



## *INITIAL STUDY*

### *BACKGROUND INFORMATION*

**Project Title:** Love David S & Jayne D Trs

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**File No.:** PLN210007

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**Project Location:** 30560 Aurora Del Mar, Carmel

**Name of Property Owner:** Love David S & Jayne D Trs

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**Name of Applicant:** Denise Duffy & Associates, Agent  
Studio Schicketanz, Architect

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**Assessor's Parcel Number(s):** 243-331-003-000

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**Acreage of Property:** 47,916 square feet (1.1 acres)

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**General Plan Designation:** Rural Residential

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**Zoning District:** Rural Density Residential, 40 acres per unit, with a Design Control overlay (Coastal Zone) [RDR/40-D (CZ)]

**Lead Agency:** Monterey County Housing and Community Development

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**Prepared By:** Harris & Associates (Joseph Sidor; Alec Barton, AICP; David Mack, AICP)

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**Date Prepared:** April 20, 2022

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**Contact Person:** Fionna Jensen, Associate Planner, County of Monterey Housing & Community Development Department

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**Phone Number:** (831) 796-6407

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

**A. Description of Project:** The proposed project involves the construction of a 5,067 square foot two-story single-family dwelling, with a 782 square foot attached garage and 425 square foot detached guesthouse, on the parcel located at 30560 Aurora Del Mar in the Otter Cove subdivision of unincorporated Monterey County (see Vicinity Map at **Figure 1a**). The proposed development also includes: a mechanical room, vegetated roof, patios, covered patios, deck, trash enclosure, roof-mounted solar panels (1,000 square feet), refurbishments of portions of the existing driveway and retaining walls, and upgrade of the existing on-site wastewater treatment system to an alternative treatment system within the same general area. The project also includes demolition of the existing foundation slabs and a small portion of an existing retaining wall that encroaches into the neighboring parcel, and removal of invasive ice plant northwest of the residence. The existing seawall would be left in place, and no work would occur on the bluff below the footprint of the pre-existing foundation. Removal of existing slabs adjacent to the bluff would be conducted manually to avoid impacting the bluff and marine area below. Exterior color and material finishes would include horizontal board-formed concrete walls, steel beams and columns, metal doors and windows, glass guard rail, membrane and vegetated roof, metal roof fascia, and wood fencing. Associated grading would involve approximately 815 cubic yards of cut and 123 cubic yards of fill. No trees would be removed during construction. Refer to the project plans in **Figures 1b-1f**.

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

- 1) Coastal Administrative Permit and Design Approval to allow the construction of a 5,067 square foot two-story single-family dwelling with a 782 square foot attached garage;
- 2) Coastal Administrative Permit and Design Approval to allow construction of a 425 square foot detached guesthouse;
- 3) Coastal Development Permit to allow development within 750 feet of known archaeological resources;
- 4) Coastal Development Permit to allow development within 100 feet of an environmentally sensitive habitat area;
- 5) Coastal Development Permit to allow development on slopes exceeding 30 percent; and
- 6) Coastal Development Permit to allow development within 50 feet of a coastal bluff.

**B. Surrounding Land Uses and Environmental Setting:** The proposed project involves the construction of a single-family dwelling and guesthouse at 30560 Aurora Del Mar (Assessor's Parcel Number 243-331-003-000) within the Otter Cove residential subdivision in the unincorporated area of Monterey County. The project site is located within 50 feet of a coastal bluff adjacent to the Pacific Ocean, in the County's Big Sur Coast Land Use Plan area of the Coastal Zone (see the Proposed Site Plan at **Figure 1b**). The 1.1-acre (47,916 square feet) subject parcel includes a buildable area surrounded by a scenic easement on the parcel to the northwest, southwest, and southeast.

The project site is currently vacant but was previously developed from 1977 until 2018 with an approximately 4,500 square foot single-family dwelling and attached garage. On June 11, 2020, the Monterey County Zoning Administrator (ZA) granted the previous owner (MacDonald) an after-the-fact Combined Development Permit (CDP) to allow demolition of the structures and development within 100 feet of environmentally sensitive habitat (ZA Resolution No. 20-023; Planning File No. PLN190351). Per Google Earth historical imagery, the previous owner completed demolition of the previous structures sometime between February and September 2018.

The after-the-fact CDP and finaling of the associated ministerial permit abated code violation 14CE00051.

Land uses in the immediate vicinity consist primarily of single-family residences and accessory structures. The project site and the surrounding area are zoned and designated for rural residential use. Vegetation on site and on surrounding properties consists primarily of planted native, non-native, and naturalized shrubs, grasses and trees, including ice plant, annual grasses, ornamental species, and Monterey cypress trees.

The project site is located within 50 feet of a coastal bluff adjacent to the Pacific Ocean, approximately one-tenth of one mile south of Malpas Creek and the Point Lobos State Marine Reserve (SMR). No special-status plant species were observed or have potential to occur within the project site. The host plant (Seacliff buckwheat) for the federally threatened Smith's blue butterfly (SBB) was observed within the project parcel. Therefore, in areas where the Seacliff buckwheat is present, it is assumed that SBBs are also present. However, all potential SBB habitat is outside of the areas that are proposed for redevelopment. See Section VI.4 (Biological Resources) below for further discussion.

The project site is in a documented area of high archaeological sensitivity, and a known archaeological site (CA-MNT-613) is located on the parcel outside of the development footprint. A Coastal Development Permit is required to allow development within 750 feet of known archaeological resources. Although located in an area of high sensitivity and known resources, the Archaeological Assessment Study (Monterey County Document No. LIB170137) prepared for the project site identified only scattered archaeological resources in the form of abalone and mussel shell fragments. Per the report, project work would have a less than significant impact on cultural resources with mitigation measures incorporated. See Sections VI.5 and VI.18 (Cultural Resources and Tribal Cultural Resources, respectively) below for further discussion.

The project area is located in a State Responsibility Area (SRA) and is designated as a Very High Fire Hazard Severity Zone. To reduce wildfire risk to the project site, the proposed development would include the following:

- Construction according to the latest California Building Code standards, and any additional restrictions or requirements adopted locally by the Carmel Highlands Fire Protection District;
- Installation and maintenance of defensible space areas within 100 feet of all project structures, consistent with Public Resources Code 4291; and
- Maintenance of an existing 12 foot-wide (minimum) on-site access road and fire truck turnaround.

**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 be required to obtain ministerial permits (e.g., construction permit) from County of Monterey Housing and Community Development (HCD) - Building Services. No other public agency approvals would be required. However, approval of the proposed entitlements would be subject to appeal to/by the California Coastal Commission.

Figure 1a – Vicinity Map

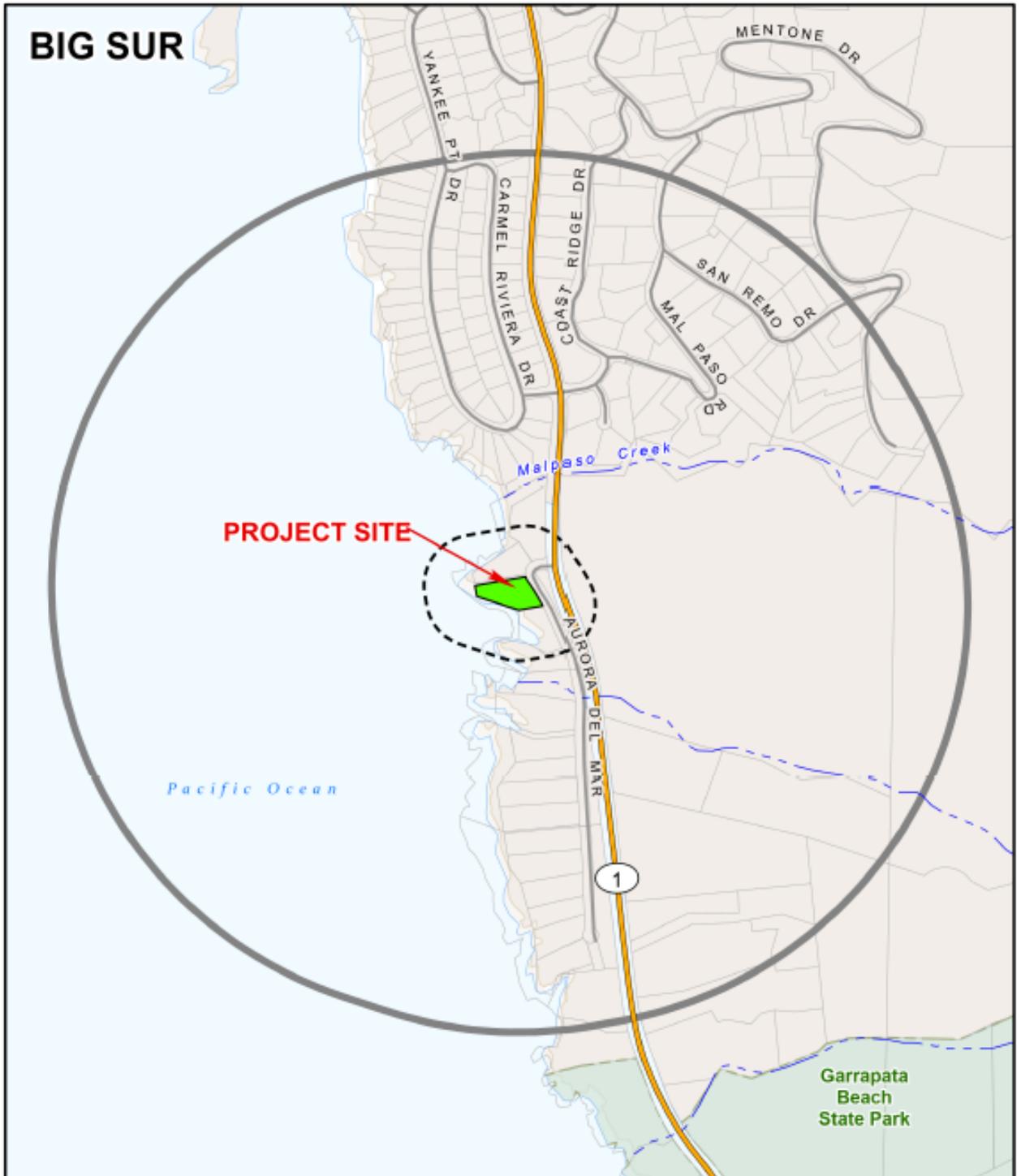


Figure 1b – Proposed Site Plan

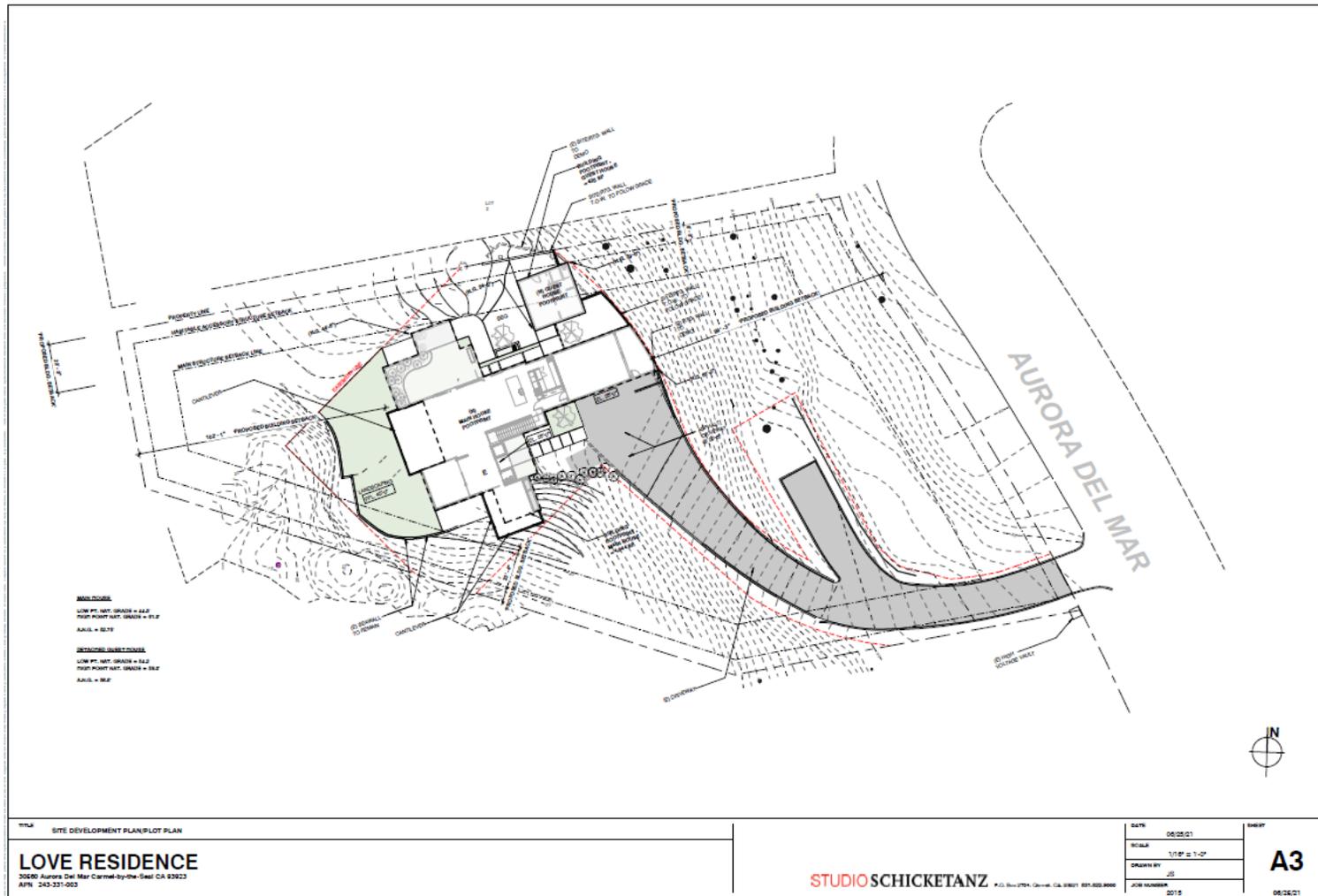


Figure 1c – Floor Plan Level 1

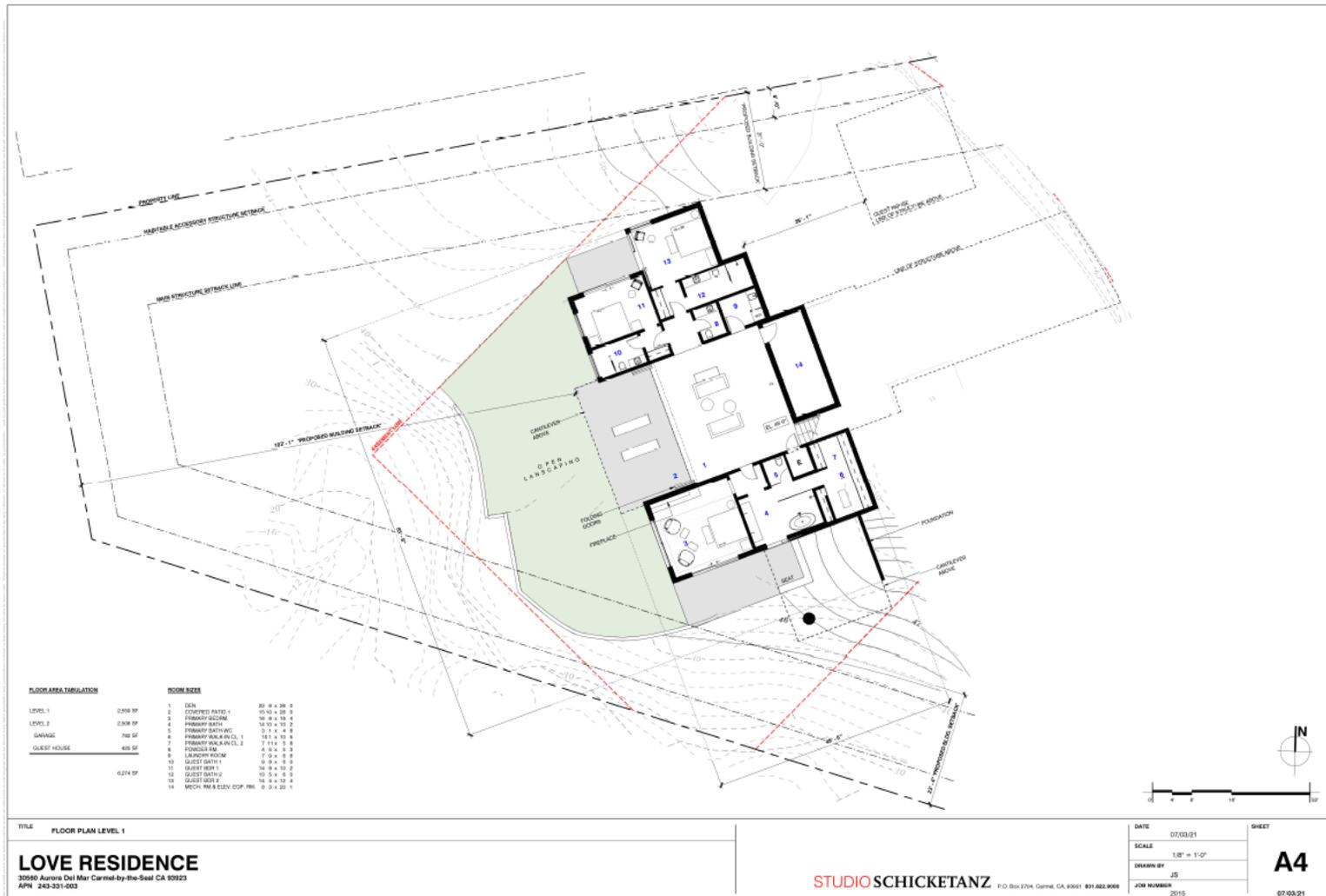
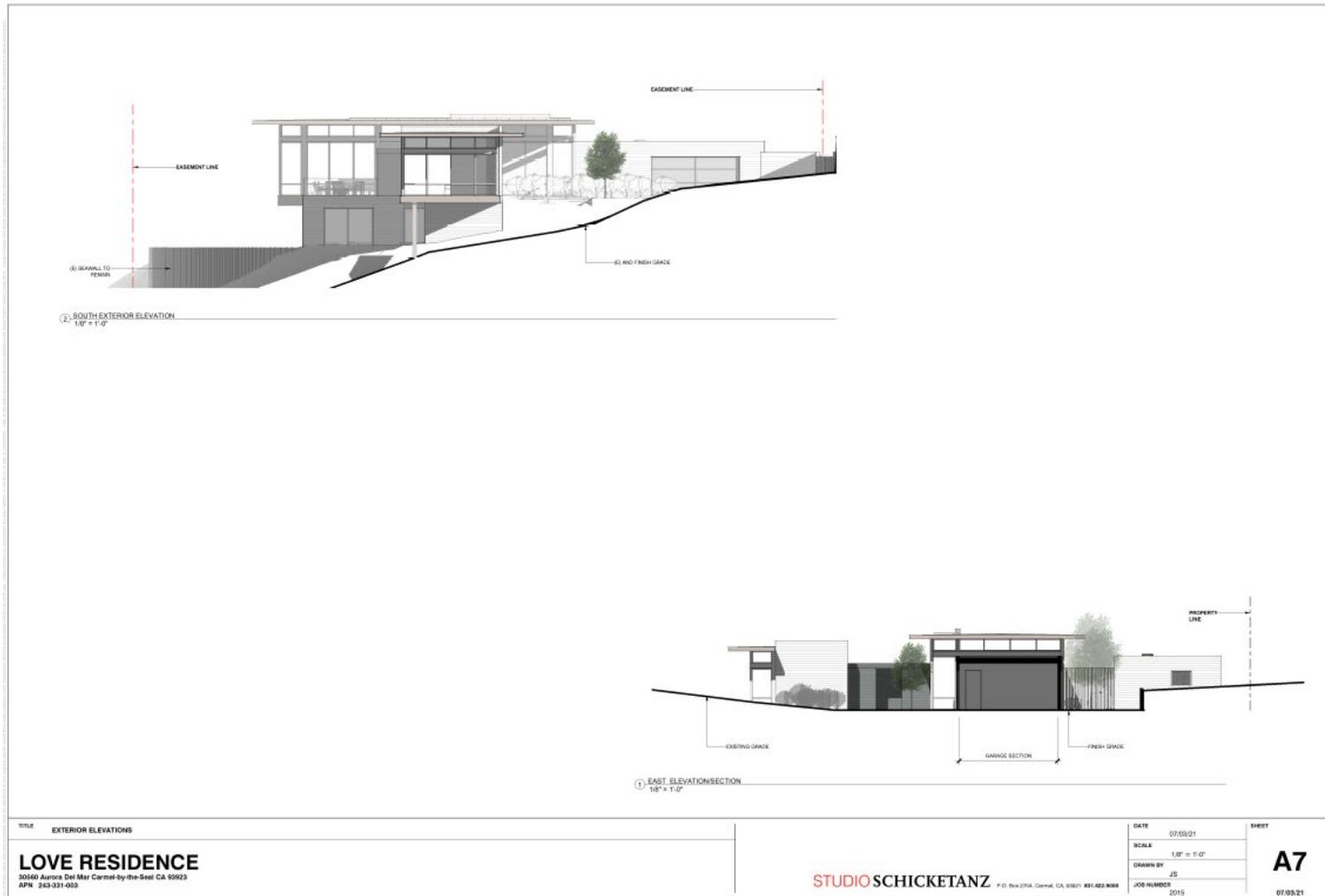




Figure 1e – Exterior Elevations – North & West



**Figure 1f – Exterior Elevations – South & East**





**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 construction of a 5,067 square foot two-story single-family dwelling with a 782 square foot attached garage and a 425 square foot detached guesthouse in the Otter Cove neighborhood. As proposed, the project would be 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.1, 2, 3). **CONSISTENT**

Air Quality Management Plan: The 2012-2015 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 Big Sur. 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 construction of a single-family dwelling and accessory structures in the Otter Cove neighborhood would cause significant impacts to air quality or greenhouse gas emissions (GHGs) (Source: IX.6). **CONSISTENT**

Local Coastal Program: The project is subject to the Big Sur Coast 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 Big Sur Coast LUP and the regulations of the associated Coastal Implementation Plan (CIP, Part 3). 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 a 5,067 square foot two-story single-family dwelling with a 782 square foot attached garage and a 425 square foot detached guesthouse. The project also involves development within 750 feet of known archaeological resources, within 100 feet of environmentally sensitive habitat area, on slopes exceeding 30 percent, and within 50 feet of a coastal bluff. The parcel is zoned Rural Density Residential, 40 acres per unit, with a Design Control overlay (Coastal Zone) [RDR/40-D (CZ)]. As proposed, conditioned, and mitigated, the project is consistent with the Big Sur Coast CIP (Source: IX.3). **CONSISTENT**

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

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

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

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics           | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality                                   |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Energy  |
| <input checked="" 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 checked="" 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. See Section VI.1.
2. Agriculture and Forest Resources. The project site is located in an existing residential subdivision zoned Rural Density Residential, 40 acres per unit, with a Design Control overlay (Coastal Zone) [RDR/40-D(CZ)] and designated as Urban and Built-Up Land under the California Department of Conservation Farmland Mapping and Monitoring Program. No farmland would be converted to non-agricultural uses as a result of the project, and the project site is not under a Williamson Act contract nor located in or

adjacent to agriculturally designated lands. No trees are proposed for removal at the project site. Therefore, the proposed project would not result in impacts to agriculture or forest resources. (Source: IX. 1, 3, 4, 8, 9, 19)

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 (MBARD). Impacts to air quality from construction-related activities would be minor and temporary in nature. Construction would involve equipment typically involved in residential construction projects, such as excavators and trucks. The project would not result in the emission of substantial amounts of criteria pollutants. Temporary construction-related impacts would not violate any air quality standards or obstruct implementation of the MBARD Air Quality Management Plan. Operational emissions would be minimal and consistent with the previously developed single-family residence. Also, no sensitive receptors are located near the project site, and the nearest residence would be over 50 feet to the north. Therefore, the proposed project would not result in impacts to air quality. (Source: IX. 1, 6, 8, 9)
4. Biological Resources. See Section VI.4.
5. Cultural Resources. See Section VI.5.
6. Energy. The project would require energy during construction to operate construction equipment and worker vehicles to and from the project site. The proposed site improvements include the construction of a single-family dwelling with an attached garage, detached guesthouse, and re-development of the on-site wastewater treatment system. Due to the small scale of the project, energy use associated with construction would be nominal and short-term, and would not be considered wasteful, inefficient, or unnecessary. Operational energy demand would be minimal and would be consistent with the previous residence developed on this site. Pacific Gas and Electric (PG&E) provides electricity 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. With implementation of these regulations, the proposed project would not conflict with state or local plans for renewable energy or energy efficiency. Additionally, the project includes the installation of 1,000 square feet of roof-mounted solar panels to provide an on-site renewable energy source for the residential structures. 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. See Section VI.7
8. Greenhouse Gas Emissions. The project would not incrementally increase energy consumption at the project site and traffic in the vicinity. Temporary construction-related emissions from equipment and machinery would occur. Operational emissions associated with the project would be minimal and consistent with the General Plan land use designation and zoning classification for the site. Monterey County does not have a greenhouse gas reduction plan by which consistency or conflicts can be measured;

however, the 2010 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 project is in the coastal area which is guided by the 1982 General Plan.) The 2030 Monterey County Municipal Climate Action Plan is in the planning stages and the qualitative measures of the previous plan concluded in 2020, so they are not timely for reference with the construction of this project. In addition, the proposed project would not conflict with the policies contained in the Association of Monterey Bay Area Government's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy, because it only involves the construction of a single-family dwelling and guesthouse on a site previously occupied by a single-family dwelling. 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, 3, 6, 7, 15)

9. Hazards/Hazardous Materials. Project implementation would require the use of construction 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 of hazardous materials. Operationally, the project would not involve the use or storage of hazardous materials beyond those typically associated with residential uses. The project site is not located on or within 1,000 feet of a known hazardous materials site or within one-quarter mile of an existing or proposed school, nor is it located near an airport or airstrip. Given that the project would involve no modification to the site's permitted and historic use (single-family residence), it would not impair or interfere with an adopted emergency response or evacuation plan. The project site is located in a CALFIRE-designated Fire Hazard Severity Zone. See Section 20 below and Section VI.20 for information regarding wildfires. Therefore, the proposed project would not result in impacts related to hazards/hazardous materials. (Source: IX. 1, 8, 16)
10. Hydrology/Water Quality. The proposed project would not violate any water quality standards or waste discharge requirements, as it would only involve the construction of one single-family residence, accessory structures, and associated site improvements on a site that is zoned for such uses. As designed, the project would also not substantially alter the drainage pattern of the site or area because the proposed structures would be sited on a similar footprint as the previous development and would be constrained within a designated area for building by an existing easement. No groundwater was encountered in the borings to a maximum depth of 21 feet during geotechnical evaluation, and it is not anticipated that the depth of excavation for the proposed project would exceed 10 feet. Overall, 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 (MCC) that pertain to grading, erosion control, and urban stormwater management (MCC Chapters 16.08, 16.12 and 16.14). In summary, overall site development would be subject to current regulations regarding control of drainage and would be required to address post-construction requirements and runoff reduction.

Also, the proposed project involves the re-establishment of a single-family residence and guesthouse in an established residential neighborhood; therefore, the project's water

demand would be similar to the previous use at the site. The Monterey County Environmental Health Bureau (EHB) reviewed the project application and determined the project complies with applicable ordinances and regulations. The project would not expose people or structures to a significant risk involving flooding. The proposed structural development at the 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, and it would not introduce new sources of polluted runoff or degrade water quality. As stated above, the project would be required to comply with relevant sections of the MCC that pertain to grading, erosion control, and stormwater management, including preparation and submittal of a drainage plan as part of the construction permit plan set that would address post-construction requirements and runoff reduction.

Tsunami and flooding vulnerability at the site is limited. The highest recorded tsunami in the Monterey Bay is 9 feet. The elevation of the proposed building site is approximately 45 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. Therefore, the proposed development would not result in negative impacts related to hydrology/water quality. (Source: IX. 1, 3, 4, 5, 8, 9, 12, 13, 14)

11. Land Use and Planning. See Section VI.11.
12. Mineral Resources. No mineral resources have been identified within the project site or would be affected by this project. Therefore, the proposed project would not result in impacts to mineral resources. (Source: IX. 1, 8, 9, 17)
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 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, per the project scope and design, 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 use (single-family residential) is consistent with existing surrounding uses in the Otter Cove neighborhood, and the nearest residence would be over 50 feet to the north. The private residential use of outdoor spaces such as decks may result in a short-term increase in ambient noise levels when in use; however, property owners are required to comply with Chapter 10.60.040 of the County's Code of Ordinances, which limits "loud and unreasonable" sound during the hours of 9 p.m. to 7 a.m. 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, 8)

14. Population/Housing. The proposed project would involve the construction of a single-family dwelling and guesthouse on a site previously developed with a single-family residence. The project would not directly or indirectly induce population growth in the area, because it involves the re-establishment of a use previously permitted and developed on the site. The project 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, 3, 9, 18)
15. Public Services. The proposed project would involve the construction of a single-family dwelling and guesthouse on a site previously developed with a single-family dwelling. The project site is located in an established residential neighborhood served by the Carmel Highlands Fire Protection District, Monterey County Sheriff's Department, and Carmel Unified School District. The project would not create substantial new demand for public services that would result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, 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, 18)
16. Recreation. As stated above, the project would involve constructing a residence on a site previously developed with a residence. Therefore, the project would not result in an increase in the use of existing neighborhood and regional parks and other recreational facilities and would therefore not cause substantial physical deterioration to these facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the project, based on review of County records, and Figure 2 (Shoreline Access Plan) and Figure 3 (Trails Plan) of the Big Sur Coast Land Use Plan. An existing shoreline access easement along the north boundary of the project parcel would not be impacted by the proposed development. As proposed, the project would benefit this access easement by removing development that currently encroaches into the easement. The project would not create new or additional recreational demands and would 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 re-establishment of a residential use previously permitted and developed on the site in an established residential neighborhood. The proposed construction of a single-family dwelling and guesthouse would not generate traffic nor increase the number of permanent vehicle trips beyond that accounted for in regional studies and/or the prior development of the site. The contribution of traffic from the proposed project would not cause any roadway or intersection level of service to be degraded nor substantially increase vehicle miles traveled relative to previous residential use of the site. 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 (e.g., 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. Therefore, the proposed project would not result in impacts related to transportation. (Source: IX. 1, 2, 3, 8, 9, 15).

18. Tribal Cultural Resources. See Section VI.18.

19. Utilities/Service Systems. The project involves re-establishment of a residential use previously permitted and developed on the site in an established residential neighborhood. The proposed main dwelling and guesthouse would be serviced by existing connections for potable water and on-site wastewater treatment. Due to the on-site treatment system, the project would not impact the remaining capacity of a local wastewater treatment plant or provider. The project would not require expansion of current utility infrastructure, nor would it impact the area's solid waste collection and disposal facilities. Potable water service at the project site would continue to be provided by Carmel Riviera Mutual Water Company, and electricity would be provided by PG&E. Solid waste disposal would continue to be provided by the Monterey Regional Waste Management District, and the operational component of the project would not result in an increase of solid waste production over the previously permitted use of the site. Any excess construction materials from the proposed project would be recycled as feasible with the remainder being hauled to landfill, and 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. See Section VI.20.

**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

Fionna Jensen, Associate Planner

May 5, 2022

Date

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

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

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

**VI. ENVIRONMENTAL CHECKLIST**

<b>1. AESTHETICS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX. 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: IX. 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: IX. 1, 3, 8 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The proposed project involves the construction of residential structures at 30560 Aurora Del Mar, which is accessed via a gated private road within the Otter Cove residential subdivision in the unincorporated area of Monterey County (see Vicinity Map at **Figure 1a**). The project site is not located within, nor is it visible from the Big Sur Critical Viewshed or from Highway 1. The existing vegetation in combination with the property’s topography which slopes steeply from Highway 1 towards the ocean effectively screens the site from Highway 1. The proposed residential structures would be located downslope from Highway 1, and partially benched into the toe of the hillside slope.

The 1.1-acre (47,916 square feet) subject parcel includes a limited buildable area defined by a surrounding scenic easement (See **Figure 2** - Plan Sheet page 3.1). The project site was previously developed from 1977 until 2018 with an approximately 4,500 square foot two-story single-family dwelling with an attached garage. The proposed development involves the construction of a 5,067 square foot two-story single-family dwelling with a 782 square foot attached garage and a 425 square foot detached guesthouse. Exterior color and material finishes would include horizontal board-formed concrete walls infused with a natural color, steel beams and columns, metal doors and windows, glass guard rail, membrane and vegetated roof, metal roof fascia, and wood fencing. The proposed main dwelling would have a top ridge height of approximately 18.83 feet above average natural grade, or 11.17 feet below the maximum allowed height of 30 feet for main structures in the RDR zoning district. Additionally, as designed, the new structures would be located approximately 20 feet further from the bluff edge than the previous site development (see **Figure 2**). County staff conducted a site inspection on May 27, 2021, to verify that the proposed project conforms to applicable visual resource policies of the Big Sur Coast LUP.

**Figure 2 – Plan Sheet Page 3.1**



**Aesthetics 1(a-b) – No Impact**

The project site is located in a developed residential neighborhood, and the proposed development would be consistent with other residential development on developed sites in the immediate vicinity. No project elements would be visible from a Highway 1, a designated scenic highway. Also, no project elements would impact trees, rock outcroppings, and/or historic buildings within a state scenic highway. While there are no scenic vista points or corridors in the immediate project vicinity, a public access trail to Mal Paso Creek beach is located approximately 600 feet to the north at its closest point. Per the Big Sur Coast LUP, distant development, although in the technical line of sight, would not be considered visible if sited and designed so as not to be seen from Highway 1 and other major public viewing areas. As stated above, the project site is not visible from Highway 1 and is not visible from Mal Paso Creek beach due to topography. Also, due to limited accessibility, Mal Paso Creek beach is not considered a major public viewing area. Moreover, the critical viewshed does not include areas visible only from hiking trails (Big Sur LUP Policy 3.2.3.B.1). Therefore, as proposed, the project would not substantially affect scenic resources or change the aesthetic quality of the area, and would not result in impacts to a scenic vista nor substantially damage scenic resources within a state scenic highway. (Source: IX.1, 3, 8, 9)

**Aesthetics 1(c-d) – Less Than Significant Impact**

As described above, existing topography and vegetative screening effectively screen the proposed development from Highway 1 and major public viewing areas. Interested members of the public have raised concerns regarding the proposed structures and potential impacts on

private views from residences in the Yankee Point subdivision to the north. The project site is visible from numerous residences in the Yankee Point neighborhood; however, as previously discussed in this Initial Study, the proposed main dwelling would have a top ridge height of approximately 18.83 feet above average natural grade, or 11.17 feet below the maximum allowed height of 30 feet. Also, as proposed, the new structures would be located approximately 20 feet further east (i.e., away from the bluff edge) than the previous development on the site that was demolished in 2018 (see **Figure 2** above). Placing the structures further east also reduces the visibility of the structures from the residences to the north. Due to the easement which forms a boundary around the building area, moving the proposed structures any further east would not be possible. Finally, private views are not regulated or protected under applicable MCC. Additionally, the project would be required to comply with County standard condition PD014(A), *Lighting – Exterior Lighting Plan*, which directs installation of exterior lighting that does not result in excessive illumination or off-site glare. Moreover, the distance between the project site and surrounding residences would further minimize any potential light and glare impacts resulting from exterior lighting. As designed, the project would result in a less than significant impact to the existing visual character or quality of public views of the site and its surroundings and the day or nighttime views in the area. (Source: IX.1, 3, 8, 9)

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## 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: IX. 1, 3, 8, 9, 19)	<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: IX. 1, 4, 19)	<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: IX. 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## 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.

<b>Would the project:</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d)	Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX. 1, 3, 4)	<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: IX. 1, 3, 4, 8, 9, 19)	<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.

<b>Would the project:</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 1, 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: IX. 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in significant construction-related air quality impacts? (Source: IX. 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1, 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: IX. 1, 6, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 2, 3, 4, 8, 9, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX. 1, 2, 3, 4, 8, 9, 11)	<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: IX. 1, 8, 9, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 1, 3, 8, 9, 11)	<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: IX. 1, 2, 3, 4, 9, 11)	<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: IX. 1, 2, 3, 8, 9, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** The project site is located within 50 feet of a coastal bluff adjacent to the Pacific Ocean, and neighboring uses are residential. The site was previously developed with a single-family residence and landscaping. According to the biological report prepared for the project (Biological Resource Report prepared by Denise Duffy and Associates, Inc., and Marine Life Supplemental Discussion [Monterey County Document No. LIB210129]), the project site does not contain any mapped or field-identified environmentally sensitive habitat areas or sensitive species. The site consists of one habitat type, landscaped/ruderal, comprised primarily of ice plant, nonnative annual grasses, ornamental species, and naturalized Monterey cypress trees with low biological value. In addition, a portion of the project site is developed, consisting of the existing driveway and the foundation of the former residence.

No special-status plant species were observed or have the potential to occur within the project site. The host plant (Seacliff buckwheat) for the federally threatened Smith's blue butterfly (SBB) was observed within the project parcel. Therefore, in areas where the Seacliff buckwheat is present, it is assumed that SBBs are also present. However, all potential SBB habitat is outside of the areas that are proposed for redevelopment. The project would also be required to implement County standard condition PD050, *Raptor/Migratory Bird Nesting*, to require a nesting bird survey prior initiation of construction to avoid potential impacts to avian species.

#### **Biological Resources 4(a) – Less Than Significant Impact with Mitigation Incorporated**

The project has been designed to avoid impacts to the coastal bluff and the adjacent aquatic marine habitat. The residence would be sited approximately 20 feet further inland from the bluff than the previous structure, and no construction would occur on the bluff or within aquatic marine habitat. Therefore, the potential for direct impacts to these sensitive resources would be less than significant. However, potential indirect impacts could occur during construction via erosion from the project site, which would cause sedimentation on the bluff or within aquatic marine habitat. Potential impacts to sensitive bluff and aquatic marine habitats would be reduced to a less than significant level by complying with the Monterey County regulations for erosion control (Monterey County Code Chapters 16.08 and 16.12) and implementing **Mitigation Measure 1** (described below). Implementation of erosion control mechanisms and protective fencing as specified in **Mitigation Measure 1** would also protect two habitat areas containing the host plant for Smith's blue butterfly, which was not observed on the site but is assumed present. Accordingly, the project would not have a substantial adverse impact on any sensitive or special status species with mitigation incorporated.

#### **Mitigation Measure No. 1 – Construction Fencing and Erosion Control:**

The project applicant or the construction contractor on their behalf shall ensure the following measures are included in the construction specifications and implemented throughout construction. No debris, soil, silt, sand, oil, petroleum products, cement, concrete, or washings thereof shall be allowed to enter into, or be placed where they may be washed by rainfall or runoff, onto the adjacent bluff or into the Pacific Ocean. Grading, excavating, and other activities that involve substantial soil disturbance shall utilize standard erosion control techniques (e.g., silt fencing, straw wattles) to avoid erosion and sedimentation to the adjacent bluff or Pacific Ocean. Erosion control techniques shall apply during each phase of construction (preconstruction, construction, and post-construction). Erosion control materials and a construction barrier shall be placed at the edge of the project site to preclude access to sensitive areas by construction crews and equipment, as shown in Figure 1 (**Figure 3** of this Initial Study) of the Biological Resource Report prepared by Denise Duffy and Associates, Inc. (Monterey County Document No. LIB210129). All construction materials shall always be secured and stored properly on the site to prevent blowing or falling into the ocean, even when they are in use. The job site must remain free of all forms of trash at all times of the day and night. All trash and/or construction debris shall be bagged and hauled away daily, or completely secured.

Additionally, Smith's blue butterfly (SBB) habitat shall be protected prior to and during construction with protective fencing and/or flagging. A biological monitor shall supervise the installation of protective fencing/flagging and monitor the protected area at least once

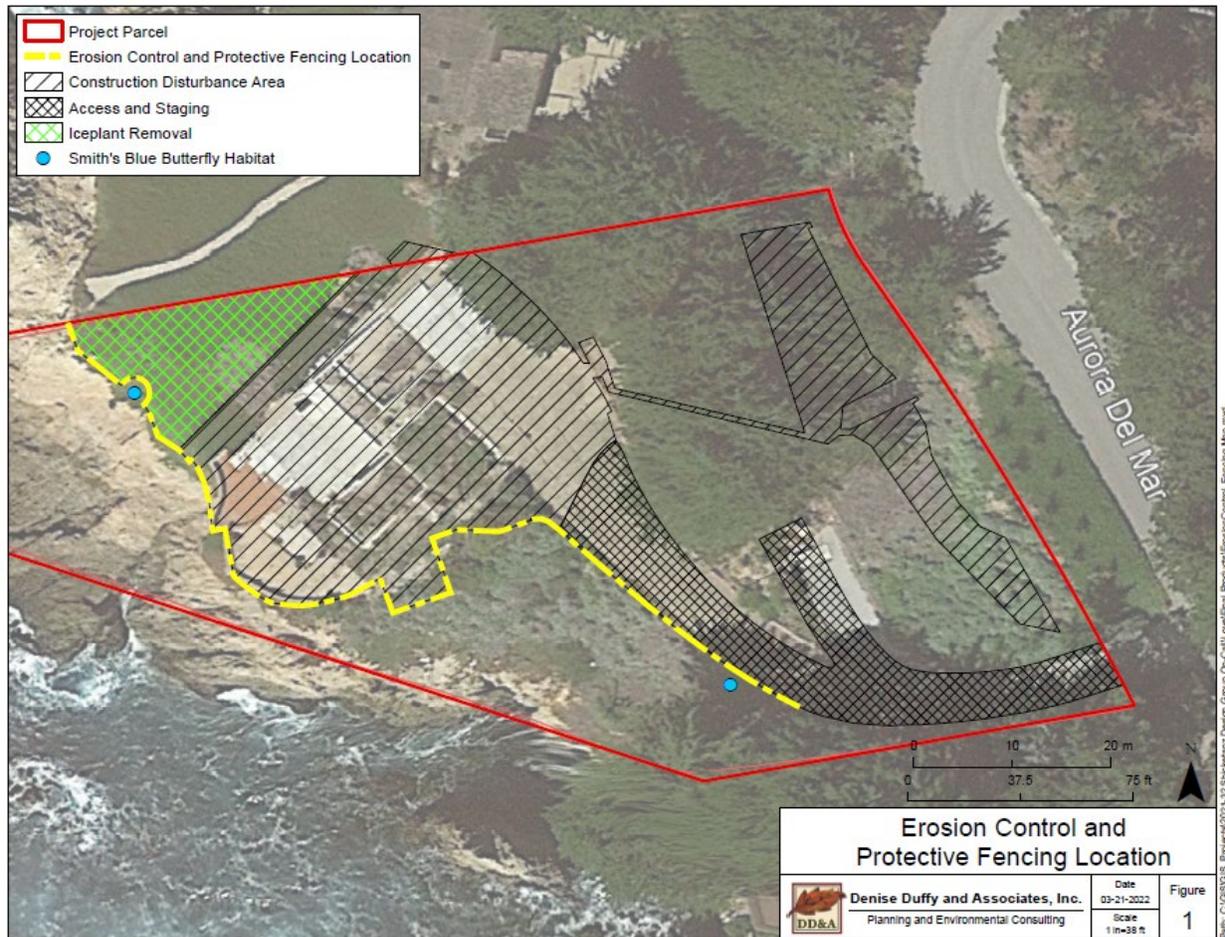
per week until construction is complete to ensure that the protective fencing/flagging remains intact. If all SBB habitat is avoided, no additional mitigation is necessary.

**Compliance Actions for Mitigation Measure No. 1:**

1a: Prior to the issuance of permits from Building Services, the project biologist shall submit evidence of installation of the construction barrier and erosion control measures to HCD-Planning. Throughout all phases of demolition and construction, the contractor shall maintain, and improve as necessary, the barrier and erosion control measures.

1b. Prior to final inspection from Building Services, the project biologist shall certify to HCD-Planning that the required monitoring occurred throughout all construction phases and that the protective fencing and erosion control measures remained intact.

**Figure 3 – Erosion Control and Protective Fencing Location**



**Biological Resources 4(b-f) – No Impact**

As proposed, the project would not conflict with applicable policies of Chapter 3.3, Environmentally Sensitive Habitats, in the Big Sur Coast LUP and would avoid impacts to biological resources. Per the biological report prepared for the project, there are no riparian habitats, wetlands, or sensitive communities on the subject parcel. The project site is not located in an established migratory wildlife corridor and would not impede the use of native wildlife

nurseries. The project would not result in the removal of any trees and would therefore not conflict with any tree preservation ordinances or policies. The project site is located in a developed residential area and is not included in any local, regional, or state habitat conservation plan. Therefore, the project would not result in impacts to riparian habitat, wetlands, wildlife corridors, trees, and/or habitat conservation plans.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Source: IX. 1, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Source: IX. 1, 3, 8, 9, 10)	<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: IX. 1, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

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

The project site does not contain any structures or features that may be considered historical resources eligible for listing. Therefore, implementation of the project would not result in a substantial adverse change in the significance of a historical resource, and there would be no impact.

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

The vicinity of the project site is considered sensitive for archaeological resources due to the presence of known resources in the area, and an archaeological site (CA-MNT-613) is recorded on the project site. Due to the project site’s location near known and recorded archaeological/prehistoric resource sites, and because the project includes excavation and grading (approximately 938 cubic yards of total cut and fill), there is a potential for archaeological or cultural resources to be inadvertently discovered. To address the potential inadvertent discovery of cultural resources, the project applicant would be required to implement standard County Condition of Approval PD003[B]. An archaeological report prepared for the site (Archaeological Consulting, Monterey County Document No. LIB170137) identified scattered midden shell fragments on the project parcel and determined that no further archaeological measures should be required if subsequent development is restricted to the previously developed area. However, the report also determined that unanticipated discoveries are possible in unexcavated portions of the project site because of the proximity of the site to known archaeological resources, and that an archeological monitor should be present for any disturbance outside of the currently developed footprint.

The potential impact to archaeological resources would be less than significant with implementation of standard County Condition of Approval PD003[B], **Mitigation Measure 2**

(onsite archaeological monitor and construction awareness training, as described below) and **Mitigation Measure 3** (onsite tribal monitor, as described in Section VI.18).

**Mitigation Measure No. 2 – On-Site Archaeological Monitor and Cultural Awareness Training:**

To reduce potential impacts to cultural resources that may be discovered during development onsite, 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 conduct a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activity, and 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.

**Compliance Actions for Mitigation Measure No. 2:**

- 2a: Prior to the issuance of permits from Building Services, 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 the issuance of permits from Building Services, 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 also detail the preparation of a cultural resource awareness and response training program for construction personnel which includes 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. 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.
- 2c: Prior to the commencement of any grading or excavation activity, the owner/applicant shall submit evidence that the project archaeologist has conducted a cultural resource awareness and response training for construction personnel.

2d: 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. 3 – Section VI.18) an opportunity to make recommendations for the disposition of potentially significant archaeological materials found.

2e: 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. Therefore, with adherence to existing regulations and the Condition PD003(B), impacts to human remains would be less than significant.

6. ENERGY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Source: IX. 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: IX. 1, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<b>7. GEOLOGY AND SOILS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX. 8, 12, 13, 14) 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: 8, 12, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: IX. 8, 12, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides? (Source: IX. 8, 12, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil? (Source: IX. 8, 12, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX. 1, 8, 12, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: IX. 8, 12, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 8, 12, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Source: IX. 2, 3, 8, 12, 13, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

According to the County’s GIS database, the project area is located within an area of moderate to high erosion hazard, low landslide risk, and low liquefaction risk. Per the geologic and geotechnical reports prepared for the project by Haro, Kasunich and Associates, Inc. (Monterey County Document Nos. LIB140162, LIB170114, and LIB210128), development of the project site would not create a geologic hazard or diminish the stability of the area. The reports identified and concluded that the site is underlain with granite, the bluff is stable, the historical bluff recession

rate is slow, and excavation for new structures would not adversely impact or undermine the coastal bluff.

#### **Geology and Soils 7 (ai, aiii, d, e & f) – No Impact**

The reports estimated that between the years 1949 – 2012, approximately 2 – 6 feet of bluff recession occurred; and that by calendar year 2100, an average of 5.1 feet of sea level rise may occur. Based on this information, the site may encounter an additional 2 – 5 feet of natural bluff retreat over the lifespan of the project; however, the proposed development would be located in an area of the parcel not threatened by the projected amount of bluff recession, and the project site is well above the projected elevation of sea level rise. As designed and located, the project would comply with applicable policies of the Big Sur Coast LUP Chapter 3.7, Hazardous Areas. Specifically, consistent with LUP Policy 3.7.3.A.9, the reports demonstrate that the site would be stable for development. The analysis in these reports remains valid for the current development proposal. Additionally, the proposed project would be located approximately 20 feet further from the bluff edge than the previously analyzed project.

#### **Geology and Soils 7 (aiv, b & c) – Less Than Significant**

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, and the project itself would not increase ground shaking hazards at adjacent properties.

The project includes development on slopes exceeding 30 percent and within 50 feet of a coastal bluff. Pursuant to applicable Monterey County Code (MCC sections 20.145.080.A.1.b.2 of the Coastal Implementation Plan, Part 3, and 20.64.230.C.1 of Title 20, Coastal Zoning Ordinance), 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, the existing conservation easement, which results in a de facto building envelope, limits feasible alternatives for site access and for siting the proposed structures. The proposed development would impact approximately 200 square feet of man-made slope exceeding 30 percent to expand the turn-around area for vehicles, including emergency response vehicles, and to allow the structures to be located further from the bluff edge. Based on site limitations, the applicant has designed and sited the proposed development to minimize development on slopes exceeding 30 percent, in accordance with the applicable goals and policies of the Big Sur Coast LUP. The project planner reviewed project plans and site photographs, and conducted a site visit on May 27, 2021, to analyze possible development alternatives and to verify that the proposed project minimizes development on slopes exceeding 30 percent. To assure stability of the development, the project would be required to comply with Monterey County Code Section 20.64.230, which establishes regulations, procedures and standards for development on slopes in excess of thirty percent. In addition, standard County measures would be applied to the project pertaining to grading, erosion control, and geotechnical certification.

The project entails grading and excavation of approximately 940 cubic yards of cut and fill. During the construction permit phase, the project would be required to comply with Monterey County Code Chapter 16.12, Erosion Control, which sets forth required provisions for preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions to minimize erosion during construction. Consistent

with MCC Section 20.64.230.E.1, during the construction permit phase, the contractor would be required to comply with applicable building code requirements (including those pertaining to 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 erosion and drainage and would be required to address post-construction requirements and runoff reduction. Therefore, no further special conditions of approval are necessary or required for this project, and the project would result in less than significant impacts to geology and soils.

<b>8. GREENHOUSE GAS EMISSIONS</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: IX. 1, 6, 7)	<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: IX. 1, 2, 3, 7, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<b>9. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 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: IX. 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: IX. 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>9. HAZARDS AND HAZARDOUS MATERIALS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
project result in a safety hazard or excessive noise for people residing or working in the project area? (Source: IX. 1, 8)					
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 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: IX. 1, 8, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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

<b>10. HYDROLOGY AND WATER QUALITY</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (Source: IX. 1, 3, 4, 5, 8, 9)					
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: IX. 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: IX. 1, 3, 4, 5, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Source: IX. 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: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**10. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX. 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: IX. 1, 3, 5, 8, 9 )	<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: IX. 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: IX. 1, 3, 4, 8, 9, 10, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The subject project site is a previously developed residential lot located within an established residential neighborhood designated and zoned for rural density residential use. The project site was previously developed from 1977 until 2018 with an approximately 4,500 square foot single-family dwelling and attached garage. On June 11, 2020, the Monterey County Zoning Administrator (ZA) granted the previous owner an after-the-fact Combined Development Permit (CDP) to allow demolition of the structures and development within 100 feet of environmentally sensitive habitat (ZA Resolution No. 20-023; Planning File No. PLN190351). Per Google Earth historical imagery, the previous owner completed demolition of the previous structures sometime between February and September 2018. The after-the-fact CDP abated code violation 14CE00051.

The proposed site improvements include the construction of a 5,067 square foot two-story single-family dwelling with a 782 square foot attached garage, and construction of a 425 square foot detached guesthouse. The proposed development would also include a mechanical room, vegetated roof, patios, covered patios, deck, trash enclosure, roof-mounted solar panels (1,000 square feet), refurbishments of portions of the existing driveway and retaining walls, and upgrade of the existing on-site wastewater treatment system to an alternative treatment system within the same general area as the existing system. The Conservation and Scenic Easement deed includes a provision which allows the construction, alteration, relocation and maintenance of public roads, public and private pedestrian trails, and public and private utilities. The replacement alternative treatment system would be allowed under this provision. The project also includes demolition of the existing foundation slabs and a small portion of an existing retaining wall that encroaches into the

neighboring parcel, and removal of invasive ice plant northwest of the residence. The majority of the existing retaining wall would be left in place and no work would occur on the bluff below the footprint of the pre-existing foundation. Associated grading would involve approximately 815 cubic yards of cut and 123 cubic yards of fill. No trees are proposed for removal.

The subject parcel is zoned Rural Density Residential, 40 acres per unit, with a Design Control overlay (Coastal Zone) [RDR/40-D (CZ)], and the surrounding subdivision has this same zoning and land use designation. The properties in the surrounding vicinity have been developed with single-family homes and accessory structures. Development standards for the RDR zoning district are identified in Monterey County Code (MCC) Section 20.16.060.

Required setbacks for main structures in the RDR district are 30 feet (front), 30 feet (rear), and 20 feet (sides). As proposed, the main structure (i.e., the single-family dwelling with attached garage) would have a front setback of 99.25 feet, a rear setback of 102 feet, and side setbacks of 20 and 20.3 feet. Required setbacks for habitable accessory structures in the RDR district are 50 feet (front), 6 feet (rear), and 6 feet (sides). As proposed, the accessory structure (i.e., the detached guesthouse) would have a front setback of 119 feet, a rear setback of 170 feet, and side setbacks of 6 and 110 feet. Additionally, the distance between the proposed structures is 10 feet, as required by MCC. As designed, the proposed development would be positioned approximately 19.58 feet further east (i.e., increased distance from the bluff edge) than the previous structure, resulting in the proposed structures being less visible from the north (i.e., Yankee Point area) than the previous site development.

The maximum allowed height for main structures in the RDR zoning district is 30 feet above average natural grade. The proposed main dwelling would have a top ridge height of approximately 18.83 feet above average natural grade. The maximum allowed height for habitable accessory structures in the RDR zoning district is 15 feet above average natural grade. The proposed guesthouse would have a top ridge height of approximately 10.39 feet above average natural grade.

The site (i.e., building) coverage maximum in this RDR district is 25 percent. The property is 1.10 acre (47,916 square feet) which would allow site coverage of 11,979 square feet. As proposed, the development would result in site coverage of 5,564 square feet (11.6 percent). Per MCC, the RDR zoning district has no maximum floor area ratio; however, the proposed project would result in floor area of 6,274 square feet (13.1 percent). The allowed building area on the subject parcel is also limited by an easement, and the proposed structures would be constructed within this easement area.

#### **Land Use and Planning 11(a) – No Impact**

As proposed and described above, the project is consistent with and would have no impact on the land use designation and/or zoning. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan and the Big Sur Coast Coastal Implementation Plan (CIP). As designed and conditioned/mitigated, the project is consistent with applicable General Plan and CIP policies as discussed throughout this Initial Study. Construction of a single-family residence on the site would be consistent with and continue the existing very low-density residential development pattern in the area, and would not cut off connected neighborhoods or land uses from each other. No new roads, linear infrastructure, or other development features are proposed that would divide an established community or limit movement, travel or social interaction between

established land uses. As proposed, the project would not physically divide an established community, and no impacts 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 Big Sur Coast Land Use Plan (LUP). Chapter 5 of the LUP contains policies that pertain to Land Use and Development in unincorporated areas of Big Sur and specifically in the vicinity of the Otter Cove neighborhood. Given that the project would involve construction of a single-family residence with attached garage and detached guesthouse, on a site that is zoned for such uses, the project would not conflict with land use policies specified in the LUP. Also, the project would not conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site. Prior to implementation, the project would require issuance of construction permits and coastal development permits from the County of Monterey.

Chapter 3.3 of the LUP also contains policies related to the protection of biological resources. With implementation of **Mitigation Measures No. 1** (Construction Fencing and Erosion Control) as described in Section VI.4, *Biological Resources*, the project would not conflict with applicable LUP policies. Therefore, impacts related to conflicts with a land use plan would be less than significant with mitigation incorporated.

Chapter 3.11 of the LUP also contains policies related to the protection of archaeological resources. With implementation of **Mitigation Measure 2** (onsite archaeological monitor and construction awareness training) and **Mitigation Measure 3** (onsite tribal monitor), as described in Section VI.5, *Cultural Resources*, and Section VI.18, *Tribal Cultural Resources*, the project would not conflict with applicable policies of the LUP. Therefore, impacts related to conflicts with a land use plan would be less than significant with mitigation incorporated.

As designed, the project has the potential to impact biological and/or unknown or previously undiscovered archaeological or tribal cultural resources. Implementation of the mitigation measure identified above would reduce potential impacts related to land use and planning to a less than significant level.

12. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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: IX. 1, 8, 9, 17)	<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: IX. 1, 8, 9, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<b>13. NOISE</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>					
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX. 1, 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Generation of excessive ground borne vibration or ground borne noise levels? (Source: IX. 1)	<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: IX. 1, 2, 3, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<b>14. POPULATION AND HOUSING</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX. 1, 2, 3, 9, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Source: IX. 1, 2, 3, 9, 18)	<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
<b>Would the project result in:</b>				
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 (Source: IX. 1, 8, 18)				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

16. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX. 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: IX. 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.

<b>17. TRANSPORTATION/TRAFFIC</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Source: IX. 1, 2, 3, 8, 9, 15)	<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: IX. 1, 3, 8, 9, 15)	<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: IX. 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in inadequate emergency access? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Discussion/Conclusion/Mitigation:</b> See Sections II and IV.					

<b>18. TRIBAL CULTURAL RESOURCES</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 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: IX. 1, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of 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: IX. 3, 8, 10, 20, 21)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Due to the project site's location near known and recorded archaeological/prehistoric resource sites (described in VI.5), and because the project includes excavation and grading (approximately 938 cubic yards of total cut and fill), there is a potential for human remains or tribal cultural artifacts to be accidentally discovered. Therefore, Monterey County HCD-Planning consulted with local Native American tribes and incorporated their recommended actions into the mitigation measure below. See 18(a.ii) below for additional detail regarding the consultation process and mitigation measure.

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

The property is currently developed with the previous residence's foundation and driveway. The property does not contain any structures, structural improvements or features that may be considered historical resources eligible for listing, therefore resulting in no impact.

### **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 American tribes on February 4, 2022. The Ohlone, Coastanoan, Esselen Nation (OCEN) and Esselen Tribe of Monterey County requested consultation on February 7 and March 4, 2022, respectively. HCD-Planning staff consulted with an OCEN representative on April 5, 2022, and with representatives of the Esselen Tribe on April 6, 2022.

During consultation, representatives of both tribes requested the on-site presence of a Native American monitor to observe all excavation activities associated with development of the site. The Esselen Tribe representative also requested that construction crew members be provided cultural resources training. In addition, the OCEN representative requested that OCEN be included in any resource recovery program or reburial, and that the applicant send the archaeological report to OCEN.

After the consultation with County staff, OCEN and the Esselen Tribe submitted letters to memorialize the requests made during the consultation and OCEN made additional requests including the following: 1) OCEN's Tribal leadership be provided with archaeological reports/surveys, including subsurface testing, and presence/absence testing; 2) all cultural items found be placed with OCEN; and 3) an OCEN monitor, approved by the OCEN Tribal Council, be used within OCEN's aboriginal territory.

The project area is known to be sensitive for subsurface resources, as discussed in Section VI.5, *Cultural Resources* of this Initial Study. Due to known resources in the project area, a standard County Condition of Approval for protection of cultural resources, PD003(B), would be applied to all projects with ground disturbance in the area of Otter Cove. Additionally, mitigation measures are required to reduce potential impacts to unknown tribal cultural resources to a less than significant level. **Mitigation Measure 2** (described in Section VI.5) would require a cultural resources awareness training program provided by the project archaeologist for construction crew members prior to soil disturbance. **Mitigation Measure 3** (described below) would require that, if tribal cultural artifacts or human remains are discovered, these resources are treated with appropriate dignity and respect. With implementation of the County's condition of approval for cultural resources (PD003B) and **Mitigation Measures 2 and 3**, the potential impact to Tribal Cultural Resources would be less than significant.

**Mitigation Measure No. 3 – On-Site Tribal Monitor:**

To ensure that Tribal Cultural Resources incur a less than significant impact if encountered, 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 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. 3:**

- 3a: Prior to the issuance of permits from Building Services, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 3, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.
- 3b: Prior to the issuance of permits from Building Services, 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.
- 3c: 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.
- 3d: Prior to final inspection from Building Services, 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.

19. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Source: IX. 1, 3, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: IX. 1)	<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
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 3, 9)	<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: IX. 1, 3, 8, 9, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Source: IX. 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: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The project area is located in a State Responsibility Area (SRA) and is designated as a Very High Fire Hazard Severity Zone (VHFHSZ). While nearly all of California is subject to some degree of wildfire hazard, there are specific features that make certain areas more hazardous. CAL FIRE is

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required by law to map areas of significant fire hazards based on fuels, terrain, weather and other relevant factors (Source: IX.16). The primary factors that increase an area's susceptibility to fire hazards include topography and slope, vegetation type and vegetation condition, and weather and atmospheric conditions. CAL FIRE maps fire hazards based on zones, referred to as Fire Hazard Severity Zones. Each of the zones influence how people construct buildings and protect property to reduce risk associated with wildland fires. Under state regulations, areas within VHFHSZ must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas.

In California, responsibility for wildfire prevention and suppression is shared by federal, state and local agencies. Federal agencies have legal responsibility to prevent and suppress wildfires in Federal Responsibility Areas (FRAs). CAL FIRE prevents and suppresses wildfires in SRA lands, which are non-federal lands in unincorporated areas with watershed value, are of statewide interest, defined by land ownership, population density, and land use. Wildfire prevention and suppression in Local Responsibility Areas (LRA) are typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government.

### **Wildfire 20(a & c) – No Impact**

The proposed project would not impair an adopted emergency response plan or emergency evacuation plan as the proposed project would re-establish a previously permitted and developed use within an established residential subdivision (i.e., Otter Cove). The local roadway (i.e., Aurora del Mar) that serves as primary access to the site is not an identified evacuation route. The closest evacuation route to the proposed project site is Highway 1, and the proposed project is not expected to impair evacuation procedures along this road due to its low traffic volumes and very low-density land uses along Aurora del Mar. The closest fire station is the Carmel Highlands Fire Protection District Station located at 73 Fern Canyon Road in Carmel. Further, the proposed project includes installation of an emergency vehicle turnaround. As a result, it is not anticipated that the proposed project would substantially impair an adopted emergency response plan or emergency evacuation plan and would not result in impacts.

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

- **On-Site Wastewater Area Management:** The underground septic tank and leach field would not result in additional temporary or permanent impacts. Further, any maintenance of this area would be conducted using firesafe practices, as required by California Public Resources Code Sections 4427, 4428, 4431, and 4442, to minimize the potential for wildfire ignitions resulting from equipment use.
- **Photovoltaic System:** The 1,000 square feet of roof-mounted solar panels would be installed to existing code standards and as a result, would not exacerbate wildfire risk.
- **Defensible Space:** Defensible space would be required within 100 feet of the project's structures to reduce fire hazard on-site, consistent with state and county requirements. Defensible space zones are passive measures and would not impede site access or otherwise hinder evacuation or emergency response efforts. Presence of defensible space areas would reduce fuel volumes and moderate fire behavior near structures and would reduce potential wildfire impacts. Maintenance of defensible space areas may require heat-or spark-generating equipment; however, maintenance activities associated with the proposed project would be conducted using firesafe practices, as required by California Public

Resources Code Sections 4427, 4428, 4431, and 4442, to minimize the potential for wildfire ignitions resulting from equipment use.

With implementation of existing local and state regulations, installation and maintenance of project-related infrastructure would not result in impacts. (Source: IX. 1, 3, 5, 8, 9, 16)

**Wildfire 20 (b & d) – Less Than Significant**

The project area is located in a SRA and is designated as a VHFHSZ (Source: IX.16). As a result, there is the potential for increased wildfire risk whenever placing residential uses in a wildland area. Construction and operation of the proposed project would involve the use of flammable materials, tools, and equipment capable of generating a spark and igniting a wildfire. Additionally, increased vehicle traffic and human presence in the project area could increase the potential for wildfire ignitions. The proposed project incorporates measures that would minimize occupant exposure to wildfire risk, including:

- Construction according to the latest California Building Code standards, and any additional restrictions or requirements adopted locally by the Carmel Highlands Fire Protection District;
- Installation and maintenance of defensible space areas within 100 feet of all project structures, consistent with Public Resources Code 4291; and
- Maintenance of an existing 12 foot-wide (minimum) on-site access road and fire truck turnaround.

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

Wildfires can greatly reduce the amount of vegetation. Plant roots stabilize the soil and above-ground plant parts slow water, allowing it to percolate into the soil. Removal of surface vegetation resulting from a wildfire on a hillside reduces the ability of the soil surface to absorb rainwater and can allow for increased runoff that may lead to large amounts of erosion or landslides. As described in Section VI.7, *Geology and Soils*, the project site includes development on slopes exceeding 30 percent; however, as indicated in the associated geotechnical and geologic reports (Source: IX.12, 13, 14), the project site has a low potential for erosion and landslides. Nevertheless, due to the steep slope, it is expected that potential for erosion and landslides could be exacerbated post-wildfire where surface vegetation has been removed. The project would be required to be built to the standards outlined in the soils reports as well as to the standards outlined in the project's Erosion Control and Construction Management Notes contained in the project's construction plan set to minimize potential runoff or slope instability. Further, the project would be required to comply with relevant sections of the Monterey County Code that pertain to grading and erosion control (Monterey County Code Chapters 16.0 and 16.12). When combined with the project design and County permitting requirements, potential impacts associated with runoff, post-fire slope instability or drainage changes would be less than significant. (Source: IX. 1, 3, 5, 8, 9, 16)

## 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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, potential impacts to marine habitat could occur as a result of this proposed project yet would be reduced to a less than significant level by implementing **Mitigation Measure 1** (construction fencing and erosion control, discussed in Section VI.4, *Biological Resources*). Regarding cultural resources, potential impacts to known prehistoric archaeological sites and any unknown or undiscovered resources within the project site would be reduced to a less than significant level by implementing the County's Conditions of Approval for cultural resources PD003(B), Discovery of Cultural Resources; **Mitigation Measure 2** (onsite archaeological monitor and construction awareness training, discussed in Section VI.5, *Cultural Resources*); and **Mitigation Measure 3** (onsite tribal monitor, discussed in Section VI.18, *Tribal Cultural Resources*).

#### **Mandatory Findings of Significance (b) – Less Than Significant**

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. While

the proposed development could result in minor impacts which inherently contribute to cumulative impacts in some instances, 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 be less than significant and would not be cumulatively considerable.

### **Mandatory Findings of Significance (c) – Less Than Significant**

Effects on human beings are generally associated with impacts related to issue areas such as aesthetics, 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 the resource areas related to air quality, noise, hazards and hazardous materials, and traffic. As discussed in Section VI., *Environmental Checklist*, of this Initial Study, the project would have less than significant impacts related to aesthetics, geology and soils, and wildfire. Therefore, as proposed and analyzed in this Initial Study, 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](http://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 PLN210007 and the attached Initial Study / Proposed Mitigated Negative Declaration.

## ***IX. SOURCES***

1. Project Application Materials and Plans (Planning File No. 210007; Plan Set dated July 19, 2021)
2. Monterey County General Plan (1982)
3. Big Sur Coast Land Use Plan and Coastal Implementation Plan (Part 3)
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 Sustainability Program (accessed at <https://www.co.monterey.ca.us/government/departments-and-administrativeoffice/intergovernmental-and-legislative-affairs/sustainability> on March 25, 2022)
8. Monterey County GIS Information Database
9. Site visit conducted by the project planner on May 27, 2021
10. Archaeological Assessment Study for the Love Property, dated January 17, 2017 (Monterey County Document No. LIB170137), prepared by Gary S. Breschini, Ph.D, Archaeological Consulting, Salinas, California
11. Biological Resource Report, dated June 2021 (Monterey County Document No. LIB210129) prepared by Denise Duffy and Associates, Inc., Monterey, California; including Marine Life Supplemental Discussion to the Biological Resources Report, dated March 22, 2022
12. Geotechnical Investigation, dated May 6, 2014 (Monterey County Document No. LIB140162) prepared by Haro, Kasunich and Associates, Inc., Watsonville, California
13. Geotechnical Report Update, dated February 1, 2017 (Monterey County Document No. LIB170114) prepared by Haro, Kasunich and Associates, Inc., Watsonville, California
14. Phase 1 Geologic Report (Geologic Investigation and Coastal Bluff Recission Study), dated July 25, 2013 (Monterey County Document No. LIB210128) prepared by Haro, Kasunich and Associates, Inc., Watsonville, California
15. 2040 Metropolitan Transportation Plan & the Sustainable Communities Strategy, Association of Monterey Bay Area Governments, June 2018
16. Fire Hazard Severity Zones in SRA: Monterey County, CalFire
17. Mineral Lands Classification Data Portal, California Department of Conservation
18. Population and Housing Estimates for Cities, Counties, and the State, California Department of Finance
19. Farmland Mapping and Monitoring Program, California Department of Conservation
20. OCEN Letter, dated April 5, 2022 (received by HCD-Planning on April 8, 2022)
21. Esselen Tribe of Monterey County Letter, dated April 12, 2022 (received by HCD-Planning on April 12, 2022)