a site that is zoned for such a use. As such, buildout of the site has been assumed in these plans, and the project would not create a conflict. Therefore, the proposed project would not result in significant increases in greenhouse gas emissions or conflict with an applicable plan, policy or regulation. (*Source IX: 1, 7, 8, 12, 13, 16, 17*)

Energy: Title 24, Part 6 of California Building Code (Energy Efficiency Standards or Residential Buildings) requires that new construction meet the minimum requirements for energy efficient windows, insulation, lighting, plumbing, and mechanical equipment, the project applicant shall submit a Certificate of Compliance (CR-1R) prior to the issuance of the building permit demonstrating how the project meets the minimum requirements for energy efficiency. The contractor and/or sub-contractors responsible for the installation of windows, insulation, lighting, plumbing, and mechanical equipment are subject to an Installation Certificate (CF-6R) certifying that the installed features, materials, components or manufactured devices conform to the construction plans and the Certificate of Compliance documents which were approved. (*Source IX: 18*)

The proposed dwelling and accessory residential structures will be energy efficient and utilize the best available energy efficient materials as required by the California Building Code. Additionally, in accordance with 2010 General Plan Policies OS-9.1 and OS-9.8, the project includes a 1,270 ft² ground-mounted photovoltaic panel (i.e., solar) array system and future construction of the pool will be required to use solar as the primary source for heat. Therefore, the project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, and will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. (*Source IX: 1, 6, 7, 8, 12, 13*) *This is a less than significant impact.*

Hazards/Hazardous Materials: The proposed is a lot line adjustment and residential development, and does not involve the use of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. The development and use of the property would not involve the transport of hazardous materials and there are no known hazards associated with this project. The project is not located within one-quarter mile of an existing or proposed school or located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There is no airport land use plan or adopted airport plan on the site and the development is not in conflict with any adopted emergency plan. The MCRFD has reviewed the project application and recommended conditions of approval regarding fire safety. *(Source IX: 1, 6, 9) Therefore, the proposed project will have no impacts on hazards or hazardous materials.*

Land Use/Planning: The proposed project is a lot line adjustment and construction of a single-family dwelling and accessory dwelling unit and will be sited on a vacant lot on the north side of Carmel Valley, surrounded by open space. As such, the project will not divide an established community. The lot line adjustment is between two parcels and is therefore consistent with General Plan Policies LU-1.7 and LU-1.14, which allow for lot line adjustments among four lots or fewer without requirement of a general plan amendment. The property is zoned Rural Density Residential and Permanent Grazing. The single family residence will be located within the area zoned Rural Density Residential, which is suitable for the conditional development of residential uses. Residential development of this area is permitted at a density of 10 acres per unit pursuant to General Plan Policy LU-2.34. The extent of use of land for areas zoned Permanent Grazing is limited to building coverage of five percent of a property, except for commercial greenhouse operations, which are permitted coverage of 50 percent. However, no structures will be placed within the area zoned Permanent Grazing. The project design and siting does not conflict with any applicable land use plan or policy. *(Source IX: 1, 5, 7, 8, 9, 12, 13) Therefore, there will be no impacts to land use and planning.*

Mineral Resources: No mineral resources have been identified or would be affected by the project. The project site is not identified as a locally important mineral resource recovery site delineated on a general plan, specific plan, or other land use plan. *(Source IX: 1, 7, 8, 9, 12, 13) Therefore, there will be no impacts to mineral resources.*

Noise: Construction of the single family residence and the roadway improvements would generate a temporary noise increase in the vicinity of the site due to use of heavy equipment. The nearest noise-sensitive receptor is an existing residence located approximately 0.65 mile from the proposed residence location and approximately 100 feet from the proposed roadway improvements. Construction activities would be required to comply with the Monterey County Code Noise Ordinance, as described in Monterey County Code Chapter 10.60. The ordinance applies to “any machine, mechanism, device, or contrivance” within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 dBA at a distance

of 50 feet from the noise sources. Noise-generating construction activities are limited to the house between 7 a.m. and 7 p.m., Monday through Saturday; no construction noise is allowed on Sunday or national holidays. Project construction would also generate a temporary increase in ground-borne vibration levels during the excavation and grading phases of project construction. However, pile driving will not be required, and construction activities would not generate excessive vibration levels. Operationally, the project would not result in a substantial permanent increase in the ambient noise given it involves one single-family residence, a detached guest suite/garage, and roadway improvements. The lot line adjustment will not generate noise. The project site is not located in the vicinity of an airport or private airstrip. (Source IX: 1, 5, 6, 7, 8, 9, 12, 13) *Therefore, the proposed project would not result in impacts to noise.*

Population and Housing: The proposed project would not induce unplanned substantial population growth in the area, either directly through the construction of one single family residence or indirectly (for example, through extension of roads or other infrastructure). The project would not alter the location, distribution, or density of human population in the area in any significant way or create a demand for additional housing. The project would provide housing for one family on a vacant residentially zoned parcel and existing residences would not be displaced as a result of the project. (Source IX: 1, 2, 5, 7, 8, 9, 12, 13) *Therefore, the proposed project would not result in impacts related to population and housing.*

Public Services: The proposed project consists of a lot line adjustment and the construction of one single family residence and an accessory dwelling unit which will be served by public services and utilities including Fire, Police, Schools, Parks and other public facilities. The project would have no measurable effect on existing public services. The County Public Works Department, Resource Management Agency (RMA)-Environmental Services, and the Environmental Health Bureau (EHB) have reviewed the project to ensure compliance with relevant policies designed and implemented to maintain acceptable service levels and response times. None of the County departments indicated that this project would result in potentially significant impacts. The site is located within the area served by the Carmel Unified School District, which has the ability to exact fees for development to assure adequate levels of service in the schools. (Source IX: 1, 6, 7, 8, 9, 12, 13) *Therefore, the proposed project would not result in impacts related to public services.*

Recreation: The project would not result in a substantial increase in use of existing recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. (Source IX: 1, 7, 8, 9, 12, 13) *Therefore, the proposed project would not result in impacts related to recreation.*

Transportation: The lot line adjustment and construction of a single-family dwelling and accessory dwelling unit on an existing lot of record would not generate a significant increase in traffic movements or create new traffic hazards. The County Public Works Department has reviewed the project and is requiring payment towards the Carmel Valley Master Plan Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140 and payment of the Regional Development Impact Fee pursuant to Monterey Code Chapter 12.90. The project application and plans were reviewed by the MCRFD, which confirmed adequate access for emergency vehicles. The proposed dwelling meets the parking requirements contained in the Zoning Ordinance Title 21. The project site is not located in the vicinity of an airport and would not result in a change in air traffic patterns. *(Source IX: 1, 5, 6, 7, 8, 9, 12, 13, 19) Therefore, the proposed project would not result in impacts related to traffic.*

Utilities/Service Systems: The proposed project consists of the construction of one single family residence and an accessory dwelling unit which will be served by public utilities and services. Water will be provided by an existing on-site well that was drilled under a EHB well permit in October 2019 and was determined to meet Title 22 drinking water standards.

Electricity will be provided by Monterey Bay Community Power, Pacific Gas & Electric (PG&E), and a new ground-mounted photovoltaic panel (i.e., solar) array system. A 500-gallon propane tank will be installed underground to provide gas service to the residence.

Sewage disposal will be handled through the proposed onsite septic system. The County EHB conducted a site visit and determined that sufficient area exists for the to support a septic system for the proposed single-family dwelling. The County EHB has required preparation of an Onsite Wastewater Treatment Systems Feasibility Report in accordance with the Local Agency Management Program (LAMP). Additionally, the Geotechnical and Percolation Investigation performed for the project found that the proposed location for the septic system and leach fields indicate acceptable percolation rates for the percolation of septic system effluent per Monterey County Code Section 15.20.070. In addition, all new septic tank systems are required to be built in accordance with Monterey County Code Section 15.20.060. Adherence to state and local regulations would ensure construction and operation of the proposed underground septic tank and leach field would not cause significant environmental effects due to relocation or construction of new or expanded wastewater systems.

Solid waste from the project will be collected by Waste Management, Inc., and brought to the Monterey Regional Waste Management District's Material Recovery and Monterey Peninsula Landfill and Recycling Facility located north of the City of Marina. The amount of solid waste generated by the proposed project would not be in excess of the area's solid waste facilities.

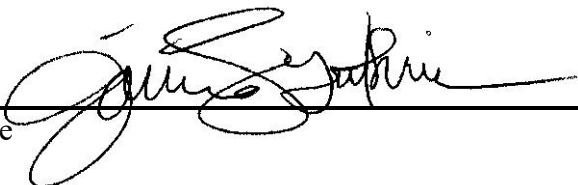
As conditions of approval for the project, the County RMA-Environmental Services has required preparation of a stormwater control plan addressing the Post-Construction Requirements of Development Projects in the Central Coast Region, and either preparation of a SWPPP including the Waste Discharger Identification number or a letter of exemption from the RWQCB. The proposed construction would not cause a substantial increase nor exceed the capacity of these utilities and services. *(Source IX: 1, 6, 7, 8, 12, 13, 19). Therefore, the proposed project would not result in impacts related to utilities/services.*

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



Associate Planner

4/8/2021

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					
Except as provided in Public Resources Code Section 21099 would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista? (Source IX: 1, 5, 6, 7, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source IX: 1, 5, 6, 7, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (Source IX: 1, 5, 6, 7, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source IX: 1, 5, 6, 7, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The project property is located near the end of County Club Heights Lane, which is accessed from Country Club Drive, approximately one mile from its intersection with Carmel Valley Road. The property is situated on a site that is largely sloped with rolling hills of grassland, scrub, and oak woodland vegetation. The residence and an accessory dwelling unit are sited on a knoll near the north/eastern end of the property, with views of the Santa Lucia mountain range, Carmel Valley, and Carmel Bay to the south/southwest; the Monterey Bay and Pacific Ocean, and Santa Cruz Mountains to the west/northwest; and the foothills on the south side of the Highway 68 corridor and the Salinas Valley to the northeast/east. The driveway improvements will be along an existing dirt road that is cut into the west side of a drainage and winds up the hillside through oak woodland, scrub, and grassland habitats. The driveway begins just past the nearest residence along County Club Heights Lane. (Source IX: 1)

Constraints affecting the choice of site for the proposed development include the potential for impacts to sensitive biological resources, visual resources, and development on slopes greater than 25%. The least steep areas on the project parcels are primarily on hilltops, so access and visibility from the public viewshed were the first criteria for choosing the building site. The existing dirt road extends to the proposed building site, so no new roads will need to be constructed to access the site, although the alignment will be altered slightly near the residence where the slope is the steepest in order to reduce the amount of driveway within slopes over 25%. (Source IX: 1, 4, 10)

The project parcel is visible from two locations of Carmel Valley Road (a designated Scenic Highway), located over five and seven miles away from the project site (**Figure 7**). Additionally, the project parcel is visible from areas within Garland Ranch Regional Park (a key public viewing area as identified in Policy CV-3.3 or the Carmel Valley Master Plan), located approximately three miles from the project site. However, due to the siting of the structure, design, topography, and distance, the project site is not visible from these locations. The project would be considered “Ridgeline Development,” which is defined in County Code, Chapter 21.06.950 as “development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area.” However, as stated in County Code, Chapter 22.66(D) “A Use Permit for ridgeline development may be approved only if the following finding, based on substantial evidence, may be made: The ridgeline development, as conditions by permit, will not create a substantially adverse visual impact when viewed from a common public viewing area.” (*Source IX: 1, 7, 8, 12, 13*)

The Visual Resources policies of the General Plan, GMPAP, Carmel Valley Master Plan, and Toro Area Plan are intended to protect the scenic resources of the Carmel Valley area, particularly those in visually “sensitive” or highly sensitive” areas or areas generally visible from designated Scenic Highways. Visual Resources policies which apply include:

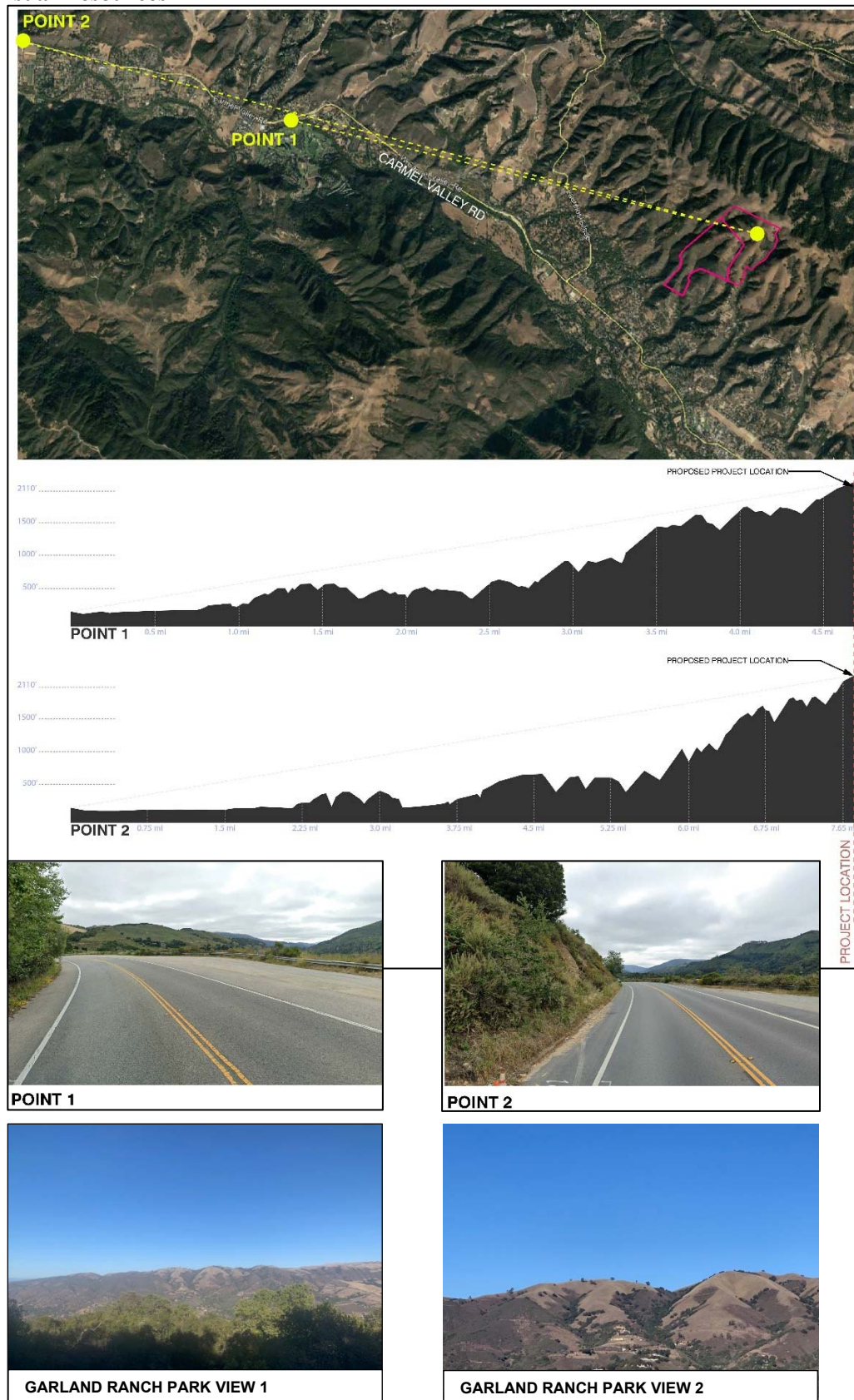
2010 General Plan

- LU-1.13** All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled. Criteria to guide the review and approval of exterior lighting shall be developed by the County in the form of enforceable design guidelines, which shall include but not be limited to guidelines for the direction of light, such as shields, where lighting is allowed.
- OS-1.6** In areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern. Each specific plan shall address viewshed issues, including ridgeline development, as part of the plan, including, but not limited to, provisions for setbacks, landscaping, height limits, or open space buffers.
- OS-1.9** Development that protects and enhances the County's scenic qualities shall be encouraged. All Routine and Ongoing Agricultural Activities are exempt from the viewshed policies of this plan, except as noted in Policy OS-1.12.

Greater Monterey Peninsula Area Plan

- GMP-1.4** Development proposals shall include compatible open space uses located between other developed areas in order to maintain a rural atmosphere and to protect scenic resources.
- GMP-3.1** The County shall encourage creative public and private efforts to restore the scenic beauty of visually impacted common public viewing areas.

Figure 7: Visual Resources



GMP-3.2 Development on canyon edges and hilltops shall be designed to minimize the visual impact of the development.

GMP-3.3 The Greater Monterey Peninsula Scenic Highway Corridors and Visual Sensitivity Map (Figure 14) shall be used to designate visually "sensitive" and "highly sensitive" areas generally visible from designated Scenic Highways. The following policies shall apply to areas that have one of these designations:

- a. All areas designated as "sensitive" or "highly sensitive" shall be interpreted within the meaning of this policy and are to be protected.
- b. Landowners will be encouraged to dedicate scenic easements to an appropriate agency or non-profit organization over portions of their land shown as "sensitive" or "highly sensitive" on the Map.
- c. Areas shown as "highly sensitive" on the Map should be preserved as open space to the maximum extent possible through scenic easements or, if necessary, fee acquisition.
- d. New development should not be sited on those portions of property that have been mapped as "highly sensitive." Where exceptions are appropriate to maximize the goals, objectives, and policies of this plan, development shall be sited in a manner that minimizes visible effects of proposed structures and roads to the greatest extent possible, and shall utilize landscape screening and other techniques to achieve maximum protection of the visual resource.
- e. New development to be located in areas mapped as "sensitive" or "highly sensitive" and which would be visible from a designated scenic route shall maintain the visual character of the area. In order to adequately mitigate the visual impacts of development in such areas, the following shall be required:
 1. Development shall be rendered compatible with the visual character of the area using appropriate siting, design, materials, and landscaping;
 2. Development shall maintain no less than a 100-foot setback from the scenic route right-of-way;
 3. The impact of any earth movement associated with the development shall be mitigated in such a manner that permanent scarring is not created;
 4. Tree removal shall be minimized;
 5. Landscape screening and restoration shall consist of locally native plant and tree species consistent with surrounding native vegetation;
 6. Architectural review of projects shall be required to ensure visual compatibility of the development with the surrounding area; and
 7. New development in open grassland areas shall minimize its impact on the uninterrupted viewshed. Exceptions to the above may be considered if compelling circumstances are demonstrated. In cases where the extent of visibility of development proposed in "highly sensitive" areas is not clear, individual on-site investigations by the Planning Department staff shall be required.

GMP-3.4 Plant materials shall be used to integrate manmade and natural environments, to screen or soften the visual impact of new development, and to provide diversity in developed areas.

GMP-3.5 Removal of healthy, native oak, Monterey pine, and redwood trees in the Greater Monterey Peninsula Planning Area shall be discouraged. An ordinance shall be developed to identify required procedures for removal of these trees. Said ordinance shall take into account fuel modification needed for fire prevention in the vicinity of structures and shall include:

- a. Permit requirements.
- b. Replacement criteria
- c. Exceptions for emergencies and governmental agencies

GMP-4.1 Redwood, pine, oak forest, and chaparral habitat on land exceeding 25 percent slope, should remain undisturbed due to potential erosion impacts and loss of visual amenities.

Carmel Valley Master Plan

CV-1.9 Structures proposed in open grassland areas that would be highly visible from Carmel Valley Road or Laureles Grade shall be minimized in number and be clustered near existing natural or man-made vertical features.

CV-1.20 Design (“D”) and site control (“S”) overlay district designations shall be applied to the Carmel Valley area. Design review for all new development throughout the Valley, including proposals for existing lots of record, utilities, heavy commercial, and visitor accommodations, but excluding minor additions to existing development where those changes are not conspicuous from outside of the property, shall consider the following guidelines:

- a. Proposed development encourages and furthers the letter and spirit of the Master Plan.
- b. Development either shall be visually compatible with the character of the valley and immediate surrounding areas or shall enhance the quality of areas that have been degraded by existing development.
- c. Materials and colors used in construction shall be selected for compatibility with the structural system of the building and with the appearance of the building’s natural and man-made surroundings.
- d. Structures should be controlled in height and bulk in order to retain an appropriate scale.
- e. Development, including road cuts as well as structures, should be located in a manner that minimizes disruption of views from existing homes.
- f. Minimize erosion and/or modification of landforms.
- g. Minimize grading through the use of step and pole foundations.

CV-3.3 Development (including buildings, fences, signs, and landscaping) shall not be allowed to significantly block views of the viewshed, the river, or the distant hills as seen from key public viewing areas such as Garland Ranch Regional Park, along Carmel Valley

Road, and along Laureles Grade Road. This policy applies to commercial and private parcels including existing lots of record. Removal of existing solid fences and rows of Monterey pine trees that block views of the river and the mountains shall be encouraged.

- CV-3.4** Alteration of hillsides and natural landforms caused by cutting, filling, grading, or vegetation removal shall be minimized through sensitive siting and design of all improvements and maximum feasible restoration including botanically appropriate landscaping. Where cut and fill is unavoidable on steep slopes, disturbed areas shall be revegetated.
- CV-3.11** The County shall discourage the removal of healthy native oak and madrone and redwood trees in the Carmel Valley Master Plan Area. A permit shall be required for the removal of any of these trees with a trunk diameter in excess of six inches, measured two feet above ground level. Where feasible, trees removed will be replaced by nursery-grown trees of the same species and not less than one gallon in size. A minimum fine, equivalent to the retail value of the wood removed, shall be imposed for each violation. In the case of emergency caused by the hazardous or dangerous condition of a tree and requiring immediate action for the safety of life or property, a tree may be removed without the above permit, provided the County is notified of the action within ten working days. Exemptions to the above permit requirement shall include tree removal by public utilities, as specified in the California Public Utility Commission's General Order 95, and by governmental agencies. (Amended by Board Resolution 13-029)

Toro Area Plan

- T-3.1** Within areas designated as "visually sensitive" on the Toro Scenic Highway Corridors and Visual Sensitivity Map (Figure 16), landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area. Architectural design consistent with the rural nature of the Plan area shall be encouraged.
- T-3.2** Land use, architectural, and landscaping controls shall be applied, and sensitive site design encouraged, to preserve Toro's visually sensitive areas and scenic entrances:
- a. River Road/Highway 68 intersection; and
 - b. Laureles Grade scenic vista overlooking the Planning Area (Figure 16).
- T-3.5** Exterior/outdoor lighting shall be located, designed, and enforced to minimize light sources and preserve the quality of darkness. Street lighting shall be as unobtrusive as practicable and shall be consistent in intensity throughout the Toro area.
- T-3.7** Removal of healthy, native oak trees in the Toro Planning Area shall be discouraged. An ordinance shall be developed to identify required procedures for removal of these trees. Said ordinance shall take into account fuel modification needed for fire prevention in the vicinity of structures and shall include:
- a. Permit requirements.
 - b. Replacement criteria
 - c. Exceptions for emergencies and governmental agencies

Conclusion:

Aesthetics I (a, c) - No Impact

A scenic vista is a view that possesses visual and aesthetic qualities of high value to the community, such as views of open areas or significant structures and buildings, usually viewed from an elevated point or open area. Scenic vistas can provide views of natural features or significant structures and buildings. The project site is not located within an area designated as "sensitive" or "highly sensitive" in the GMPAP; however, the project site is considered "ridgeline development." As identified above, the project parcel is visible from areas within Garland Ranch Regional Park (a key public viewing area as identified in Policy CV-3.3 or the Carmel Valley Master Plan) and the property contains several of the most valued aesthetic qualities of the Carmel Area, including rolling hills and open grazing lands. However, one of the stated design goals for the project is that the structures should blend into the hillside, reducing their visibility to the maximum extent feasible via low profile design and a living roof. The structures are nestled into its site, with the main floor being partially below existing grade, and the lower floor and guest suite/garage being nearly entirely below existing grade. This allows for natural mounding around the home and a lower profile. Ample space around the perimeter keeps the structure away from descending slopes. Portions of the structures would also be buried into the uphill slope to further reduce the profile and visual impacts. A living roof on the guest suite and garage, and retention of existing trees on the perimeter of the proposed site would provide adequate screening. In accordance with Carmel Valley Master Plan Policy CV-1.20, muted earth tones and stone equal to the composition and color of the native rock outcrops found in the vicinity will be utilized to further blend the structures into the environment. Therefore, due to distance (approximately three miles), topography, project siting, and the proposed low profile design of the structures, the project is not visible from Garland Ranch Regional Park would not create an adverse visual impact. *Therefore, the proposed project would have a no impact on a scenic vista and on the existing visual character or quality of public views of the site.*

Aesthetics I(b) - No Impact

The closest scenic highway is Carmel Valley Road, approximately 1.5 miles southeast of the project site. As identified above, the project site is considered "ridgeline development." However, although the project parcel is visible from two locations of Carmel Valley Road, the proposed development is not due to distance (over five miles), topography, project siting, and the proposed low profile design of the structures (see Response 1(a) above) (**Figure 7**). Therefore, the project would not create an adverse visual impact from Carmel Valley Road. Laureles Grade, also a scenic road, lies approximately two miles west of the site. Due to the intervening topography, the site is not visible from Laureles Grade. *Therefore, the project would have no impact on scenic resources visible from a state scenic highway.*

Aesthetics I(d) - Less than Significant Impact

The subject property is a vacant, approximately 260-acre site and the project would occur on approximately 3.5 acres of the site (including the driveway). The site is at the edge of a residential area with other neighboring homes. As identified above, the project site is considered "ridgeline development" but is not visible from a scenic highway or any key public viewing areas. The development of the property would bring about new sources of light from windows and outdoor

lighting and landscape lighting. The 2010 General Plan policy LU1.13 requires that “All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled.” A standard condition of approval will require the applicant to submit a lighting plan prior to the issuance of grading or construction permits showing that proposed outdoor lighting will be downcast with the lightbulbs fully shielded so as not cause offsite glare. Through implementation of this condition, lighting would be adequately shielded or designed at near-ground level, and directed downwards to reduce its long-range visibility. *With a standard condition of approval for lighting, the project would have a less than significant impact on new sources of substantial light or glare which would adversely affect day or nighttime views in the area.*

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? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13</i>)	<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? (<i>Source IX: 1, 2, 5, 6</i>)	<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))? (<i>Source IX: 1, 2, 5, 9</i>)	<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? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13</i>)	<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? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district 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? (<i>Source IX: 1, 14, 15</i>)	<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? (<i>Source IX: 1, 14, 15</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations? (<i>Source IX: 1, 14, 15</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (<i>Source IX: 1, 14, 15</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

4. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (Source IX: 1, 4, 6, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (Source IX: 1, 4, 6, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source IX: 1, 4, 6, 7, 8, 12, 13)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source IX: 1, 4, 6, 7, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source IX: 1, 3, 4, 5, 7, 8, 12, 13)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 IX: 1, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The development parcels (APN 187-021-040-000 and 187-021-041-000) are approximately 263 acres (not including the driveway easement on APNs 187-021-028-000, and 187-021-013-000) and is home to a variety of sensitive animal species. The development site is predominantly non-native grassland with small areas of native grassland and scrub habitats, while the driveway is almost entirely ruderal. Coast live oak woodland, grassland, and scrub habitats are present adjacent to the project site. Due to the location and potential impacts to sensitive species at the site, a Biological Report was prepared by Denise Duffy & Associates, Inc. (DD&A) for the portions of the property being proposed for development in accordance with 2010 General Plan Policy OS-5.16 (**Appendix D**). (Source IX: 4, 7) The following is a discussion of the findings

regarding the potential impacts from the proposed development. The biological survey limits included the proposed residential development site, a 250-foot buffer area proposed for fuel reduction, all staging areas, and the driveway alignment.

Vegetation Types

Four vegetation units are mapped within the project site (**Table 3, Figure 8**). (*Source IX: 4b, 4d*)

Table 3. Vegetation Types and Impacts Within the Project Site

Habitat Type	Temporary Impact	Permanent Impact	Fuel Break Area	Total
Non-Native Grassland	1.11 ac	0.80 ac	6.58 ac	8.49 ac
Ruderal	0 ac	1.59 ac	0 ac	1.59 ac
Native Grassland	0 ac	0 ac	1.31 ac	1.31 ac
Scrub	0.01 ac	0 ac	0.51 ac	0.52 ac
Total	1.12 ac	2.39 ac	8.39 ac	11.9 ac

Non-Native Grassland

Throughout California, wild oats grasslands typically occur in open areas of valleys and foothills, usually on fine-textured clay or loam soils that are somewhat poorly drained. They are dominated by non-native annual grasses and forbs along with scattered native grasses and wildflowers. Within the project site, this vegetation community is dominated by non-native annual grass species such as slender wild oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), and soft chess, (*B. hordeaceus*), as well as native and non-native forb species such as Menzies' fiddleneck (*Amsinskia menziesii*), red-stem filaree (*Erodium cicutarium*), miniature lupine (*Lupinus bicolor*), and Chilean trefoil (*Acmispon wrangelianus*). Purple needlegrass (*Stipa pulchra*) is also co-dominant with the non-native grasses in some areas.

Ruderal

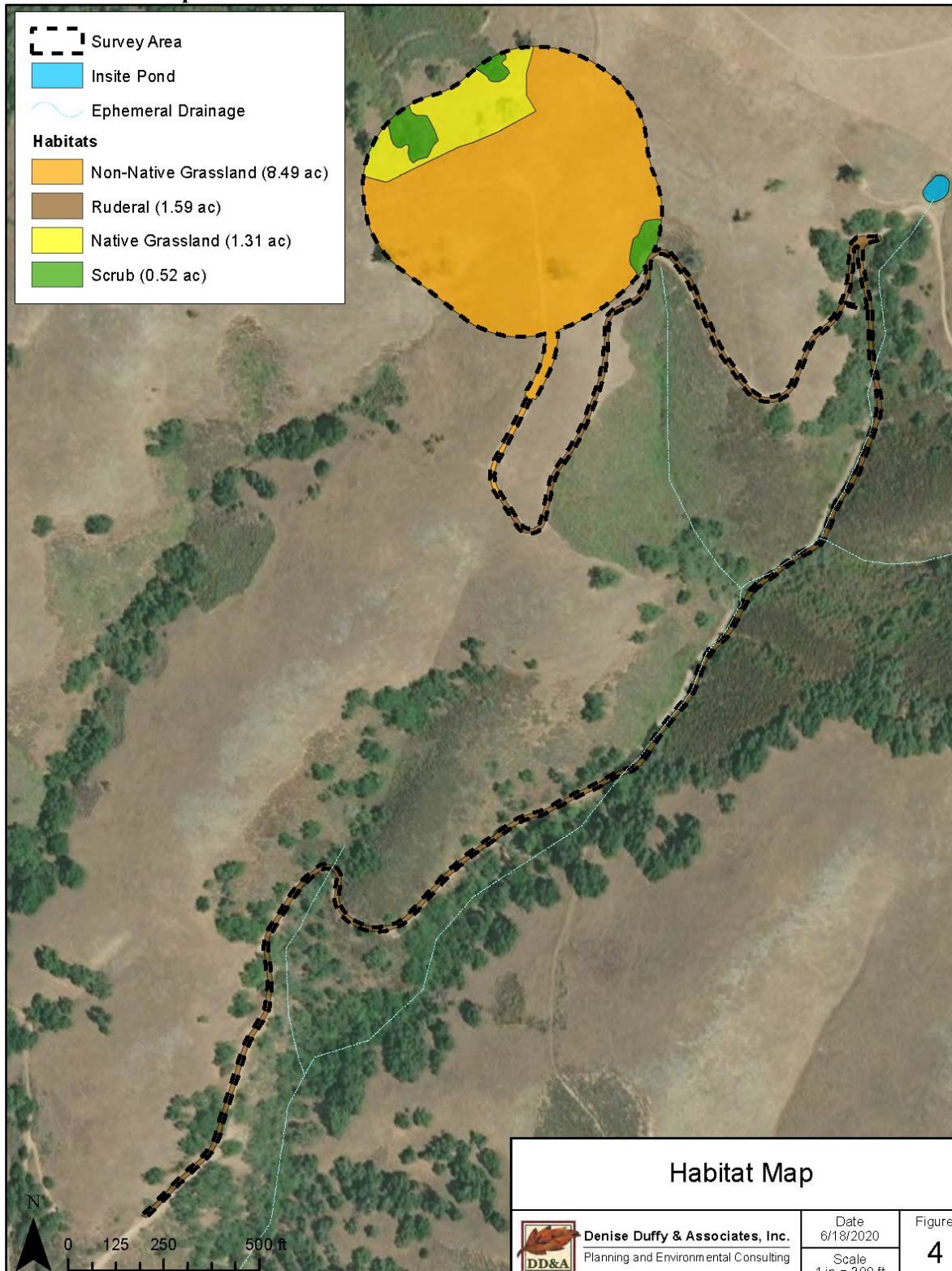
Ruderal areas are those areas which have been developed or have been subject to historic and ongoing disturbance by human activities and are devoid of vegetation or dominated by non-native and/or invasive weed species. Ruderal areas within the project site consist of the existing dirt road driveway, which is largely unvegetated but supports sparse vegetation in some areas. Dominant plant species include soft chess, ripgut brome, Spanish brome (*B. madritensis*), slender wild oat, rose clover (*Trifolium hirtum*), bur clover (*Medicago polymorpha*), tocalote (*Centaurea melitensis*), and narrow-leaved filago (*Logfia gallica*).

Native Grassland

Needle grass grasslands are dominated by needle grass species (*Stipa* sp.) mixed with native and non-native forb species. Non-native grass species also occur and may be considered dominant; however, the increased density of the needle grass species differentiates this habitat types from non-native grasslands. Within the project site, this vegetation community is present on the steep north-facing slopes and may also occur in small patches on steeper in-accessible slopes. Dominant species include purple needle grass, California buttercup (*Ranunculus californicus*), soap plant (*Chlorogalum purpureum*), miniature lupine, blue dicks

(*Dichelostemma capitatum*), smooth cat's ear (*Hypochaeris glabra*), Johnny jump up (*Viola pedunculata*), shooting star (*Primula* sp.) and rattail fescue (*Festuca myuros*).

Figure 8: Habitat Map



Scrub

Scrub habitat within the project site is dominated by dense shrubs, approximately one to two meters tall, with few openings and very little understory vegetation in most areas. Two types of scrub habitat are present; some areas are dominated by black sage (*Salvia mellifera*) and chamise (*Adenostoma fasciculata*), and other areas are dominated by coyote brush (*Baccharis pilularis*), sticky monkey flower (*Diplacus aurantiacus*), coast sagebrush (*Artemisia californica*), and deerweed (*Acmispon glaber*). However, these two scrub types intergrade in some areas. Scrub communities provide cover and food for a number of wildlife species, including songbirds, snakes, lizards, rodents, and other small mammals. Common species that may occur within the scrub habitat include California quail (*Callipepla californica*), blue-gray gnatcatcher (*Polioptila caerulea*), Anna's hummingbird (*Calypte anna*), coast range fence lizard (*Sceloporus occidentalis bocourtii*), northern pacific rattlesnake (*Crotalus oreganus*), gopher snake (*Pituophis catenifer*), brush rabbit (*Sylvilagus bachmani*), and California ground squirrel (*Spermophilus beecheyi*).

The Natural Resources policies of the General Plan, GMPAP, Carmel Valley Master Plan, and Toro Area Plan are intended to protect the natural resources of the Carmel Valley area. Natural Resources policies which apply include:

2010 General Plan

OS-5.4 Development shall avoid, minimize, and mitigate impacts to listed species and critical habitat to the extent feasible. Measures may include but are not limited to:

- a. clustering lots for development to avoid critical habitat areas,
- b. dedications of permanent conservation easements; or
- c. other appropriate means.

If development may affect listed species, consultation with United States Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) may be required and impacts may be mitigated by expanding the resource elsewhere on-site or within close proximity off-site. Final mitigation requirements would be determined as required by law.

OS-5.5 Landowners and developers shall be encouraged to preserve the integrity of existing terrain and native vegetation in visually sensitive areas such as hillsides, ridges, and watersheds. Routine and Ongoing Agricultural Activities shall be exempt from this policy.

OS-5.6 Native and native compatible species, especially drought resistant species, shall be utilized in fulfilling landscaping requirements.

OS-5.16 A biological study shall be required for any development project requiring a discretionary permit and having the potential to 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 substantially reduce the number or restrict the range of an endangered, rare, or threatened species. An ordinance establishing minimum standards for a biological study and biological surveys shall be enacted. A biological study shall include a field reconnaissance performed at the appropriate time of

year. Based on the results of the biological study, biological surveys may be necessary to identify, describe, and delineate the habitats or species that are potentially impacted. Feasible measures to reduce significant impacts to a less than significant level shall be adopted as conditions of approval.

OS-5.18 Prior to disturbing any federal or state jurisdictional areas, all applicable federal and state permitting requirements shall be met, including all mitigation measures for development of jurisdictional areas and associated riparian habitats.

OS-5.24 The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat. The County shall require that expansion of its roadways and public infrastructure projects provide movement Monterey County General Plan Conservation/Open Space Element October 26, 2010 Page C/OS-14 opportunities for terrestrial wildlife and ensure that existing stream channels and riparian corridors continue to provide for wildlife movement and access.

OS-5.25 Occupied nests of statutorily protected migratory birds and raptors shall not be disturbed during the breeding season (generally February 1 to September 15). The county shall

A. Consult, or require the developer to consult, with a qualified biologist prior to any site preparation or construction work in order to:

- (1) determine whether work is proposed during nesting season for migratory birds or raptors,
- (2) determine whether site vegetation is suitable to nesting migratory birds or raptors,
- (3) identify any regulatory requirements for setbacks or other avoidance measures for migratory birds and raptors which could nest on the site, and
- (4) establish project-specific requirements for setbacks, lock-out periods, or other methods of avoidance of disruption of nesting birds.

B. Require the development to follow the recommendations of the biologist. This measure may be implemented in one of two ways:

- (1) preconstruction surveys may be conducted to identify active nests and, if found, adequate buffers shall be provided to avoid active nest disruption until after the young have fledged; or
- (2) vegetation removal may be conducted during the non-breeding season (generally September 16 to January 31); however, removal of vegetation along waterways shall require approval of all appropriate local, state, and federal agencies.

This policy shall not apply in the case of an emergency fire event requiring tree removal. This policy shall apply for tree removal that addresses fire safety planning, since removal can be scheduled to reduce impacts to migratory birds and raptors.

Greater Monterey Peninsula Master Plan

GMP-3.4 Plant materials shall be used to integrate manmade and natural environments, to screen or soften the visual impact of new development, and to provide diversity in developed areas.

GMP-3.5 Removal of healthy, native oak, Monterey pine, and redwood trees in the Greater Monterey Peninsula Planning Area shall be discouraged. An ordinance shall be developed to identify required procedures for removal of these trees. Said ordinance shall take into account fuel modification needed for fire prevention in the vicinity of structures and shall include:

- a. Permit requirements.
- b. Replacement criteria
- c. Exceptions for emergencies and governmental agencies

GMP-4.1 Redwood, pine, oak forest, and chaparral habitat on land exceeding 25 percent slope, should remain undisturbed due to potential erosion impacts and loss of visual amenities.

Carmel Valley Master Plan

CV-3.7 Areas of biological significance shall be identified and preserved as open space. These include, but are not limited to:

- a. The redwood community of Robinson Canyon;
- b. The riparian community and redwood community of Garzas Creek;
- c. All wetlands, including marshes, seeps, and springs (restricted occurrence, sensitivity, outstanding wildlife value).
- d. Native bunchgrass stands and natural meadows (restricted occurrence and sensitivity).
- e. Cliffs, rock outcrops, and unusual geologic substrates (restricted occurrence).
- f. Ridgelines and wildlife migration routes (wildlife value).

When a parcel cannot be developed because of this policy, a low-density, clustered development (but no subdivision) may be approved on those portions of the land not biologically significant or on a portion of the land adjoining existing development so that the development will not diminish the visual quality of such parcels or upset the natural functioning of the ecosystem in which the parcel is located.

CV-3.10 Predominant landscaping and erosion control material shall consist of plants native to the valley that are similar in habitat, form, and water requirements. The following guidelines shall apply for landscape and erosion control plans:

- a. Existing native vegetation should be maintained as much as possible throughout the valley.
- b. Valley oaks should be incorporated on floodplain terraces.
- c. Weedy species such as pampas grass and genista shall not be planted in the Valley.
- d. Eradication plans for weedy species shall be incorporated.

- e. The chaparral community shall be maintained in its natural state to the maximum extent feasible in order to preserve soil stability and wildlife habitat and also be consistent with fire safety standards.

CV-3.11 The County shall discourage the removal of healthy native oak and madrone and redwood trees in the Carmel Valley Master Plan Area. A permit shall be required for the removal of any of these trees with a trunk diameter in excess of six inches, measured two feet above ground level. Where feasible, trees removed will be replaced by nursery-grown trees of the same species and not less than one gallon in size. A minimum fine, equivalent to the retail value of the wood removed, shall be imposed for each violation. In the case of emergency caused by the hazardous or dangerous condition of a tree and requiring immediate action for the safety of life or property, a tree may be removed without the above permit, provided the County is notified of the action within ten working days. Exemptions to the above permit requirement shall include tree removal by public utilities, as specified in the California Public Utility Commission's General Order 95, and by governmental agencies. (Amended by Board Resolution 13-029)

Toro Area Plan

- T-3.7** Removal of healthy, native oak trees in the Toro Planning Area shall be discouraged. An ordinance shall be developed to identify required procedures for removal of these trees. Said ordinance shall take into account fuel modification needed for fire prevention in the vicinity of structures and shall include:
- a. Permit requirements.
 - b. Replacement criteria
 - c. Exceptions for emergencies and governmental agencies

Conclusion:

Biological Resources 4(a) - Less than Significant Impact with Mitigation Incorporated

Special-status species are those plants and animals that have been formally listed or proposed for listing as endangered or threatened or are candidates for such listing under federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA). Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of rare or endangered under the CEQA Guidelines Section 15380 are also considered special-status species. Animals on the CDFW's list of "species of special concern" (most of which are species whose breeding populations in California may face extirpation if current population trends continue) meet this definition and are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA. CDFW also includes some animal species that are not assigned any of the other status designations on their "Special Animals" list; however, these species have no legal or protection status and are not analyzed in this document.

Plants listed as rare under the California Native Plant Protection Act (CNPPA) or included in California Native Plant Society (CNPS) California Rare Plant Ranks (CRPR; formerly known as CNPS Lists) 1A, 1B, 2A, and 2B are also treated as special-status species as they meet the definitions of Sections 2062 and 2067 of the CESA and in accordance with CEQA Guidelines Section 15380. In general, the CDFW requires that plant species on CRPR 1A (Plants presumed extirpated in California and Either Rare or Extinct Elsewhere), CRPR 1B (Plants rare, threatened, or endangered

in California and elsewhere), CRPR 2A (Plants presumed extirpated in California, but more common elsewhere); and CRPR 2B (Plants rare, threatened, or endangered in California, but more common elsewhere) of the CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2019) be fully considered during the preparation of environmental documents relating to CEQA. CNPS CRPR 4 species (plants of limited distribution) may, but generally do not, meet the definitions of Sections 2062 and 2067 of CESA, and are not typically considered in environmental documents relating to CEQA. While other species (i.e., CRPR 3 or 4 species) are sometimes found in database searches or within the literature, these do not meet the definitions of Section 2062 and 2067 of CESA and are not analyzed in this document.

Raptors (e.g., eagles, hawks, and owls) and their nests are protected in California under Fish and Game Code Section 3503.5. Section 3503.5 states that it is “unlawful to take, possess, or destroy the nest or eggs of any such bird except otherwise provided by this code or any regulation adopted pursuant thereto.” In addition, protected species under Fish and Game Code Section 3511 (birds), Section 4700 (mammals), Section 5515 (fish), and Section 5050 (reptiles and amphibians) are also considered special-status animal species. Species with no formal special-status designation but thought by experts to be rare or in serious decline may also be considered special-status animal species in some cases, depending on project-specific analysis and relevant, localized conservation needs or precedence.

The primary literature and data sources reviewed to determine the presence or potential presence of special-status species and biological resources at the project site include:

- Current agency status information from the USFWS and CDFW for species listed, proposed for listing, or candidates for listing as threatened or endangered under ESA or the California Endangered Species Act (CESA), and those considered CDFW “species of special concern”, including:
 - California Natural Diversity Database (CNDDDB) occurrences reports from the Carmel Valley, Chualar, Marina, Mt. Carmel, Natividad, Rana Creek, Salinas, Seaside, and Spreckels quadrangles; and
 - The USFWS’s Information for Planning and Consultation (IPaC) Resource List for the project site.
- The CNPS Inventory of Rare and Endangered Vascular Plants of California (CNPS, 2020).

The following discussion identifies the specific special-status species that may occur within and adjacent to the project site, as identified in the Biological Report for the project. (*Source IX: 4*)

Special-Status Wildlife

Monterey Dusky-Footed Woodrat (MDFW) - CDFW species of special concern

The CNDDDB does not report any occurrences of MDFW within the quadrangles reviewed; however, this species is known to occur throughout the County in various habitats which provide sufficient cover. This species has a high potential to occur in scrub within the project site and in coast live oak woodland areas located immediately adjacent to the project site.

American Badger - CDFW species of special concern

The CNDDDB reports 11 occurrences of American badger within the quadrangles reviewed, the nearest of which is reported approximately 5.4 miles from the project site. No suitable badger burrows were observed within the site during biological surveys conducted in the spring of 2020; however, badgers may move into the area prior to construction. This species has a moderate potential to occur within grassland areas of the project site.

Nesting Raptors and Other Protected Avian Species

Raptors, their nests, and other nesting birds are protected under California Fish and Game Code. While the life histories of these species vary, overlapping nesting (approximately February through August) and foraging similarities allow for their concurrent discussion. Various species of raptors, such as red-tailed hawk, red-shouldered hawk, American kestrel, great horned owl, and turkey vulture, have a potential to nest within the trees present within and adjacent to the project site. In addition, ground-nesting raptors, such as the western burrowing owl, also have the potential to nest within the open grassland areas of the project site.

Western Burrowing Owl - CDFW species of special concern

The CNDDDB reports 10 occurrences of burrowing owl within the quadrangles reviewed, the nearest of which is reported approximately 9.3 miles from the project site. No suitable burrowing owl burrows were observed within the site during spring 2020 biological surveys; however, this species may move into the area prior to construction. This species has a moderate potential to occur within grassland areas of the project site.

California Tiger Salamander (CTS) – Federal and State Threatened species

A seasonal pond (hereafter the “Insite Pond”) was observed 165 feet (50 meters) from the project site by DD&A during a reconnaissance-level survey in March 2020 (**Figure 8**). The Insite Pond lies partially within the project parcels and partially on the adjacent parcel owned by Insite Towers Development, LLC. The pond drains through a culvert into an unnamed drainage ditch which flows directly adjacent to and sometimes crosses within the access road. The Insite Pond was identified as potential breeding habitat for CTS and other amphibians, and presence of this species was confirmed during an aquatic survey conducted by DD&A in April 2020. The April 2020 aquatic survey identified the first known breeding occurrence of CTS within the dispersal range of the project site, as the CNDDDB and other resources do not report any occurrences of the species within 2.2 kilometers of the project site. No potential CTS breeding resources are present within the project site; however, the site offers suitable upland and dispersal habitat for this species. Therefore, due to presence of suitable habitat and a known breeding resource directly adjacent to the site, CTS are assumed to be present within the site, and may occur within all habitats identified in the site. (*Source IX: 4b, 4d*)

California Red-Legged Frog (CRLF) – Federal Threatened species, CDFW species of special concern

CRLF were also identified within Insite Pond (**Figure 8**) during the aquatic survey in April 2020. The next nearest known occurrences of CRLF are located within the Carmel River. No potential CRLF breeding resources are present within the project site; however, the site offers suitable upland and dispersal habitat for this species. Therefore, due to presence of suitable habitat and a known breeding resource directly adjacent to the site, CRLF are assumed to be present within the site, and

may occur within all habitats identified in the site. The project site is located within CRLF critical habitat mapping unit MNT-2. (Source IX: 4b, 4d)

Coast Range Newt – CDFW species of special concern

Coast range newts were also identified within Insite Pond (**Figure 8**) during the aquatic survey in April 2020. No potential Coast Range newt breeding resources are present within the project site; however, the site offers suitable upland and dispersal habitat for this species. Therefore, due to presence of suitable habitat and a known breeding resource directly adjacent to the site, coast range have the potential to occur on the project site.

Western Pond Turtle – CDFW species of special concern

The CNDDDB reports 12 occurrences of the western pond turtle within the quadrangles reviewed, the nearest reported approximately 1.3 miles from the project site. Suitable upland and nesting habitat are present within the project site. No suitable breeding habitat is present within the site; however, the site is located within range of a potential western pond turtle breeding resource (the Insite Pond). Therefore, this species may use all areas of the project site that offer suitable cover as upland and nesting habitat.

Coast Horned Lizard – CDFW species of special concern

The CNDDDB reports six occurrences of the coast horned lizard within the quadrangles reviewed, the nearest approximately 5.6 miles from the project site. Suitable habitat for this species is present within the project site. This species has a moderate potential to occur within scrub and grassland areas of the site.

The lot line adjustment would have no impact on special-status wildlife species. Development of the residence could potentially impact the species identified above. Construction activities may result in direct mortality of individuals and/or loss of habitat for these species. In addition, the project could also result in take of the federal and state-listed CTS and the federally-listed CRLF following construction as a result of vehicle traffic on the driveway or from the occupancy and maintenance of the residence. These are potentially significant impacts that can be reduced to a less than significant level with implementation of the mitigation measures recommended below.

Mitigations for Special-Status Wildlife Species:

Mitigation Measure (MM) No. 1: Biological Education Program for Employees (BEPE)

A qualified biologist shall prepare a Biological Education Program for Employees (BEPE). This worker training session shall be conducted with all project staff and construction personnel. The training shall instruct attendees on habitat sensitivity, identification of special-status species, required practices prior to start of construction, general measures that are being implemented to conserve these species as they relate to the project, guidelines to avoid impacts to these species during the construction period, and penalties for non-compliance.

The qualified biologist will meet with the all project staff and construction personnel at the onset of construction at the project site to provide BEPE instruction as follows: 1) identify appropriate access route(s) in and out of the construction area and project boundaries; 2) explain how a biological monitor will examine the area and agree upon a method that will ensure the safety of the monitor during such activities, 3) identify special status species that may be present; 4) explain specific

mitigation measures that will be incorporated into the construction effort; 5) explain the general provisions and protections afforded; and 6) provide the proper procedures if a special status species is encountered within the project site to avoid impacts.

The crew foreman shall be responsible for ensuring that all staff and construction personnel comply with the guidelines. Upon completion of training, each attendee shall sign a form as evidence of training attendance and understanding of all conservation and protection measures that were presented by the Biologist.

Mitigation Measure Action (MMA) No. 1a: Prior to issuance of permits from Building Services, the applicant/owner shall submit to HCD-Planning for review and approval a copy of a contract with a qualified biologist to prepare the BEPE and to provide the required training.

Mitigation Measure Action (MMA) No. 1b: Prior to issuance of permits from Building Services, applicant/owner shall submit to HCD-Planning for review and approval a fact sheet and/or other supporting materials prepared by the project biologist for distribution to all onsite employees.

Mitigation Measure Action (MMA) No. 1c: Prior to project-related ground disturbance, the project biologist shall conduct a worker training session for all project staff and upon completion of the training session, applicant/owner shall provide to HCD-Planning a copy of the form signed by all training attendees.

Mitigation Measure Action (MMA) No. 1d: Prior to final inspection from Building Services, applicant/owner shall submit to HCD-Planning a brief report prepared by the project biologist as to incidents regarding species covered during the training session.

Mitigation Measure (MM) No. 2: Monterey Dusky-footed Woodrat (MDFW)

The project biologist shall conduct pre-construction surveys in suitable habitat for the MDFW where project-related construction is proposed. Surveys for MDFW nests shall be conducted within three days prior to construction within the project site. All MDFW nests identified shall be flagged for avoidance. Nests that cannot be avoided are to be manually deconstructed prior to land clearing activities to allow animals to escape harm. If a litter of young is found or suspected, nest material is to be replaced, and the nest left alone for two to three weeks before a re-check to verify that young are capable of independent survival before proceeding with nest dismantling.

Mitigation Measure Action (MMA) No. 2a: Prior to the issuance of permits from Building Services, the applicant/owner shall submit to HCD-Planning for review and approval a copy of a contract with a qualified biologist to conduct the required pre-construction surveys for MDFW.

Mitigation Measure Action (MMA) No. 2b: Prior to final inspection from Building Services, applicant/owner shall submit to HCD-Planning a brief report prepared by the project biologist as to incidents regarding MDFW.

Mitigation Measure (MM) No. 3: American Badger

The project biologist shall conduct focused pre-construction surveys for badger dens no more than two weeks prior to construction in all suitable habitat proposed for construction, ground disturbance, or staging. If no potential badger dens are present, no further mitigation is required. If potential dens are observed, the following measures are required to avoid potential significant impacts to the American badger:

- If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent badgers from re-using them during construction.
- If the qualified biologist determines that potential dens may be active, the entrances of the dens shall be blocked with soil, sticks, and debris for three to five days to discourage the use of these dens prior to project disturbance. The den entrances shall be blocked to an incrementally greater degree over the three- to five-day period. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.

Mitigation Measure Action (MMA) No. 3a: Prior to the issuance of permits from Building Services, the applicant/owner shall submit to HCD-Planning for review and approval a copy of a contract with a qualified biologist to conduct the required pre-construction surveys for MDFW.

Mitigation Measure Action (MMA) No. 3b: Prior to final inspection from Building Services, applicant/owner shall submit to HCD-Planning a brief report prepared by the project biologist as to incidents regarding American badger.

Mitigation Measure (MM) No. 4: Burrowing Owl

The project biologist shall conduct pre-construction surveys in suitable habitat within the construction footprint and within 250 feet of the footprint no more than 14 days prior to the start of construction. If ground disturbing activities are delayed or suspended for more than 14 days after the pre-construction survey, the site shall be resurveyed again within 14 days of the initiation of construction. If no burrowing owls are found, no further mitigation is required.

If it is determined that burrowing owls occupy the site during the non-breeding season (September 1 through January 31), then a passive relocation effort (e.g., blocking burrows with one-way doors and leaving them in place for a minimum of three days) may be necessary to ensure that the owls are not harmed or injured during construction. Once it has been determined that the owls have vacated the site, the burrows can be collapsed, and ground disturbance can proceed. If burrowing owls are detected within the construction footprint or immediately adjacent lands (i.e., within 250 feet of the footprint) during the breeding season (February 1 to August 31), a construction-free buffer of 250 feet shall be established around all active owl nests. The buffer area shall be enclosed with temporary fencing, and construction equipment and no staff or personnel shall enter the enclosed setback areas. Buffers are to remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. After the breeding season, passive relocation of any remaining owls may take place as described above.

Mitigation Measure Action (MMA) No. 4a: Prior to the issuance of permits from Building Services, the applicant/owner shall submit to HCD-Planning for review and

approval a copy of a contract with a qualified biologist to conduct the required pre-construction surveys for burrowing owls.

Mitigation Measure Action (MMA) No. 4b: Prior to final inspection from Building Services, applicant/owner shall submit to HCD-Planning a brief report prepared by the project biologist as to incidents regarding burrowing owls.

Mitigation Measure (MM) No. 5: Western Pond Turtle

The project biologist shall conduct presence/absence trapping surveys within the Insite Pond prior to ground-disturbing activities within the project site. The survey shall be conducted between April and October, but preferably in June or July when western pond turtles are most active. Survey methods shall be based on protocols established by the 2006 USGS in the *Western Pond Turtle Trapping Survey Protocol for the Southcoast Ecoregion*. If western pond turtles are not detected during the trapping survey, this species can be assumed no present within the pond or project site and no additional mitigation is required.

If western pond turtles are detected during the survey, the project biologist shall conduct a pre-construction survey for western pond turtle and their nests within the project site no more than three days prior to construction. Any western pond turtles discovered within the project site immediately prior to or during project activities shall be allowed to move out of the area of their own volition. If this is not feasible, they shall be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat at least 100 feet upstream or downstream from where the individual was found in the project site. If a western pond turtle nest is found, it shall be monitored and avoided until the eggs hatch.

Mitigation Measure Action (MMA) No. 5a: Prior to the issuance of permits from Building Services, the applicant/owner shall submit to HCD-Planning for review and approval a copy of a contract with a qualified biologist to conduct the required pre-construction surveys for Western pond turtle.

Mitigation Measure Action (MMA) No. 5b: Prior to final inspection from Building Services, applicant/owner shall submit to HCD-Planning a brief report prepared by the project biologist as to incidents regarding Western pond turtle.

Mitigation Measure (MM) No. 6: California Tiger Salamander (CTS) and California Red-legged Frog (CRLF)

The applicant/owner shall comply with the Endangered Species Act (ESA) or the California Endangered Species Act (CESA) and consult with the US Fish and Wildlife Service (USFWS) and (for CTS only) CDFW to obtain incidental take permits for CTS and CRLF prior to the issuance of a grading permit. The project applicant will be required to retain a qualified biologist to prepare a mitigation plan, which will include, but is not limited to, identifying avoidance and minimization measures, a mitigation strategy, compensatory mitigation, success criteria, success monitoring, and funding assurances. The project applicant will be required to implement the approved plan and any additional permit requirements.

Mitigation Measure Action (MMA) No. 6a: Prior to initiation of any ground disturbance,

the applicant/owner shall submit to HCD-Planning a copy of the approved CTS and CRLF incidental take permits from the USFWS.

Mitigation Measure Action (MMA) No. 6b: Prior to initiation of any ground disturbance, applicant/owner shall submit to HCD-Planning a copy of the approved CTS incidental take permit from the CDFW.

Special-Status Plants

Focused special-status plant survey were conducted by DD&A and the spring and summer of 2020. One special-status plant species, northern curly-leaved monardella (*Monardella sinuata* ssp. *nigrescens*), a CNPS California Rare Plant Rank 1B species, was observed along the hillside adjacent to the access road (**Figure 9**). Northern curly-leaved monardella is an annual herb in the Lamiaceae family which blooms from April to September and is associated with chaparral, coastal dunes, coastal scrub, and lower montane coniferous forests on sandy soils at elevations of 0 to 300 meters. Approximately 176 northern curly-leaved monardella individuals were observed within scrub and ruderal areas habitat. (Source IX: 4b, 4c)

The lot line adjustment would have no impact on special-status plant species. Development of the residence could potentially impact northern curly-leaved monardella. Construction activities may result in direct mortality of individuals or the resident population. This is a potentially significant impact that could be reduced to a less than significant level with implementation of the mitigation measure provided below.

Mitigation Measure (MM) 7: Northern Curly-leaved Monardella

Approximately 176 northern curly-leaved monardella individuals were observed within scrub and ruderal areas habitat. Individuals that are not in the construction footprint shall be fenced or flagged for avoidance. The project biologist shall supervise the installation of protective fencing and monitor the site at least once per week until construction is complete to ensure that the protective fencing remains intact. If avoidance of all northern curly-leaved monardella is not possible, a Rare Plant Restoration Plan shall be prepared by a qualified biologist and submitted to HCD-Planning for review and approval. The plan shall include, though is not limited to, a detailed description of restoration areas, plant source material, planting specifications, and a monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met.

Mitigation Measure Action (MMA) 7a: Prior to issuance of permits from Building Services, the applicant/owner shall submit to HCD-Planning a copy of a contract with a qualified biologist to supervise installation of protective fencing and monitor the site at least once per week until construction is complete to ensure that the protective fencing remains intact.

Figure 9: Special-Status Plant Species Map



Mitigation Measure Action (MMA) 7b: If avoidance of Northern curly-leaved monardella is not feasible, then prior to issuance of permits from Building Services, applicant/owner shall submit to HCD-Planning for review and approval a Rare Plant Restoration Plan. Following construction, the applicant/owner shall submit to HCD-Planning a copy of a contract with a qualified restoration practitioner to implement the approved Rare Plant Restoration Plan and a copy of a contract with a qualified biologist to implement any monitoring required by the Plan. All monitoring reports required by the Plan shall be submitted to HCD-Planning. Prior to final inspection from Building Services, applicant/owner shall submit to HCD-Planning a final report prepared by the project biologist with recommendations for continued success of the restored Northern curly-leaved monardella.

The proposed development as designed, with the above mitigations, is consistent with the goals and policies of the 2010 General Plan, would not 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 CDFW or USFWS. Therefore, impacts to special-status species would be less than significant with mitigations incorporated.

Biological Resources 4(b) - Less than Significant Impact with Mitigation Incorporated

In total, the proposed development would have the potential to impact approximately 8.49 acres of non-native grassland, 1.59 acres of ruderal habitat, 1.31 acre of native grassland, and 0.52 acre of scrub (**Table 3**). From this list, only native grassland is considered a CDFW sensitive habitat. In addition, Carmel Valley Master Plan Policy CV-3.7 identifies “native bunchgrass stands and natural meadows” as “areas of biological significance.” However, native grassland is only present within the fuel reduction area and would not be impacted by construction of the project. Maintenance of native grassland habitat through mowing or grazing reduces the presence of competing non-native grasses and favors the persistence of native grass species and habitat. Therefore, the project will have a beneficial impact on this sensitive habitat and no mitigation is required.

The project lies within Critical Habitat Mapping Unit MNT-2 for CRLF. Construction of the project would permanently remove 2.39 acres of CRLF critical habitat. This is a potentially significant impact that can be reduced to a less than significant level with implementation of **MM No. 6**, above.

The proposed development as designed, with the above mitigation, is consistent with the goals and policies of the 2010 General Plan, would not 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 CDFW or USFWS. Therefore, impacts to sensitive habitats would be less than significant with mitigations incorporated.

Biological Resources 4(c) - Less than Significant Impact with Mitigation Incorporated

An ephemeral drainage runs from the Insite Pond, draining through a culvert into a drainage ditch which flows directly adjacent to and sometimes crosses the existing driveway. The Insite Pond contains protected wetlands but will not be impacted by the project. The drainage conveys protected waters of the U.S. and state and will be impacted by the project. The drainage ditch is two to three feet wide in most places and only carries water during storm events. Impacts to this resource may occur as a result of improvements to the access road, including grading and installation or improvements of culverts. However, work within the drainage will only be conducted during the dry season, the drainage will continue to convey water following construction, and the project will comply with 2010 General Plan Policy OS-5.18, meeting all applicable federal and state permitting requirements prior to disturbing any federal or state jurisdictional areas, including all mitigation measures for development of jurisdictional areas. As identified in Section II above, a Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit, and 1602 Lake and Streambed Agreement will be required for impacts to waters of the U.S. The following measure will ensure compliance with the Clean Water Act and Fish and Game Code.

Mitigation:

Mitigation Measure (MM) No. 8: Waters of the U.S. and the State

Applicant/owner shall comply with the Clean Water Act and Fish and Game Code and coordinate with the Army Corps of Engineers (USACE) to obtain a Section 404 Water Quality Certification Permit, the Regional Water Quality Control Board (RWQCB) to obtain a Section 401 Water Quality Certification, and California Department of Fish and Wildlife (CDFW) to obtain a Section 1602 Lake and Streambed Alteration Agreement. All measures included in the permits to avoid, reduce, or mitigate impacts to waters of the U.S. and state shall be implemented. These measures may include, but not be limited to, construction timing restrictions, revegetation of disturbed areas, monitoring, and reporting.

Mitigation Measure Action (MMA) No. 8a: Prior to initiation of any ground disturbance, applicant/owner shall submit to HCD-Planning a copy of the approved Section 404 Water Quality Certification from the USACE.

Mitigation Measure Action (MMA) No. 8b: Prior to initiation of any ground disturbance, applicant/owner shall submit to HCD-Planning a copy of the approved Section 401 Water Quality Certification from the RWQCB.

Mitigation Measure Action (MMA) No. 8c: Prior to initiation of any ground disturbance, applicant/owner shall submit to HCD-Planning a copy of the approved Lake and Streambed Alteration Agreement from CDFW.

With mitigation, the development would have a less than significant impact to waters of the U.S and state through direct removal, filling, hydrological interruption, or other means.

Biological Resources 4(d) - Less than Significant Impact

The development area comprises approximately 12 acres of mostly grassland habitat. The proposed development would occupy approximately 2.4 acres, including the driveway, leaving approximately 260 acres of the parcel (approximately 99%) undeveloped, which would allow sufficient area for native wildlife to migrate through the property. This is consistent with 2010 General Plan Policy OS-5.24. *Therefore, the proposed project would not 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.*

Biological Resources 4(e) - Less than Significant Impact with Mitigation

The specific policies of the 2010 General Plan, GMPAP, Carmel Valley Master Plan, and Toro Area Plan that provide for the protection of environmentally sensitive habitats are identified above, and as identified in Section II, the project is consistent with these policies in these plans. The two proposed structures and pool are clustered very close to one another to reduce the footprint of the residence, the driveway is proposed along an existing dirt road, and approximately 99% of the project parcels will remain open space. As discussed in Section VI(1), one of the stated design goals for the project is that the structures should blend into the hillside, via low profile design and a living roof. The structures are nestled into its site, with the main floor being partially below existing grade, and the lower floor and guest suite/garage being nearly entirely below existing grade. This allows for natural mounding around the home and a lower profile. Ample space around the perimeter keeps the structure away from descending slopes and existing trees on the perimeter of the proposed site would

be retained. A Revegetation Plan has been prepared for the project that includes planting and/or seeding of temporarily impacted areas with locally occurring native grassland species collected from the project vicinity of acquired from local suppliers (**Appendix C**). In addition, a biological report prepared for the project identified special-status species, sensitive habitats on the site, and waters of the U.S. and state, and made recommendations to reduce impacts that may result from the proposed development, as discussed above in Responses 4(a-c).

GMPAP Policies GMP-3.5 and GMP-4.1, Carmel Valley Master Plan Policy CV-3.11, and Toro Area Policy T-3.7 discourage the removal of healthy native oak, Monterey pine redwood, and madrone trees within the plan areas and require permits for removal of these trees with a trunk diameter in excess of six inches, measured two feet above ground level. In addition, Monterey County Code 16.60 regulates the take of native oak trees and requires the preparation of a Forest Management plan is three or more oak trees are removed. A Tree Assessment Report was prepared for the project by Frank Ono, an Urban Forester, in September 2020 (**Appendix F**). The Tree Assessment Report recommended removal of five coast live oak trees, ranging from 16 to 40 inches in diameter, to safely construct the roadway improvements. The proposed single-family residence and guest suite/garage have been carefully designed to avoid the need for tree removal. Pruning of existing trees may be expected for this site, especially near roadway construction areas. Pruning will include trees with deadwood, minor structural defects or disease that must be compensated, and possibly vehicle or pedestrian clearance. Standard conditions of approval are applied to the project that require protection of trees near any construction. *Therefore, as designed, the proposed development would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.*

Biological Resources 4(f) - No Impact

There are no adopted HCPs, NCCPs, or other approved local, regional or state habitat conservation plans associated with the proposed project area. *Therefore, there would be no impact.*

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5? (<i>Source IX: 1, 6, 7, 8, 9, 11, 12, 13</i>)	<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? (<i>Source IX: 1, 7, 8, 9, 11, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Disturb any human remains, including those interred outside of dedicated cemeteries? (<i>Source: 1, 7, 8, 9, 11, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The subject property is located within a "moderate" archaeological sensitivity zone. Pursuant to 2010 General Plan Policy OS-6.3, a Phase I Archaeological Assessment was prepared for the project by Albion Environmental, Inc., dated April 2020 and was submitted with the application for the proposed project. (*Source IX: 1, 11*) The preparation of the report included background research which found that no archaeological studies have been conducted within the project site; however, 12 studies have been conducted within a ¼ mile radius of the project site. According to the records search, no archaeological resources have been identified within the project site or within a ¼ mile radius. A pedestrian survey of the proposed residence site and immediately surrounding areas (approximately 3.4 acres) did not reveal any evidence of cultural resources. The Phase I Archaeological Assessment concluded that no further archaeological investigation is warranted and that standard conditions requiring that work be stopped immediately should cultural resources be discovered during construction be applied to the project. The following standard condition of approval will be included with the discretionary permits:

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

Conclusion:***Cultural Resources 5(a) - No Impact***

The project site is undeveloped; no structures exist on the site. *Therefore, there would be no impact to historical resources pursuant to 15064.5.*

Cultural Resources 5(b, c) - Less Than Significant Impact

The Phase I Archaeological Assessment prepared for the project found no evidence of archaeological resources within or immediately surrounding the proposed development area, and there are no known human burial sites within the project area. However, there is still a possibility that unidentified or buried cultural resources may exist on the site. The standard condition requiring that if archaeological resources or human remains are discovered during construction, as identified above, would be applied as a condition of approval for the project. *Therefore, the impact to cultural resources or human remains would be less than significant.*

6. Energy		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (<i>Source IX: 1, 7, 8, 12, 13, 18</i>)	<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? (<i>Source IX: 1, 7, 8, 12, 13, 18</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Source IX: 1, 9, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? (Source IX: 1, 9, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source IX: 1, 9, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source IX: 1, 9, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source IX: 1, 3, 5, 8, 9, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source IX: 1, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (Source IX: 1, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source IX: 1, 10)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source IX: 1, 9)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The Erosion and Safety policies of the 2010 General Plan, GMPAP, and Carmel Valley Master Plan related to geologic hazards and erosion that are applicable to the project include the following:

2010 General Plan

OS-3.5 The County shall regulate activity on slopes to reduce impacts to water quality and biological resources:

1. Non-Agricultural.

- a) Development on slopes in excess of twenty five percent (25%) shall be prohibited except as stated below; however, such development may be allowed pursuant to a discretionary permit if one or both of the following findings are made, based upon substantial evidence:
 1. there is no feasible alternative which would allow development to occur on slopes of less than 25%;
 2. the proposed development better achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans, and all applicable master plans.
 - b) Development on slopes greater than 25-percent (25%) or that contain geologic hazards and constraints shown on the County's GIS Geologic (Policy S-1.2) or Hydrologic (Policy PS-2.6) Hazard Databases shall require adequate special erosion control and construction techniques and the discretionary permit shall:
 1. evaluate possible building site alternatives that better meet the goals and policies of the general plan;
 2. identify development and design techniques for erosion control, slope stabilization, visual mitigation, drainage, and construction techniques; and
 3. minimize development in areas where potentially unstable slopes, soil and geologic conditions, or sewage disposal pose substantial risk to public health or safety.
 - c) Where proposed development impacting slopes in excess of twenty five percent (25%) does not exceed ten percent (10%), or 500 square feet of the total development footprint (whichever is less), a discretionary permit shall not be required.
 - d) It is the general policy of the County to require dedication of a scenic easement on a slope exceeding twenty five percent (25%).
2. Agricultural. Conversion of uncultivated land to cultivated land on slopes greater than 25% shall require a discretionary permit.
- a) The discretionary permit shall:
 1. Evaluate possible alternatives that better meet the goals and policies of the general plan.
 2. Identify development and design techniques for erosion control, slope stabilization, visual mitigation, drainage, and construction techniques.

3. Minimize development in areas where potentially unstable slopes, soil and geologic conditions, or sewage disposal pose substantial risk to public health or safety.
- b) A ministerial permit process shall be developed and implemented for conversion of lands that have not been cultivated for the previous 30 years on slopes between 15 and 24 percent (15-24%), and on such lands on slopes between 10 and 15 percent (10-15%) on highly erodible soils. The permit processes shall be designed to require that an erosion control plan be developed and implemented that addresses slope stabilization, and drainage and flood hazards.

S-1.3 Site-specific geologic studies may be used to verify the presence or absence and extent of the hazard on the property proposed for new development and to identify mitigation measures for any development proposed. An ordinance including permit requirements relative to the siting and design of structures and grading relative to seismic hazards shall be established.

S-1.6 New development shall not be permitted in areas of known geologic or seismic hazards unless measures recommended by a California certified engineering geologist or geotechnical engineer are implemented to reduce the hazard to an acceptable level. Areas of known geologic or seismic hazards include:

- a. Moderate or high relative landslide susceptibility.
- b. High relative erosion susceptibility.
- c. Moderate or high relative liquefaction susceptibility.
- d. Coastal erosion and seacliff retreat.
- e. Tsunami run-up hazards.

S-1.7 Site-specific reports addressing geologic hazard and geotechnical conditions shall be required as part of the planning phase and review of discretionary development entitlements and as part of review of ministerial permits in accordance with the California Building Standards Code as follows:

- a. Geotechnical reports prepared by State of California licensed Registered Geotechnical Engineers are required during building plan review for all habitable structures and habitable additions over 500 square feet in footprint area. Additions less than 500 square feet and non-habitable buildings may require geotechnical reports as determined by the pre-site inspection.
- b. A Registered Geotechnical Engineer shall be required to review and approve the foundation conditions prior to plan check approval, and if recommended by the report, shall perform a site inspection to verify the foundation prior to approval to pour the footings. Setbacks shall be identified and verified in the field prior to construction.
- c. All new development and subdivision applications in State- or County designated Earthquake Fault Zones shall provide a geologic report addressing the potential for surface fault rupture and secondary fracturing adjacent to the fault zone before the application is considered complete. The report shall be prepared by a Registered Geologist or a Certified Engineering Geologist and conform to the State of

California's most current Guidelines for evaluating the hazard of surface fault rupture.

- d. Geologic reports and supplemental geotechnical reports for foundation design shall be required in areas with moderate or high landslide or liquefaction susceptibility to evaluate the potential on- and off-site impacts on subdivision layouts, grading, or building structures.
- e. Where geologic reports with supplemental geotechnical reports determine that potential hazards effecting new development do not lead to an unacceptable level of risk to life and property, development in all Land Use Designations may be permissible, so long as all other applicable General Plan policies are complied with.
- f. Appropriate site-specific mitigation measures and mitigation monitoring to protect public health and safety, including deed restrictions, shall be required.

S-1.8 As part of the planning phase and review of discretionary development entitlements, and as part of review of ministerial permits in accordance with the California Building Standards Code, new development may be approved only if it can be demonstrated that the site is physically suitable and the development will neither create nor significantly contribute to geologic instability or geologic hazards.

S-1.9 A California licensed civil engineer or a California licensed landscape architect can recommend measures to reduce moderate and high erosion hazards in the form of an Erosion Control Plan.

Carmel Valley Master Plan

CV-3.10 Predominant landscaping and erosion control material shall consist of plants native to the valley that are similar in habitat, form, and water requirements. The following guidelines shall apply for landscape and erosion control plans:

- a. Existing native vegetation should be maintained as much as possible throughout the valley.
- b. Valley oaks should be incorporated on floodplain terraces.
- c. Weedy species such as pampas grass and genista shall not be planted in the Valley.
- d. Eradication plans for weedy species shall be incorporated.
- e. The chaparral community shall be maintained in its natural state to the maximum extent feasible in order to preserve soil stability and wildlife habitat and also be consistent with fire safety standards.

CV-3.22 Notwithstanding Policy OS-3.5(1), non-agricultural development that is both on slopes in excess of twenty five percent (25%) and on highly erodible soils shall be prohibited. Non-agricultural development on slopes in excess of twenty five (25%) percent that is not on highly erodible soils shall be subject to Policy OS3.5(1).

CV-4.1 In order to reduce potential erosion or rapid runoff:

- a. The amount of land cleared at any one time shall be limited to the area that can be developed during one construction season.

- b. Motorized vehicles shall be prohibited on the banks or in the bed of the Carmel River, except by permit from the Water Management District or Monterey County.
- c. Native vegetative cover must be maintained on areas that have the following combination of soils and slope:
 1. Santa Lucia shaly clay loam, 30-50% slope (SfF)
 2. Santa Lucia-Reliz Association, 30-75% slope (Sg)
 3. Cieneba fine gravelly sandy loam, 30-70% slope (CcG)
 4. San Andreas fine sandy loam, 30-75% slope (ScG)
 5. Sheridan coarse sandy loam, 30-75% slope (SoG)
 6. Junipero-Sur complex, 50-85% slope (Jc)

GMPAP

GMP-4.1 Redwood, pine, oak forest, and chaparral habitat on land exceeding 25 percent slope, should remain undisturbed due to potential erosion impacts and loss of visual amenities.

Pursuant to 2010 General Plan Policies S-1.3, S-1.7, and S-1.8, a Geotechnical and Percolation Investigation was prepared for the project by Soil Surveys Group, Inc. on May 27, 2020. Seven borings were drilled on April 1, 2020; three for geotechnical investigation purposes and four for percolation investigation purposes. The boring logs, field observations, and field and laboratory test data were analyzed to determine the following:

- Suitability of the soils at the project site for the proposed buildings,
- Unsuitable or unstable soil conditions, if any,
- Foundation and retaining wall design criteria for the proposed buildings,
- Subsurface groundwater and soil moisture considerations,
- Surface drainage considerations,
- Analysis of seismic hazards and seismic design factors per the 2019 California Building Code, and
- Percolation test results and feasibility for the proposed septic system.

According to the report, there are no unsuitable or unstable soil conditions that would preclude the construction of the proposed residence, and the site is suitable for the proposed buildings with incorporation of the recommendations made in the report. (*Source IX: 10*)

Conclusion:

Geology and Soils 7(a)(i) - Less than Significant Impact

Surface rupture occurs during an earthquake when fault displacement breaks the ground surface along the historic trace of a fault. The County's seismic hazard maps and the Geotechnical and Percolation Investigation both indicate that no known faults cross the project site. The project site is not located within an Alquist-Priolo Earthquake Fault Zone. As such, the Geotechnical and Percolation Investigation concluded that the potential for surface rupture or lurch cracking is considered low. (*Source IX: 7, 10*) Therefore, the chance of impacts due to surface rupture is less than significant.

Geology and Soils 7(a)(ii) - Less than Significant Impact

Any of the active or potentially active faults located near the project site could become active and cause seismic ground shaking. The next nearest mapped faults that could produce an earthquake are the Chupines and Laureles Faults, located approximately 1.52 km and 1.55 km away, respectively. The severity of ground shaking during an earthquake depends on a number of factors including earthquake magnitude, epicenter distance to site, local geologic conditions, and topographic setting. The proposed project would introduce one single-family residence and a detached guest suite/garage to the site, which would incrementally increase the risk of loss, injury, or death. However, structures would be designed in strict compliance with the 2019 California Building Code to help withstand such seismically generated ground accelerations for a reasonably expected duration without suffering major damage. The project itself could not increase ground shaking hazards at adjacent properties. *Therefore, impacts related to strong seismic ground shaking would be less than significant.*

Geology and Soils 7(a)(iii)- Less than Significant Impact

Liquefaction is the loss of strength in saturated granular soil and is often accompanied by the occurrence of free surface water. Liquefaction and lateral spreading tend to occur in loose, fine, saturated sands and in places where the liquefied soils can move toward a free face such as a cliff or ravine. The Geotechnical and Percolation Investigation found that because of the soil types found on the property and that groundwater was found only in one boring at a depth of 24.25 feet, the potential for liquefaction and lateral spreading during a strong seismic event is low. Differential compaction and settlement occur generally in loose, granular or unconsolidated semi-cohesive soils during severe ground vibration. The Geotechnical and Percolation Investigation concluded that because of the subsurface soil and rock conditions on the site, the risk for differential compaction and settlement is low. *Therefore, impacts related to seismic-related ground failure, including liquefaction, would be less than significant.*

Geology and Soils 7(a)(iv) - Less than Significant Impact

Data from the Monterey County GIS indicate the project site is located within a zone that is designated as having a low potential for landslides. All of the structures are proposed on the flattest areas of the site and construction would be required to comply with the standards found in the California Building Code. However, portions of the improvements to the roadway would be within slopes exceeding 25% as the topography of the parcel substantially limits the available area for the driveway without encroaching into areas of steeper slope. As a result, the proposed project would be required to receive a discretionary permit to allow development of slope exceeding 25%, in accordance with 2010 General Plan Policy OS-3.5. To assure stability of the development, the project would be required to comply with Monterey County Code Section 16.12, which establishes regulations, procedures, and standards to consider development on slopes in excess of 30%. In addition, standard County Conditions of Approval would be applied to the project, placing grading restrictions, requiring an erosion control plan and grading plan, as well as geotechnical certification, as needed. *With the approval of the discretionary permit and implementation of standard County Conditions of Approval, impacts related to landslides would be less than significant.*

Geology and Soils 7(b) - Less than Significant Impact

Three soil types occur within the property, Sheridan coarse sandy loam, 30-75% slopes, Vista coarse sandy loam, 30-75% slopes, and Cienega fine gravelly sandy loam, 30-75% slopes. All three soil types are present within the proposed roadway improvements. The majority of the residence will be located within Vista coarse sandy loam; however, a portion will also be within Sheridan coarse sandy loam, including the proposed photovoltaic array and the proposed future pool. The Geotechnical and Percolation Investigation found that the near surface soil at the proposed building site has the potential to erode, particularly if protective vegetation is removed. To minimize these impacts, the Geotechnical and Percolation Investigation details considerations and design parameters related to drainage and erosion. These recommendations include design criteria for rain gutters, energy dissipation systems where rainfall runoff is concentrated, and grading around new paved areas be such that runoff does not become trapped or flow against building foundations.

Carmel Valley Master Plan Policy CV-4.1(c) requires that native vegetation cover be maintained on areas of Cienega fine gravelly sandy loam and Sheridan coarse sandy loam with slopes of 30-75%. A Revegetation Plan has been prepared for the project that includes planting and/or seeding of temporarily impacted areas with locally occurring native grassland species collected from the project vicinity or acquired from local suppliers (**Appendix C**). Implementation of the Revegetation Plan will avoid or reduce potential erosion issues following construction.

The project would be required to comply with Monterey County Code Chapter 16.12. This chapter sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering these provisions. In compliance with these measures, the project applicant has included standard erosion control BMPs as part of the project. These BMPs include installation of silt fencing and/or fiber rolls; designated staging, stockpile, and concrete waste management areas; a stabilized construction entrance; and inlet protection as shown on Sheet 11 of the Project Plans (**Appendix A**) and Sheets C3.1 and C3.2 of the Civil Plans (**Appendix B**). The areas surrounding the structures, patios and terraces, and driveway will be stabilized with long-term erosion control measures that may include slope stabilization (e.g., retaining walls), drainage improvements.

With adherence to existing Monterey County regulations and standards of approval, and recommendations in the Geotechnical and Percolation Investigation the project would not result in substantial soil erosion or the loss of topsoil. This is a less than significant impact.

Geology and Soils 7(c,d) - Less than Significant Impact

As part of the Geotechnical and Percolation Investigation, Soil Surveys Group, Inc. conducted soil boring to assess the composition and density of soils at the project site. Boring results indicate expansive soil conditions and loose soil near surface soil conditions. The project would involve construction of one residence and a detached guest suite/garage, which would require excavation and grading prior to laying a foundations. Loose soils at the project site could become unstable upon construction and may not be able to adequately support the proposed development. Expansive soils experience volumetric changes with changes in moisture content, swelling with increases in moisture

content and shrinking with decreasing moisture content. These volumetric changes can cause distress resulting in damage to concrete slabs and foundations. As stated above, the project would be required to comply with the recommendations in the Geotechnical and Percolation Investigation. Implementation and inspection of the project is subject to review by Building Services which requires compliance with the California Building Code and construction in accordance with the recommendations of the project Geotechnical and Percolation Investigation.

With adherence to existing Monterey County regulations and standard conditions of approval, and recommendations in the Geotechnical and Percolation Investigation the project would not cause harm or risk life or property. This is a less than significant impact.

Geology and Soils 7(e) - Less than Significant Impact

The project includes installation of a single septic system to serve the project consisting of a 2,500 gallon septic tank and two leach fields. Environmental Health Bureau staff reviewed the percolation study prepared for the project and conducted a site visit to verify that suitable locations for the proposed septic systems exist on the property. Percolation tests conducted at the site indicate acceptable percolation rates for septic system effluent per Monterey County Code Section 15.20.070. However, the Geotechnical and Percolation Investigation provides recommendations to address site suitability for a septic drain field system using shallow leaching fields, including that the drain field branches be separated by a manual diversion valve, which should be turned at least twice per year to alternate application of septic tank effluent to each drain field branch to extend the life of the system. The proposed project would be required to adhere to all recommendations in the Geotechnical and Percolation Investigation. *With implementation of the above recommendations, the proposed project would have a less than significant impact.*

Geology and Soils 7(f) - Less than Significant Impact

No evidence of paleontological resources or unique geology features are present on the project site. However, there is still a possibility that unidentified or buried paleontological resources may exist on the site. The County does not yet have a standard condition requiring ground disturbance be ceased for potential uncovering of paleontological resources as with archaeological resources. Therefore, a mitigation measure is required to ensure unknown fossils incur less than significant impact if uncovered during project-related excavation or grading.

Mitigation Measure (MM) No. 9: Paleontological Resources

In the event a previously unknown fossil is uncovered during project-related ground disturbance, all work shall cease until a certified professional paleontologist can investigate the finds and make appropriate recommendations. Recommendations shall include fossil salvage, curation, and reporting requirements. Owner/applicant shall include a note on the construction plans (each of the demolition and grading sheets) encompassing the language contained in this mitigation measure, including all compliance actions.

Mitigation Measure Action (MMA) No. 9

Prior to the issuance of permits from HCD-Building Services, owner/applicant shall submit to HCD-Planning for review and approval construction plans containing the language of this mitigation measure.

Therefore, potential impact to paleontological resources would be reduced to less than significant.

8. GREENHOUSE GAS EMISSIONS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (<i>Source IX: 1, 16, 17</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (<i>Source IX: 1, 7, 8, 12, 13, 16, 17</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

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? (<i>Source IX: 1</i>)	<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? (<i>Source IX: 1, 6</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? (<i>Source IX: 1, 9</i>)	<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? (<i>Source IX: 1, 9</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (<i>Source IX: 1, 9</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (<i>Source IX: 1, 6</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (<i>Source IX: 1, 6, 9</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

10. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (<i>Source IX: 1, 5, 6, 7, 8, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (<i>Source IX: 1, 6</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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; (<i>Source IX: 1, 4, 5, 6, 7, 8, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (<i>Source IX: 1, 5, 6, 7, 8, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (<i>Source IX: 1, 6, 7, 8, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Impede or redirect flood flows? (<i>Source IX: 1, 6, 9</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (<i>Source IX: 1, 6, 9</i>)	<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? (<i>Source IX: 1, 6, 7, 8, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed project area lies within the boundaries of the Carmel River Basin. The drainage basin consists of approximately 164,000 acres or 258 square miles. The climate in this region consists of generally mild temperatures year-round, with high temperatures varying from the low 60s in the winter to the high 60s in the summer. Average annual precipitation is 18 to 20 inches, and the majority of rainfall occurs in winter.

An unnamed ephemeral drainage runs from the Insite Pond, draining through a culvert into a drainage ditch which flows directly adjacent to and sometimes crosses the existing driveway. The drainage ditch is two to three feet wide in most places and only carries water during storm events. Precipitation, sheet flow, surface runoff, and seepage from the toe of the adjacent surrounding slopes are the principle natural hydrologic sources for the drainage ditch. The drainage ditch conveys water directly to the Carmel River, which flows into the Carmel Lagoon and Carmel Bay, which are part of the Monterey Bay National Marine Sanctuary and are designated an Area of Special Biological Significance as identified by the State Water Resources Control Board.

The proposed project includes use of an existing on-site well, which was drilled under a EHB well permit in October 2019 and was determined to meet Title 22 drinking water standards. Sewage disposal will be handled through the proposed onsite septic system. The Geotechnical and Percolation Investigation performed for the project found that the proposed location for the septic system and leach fields indicate acceptable percolation rates for the percolation of septic system effluent per Monterey County Code Section 15.20.070.

The hydrology and water quality policies of the 2010 General Plan and Carmel Valley Master Plan that are applicable to the project include the following:

2010 General Plan

- S-3.1** Post-development, off-site peak flow drainage from the area being developed shall not be greater than pre-development peak flow drainage. On-site improvements or other methods for storm water detention shall be required to maintain post-development, off-site, peak flows at no greater than predevelopment levels, where appropriate, as determined by the Monterey County Water Resources Agency.
- S-3.2** Best Management Practices to protect groundwater and surface water quality shall be incorporated into all development.

S-3.3 Drainage facilities to mitigate the post-development peak flow impact of new development shall be installed concurrent with new development.

PS-2.8 The County shall require that all projects be designed to maintain or increase the site's pre-development absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate. Implementation shall include standards that could regulate impervious surfaces, vary by project type, land use, soils and area characteristics, and provide for water impoundments (retention/detention structures), protecting and planting vegetation, use of permeable paving materials, bioswales, water gardens, and cisterns, and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge.

PS-2.9 The County shall use discretionary permits to manage construction of impervious surfaces in important groundwater recharge areas in order to protect and manage groundwater as a valuable and limited shared resource. Potential recharge area protection measures at sites in important groundwater recharge areas may include, but are not limited to, the following:

- a. Restrict coverage by impervious materials.
- b. Limit building or parking footprints.
- c. Require construction of detention/retention facilities on large-scale development project sites overlying important groundwater recharge areas as identified by Monterey County Water Resources Agency.

The County recognizes that detention/retention facilities on small sites may not be practical, or feasible, and may be difficult to maintain and manage.

Carmel Valley Master Plan

CV-5.3 Development shall incorporate designs with water reclamation, conservation, and new source production in order to: a. maintain the ecological and economic environment; b. maintain the rural character; and c. create additional water for the area where possible including, but not limited to, on-site stormwater retention and infiltration basins.

Conclusion:

Hydrology and Water Quality 10(a), (c)(iii), (e) - Less than Significant Impact

The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality or decrease groundwater supplies. The County RMA-Environmental Services, and EHB have reviewed the project application and, as conditioned, have deemed that the project complies with applicable ordinances and regulations. Preparation of a stormwater control plan addressing the Post-Construction Requirements of Development Projects in the Central Coast Region, and either preparation of a Stormwater Pollution Prevention Plan (SWPPP) including the Waste Discharger Identification number or a letter of exemption from the RWQCB have been required by the RMA-Environmental Services as conditions of approval for the project. The County EHB has required preparation of an Onsite Wastewater Treatment Systems Feasibility Report in accordance with the Local Agency Management Program (LAMP). In addition, the project would be required to comply with relevant sections of the Monterey County Code that pertain to grading, erosion control, urban stormwater management, and percolation

of septic system effluent (Monterey County Code Chapters 16.08, 16.12, 16.14, 15.20.060). The proposed project will not create or contribute to runoff that may exceed the capacity of the existing or planned stormwater drainage. The RWQCB incorporates the County's General Plan in its preparation of regional water quality plans. The project is consistent with the parameters required for a Regional Board Subsurface Disposal Exemption. However, the Geotechnical and Percolation Investigation provides recommendations to address site suitability for a septic drain field system using shallow leaching fields, including that the drain field branches be separated by a manual diversion valve, which should be turned at least twice per year to alternate application of septic tank effluent to each drain field branch to extend the life of the system. The proposed project would be required to adhere to all recommendations in the Geotechnical and Percolation Investigation. *Therefore, with adherence to state and local regulations and implementation of the recommendations in the Geotechnical and Percolation Investigation, the proposed project will have less than significant impacts surface or ground water quality and will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.*

Hydrology and Water Quality 10(b), (c)(ii) - Less than Significant Impact

The project is a single family residence and detached guest suite/garage that will be served domestic water by an existing on-site well, which was drilled under a EHB well permit in October 2019. The proposed development would occupy approximately 2.4 acres (including the driveway), leaving approximately 260 acres of the parcel (approximately 99%) undeveloped, which would retain significant areas on the property for groundwater recharge and would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. *Therefore, proposed project would have a less than significant impact on groundwater supplies, groundwater recharge, and surface runoff.*

Hydrology and Water Quality 10(c)(i)(ii) - Less than Significant Impact with Mitigation Incorporated

The Geotechnical and Percolation Investigation found that the near surface soil at the proposed building site has the potential to erode, particularly if protective vegetation is removed. To minimize these impacts, the Geotechnical and Percolation Investigation details considerations and design parameters related to drainage and erosion. These recommendations include design criteria for rain gutters, energy dissipation systems where rainfall runoff is concentrated, and grading around new paved areas be such that runoff does not become trapped or flow against building foundations. Additionally, a Revegetation Plan has been prepared for the project that includes planting and/or seeding of temporarily impacted areas with locally occurring native grassland species collected from the project vicinity of acquired from local suppliers (**Appendix C**). Implementation of the Revegetation Plan will avoid or reduce potential erosion issues following construction.

The project would be required to comply with Monterey County Code Chapter 16.12. This chapter sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering these provisions. In compliance with these measures, the project applicant has included standard erosion control BMPs as part of the project. These BMPs include installation of silt fencing and/or fiber rolls; designated staging, stockpile, and concrete waste management

areas; a stabilized construction entrance; and inlet protection as shown on Sheet 11 of the Project Plans (**Appendix A**) and Sheets C3.1 and C3.2 of the Civil Plans (**Appendix B**). The areas surrounding the structures, patios and terraces, and driveway will be stabilized with long-term erosion control measures that may include slope stabilization (e.g., retaining walls), drainage improvements.

Improvements to the access road would include installation or improvements of culverts associated with the unnamed ephemeral drainage. However, work within the drainage would be limited to the dry season, the drainage will continue to convey water following construction, and the project will comply with 2010 General Plan Policy OS-5.18, meeting all applicable federal and state permitting requirements prior to disturbing any federal or state jurisdictional areas, including all mitigation measures for development of jurisdictional areas. As identified in Section II above, a Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit, and 1602 Lake and Streambed Agreement will be required for impacts to the drainage. Mitigation measures, as identified in Response 4(c) above, will ensure compliance with the Clean Water Act and Fish and Game Code.

Therefore, with implementation of state and local regulations and identified mitigation, the proposed project will not 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 result in substantial erosion or siltation on- or off-site.

Hydrology and Water Quality 10(c)(iv), (d) - No Impact

The proposed project is located on the top of a hill and is not located within a 100-year floodplain or within a flood hazard, tsunami, or seiche zone. *Therefore, the project would not impede or redirect flood flows and there is no risk of release of pollutants due to project inundation.*

11. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community? (Source IX: 1, 5, 7, 8, 9, 12, 13)	<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 IX: 1, 5, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

12. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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? (<i>Source IX: 1, 7, 8, 9, 12, 13</i>)	<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? (<i>Source IX: 1, 7, 8, 9, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

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? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Generation of excessive ground borne vibration or ground borne noise levels? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13</i>)	<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? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

14. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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 IX: 1, 2, 5, 7, 8, 9, 12, 13)	<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 IX: 1, 2, 5, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

15. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	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:				
	Fire protection? (Source IX: 1, 6, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Police protection? (Source IX: 1, 6, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Schools? (Source IX: 1, 6, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Parks? (Source IX: 1, 6, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other public facilities? (Source IX: 1, 6, 7, 8, 9, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

16. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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? (<i>Source IX: 1, 7, 8, 9, 12, 13</i>)	<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? (<i>Source IX: 1, 7, 8, 9, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

17. TRANSPORTATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13, 20</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13, 20</i>)	<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)? (<i>Source IX: 1, 6</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in inadequate emergency access? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13, 20</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

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 section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (<i>Source: I, 6, 11</i>)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (<i>Source IX: I, 6, 11</i>)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

Conclusion:

Tribal Cultural Resources 18(a, b)- Less than Significant with Mitigation Incorporated

Consultation with the tribal representative for Ohlone/Costanoan-Esselen Nation (OCEN), a culturally affiliated California Native American Tribe, was held on December 11, 2020. OCEN requested to have a tribal monitor onsite during construction and that language about the procedures to be followed if resources are found on site be included as mitigation. However, OCEN did not provide any evidence that the site is particularly significant to the tribe and Phase I Archaeological Assessment prepared for the project found no evidence of archaeological resources within or immediately surrounding the proposed development area, and there are no known human burial sites within the project area. Therefore, the County has determined the need

for a OCEN monitor is unwarranted. However, the procedures to be followed if resources are found are incorporated below as mitigation, as requested by OCEN.

Mitigation:

Mitigation Measure (MM) No. 10: Tribal Cultural Resources

A note shall be included on the construction set of plans as follows:

“If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

- Halt all excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required; and

If the coroner determines the remains to be Native American:

1. The coroner shall contact the Native American Heritage Commission and HCD – Planning within 24 hours.
2. The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/ Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.
3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or
4. Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
 - a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - b. The descendent identified fails to make a recommendation; or
 - c. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.”

Mitigation Measure Action (MMA) No. 10

Prior to the issuance of permits from HCD-Building Services, owner/applicant shall submit to HCD-Planning for review and approval location of the note on the construction set of plans.

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? (<i>Source IX: 1</i>)	<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? (<i>Source IX: 1</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (<i>Source IX: 1</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? B (<i>Source IX: 1, 19</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (<i>Source IX: 1</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV(A) above.

20. WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13, 21</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (<i>Source IX: 1, 5, 6, 7, 8, 9, 12, 13, 21</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The County of Monterey is characterized by moderate to very high fire hazard. California Department of Forestry and Fire Prevention (CAL FIRE) maps identify fire hazard severity zones in the State and local responsibility areas. the project site is located within a State Responsibility Area and is designated both a high fire hazard severity zone (HFHSZ) and a very high fire hazard severity zone (VHFHSZ), with the VHFHSZ being closer to the existing residential areas, and is therefore susceptible to wildfire risk (*Source IX: 9*). The proposed residence would be located within the area designated as a HFSZ. Fire hazards include surrounding remote and undeveloped areas with dense shrubs, woodland, and grassland habitats. In addition, the extent and adequacy of fire protection and control in various areas must also be considered. Limited accessibility in the remote areas of the project site increases the response time for firefighting equipment and may hinder escape. The risk of damage to life and property, therefore, is more severe and fire control more difficult.

In California, responsibility for wildlife prevention and suppression is shared by federal, state, and local agencies. CAL FIRE prevent and suppresses wildfires in State Responsibility Area lands, which are non-federal lands in unincorporated areas with watershed value, are of statewide interest, defined by land ownership, population density, and land use. Wildfire prevention in Local Responsibility Areas are typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract with local government. The project site is served by the MCRFD and CAL FIRE for fire and emergency medical services. The closest stations to the site are:

- MPFPD Village Station (Station 4) - 26 Via Contenta, Carmel Valley - 3.5 miles,
- MPFPD Mid Valley Station (Station 5) - 8455 Carmel Valley Road, Carmel Valley – 8.0 miles,
- MPFPD Laureles Station (Station 3) - 31 Laureles Grade, Salinas – 9.0 miles, and
- CAL FIRE - Cachagua Road, Carmel Valley, 10.0 miles. (*Source IX: 9, 21*)

The following 2010 General Plan policies related to fire hazards would be applicable to the project:

- S-4.9** Roadways shall be constructed and maintained in accordance with Monterey County Code Chapter 18.56 or the California Fire Code, as they may be updated from time to time, as determined by the fire authority having jurisdiction.
- S-4.13** The County shall require all new development to have adequate water available for fire suppression. The water system shall comply with Monterey County Code Chapter 18.56, NFPA Standard 1142, or other nationally recognized standard. The fire authority having jurisdiction, the County Departments of Planning and Building Services, and all other regulatory agencies shall determine the adequacy and location of water supply and/or storage to be provided.
- S-4.18** All access roads and driveways shall be maintained by the responsible parties to ensure the fire department safe and expedient passage at all times.
- S-4.19** Gates on emergency access roadways shall be constructed in accordance with Monterey County Code Chapter 18.56 and the California Fire Code as amended.
- S-4.20** Reduce fire hazard risks to an acceptable level by regulating the type, density, location, and/or design and construction of development.
- S-4.21** All permits for residential, commercial, and industrial structural development (not including accessory uses) shall incorporate requirements of the fire authority having jurisdiction.
- S-4.22** Every building, structure, and/or development shall be constructed to meet the minimum requirements specified in the current adopted state building code, state fire code, Monterey County Code Chapter 18.56, and other nationally recognized standards.
- S-4.30** New swimming pools may be required to be plumbed to allow connection to firefighting equipment, if requested by the local fire jurisdiction
- S-4.32** Property owners in high, very high, and extreme fire hazard areas shall prepare an overall Fuel Modification Zone plan in conjunction with permits for new structures, subject to approval and to be performed in conjunction with the CDFFP [CAL FIRE] and/or other fire protection agencies in compliance with State Law.
- S-4.33** Where new developments are required to provide for fuel modification zones, the cost of such construction shall be borne by the developer. Future maintenance of such fuel

modification zones shall be in accordance with the fire defense standards adopted by the State of California. Homeowners shall be responsible for said maintenance.

Wildfire 20(a) - Less Than Significant Impact

The proposed single family residential development is located in a remote, open space which is served by MCRFD; the nearest station is approximately 3.5 miles from the proposed residence. The project application and plans were reviewed by the MCRFD to ensure adequate access for emergency vehicles. The MCRFD proposed no conditions of approval for the project and will review the final plans. The project would therefore not impair the movement of emergency vehicles or substantially increase the demand for fire protection services such that it would impair an emergency response plan or emergency evacuation plan. *This impact would be less than significant.*

Wildfire 20(b) – Less than Significant Impact

The project area is located in a State Responsibility Area and is designated as HFHSZ. As a result, there is a potential for increased wildfire risk whenever placing residential uses in a wildland area. Construction and operation of the proposed project area would involve use of flammable materials, tools, and equipment capable of generating a spark and igniting a wildfire. Additionally, increased vehicle traffic and human presence in the project area could increase the potential for wildfire ignitions. The proposed project incorporates measures that would minimize occupant exposure to wildfire risk, including:

- Installation of two 5,000-gallon underground water tanks;
- Construction according to the latest California Building Code, and any additional restrictions or requirements adopted locally by the MCRFD;
- Installation and maintenance of defensible space areas within 100 feet¹ of all project structures, which is consistent with Public Resources Code 4291; and
- Installation of a 12-foot wide (minimum) on-site access road and fire truck turnaround.

Further, in accordance with California Public Resources Code Sections 4427, 4428, 4431, and 4442, maintenance activities associated with the proposed project, including defensible space areas, would be conducted using firesafe practices to minimize the potential for wildfire ignitions resulting from equipment use. *Implementation of existing local and state regulations, as well as incorporation of the fire protection design measures listed above, would reduce impacts due to risk of exposure to project occupants and surrounding residences to a less than significant level.*

Wildfire 20(c) – Less than Significant Impact

The project involves the installation and maintenance of multiple infrastructure components to support the proposed single family residence and detached guest suite/garage. The following identifies proposed infrastructure and its contribution to wildfire risk:

- Water Supply: The existing on-site well and installation of two 5,000-gallon underwater tanks would provide the necessary supply, including back-up supply, for fire suppression. The proposed future pool could also contribute to the supply. Ongoing and regular

¹ Please note that the project also includes both a 250-foot fuel reduction zone for insurance purposes.

maintenance of the well, as required by California Well Standards and Monterey County Code Chapter 15.08, would reduce potential wildfire impacts to less than significant.

- **Wastewater Management:** The 2,500-gallon underground septic tank and leach fields would not result in additional temporary or permanent impacts. Further the maintenance of this area would be conducted using firesafe practices, as required by California Public Resources Code Sections 4427, 4428, 4431, and 4442, to minimize the potential for wildfire ignitions resulting from equipment use.
- **Photovoltaic System (Solar):** The 1,270 ft² ground-mounted solar panels would be installed to existing code standards and as a result, would not exacerbate wildfire risk.
- **Defensible Space:** In accordance with 2010 General Plan, the landowner is responsible for creating defensible space for their homes through the implementation of a Fuel Modification Zone Plan. Defensible space would be required within 100 feet of the project's structures to reduce fire hazard on-site, consistent with state and county requirements. Defensible space zones are passive measures and would not impede site access or otherwise hinder evacuation of emergency response efforts. Presence of defensible space areas would reduce fuel volumes and moderate fire behavior near structures, and would reduce potential wildfire impacts. Maintenance of defensible space areas may require heat- or spark-generating equipment; however, maintenance activities associated with the proposed project would be conducted using firesafe practices, as required by California Public Resources Code Sections 4427, 4428, 4431, and 4442, to minimize the potential for wildfire ignitions resulting from equipment use.

With implementation of existing local and state regulations, wildfire impacts resulting from installation and maintenance of the project-related infrastructure would be less than significant.

Wildfire 20(d) - No Impact

The project site is surrounded by open space and no structures are present that could be impacted by potential post-fire slope instability or runoff. The nearest structures are located downslope from the proposed project site; however, these residences are located at the top of the ridgeline and no structures are present within the drainages through which any potential post-fire runoff would flow. Additionally, in accordance with 2010 General Plan, the landowner is responsible for creating defensible space for their homes through the implementation of a Fuel Modification Zone Plan. Fuel management efforts such as moving grass or reducing shrub height would reduce fire intensity and slow the spread of fire, and would be conducted in a manner that avoids erosion and destabilization of slopes and natural drainages, and that preserves trees to provide slope stability. *Therefore, the project would not 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. No impact would occur.*

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) 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? (<i>Source IX: 1, 3, 4, 5, 6, 7, 8, 11, 12, 13</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (<i>Source IX: 1, 3, 4, 6, 7, 8, 10, 11, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (<i>Source IX: 1, 6, 7, 8, 10, 12, 13</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

(a) Less than Significant Impact with Mitigation Incorporated

Based upon the analysis throughout this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. Regarding biological resources, impacts to special-status species, sensitive natural communities, and waters of the U.S. and State would be less than significant with mitigation, as stated in Section VI(4). All recommendations provided in the Biological Report and Tree Assessment would be applied as conditions of approval. *Upon compliance with recommendations, impacts to special-status species, sensitive natural communities, waters of the U.S. and State, and trees would be less than significant with adherence to mitigation measures.*

(b) Less Than Significant Impact

Based upon the analysis throughout this Initial Study, the project would have no impact, less than significant impact, or a less than significant impact after mitigation with respect to all environmental

issues. The project would not result in substantial long-term environmental impacts, and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development. *Potential impacts of the project would not be cumulatively considerable.*

(c) Less Than Significant Impact

Effects on human beings are generally associated with impacts related to issue areas such as air quality, geology and soils, greenhouse gases, noise, traffic safety, and hazards. As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated in each of these resource areas. As discussed in Section IV(A), the project would have no impact on hazards and hazardous materials, noise, and transportation. As discussed in Section VI(7) the project would be required to comply with recommendations from the Geotechnical and Percolation Investigation prepared for the project site, including those for construction in unstable and expansive soils. As discussed in Sections IV(3), IV(8), and IV(20) the project would have a less than significant impact on air quality, greenhouse gases, and wildfire, respectively. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant. *Potential direct or indirect impacts to human beings would not be substantially adverse with implementation or operation of the project..*

VIII. 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 CDFW. 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 CDFW 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 CDFW. Forms may be obtained by contacting CDFW by telephone at (559) 243-4005 or through CDFW's website at <https://www.wildlife.ca.gov/>.

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN200047 and the attached Proposed (Mitigated) Negative Declaration.

IX. REFERENCES

1. Project Application/Plans contained in PLN200047 Knoop Residence.
2. Monterey County Assessor's Database.
3. *Tree Resources Assessment, 120 Country Club Heights*. Frank Ono, Urban Forester, dated September 29, 2020.
4. Denise Duffy & Associates, Inc.,
 - a. *Knoop Residence Project Revegetation Plan*, dated June 2020.
 - b. *Knoop Residence Project Biological Resources Report*, dated June 2020.
 - c. *Results of Special-Status Plant Surveys, in Accordance with the Biological Resources Report for the Knoop Residence Project*, dated December 10, 2020.
 - d. *Knoop Residence Project Low-Effect Habitat Conservation Plan*, dated June 2020 (unpublished).
5. Monterey County Code.
6. Interdepartmental Review (Monterey County Regional Fire Department, Environmental Services, Public Works, Environmental Health Bureau).
7. Monterey County 2010 General Plan.
8. Greater Monterey Peninsula Area Plan.
9. Monterey County Geographic Information System (GIS).
10. *Geotechnical and Percolation Investigation for the Proposed Single Family Residence with Detached Guest Suite and Garage with Septic System to be Located at 100 Country Club Heights Lane, APN 187-021-040 and -041*. Soil Surveys Group, Inc., dated May 27, 2020.
11. *Phase I Archaeological Assessment of 100 Country Club Heights, Monterey County, California*, Albion Environmental, Inc., dated April 2020.
12. Carmel Valley Master Plan.
13. Toro Area Plan
14. 2018 Regional Growth Forecast, Association of Monterey Bay Area Governments (AMBAG), adopted June 13, 2018.
15. Monterey Bay Air Resources District:
 - a. *CEQA Air Quality Guidelines*, dated 2016.
 - b. *2012-2015 Air Quality Management Plan*, adopted March 25, 2017.
<http://mbard.org/programs-resources/planning/air-quality-plans/>
16. Monterey County Climate Action Plan
17. 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy, Association of Monterey Bay Area Governments

18. Title 24, Part 6 of California Building Code (Energy Efficiency Standards or Residential Buildings)
19. Monterey Regional Waste Management District website.
<http://www.mrwmd.org/disposal/>
20. *Regional Development Impact Fee Program Nexus Study Update 2013*, prepared by Wood Rodgers, dated June 2013. <https://www.tamcmonterey.org/programs/dev-impact-fees/>
21. Monterey County Regional Fire District website. <https://www.mcrfd.org/>