



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Smith

File No.: PLN200132

Project Location: 2405 San Antonio Avenue, Carmel, California 93923

Name of Property Owner: The Smith Family Trust

Name of Applicant: The Law Office of Aengus L. Jeffers

Assessor's Parcel Number(s): 009-421-003-000

Acreage of Property: 4,000 square feet (0.092 acres)

General Plan Designation: Medium Density Residential

Zoning District: Medium Density Residential, 2 units per acre, with a Design Control overly and an 18-foot height limit (Coastal Zone) [MDR/2-D (18)(CZ)]

Lead Agency: Monterey County Housing and Community Development

Prepared By: Joseph Sidor, Associate Planner

Date Prepared: July 12, 2021

Contact Person: Joseph Sidor, Associate Planner

Phone Number: (831) 755-5262

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

As proposed, the project involves the construction of a 1,368 square foot cottage style single-family dwelling inclusive of an attached garage, a 373 square foot attached storage area, and a 30 square foot covered porch on a previously-developed but currently vacant lot. Color and material finishes would include shingle siding, slate roof, painted window frames and doors, and a stone fireplace. An open trellis would cover an approximate 200 square foot patio area. The project also involves a request to modify County parking standards to allow required parking within the front setback, development on slopes exceeding 30 percent, and development within 750 feet of known archaeological resources. Associated excavation/grading for the structure foundation would include approximately 55 cubic yards of cut and 60 cubic yards of fill. See Project Plans at Figures 1a – 1d.

The required Combined Development Permit would consist of the following entitlements:

- 1) Coastal Administrative Permit and a Design Approval to construct a 1,368 square foot single-family dwelling inclusive of an attached garage, and a 373 square foot attached storage area;
- 2) Coastal Administrative Permit to allow the modification of parking standards;
- 3) Coastal Development Permit to allow development on slopes exceeding 30 percent; and
- 4) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

The proposed modification of parking standards would allow one parking space within the front setback to count toward the amount of required parking. Per Monterey County Code (MCC) section 20.58.50, main residential dwellings in Medium Density Residential (MDR) zoning districts are required to provide two off-street parking spaces, with at least one space covered (e.g., either a carport or garage). As proposed, the project would provide one covered parking space within the proposed garage, and one uncovered parking space within the front setback. See Section IV.11 (Land Use and Planning) of this Initial Study below for further discussion.

Construction of a former residence on the site resulted in excavation and creation of man-made slopes in excess of 30 percent. The proposed development would include new excavation of these man-made slopes for the foundation of the residence and garage. Pursuant to the policies of the Carmel Area Land Use Plan (LUP Policies 2.2.4.10.a and 2.7.4.1) and applicable Monterey County Code (MCC Sections 20.146.030.C.1.a and 20.64.230.C.1), development on slopes that exceed 30 percent is prohibited unless there is no feasible alternative that would allow development to occur on slopes of less than 30 percent, or the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable land use plan than other development alternatives. In this case, there are no feasible alternative building sites that would completely avoid development on slopes that exceed 30 percent. See Figure 1b (Topographic Site Plan) and Section IV.7 (Geology and Soils) below for further discussion.

B. Surrounding Land Uses and Environmental Setting:

The proposed project involves development of a 4,000 square foot vacant parcel (Assessor's Parcel Number 009-421-003-000) located at 2405 San Antonio Avenue, in the unincorporated portion of Monterey County's Carmel Point neighborhood. The site is approximately 365 feet south of the City of Carmel-by-the-Sea, and 550 feet south and 1,000 feet east of the Pacific Ocean coastline. See Vicinity Map at Figure 2.

The relatively level lot has a slight slope to the southwest, and steep excavated slopes on the east and west property boundaries. The property was previously developed with a 1,700 square foot single-family dwelling. On March 20, 2019, the Monterey County Zoning Administrator approved a Coastal Administrative Permit and Design Approval (Resolution No. 19-018; Planning File No. PLN180386) to allow demolition of the residence and development within 750 feet of known archaeological resources (Building Services File No. 18CP02107). Post-demolition, the site is comprised of bare ground with no vegetation or trees. See Site Photographs at Figure 3.

The project site is situated near the coast within a heavily-developed residential neighborhood, and numerous single-family homes are present in the surrounding vicinity. The project site and immediately surrounding vicinity are zoned and designated for medium density residential use. Vegetation on surrounding properties consists primarily of planted native and non-native shrubs and trees.

The project site is in an area identified in County records as having a high archaeological sensitivity, and is within an area of positive archaeological reports; therefore, the project includes a Coastal Development Permit to allow development within 750 feet of known archaeological resources. The project site is also within the area of a larger cultural site identified in the archaeological report prepared for this project. Although located in an area of high sensitivity and known resources, the archaeological report prepared for the project identified evidence of potential, but limited or less than significant, disturbance to prehistoric cultural or archaeological resources during project excavation activities. See Sections VI.5 and VI.18 (Cultural Resources and Tribal Cultural Resources, respectively) below for further discussion.

C. Other public agencies whose approval is required:

The County of Monterey's Local Coastal Program (LCP) has been certified by the California Coastal Commission; therefore, the County is authorized to issue coastal development permits. Subsequent to approval of the required discretionary permits (entitlements) identified above, the applicant would require ministerial permits (e.g., construction permit) from County of Monterey HCD-Building Services. No other public agency approvals would be required.

Figure 1a – Proposed Site Plan

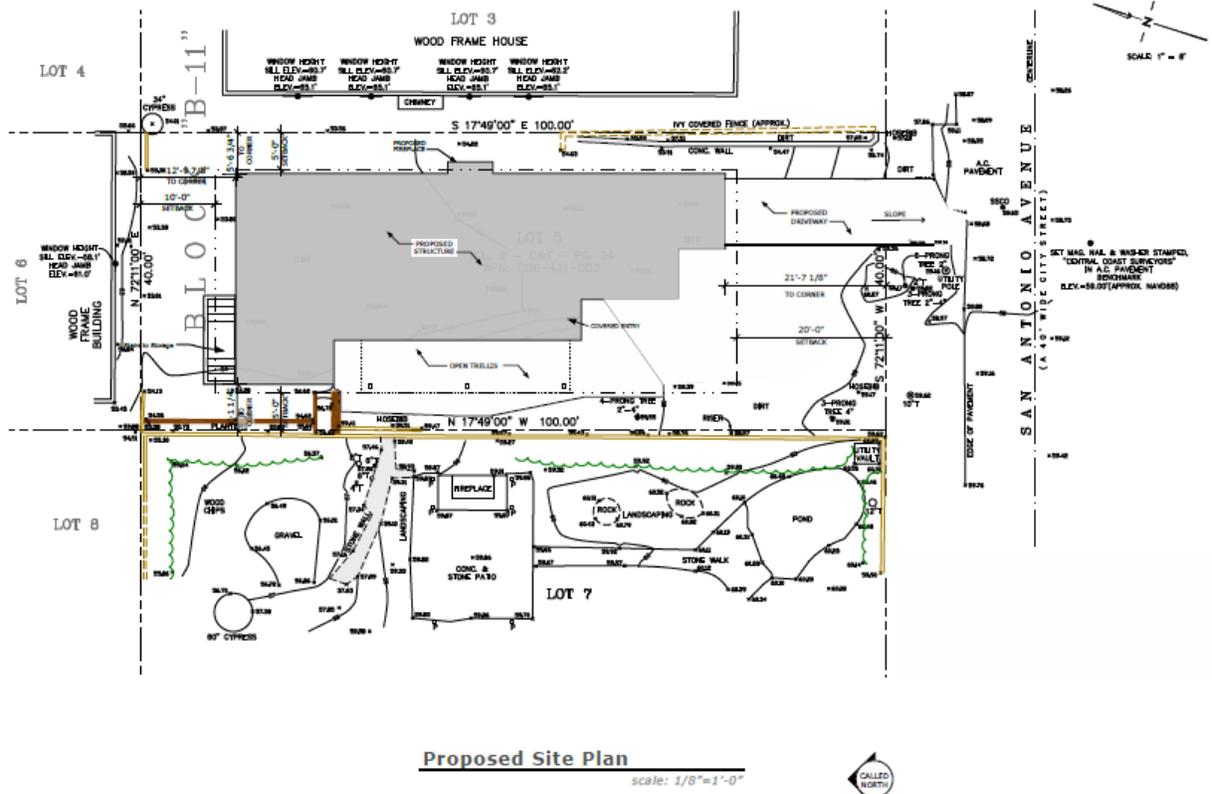


Figure 1b – Topographic Site Plan

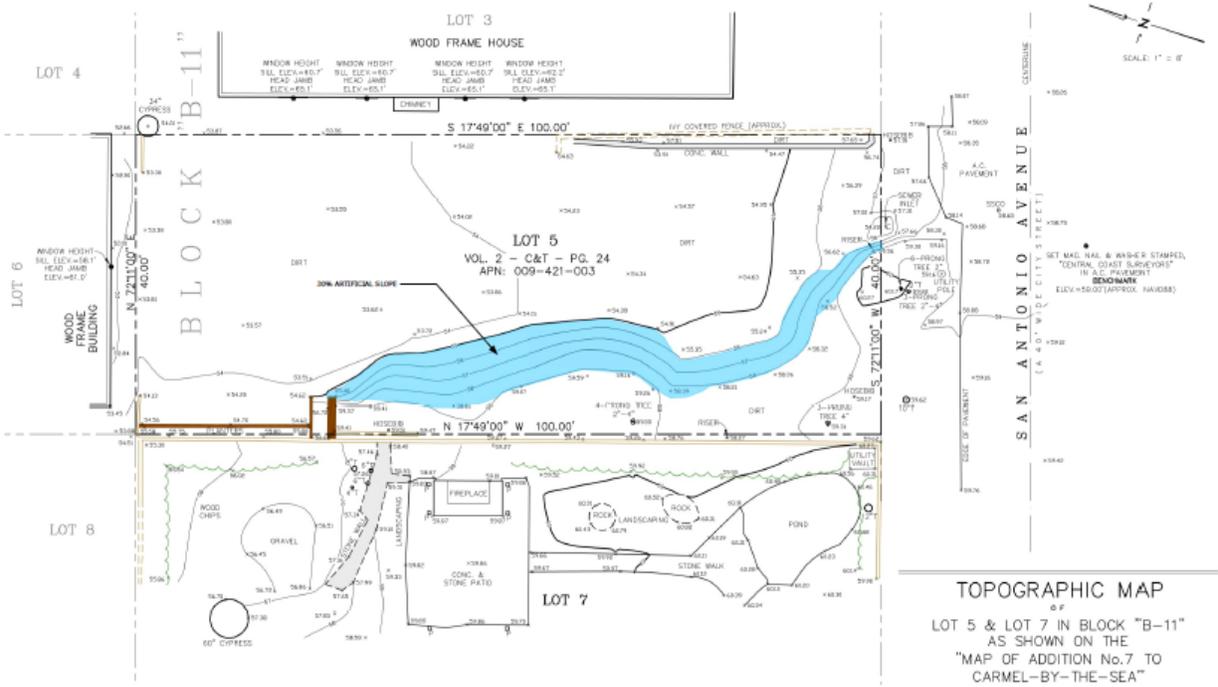
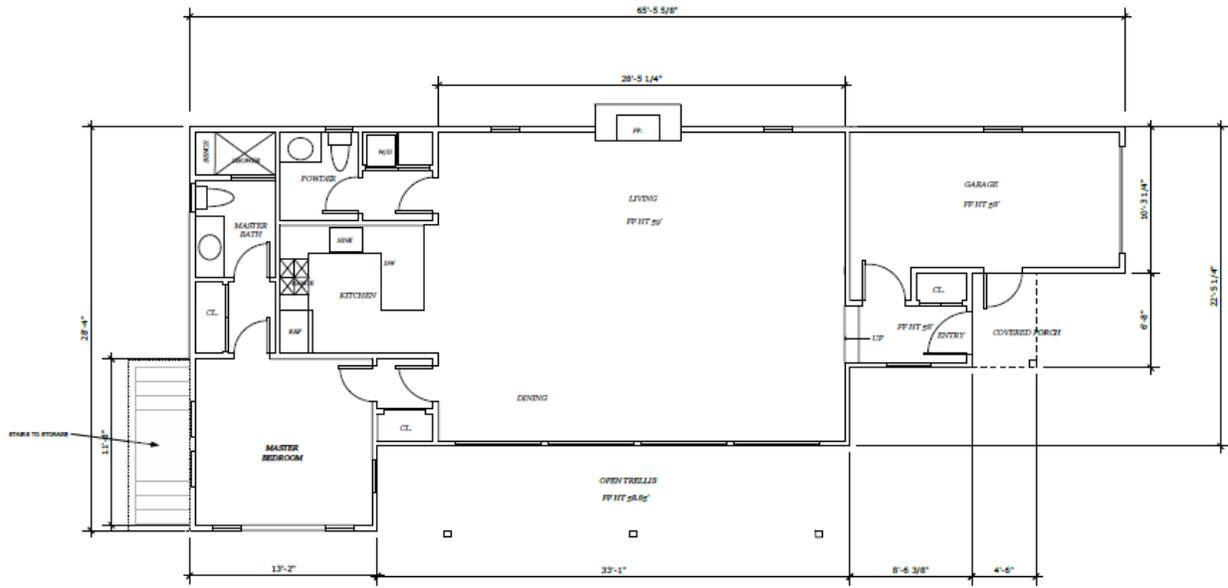
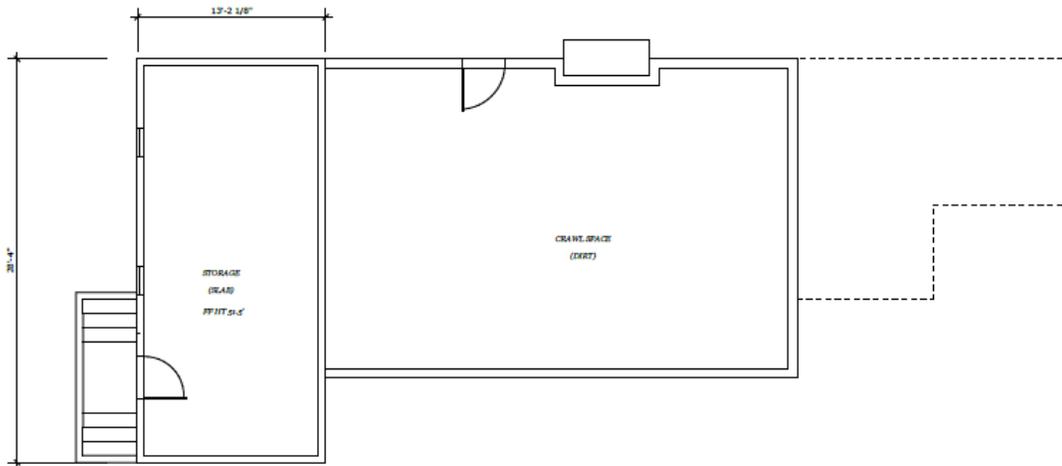


Figure 1c – Proposed Floor Plan



Living Space Floor Plan

scale: 1/4"=1'-0"



Under House Plan

scale: 1/4"=1'-0"

**Figure 1d – Proposed Elevations
(including proposed color and material finishes)**

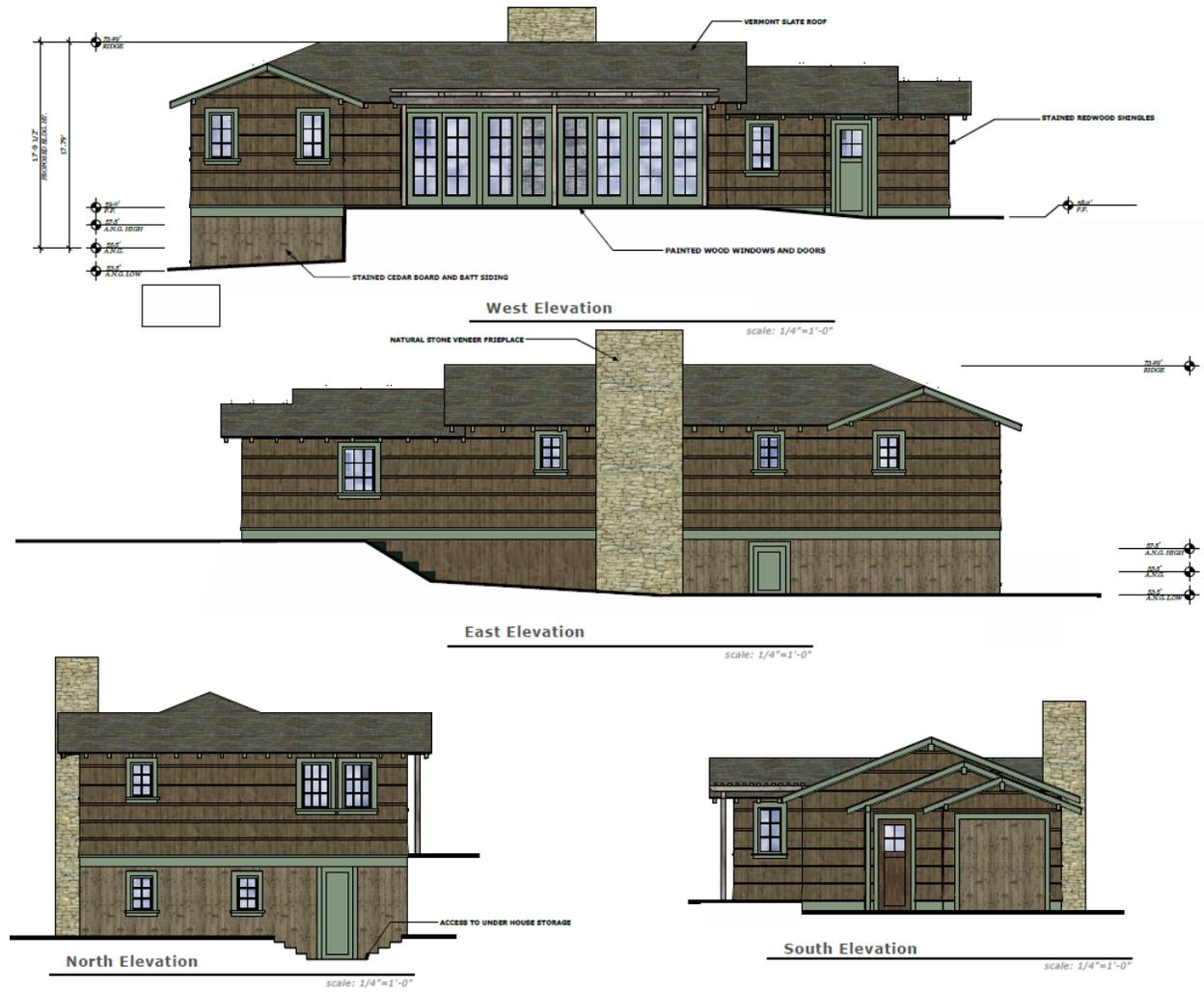


Figure 2 – Vicinity Map

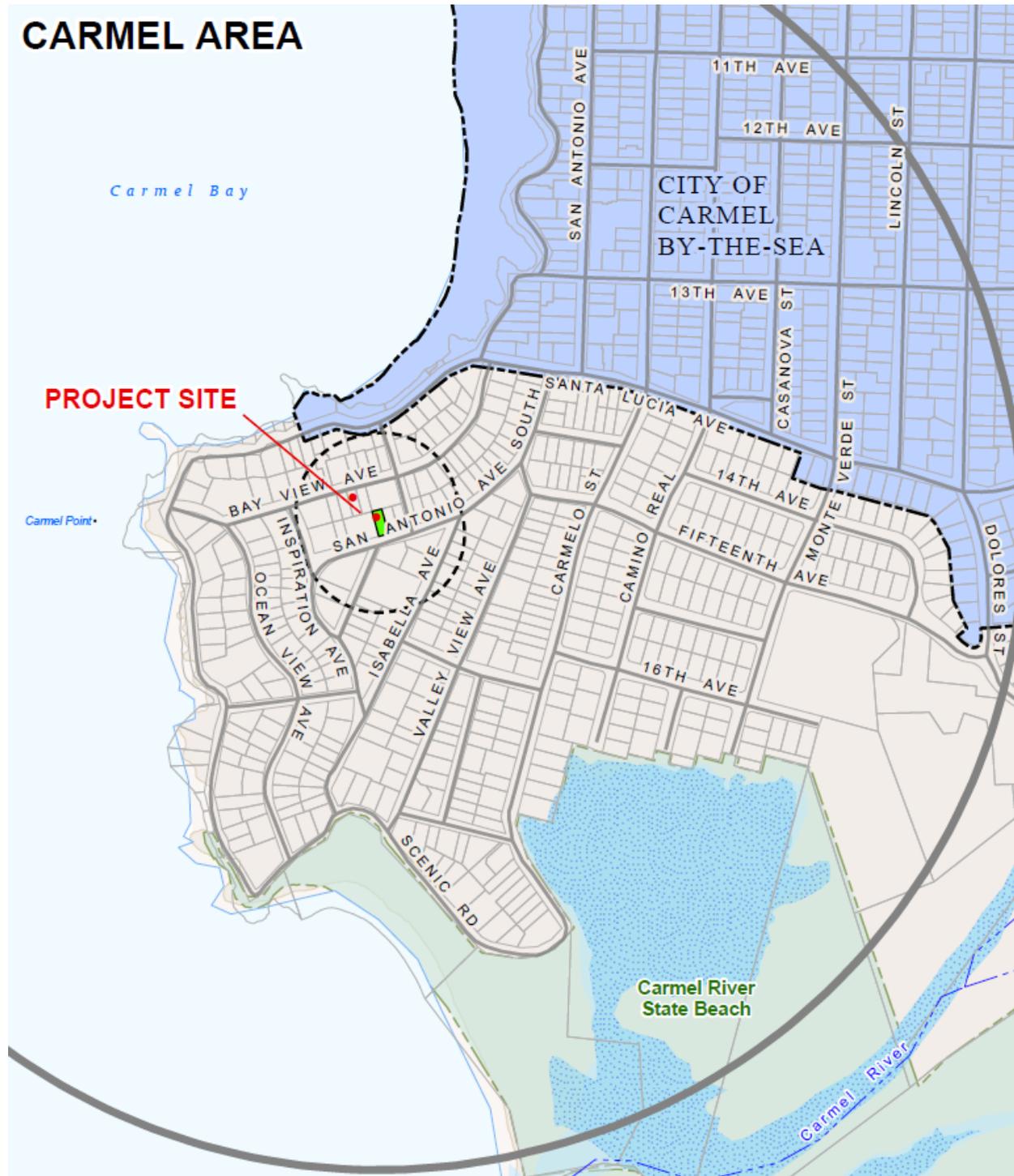


Figure 3 – Site Photographs



3a - Post demolition – View looking south



3b - Post demolition – View looking north



3c - Staking & flagging of proposed structure.



3d - Staking & flagging of proposed structure.

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 type="checkbox"/>	Local Coastal Program-LUP	<input checked="" type="checkbox"/>

General Plan/Area Plan: Within the coastal areas of unincorporated Monterey County, the 1982 General Plan policies apply where the Local Coastal Program (LCP) is silent. This typically is limited to noise policies as the LCP policies contain the majority of development standards applicable to development in the coastal areas. The project would involve the development of a single-family dwelling or residence, accessory structure, and associated site improvements in the Carmel Point neighborhood and is consistent with the noise policies of the 1982 General Plan and would not create any noise other than minor and temporary construction noise (Source IX. 2).

CONSISTENT

Air Quality Management Plan: The 2012-2015 and the 2008 Air Quality Management Plan (AQMP) for the Monterey Bay Region address attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring site in Carmel Valley has given no indication during project review that implementation of proposal for a single-family residence on an existing residential in-fill lot would cause significant impacts to air quality or greenhouse gas emissions (GHGs). (Source IX. 6, 7) **CONSISTENT**

Local Coastal Program: The project is subject to the Carmel Area Land Use Plan (LUP), which is part of the Certified Local Coastal Program in Monterey County. This Initial Study discusses consistency with relevant LUP policies in Sections IV and VI. County staff reviewed the project for consistency with the policies of the Carmel Area LUP and the regulations of the associated Coastal Implementation Plan (CIP, Part 4). In addition, staff reviewed the project for consistency with the site development standards required by the applicable zoning ordinance (Title 20; CIP, Part 1). As discussed herein, the project involves the construction of an approximately 1,368 square foot single-family dwelling inclusive of an attached garage, a 373 square foot attached storage area, and a 30 square foot covered porch. The project also involves a modification of parking standards to allow required parking within the front setback, development on slopes exceeding 30 percent, and development within 750 feet of known archaeological resources. The parcel is zoned Medium Density Residential, 2 units per acre, with a Design Control overlay and an 18-foot height limit (Coastal Zone) [MDR/2-D(18)(CZ)]. As proposed, conditioned, and mitigated, the project is consistent with the Carmel Area LCP. As proposed, conditioned, and mitigated, the project is consistent with the Carmel Area LCP. (Source IX. 1, 3, 4, 8, 9) **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 type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input checked="" 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/Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfires | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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

- Check here if this finding is not applicable

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

EVIDENCE:

1. Aesthetics. The project site is located in an existing residential neighborhood with numerous single-family residences in the surrounding vicinity. The project would not be visible from a scenic roadway or public viewpoints. There are no other significant visual resources, scenic corridors, or significant views or vistas in the immediate project vicinity, and the project site is not part of a scenic vista or panoramic view. As such, the project would not substantially affect scenic resources or change the aesthetic quality of the area. The proposed single-family residence would have a size, style and appearance similar to other residences in the surrounding area. As proposed, the project would be

consistent with Visual Resources Key Policy 2.2.2 of the Carmel Area Land Use Plan, which requires all future development within the area to harmonize and be clearly subordinate to the natural scenic character of the area. Color and material finishes would include shingle siding, slate roof, painted window frames and doors, and a stone fireplace. Although exterior lighting would be incorporated into the proposed residence, it would be required to comply with the requirements of the County's standard condition regarding exterior lighting and would not create a new source of substantial light or glare. None of the roadways in the immediate vicinity of the project site are designated as Scenic Highways or Routes by Monterey County. *Therefore, the proposed project would not impact visual resources on the site or in the vicinity* (Sources: IX. 1, 3, 8, 9).

2. Agriculture and Forest Resources. The project site is located in an existing residential community and designated as Urban and Built-Up Land under the California Department of Conservation Farmland Mapping and Monitoring Program. Project construction would not result in conversion of Important Farmland to non-agricultural uses. The project area is not under a Williamson Act contract and is not located in or adjacent to agriculturally designated lands.

The California Public Resources Code defines Forest Land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits (PRC §12220(g)). The County authorized the removal of a Monterey cypress tree hedge under the previously-approved Coastal Administrative Permit for demolition of a residence (Zoning Administrator Resolution No. 19-018; Planning File No. PLN180386). A Visual Tree Assessment (LIB180386; dated July 9, 2018) prepared for the project site by a certified arborist determined that removal of these trees would not alter air movement, contribute to erosion, or create an impact to wildlife. The assessment also recommended no replanting of trees on the site due to limited space. Therefore, for the purpose of this environmental review, no trees remain on the site and as such, the project site is not considered Forest Land and the proposed project would not impact forest resources. *Therefore, the proposed project would not result in impacts to agriculture or forest resources* (Source: IX. 1, 11, 21).

3. Air Quality. The project site is located within the North Central Coast Air Basin, which is under the jurisdiction of the Monterey Bay Air Resources District. 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 create one new residence on the property and would not result in the emission of substantial amounts of criteria pollutants. The minor and temporary construction-related impacts would not violate any air quality standards or obstruct implementation of the Monterey Bay Air Resources District Air Quality Management Plan. Operational emissions would not be substantial as they would only involve vehicle trips and energy usage associated with the proposed replacement residence. *Therefore, the proposed project would not result in impacts to air quality* (Source: IX. 1, 6, 8, 9).

4. Biological Resources. The project site is approximately 550 feet south and 1,000 feet east of Carmel Bay, and bordered by residential uses on all sides. The property was previously developed with a single-family dwelling and landscaping, and does not contain any mapped or field-identified environmentally sensitive habitat areas or sensitive species (see Figures 3a – 3d on page 8 above). The project is consistent with the Carmel Area Land Use Plan General Policy 2.3.3.1, which directs that development shall be avoided in critical and sensitive habitat areas. The project 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 or have a substantial adverse effect on any riparian habitat or other sensitive natural community. Therefore, the project would have no impacts on biological resources (Source: IX. 1, 3, 4, 8, 9)
5. Cultural Resources. See Section VI.5.
6. Energy. The project would require energy during construction to operate construction equipment and for construction worker vehicle trips to and from the site. The project entails the construction of a replacement single-family residence on a 4,000 square foot vacant lot. Given the scale of the project, construction energy use would be nominal and short-term. As such, it would not be considered wasteful, inefficient or unnecessary due to the scale of the project.

Operational energy demand would include electricity and natural gas, as well as gasoline consumption associated with operational vehicle trips. PG&E would provide electricity and natural gas to the project site. The project would be required to comply with all standards set in California Building Code (CBC) Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. California's Green Building Standards Code (CALGreen; CBC, Title 24, Part 11) requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2019 Building Energy Efficiency Standards (CBC Title 24, Part 6) requires newly constructed buildings to meet energy performance standards set by the California Energy Commission (CEC) and mandates installation of solar photovoltaic systems for new single-family homes. Compliance with these regulations would ensure the proposed project would not conflict with state or local plans for renewable energy or energy efficiency. *Therefore, the proposed project would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy* (Source: IX. 1, 5, 7).

7. Geology and Soils. The project includes development on slopes exceeding 30 percent. Pursuant to the policies of the Carmel Area Land Use Plan (LUP Policies 2.2.4.10.a and 2.7.4.1) and applicable Monterey County Code (MCC sections 20.146.030.C.1.a and 20.64.230.C.1), development on slopes that exceed 30 percent is prohibited unless there is no feasible alternative, or the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable land use plan than other development alternatives. In this case, there are no feasible alternatives for site access or for siting the proposed structure that would completely avoid development on slopes that exceed 30 percent. Per Figure 1b, Topographic Site Plan, the property has a large area of man-made slope in excess of 30 percent extending from San Antonio Avenue

for approximately three quarters of the lot. The proposed development would impact approximately 485 square feet of man-made slope exceeding 30 percent. The footprint of the proposed residence would only occur on approximately 29 square feet, and the other 456 square feet would be graded to return the property to the original level contours. Based on site topography, the applicant has designed and sited the proposed development to minimize structural development on slopes exceeding 30 percent in accordance with the applicable goals and policies of the Carmel Area Land Use Plan. The project planner reviewed project plans and site photographs, and conducted a site visit on September 29, 2020, to analyze possible development alternatives and to verify that the proposed project minimizes development on slopes exceeding 30 percent.

Pursuant to MCC Section 20.64.230.E.1, staff has recommended conditions of approval to assure stability of the development: Condition No. 9 (Winter Inspections). Additionally, during the construction permit phase, the contractor will be required to comply with applicable building code requirements (i.e.; health, life, and safety) and resource protection measures such as erosion control plan review and approval, grading plan review and approval, inspections by Environmental Services staff, and geotechnical plan review and certification. In summary, overall site development would be subject to current regulations regarding control of drainage, and will be required to address post-construction requirements and runoff reduction. Therefore, no further special conditions of approval are necessary or required for this project.

According to the County's GIS database, the project area is located within an area of moderate erosion hazard; however, the geotechnical report prepared for the project identified a low risk of erosion. The site is also identified as having a low risk for landslides and liquefaction in the County's GIS database and the geotechnical report. The County's GIS database also identifies the seismic nature of the site to be undetermined; however, the parcel is located within the 660 foot buffer of the Cypress Point Fault zone. Although located within a fault buffer, the project site has a low risk of collateral seismic hazard per the geotechnical report, and the report concluded the site is suitable for the proposed development. Although the project site would be exposed to ground-shaking from any of the faults that traverse Monterey County, the project would be constructed in accordance with applicable seismic design parameters in the California Building Code. *Therefore, the project would have no impacts related to geology and soils* (Source: IX. 1, 2, 3, 4, 8, 9, 15).

8. Greenhouse Gas Emissions. The project would incrementally increase energy consumption at the project site and traffic in the surrounding vicinity. Temporary construction-related emissions would result from usage of equipment and machinery. Operationally, the project would generate permanent greenhouse gas emissions; however, the emissions would not be substantial given that the project involves a replacement single-family residence. Monterey County does not have a greenhouse gas reduction plan by which consistency or conflicts can be measured; however, General Plan policies contain direction for the preparation of such a plan with guidance on what goals or measures should be accomplished in development of a plan. The proposed project does not conflict with the policy direction contained in the General Plan. In addition, the proposed project would not conflict with the Monterey County Municipal Climate Action

Plan or the Association of Monterey Bay Area Government's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy because it only involves the construction of one single-family residence on a site that is zoned for such a use. *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, 2, 7, 16).

9. Hazards/Hazardous Materials. Project construction would require the use of heavy equipment typical of residential construction projects, the operation of which could result in a spill or accidental release of hazardous materials, including fuel, engine oil and lubricant. However, the use and transport of any hazardous materials would be subject to federal, state, and local regulations, which would minimize risk associated with the transport hazardous materials. Operationally, the project would not involve the use or storage of hazardous materials, other than those typically associated with residential uses. The project would not be located on or within 1,000 feet of a known hazardous materials site. The project site is not located near an airport or airstrip. Given that the project would involve the construction of one replacement single-family residence in an existing residential neighborhood, the project would not impair or interfere with an adopted emergency response or evacuation plan. The project site is not located in a CALFIRE-designated Fire Hazard Severity Zone. *Therefore, the proposed project would not result in impacts related to hazards/hazardous materials* (Source: IX. 1, 8, 17, 20).
10. Hydrology/Water Quality. The proposed project would not violate any water quality standards or waste discharge requirements, nor alter the drainage pattern of the site or area. The proposed project involves the construction of a replacement single-family dwelling on a previously developed lot in an established residential neighborhood; therefore, the project would not increase water demand. The Monterey County Environmental Health Bureau (EHB) reviewed the project application and determined the project complies with applicable ordinances and regulations. The project will not expose people or structures to a significant risk involving flooding. The proposed structural development site would not place housing within a 100-year flood hazard area, nor impede or redirect flood flows. The proposed structural development would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. The project would not provide additional sources of polluted runoff or degrade water quality. Tsunami and flooding vulnerability at the site is limited. The elevation of the proposed building site is approximately 55 feet above mean sea level, so the potential for inundation from a tsunami is low. The parcel is not located near a freshwater lake or pond, so the potential for inundation from a seiche or mudflow is also low. Drainage characteristics of the project site would not be altered in a manner that would increase erosion or runoff. In addition, the project would be required to comply with relevant sections of the Monterey County Code that pertain to grading, erosion control and urban stormwater management (Monterey County Code Chapters 16.08, 16.12 and 16.14). *Therefore, the proposed project would not result in any negative impacts related to hydrology/water quality* (Sources: IX. 1, 3, 4, 5, 8, 9, 15).
11. Land Use and Planning. See Section VI.11.

12. Mineral Resources. No mineral resources have been identified within the proposed project area or would be affected by this project. *Therefore, the proposed project would not result in impacts to mineral resources.* (Source: IX. 1, 8, 9, 18)
13. Noise. Construction of the proposed project would generate a temporary noise increase in the vicinity of the project due to the use of heavy equipment such as excavators, graders, large trucks and machinery typically used during residential construction projects. Construction activities would be required to comply with the Monterey County Noise Ordinance as described in Chapter 10.60 of the County's Code of Ordinances. 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 source. Noise-generating construction activities are limited to the hours between 7 a.m. and 7 p.m. Monday through Saturday; no construction noise is allowed on Sundays or national holidays. Project construction could also generate a temporary increase in ground borne vibration levels during the excavation and grading phases of project construction. However, pile driving would not be required, and construction activities would not generate excessive vibration levels. Operationally, the project would not result in a substantial permanent increase in ambient noise given that the project involves construction of a replacement single-family residence. The project is not located in the vicinity of a public airport or private airstrip. *Therefore, the proposed project would not result in impacts related to noise.* (Source: IX. 1, 2, 3, 4, 5)
14. Population/Housing. The proposed project would replace a single-family dwelling on the previously developed lot. Based on the scope of the proposed development, the project would not induce population growth in the area, either directly or indirectly, and would not displace, alter the location, distribution, or density of human population in the area in any way, or create a demand for additional or replacement housing. *Therefore, the proposed project would not result in impacts related to population and housing.* (Source: IX. 1, 2, 19)
15. Public Services. As a proposed replacement single-family dwelling on a previously developed lot, the project would not create new impacts to public services. The project site is located in an established residential neighborhood served by the Cypress Fire Protection District, Monterey County Sheriff's Department, and Carmel Unified School District. The project will have no substantial adverse physical impacts associated with the provision of 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. The project would have no measurable effect on existing public services in that the project would not result in an increase in demand and would not require expansion of services to serve the project. County Departments and service providers reviewed the project application and did not identify any impacts. *Therefore, the proposed project would not result in impacts related to public services.* (Source: IX. 1, 8, 19)
16. Recreation. The project will not result in an increase in the use of existing neighborhood and/or regional parks or other recreational facilities causing substantial physical deterioration. No parks, trail easements, or other recreational opportunities will be

adversely impacted by the project, based on review of County records, Figure 3 (Public Access Plan) of the Carmel Area Land Use Plan, and staff site visit. The project will not create new or additional recreational demands, and will not result in impacts to recreation resources. *Therefore, the proposed project would not result in impacts related to recreation.* (Source: IX. 1, 3, 8, 9)

17. Transportation. The project involves the development of a replacement single-family residence in an established residential neighborhood. The proposed level of development would not generate new traffic nor increase the number of permanent vehicle trips. The contribution of traffic from the proposed project would not cause any roadway or intersection level of service to be degraded nor increase vehicle miles traveled. Construction-related activities would temporarily increase traffic from trips generated by the workers on the construction site; however, no adverse impact is expected to occur due to the small scale of the proposed project. The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The project would not substantially increase hazards due to a design feature (e.g., there are no sharp curves or dangerous intersections near the project site) or incompatible uses (i.e., the site is zoned to allow residential uses), nor would it result in inadequate emergency access. The project would also not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The project would not intensify existing levels of traffic, and would not result in impacts to transportation and traffic. *Therefore, the proposed project would not result in impacts related to transportation* (Source: IX. 1, 2, 3, 4, 8, 9, 16).
18. Tribal Cultural Resources. See Section VI.18.
19. Utilities/Service Systems. The project involves the development of a replacement single-family residence in an established residential neighborhood. The previous dwelling was serviced by, and the proposed dwelling would continue to be serviced by, existing connections for water and sewer. The project would not require expansion of the current utility infrastructure, nor would it impact the area's solid waste facilities. Water and wastewater services at the project site would continue to be provided by California American Water and Carmel Area Wastewater District, respectively. Electricity and natural gas would be provided by Pacific Gas & Electric. Solid waste disposal is provided by the Monterey Regional Waste Management District and the operational component of the project would not result in the substantial increase of solid waste production. Any excess construction materials from the proposed project would be recycled as feasible with the remainder being hauled to landfill. However, the minimal amount of construction waste produced would not affect the permitted landfill capacity. *Therefore, the proposed project would not result in impacts related to utilities and service systems.* (Source: IX. 1, 3, 8)
20. Wildfire. The project site is not located in a State Responsibility Area and is not classified as a Very High Fire Hazard Severity Zone (VHFHZ). The nearest VHFHZ is approximately one mile southwest. The proposed project would not pose a risk of fire beyond the normal risks associated with single-family residential development within an

established residential neighborhood. The project site and neighborhood are served by the Cypress Fire Protection District (FPD). Additionally, the project is required to meet all current fire codes, and the Cypress FPD did not impose any conditions on the project. *Therefore, the proposed project would not result in impacts related to wildfire.* (Source: IX. 1, 3, 5, 8, 9, 17)

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

July 14, 2021

Date

*Joseph Sidor, Associate Planner
Housing and Community Development - Planning
Monterey County*

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	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: 1, 3, 8, 9)	<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: 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 11, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: 1, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: 1, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: 1, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Source: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in significant construction-related air quality impacts? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations? (Source: 6, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 3, 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 3, 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 3, 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 3, 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 3, 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 3, 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

5. CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Source: 1, 8, 9, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Source: 1, 3, 8, 9, 10, 13, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 8, 9, 10, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Cultural Resources 5(a) – No Impact

The project site does not contain any structural improvements or features that may be considered historical resources eligible for listing. The property was previously developed with a 1,700 square foot single-family dwelling. On March 20, 2019, the Monterey County Zoning Administrator approved a Coastal Administrative Permit and Design Approval (Resolution No. 19-018; Planning File No. PLN180386) to allow demolition of the residence and development within 750 feet of known archaeological resources. After approval of the planning/discretionary permit and clearance of conditions of approval, HCD-Building Services issued a ministerial permit for the demolition (Building Services File No. 18CP02107). Post-demolition, the site is comprised of bare ground with no vegetation or trees.

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

The project area is considered sensitive for archaeological resources due to the presence of known resource sites in the immediate vicinity, and three archaeological sites are recorded in close proximity to the project site. Previous surface and subsurface investigations (Sources: IX, 10, 13, & 14) did not result in the identification of archaeological resources within the project site. However, unanticipated discoveries are possible in unexcavated portions of the project site because of the proximity of the site to known archaeological resources. Due to the sensitive nature of the project area, impacts to archaeological resources are potentially significant. Because the project site is considered sensitive for archaeological resources, an archaeological monitor is required to be present for all project ground disturbance, pursuant to Mitigation Measure No. 2. Implementation of the following mitigation measure would reduce impacts related to archaeological resources to a less than significant level.

Mitigation Measure No. 1 – On-Site Archaeological Monitor:

To reduce potential impacts to cultural resources that may be discovered during development of the site, a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) shall be present and observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant archaeological resources or intact features are discovered, the monitor shall temporarily halt work until the find can be evaluated by the archaeological monitor. If the find is determined to be significant, work shall remain halted until a plan of action has been formulated, with the concurrence of HCD-Planning, and implemented. To facilitate data recovery of smaller midden components, such as beads or lithic debitage, the excavated soil from the project site shall be screened during monitoring.

Compliance Actions for Mitigation Measure No. 1:

1a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 1, including all compliance actions. The owner/applicant shall submit said plans to HCD Planning for review and approval.

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

1c: Prior to the issuance of grading or building permits, the owner/applicant shall submit evidence that a qualified archaeologist conducted a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activity. The training shall include a description of the kinds of cultural and tribal cultural resources that are found in the area, protocols to be used in the event of an unanticipated discovery, and the importance of cultural resources to the Native American community.

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

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

Cultural Resources 5(c) – Less than Significant

No Native American human remains or significant cultural resources are known to exist within the project site. If unanticipated human remains are unearthed, State Health and Safety Code Section 7050.5 requires no further disturbance to occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to the Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The project would also be required to implement Monterey County Condition PD003(B), which requires that there be no further excavation in the area surrounding the remains until the coroner and the NAHC, if applicable, are contacted and the find is treated in accordance with Public Resources Code Sections 5097.98 - 5097.994. With adherence to existing regulations and the Condition PD003(B), impacts to human remains would be less than significant.

Condition PD003(B) – Discovery of Cultural Resources (Non-Standard)

Due to the project site's location in or near known and recorded archaeological/prehistoric resource sites, and because the project includes excavation for a foundation, there is a potential for human remains or cultural artifacts to be accidentally discovered. If human remains are uncovered, all work shall be halted within 50 meters (164 feet) of the find on the parcel until it can be evaluated by a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) and the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission, and the procedure set forth in CEQA Guidelines Section 15064.5(e) shall be followed in addition to the language contained in this condition. In the event

that archaeological materials other than human remains are uncovered, all excavation shall be halted within 50 meters (164 feet) of the find on the parcel and shall be immediately evaluated by a qualified archaeological monitor and a Tribal Monitor. A Tribal Monitor is defined as a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel, and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative. If the find is determined to be historically (by a qualified archaeologist) or culturally (as determined by a Tribal Monitor) significant, an appropriate plan of action shall be formulated, with the concurrence of HCD-Planning, and implemented. The plan shall be consistent with applicable compliance measures in this condition and/or Mitigation Measures 1 and 2. All mechanical excavation undertaken with a backhoe shall be done with a flat blade bucket and rubber tires to minimize unnecessary impacts to any potential resources on site.

Compliance Actions for Condition PD003(B):

a: Prior to issuance of construction permits for grading or building, the owner /applicant shall include a note on the construction plans encompassing the language contained in Condition PD003(B), including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

b: Discovery of Human Remains

If human remains are discovered during construction activities, there shall be no further excavation or disturbance within 50 meters (164 feet) of the find on the parcel and the following shall occur:

- The Owner/Applicant/Contractor shall contact the Monterey County Coroner within 24 hours of the find to request that they determine that no investigation of the cause of death is required;
- The Owner/Applicant/Contractor shall contact HCD-Planning within 24 hours of the find to alert them to the discovery;
- If the coroner determines the remains to be Native American:
 - o The coroner shall contact the Native American Heritage Commission and HCD-Planning within 24 hours of the determination.
 - o The Native American Heritage Commission shall identify the person or persons it believes to be the MLD (from a tribal group such as, though not limited to, the Esselen, Salinan, Costonoans/Ohlone or Chumash tribal groups, as appropriate.
 - o The MLD may make a recommendation 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 5097.98-5097.994.
- If the remains are determined to be Native American, and the MLD, in concurrence with a qualified archaeological monitor, determines that the remains are evidence of a larger burial of human remains, which would qualify as a “unique archaeological resource”, as defined in Public Resources Code Section 21083.2(g) that would be disturbed by further excavation; or there is no acceptable location on the parcel to re-bury the remains which would not be affected by excavation; then the Owner will work with HCD-Planning to move/shrink/modify/redesign the foundation portions of the project which would have further impact on those areas of the site containing remains. Modified plans shall be submitted to HCD-Planning. The redesign shall be in accordance with the

process codified in State law Public Resources Code section 5097.98 with penalty for violation pursuant to Public Resources Code section 5097.994. No work will recommence on site within 50 meters of the find until the County has approved the revisions to the approved plans.

c: Discovery of Significant Cultural Artifacts

If significant tribal cultural artifacts (determined to be significant by the onsite Tribal Monitor – not including human remains which are handled in accordance with PRC section 5097.98 and penalty for violation pursuant to 5097.994) are discovered during construction activities, there shall be no further mechanical excavation (e.g.; backhoe, trencher, etc.) or ground disturbance within 50 meters (164 feet) of the find on the parcel and the following shall occur:

- The artifact, and any subsequent artifacts determined to be significant tribal cultural artifacts shall be surgically uncovered and extracted by a qualified archaeological monitor, and stored safely through the duration of excavation;
- Excavation will continue by hand (shovels) within a perimeter of two (2) meters surrounding the artifact for the subsequent one (1) meter of depth;
- If another significant tribal cultural artifact is found within the perimeter, the perimeter requirement for hand digging will be extended around the newly discovered artifact as well;
- If no additional significant tribal cultural artifacts are found in the original perimeter, or any of the subsequent perimeters, mechanical excavation may resume to completion unless another significant artifact is discovered in the process. If significant artifacts are discovered again after restarting mechanical excavation, hand digging will be required again as dictated by this condition;
- If human remains are found at any time during either hand digging or mechanical excavation, the Contractor/Owner/Applicant/Agent shall take the steps required by Compliance Action b.

After completion of excavation activities, all recovered artifacts will be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, the archaeologist will return all artifacts within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission or the Monterey County Historical Society, at the discretion of the property owner. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University.

Conclusion:

As designed, the project has the potential to impact unknown archaeological resources. With adherence to mitigation contained herein, existing regulations, and County Conditions of Approval, the project would have a less than significant impact on cultural (archaeological) resources.

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? (Source: 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: 1, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

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? (Source: 8) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking? (Source: 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides? (Source: 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil? (Source: 8, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: 8, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: 8, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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: NA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Source: 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

8. GREENHOUSE GAS EMISSIONS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1, 2, 7, 16)	<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? (Source: 1, 2, 7, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

9. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 8)	<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? (Source: 1, 8)	<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:					
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 20)	<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? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Source: 1, 8, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

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 groundwater quality? (Source: 1, 3, 4, 5, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: 1, 3, 4, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i)	result in substantial erosion or siltation on- or off-site? (Source: 1, 3, 4, 5, 8, 9)	<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
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Source: 1, 3, 5, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: 1, 3, 5, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Source: 1, 3, 4, 5, 8, 9, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

11. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1, 2, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1, 3, 4, 8, 9, 10, 13, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The project site is a previously-developed residential lot located within an established residential neighborhood designated and zoned for medium density residential use. The project parcel is zoned Medium Density Residential, 2 units per acre, with a Design Control overlay district, and 18-foot height limit (Coastal Zone) [MDR/2-D (18')(CZ)], and the surrounding area has this same zoning and land use designation. The properties in the surrounding vicinity have been developed with single-family homes and accessory structures. The proposed development involves construction of a 1,368 square foot cottage style single-family dwelling inclusive of an attached garage, a 373 square foot attached storage area, and a 30 square foot covered porch on a previously-developed and currently vacant lot.

Land Use and Planning 11(a) – No Impact

As proposed, the project is consistent with and will have no impact on the land use designation and/or zoning. Also, the project would not conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan and the Carmel Area Local Coastal Program (LCP). As designed and conditioned, the project is consistent with applicable General Plan and LCP policies as discussed in Section III.

The proposed modification of parking standards would allow one parking space within the front setback to count toward the amount of required parking. Per Monterey County Code (MCC) section 20.58.50, main residential dwellings in Medium Density Residential (MDR) zoning districts are required to provide two off-street parking spaces, with at least one space covered (e.g., either a carport or garage). As proposed, the project would provide one covered parking space within the proposed garage, and one uncovered parking space within the front setback. MCC section 20.58.050 also allows the modification of parking standards, with the granting of a Coastal Administrative Permit, due to the unusual characteristics of a use or its immediate vicinity, etc. Due to the small lot sizes in the vicinity, many of the properties in the Carmel Point neighborhood have minimal on-site parking. Use of parking spaces within the front setback or parallel parking along the street is common, and continuation of this pattern would not change the existing conditions within the neighborhood. Staff has confirmed this pattern on numerous site visits to the vicinity, during which staff has noted many other properties with parking spaces clearly located within the front setback. The County has approved other modifications to parking standards in the vicinity of Carmel Point for similar reasons. As proposed, the project would not physically divide an established community, and no impact would occur.

Land Use and Planning 11(b) – Less than Significant with Mitigation Incorporated

The proposed project would be subject to the policies and regulations of the Carmel Area Land Use Plan (LUP). Chapter 4 of the LUP contains policies that pertain to Land Use and Development in unincorporated areas in the vicinity of Carmel-by-the-Sea. Given that the project would involve development of a single-family residence in an existing residential neighborhood zoned for medium-density residential development, the project would not conflict with land use policies specified in the LUP. Prior to implementation, the project would require issuance of construction permits and coastal development permits from the County of Monterey.

The LUP also contains policies related to the protection of archeological resources. With implementation of Mitigation Measures Nos. 1 and 2, contained in Section VI.5, *Cultural Resources*, and Section VI.18, *Tribal Cultural Resources*, the project would not conflict with the policies of the LUP. Therefore, impacts related to conflicts with a land use plan would be less than significant with mitigation incorporated.

Conclusion:

Implementation of Mitigation Measures Nos. 1 and 2 would reduce impacts related to land use and planning to a less than significant level.

12. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1, 8, 9, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1, 8, 9, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

13. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1, 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels? (Source: 1, 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

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: 1, 2, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Source: 1, 2 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

15. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source: 1, 8, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1, 8, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1, 8, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 1, 8, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 1, 8 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

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? (Source: 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

17. TRANSPORTATION/TRAFFIC		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? (Source: 1, 2, 3, 8, 9, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Source: 1, 3, 8, 9, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in inadequate emergency access? (Source: 1, 2, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

18. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Source: 1, 8, 9, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of 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. (Source: 3, 8, 9, 10, 13, 14, 22)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Tribal Cultural Resources 18(a.i) – No Impact

The project site does not contain any structural improvements or features that may be considered historical resources eligible for listing. The property was previously developed with a 1,700 square foot single-family dwelling. On March 20, 2019, the Monterey County Zoning Administrator approved a Coastal Administrative Permit and Design Approval (Resolution No. 19-018; Planning File No. PLN180386) to allow demolition of the residence and development within 750 feet of known archaeological resources. After approval of the planning/discretionary permit and clearance of conditions of approval, HCD-Building Services issued a ministerial permit for the demolition (Building Services File No. 18CP02107). Post-demolition, the site is comprised of bare ground with no vegetation or trees.

Tribal Cultural Resources 18(a.ii) – Less than Significant with Mitigation Incorporated

Pursuant to Public Resources Code Section 21080.3.1, Monterey County HCD-Planning initiated consultation with local Native Americans on June 24, 2021. The County met with the Ohlone/Costanoan-Esselen Nation (OCEN), and the OCEN representative requested an OCEN tribal monitor be present to observe all excavation activities associated with development of the site. The OCEN representative also stated that OCEN objects to all excavation in known cultural lands, and requested that all remains be protected and undisturbed, that all cultural items be returned to OCEN. The project area is known to be sensitive for subsurface resources, as discussed in Section XI.5, *Cultural Resources*, and impacts to unknown tribal cultural resources are potentially significant. Implementation of the mitigation measure described below would

ensure that, if artifacts or human remains are discovered, these resources are treated with appropriate dignity and respect. This mitigation shall apply in addition to the mitigation described in the cultural resources section above. Implementation of the following mitigation measure would reduce impacts to Tribal Cultural Resources to a less than significant level.

Mitigation Measure No. 2 – On-Site Tribal Monitor:

To ensure that Tribal Cultural Resources incur less than significant impacts, a Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, shall be on-site and observe all project-related grading and excavation to identify findings with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. If resources are discovered, the owner/applicant/contractor shall refer to and comply with Mitigation Measure No. 1 and Condition PD003(B) as applicable. This mitigation is not intended to alleviate responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

Compliance Actions for Mitigation Measure No. 2:

2a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 2, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

2b: Prior to issuance of a construction permit for grading and/or building, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of HCD-Planning that a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of any project-related grading and excavation.

2c: Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the property owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and penalty for violation pursuant to PRC section 5097.994.

2d: Prior to final building inspection, the Tribal Monitor or other appropriately NAHC recognized representative shall submit a letter to HCD-Planning confirming participation in the

monitoring and provide a summary of archaeological and /or cultural finds or no finds, as applicable.

Conclusion:

With implementation of the identified mitigation measure, the project would have a less than significant impact on Tribal Cultural Resources.

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Source: 1, 3, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

20. WILDFIRE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: 1, 3, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Source: 1, 3, 8, 9, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

20. WILDFIRE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Source: 1, 5, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Source: 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance (a) – Less Than Significant with Mitigation Incorporated

As discussed in 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, no impacts to habitat or sensitive communities are anticipated to occur as a result of this proposed project, as stated in Section IV.4. Regarding cultural resources, potential impacts to known prehistoric archeological sites within the project area would be reduced to a less than significant level by implementing County Conditions of Approval, state regulations, and Mitigation Measures No. 1 and 2. As discussed in Section VI.5, *Cultural Resources*, and Section VI.18, *Tribal Cultural Resources*, no known archeological or tribal cultural resources are present at the project site. In the event of unanticipated discovery of archeological or tribal cultural resources, impacts would be reduced to a less than significant level with adherence to Mitigation Measure No. 1 identified in Section XI.5, *Cultural Resources*, and Mitigation Measure No. 2 identified in Section XI.18, *Tribal Cultural Resources*, and implementation of the County's Condition of Approval for cultural resources PD003(B), *Discovery of Cultural Resources*.

Mandatory Findings of Significance (b) – No Impact

As discussed in 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. 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.

Mandatory Findings of Significance (c) – No Impact

Effects on human beings are generally associated with impacts related to issue areas such as air quality, geology and soils, noise, hazards and hazardous materials, traffic, and wildfire. As discussed in Section IV.A, *Factors*, of this Initial Study, the project would have no impact in each of these resource areas. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

Conclusion: The project will be required to pay the fee unless the applicant can obtain a “no effect” determination from the California Department of Fish and Wildlife.

Evidence: Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN200132 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. SOURCES

1. Project Application Materials and Plans (Planning File No. PLN200132; Plan Set dated November 18, 2020)
2. Monterey County General Plan (1982)
3. Carmel Area Land Use Plan and Coastal Implementation Plan
4. Title 20 of the Monterey County Code (Coastal Zoning Ordinance)
5. California Building Code, Title 24
6. 2012 – 2015 Air Quality Management Plan, Monterey Bay Air Resources District
7. Monterey County 2013 Municipal Climate Action Plan
8. Monterey County GIS Information Database
9. Site visit conducted by the project planner on September 29, 2020
10. Preliminary Cultural Resources Reconnaissance, July 2018 (Monterey County Document No. LIB180385), prepared by Susan Morley, Register of Professional Archaeologists (RPA), Marina, California
11. Visual Tree Assessment, July 9, 2018 (Monterey County Document No. LIB180386), prepared by Frank Ono, Certified Arborist, Pacific Grove, California
12. Phase I Historic Review, July 25, 2018 (Monterey County Document No. LIB180387), prepared by Kent L. Seavey, Historian, Pacific Grove, California
13. Addendum to the Preliminary Cultural Resources Reconnaissance and Phase II Auger Testing, January 28, 2019 (Monterey County Document No. LIB190064), prepared by Susan Morley, RPA, Marina, California
14. Second Round of Phase II Auger Testing, September 2020 (Monterey County Document No. LIB200222), prepared by Susan Morley, RPA, Marina, California
15. Geotechnical Investigation, September 25, 2020 (Monterey County Document No. LIB200223), prepared by Butano Geotechnical Engineering, Inc., Freedom, California
16. 2040 Metropolitan Transportation Plan & the Sustainable Communities Strategy, Association of Monterey Bay Area Governments, June 2018
17. Fire Hazard Severity Zones in SRA: Monterey County, CalFire
18. Mineral Lands Classification Data Portal, California Department of Conservation
19. Population and Housing Estimates for Cities, Counties, and the State, California Department of Finance
20. EnviroStor, California Department of Toxic Substances Control
21. Farmland Mapping and Monitoring Program, California Department of Conservation
22. Ohlone/Costanoan-Esselen Nation (OCEN) Letter, dated June 28, 2021