# COUNTY OF MONTEREY

HOUSING & COMMUNITY DEVELOPMENT

1441 SCHILLING PL SOUTH 2nd FLOOR, SALINAS, CA 93901

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***INITIAL STUDY***

***BACKGROUND INFORMATION***

| | |
|---|---|
| **Project Title:** | Reynolds Jon Q Tr Et. Al. |
| **File No.:** | PLN210331 |
| **Project Location:** | 26454 Carmelo Street (Lot B) & 26489 Scenic Road, Carmel |
| **Name of Property Owner:** | Jon Q Reynolds and Ann S Reynolds Family Trust |
| **Name of Applicant:** | Teri Flynn |
| **Assessor's Parcel Number(s):** | 009-471-014-000, 009-471-026-000, and 009-471-025-000 |
| **Acreage of Property:** | 0.85 Acres |
| **General Plan Designation:** | Carmel Area LUP |
| **Zoning District:** | MDR/2-D(18)(CZ) |
| **Lead Agency:** | County of Monterey Housing and Community Development |
| **Prepared By:** | Denise Duffy and Associates, Inc. |
| **Date Prepared:** | October 2023 |
| **Contact Person:** | Joseph Alameda, Associate Planner, County of Monterey HCD |
| **Phone Number:** | (831) 783-7079 |

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

### A. Description of Project:

The Reynolds Jon Q Tr Et Al Project ("Project" or "Project") located at Lot B, 26454 Carmelo Street, Monterey County, California consists of:

1. Construction of a single-story 1,056 square foot, two-bedroom Accessory Dwelling Unit ("ADU") (**Figure 1**).
2. Merging of three legal lots of record ( Assessor's Parcel Numbers 009-471-014 (0.25 acres), 009-471-026 (0.14 acres), and 009-471-025 (0.46 acres)) into a single legal lot of record, and
3. Demolition of 15 existing plumbing fixtures in the main house and garage, transferring transfer water credits to the new ADU. **Figure 2** shows the proposed site plan.

The 1,056-square-foot, single-story, ADU has an estimated land disturbance area of 3,385 square-feet with a proposed maximum height of approximately 13 feet. Additional Project improvements include an exterior stone patio, crushed granite walkway, privacy fence, and landscaping around the entire building exterior. The landscaping plan proposes the removal of nine (9) non-native Mediterranean cypress trees, replanting a mixture of native and nonnative drought-tolerant plants, and revegetating the currently impacted dune scrub. Building materials include local Carmel stone, wood siding, wood shake roofing, driftwood trellising, and energy-efficient windows and doors.

***Construction***

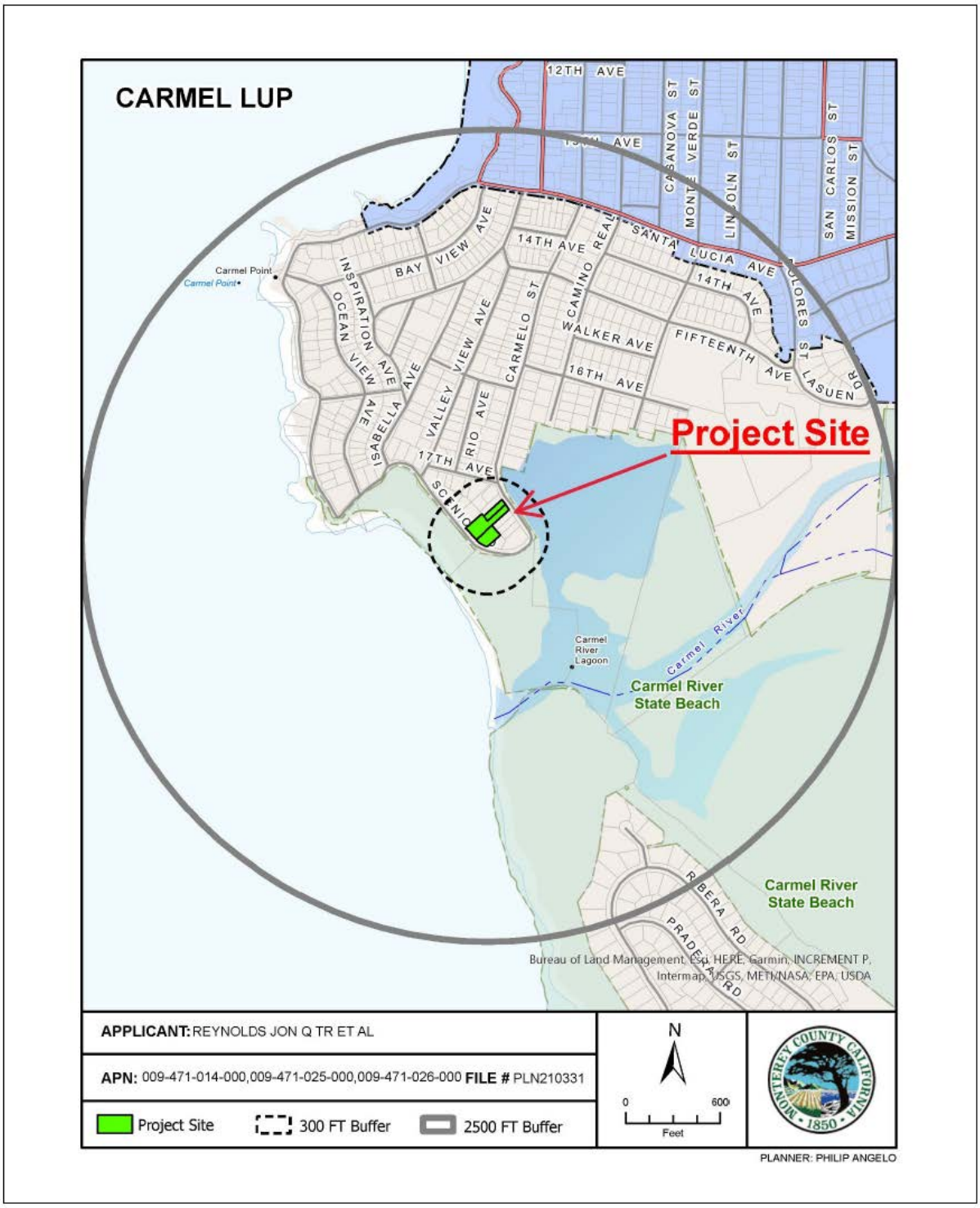
Construction of the Project would generally involve tractors, backhoes, compactors, excavators, rollers, dump trucks, etc. All construction loading, unloading, and parking of equipment would occur within the existing private gravel driveway area and the driveway would be repaired after construction of the ADU is complete. No construction vehicles would be parked on adjacent roads.

The construction start depends on the Project approval date, seasonal factors, and the contractor's schedule. Construction activities would be limited to the hours between 7AM – 7PM, Monday through Saturday. No construction activities would occur on Sundays or holidays.

*Site Preparation & Demolition*

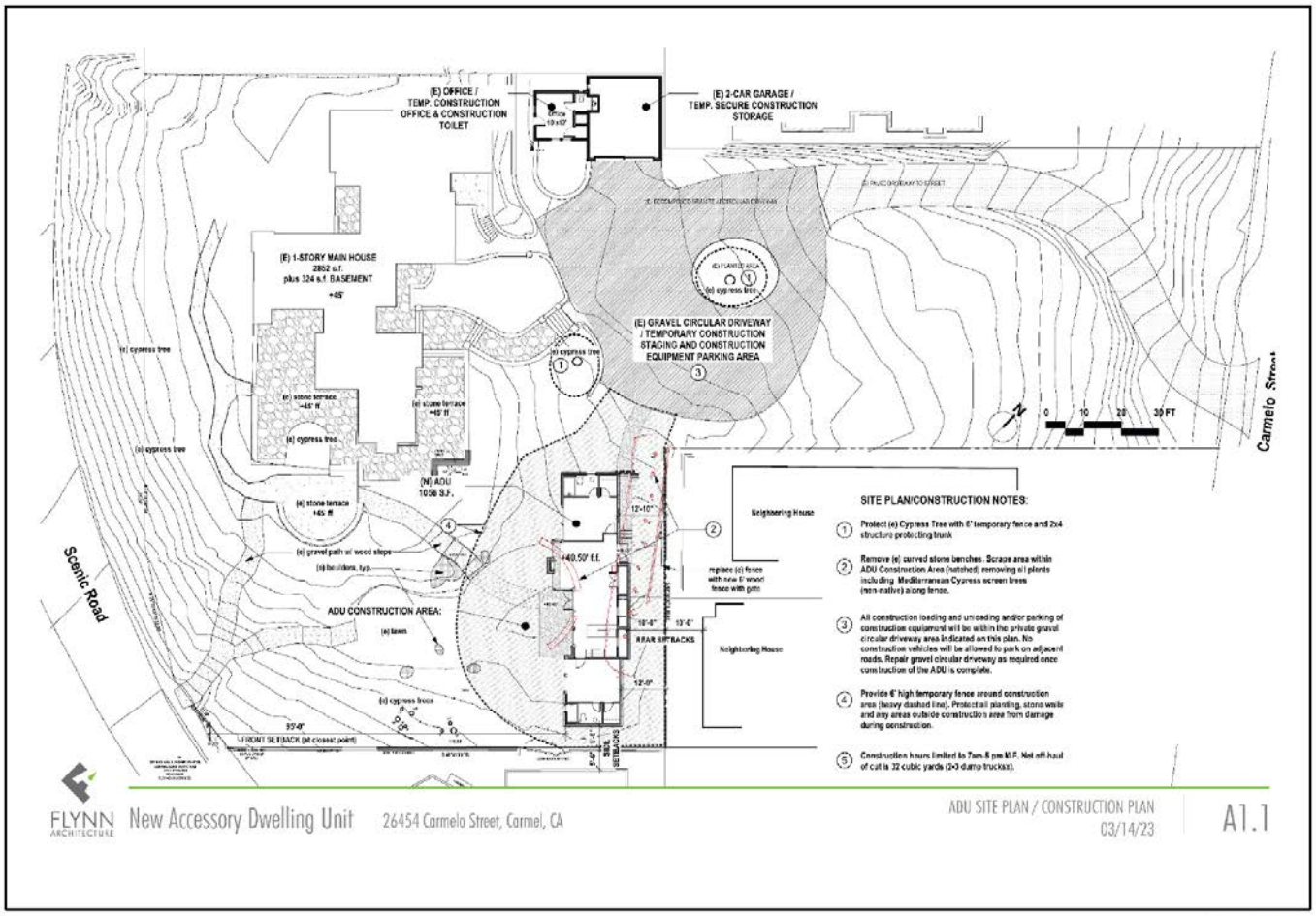
The Project would propose the removal of 15 plumbing fixture units in the main house and garage to allow the transfer of the fixture units to the new ADU. Interior demolition would include removing five (5) bar sinks, one (1) shower and ceramic stall, three (3) washing machine connections, one (1) dishwasher connection, and five (5) washbasins. Following removal of these fixtures the remaining walls and floors would be repaired. **Figure 3** shows the proposed demolition plan. Site preparation work would include staging of construction equipment, initial grading activities, tree removal (see below), and other related activities.

**Figure 1 – Vicinity Map**



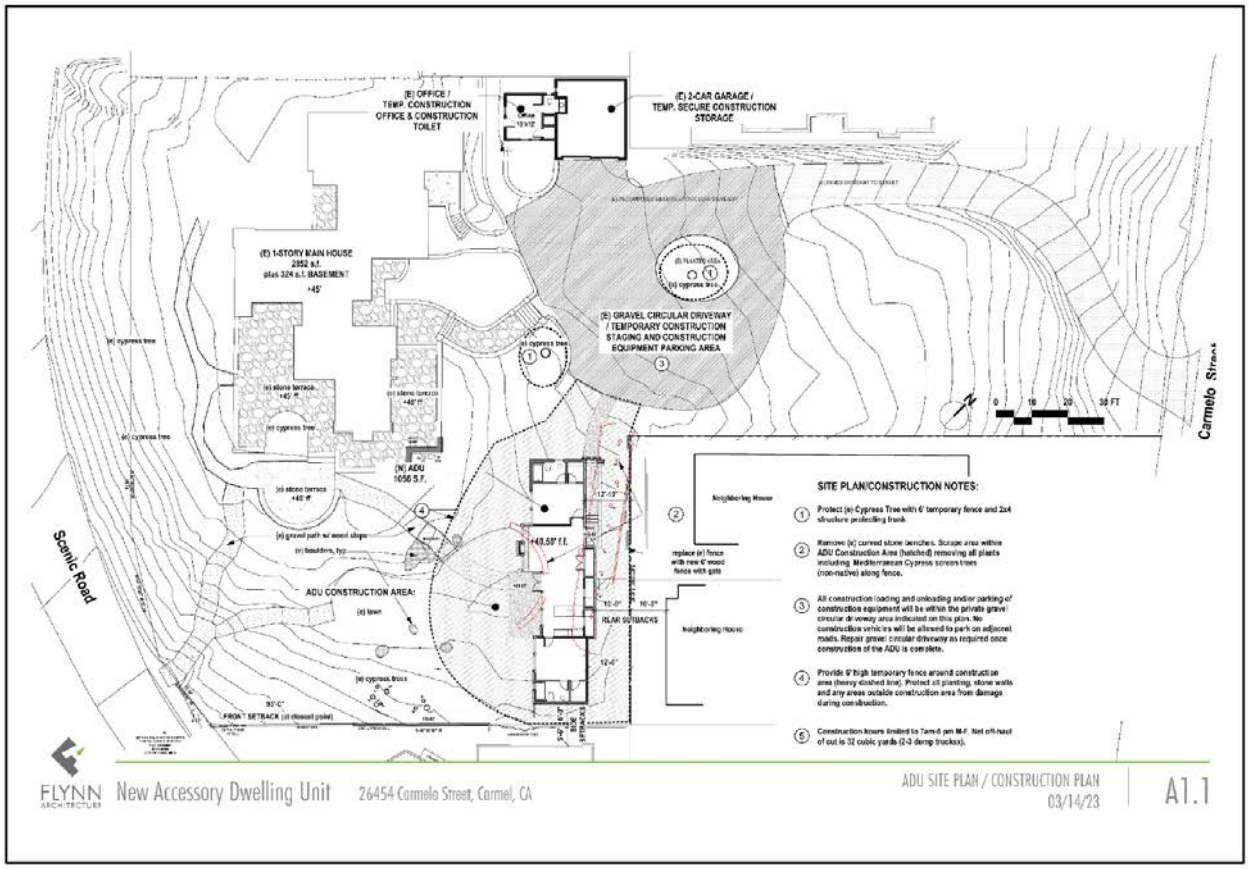

| Project Vicinity Map | Figure 1 |
|---|---|

**Figure 2 – Proposed Site Plan**




Project Site Plan | Figure 2

**Figure 3 – Proposed Site Demo**




Project Demolition Plan | Figure 3

***Grading***
The Project would require 43 cubic yards of cut, 11 cubic yards of fill, and 32 cubic yards of export. The estimated area of disturbance is approximately 3,385 square-feet. The project includes a floating foundation design.

***Pervious and Impervious Coverage***
The Project would result in a total of 8,998 square-feet of impervious coverage on the property. Impervious cover resulting from building coverage would be 4,673 square-feet, with existing structures comprising 3,477 square-feet and the new ADU comprising 1,056 square-feet. Other impervious surfaces (e.g., paved walkways) would comprise 4,325 square-feet, with existing surfaces accounting for 4,000 square-feet and ADU patios and walkways comprising 325 square-feet. The Project would result in a total pervious coverage of 27,916 square-feet.

***Tree Removal***
The Project would not require removal of any native trees; however, nine (9) non-native Mediterranean cypress trees, which currently create a screen along the northern edge of the property, would be removed. Native Monterey cypress trees located on the property are outside of the construction footprint but shall be protected with temporary fencing during construction and grading activities.

**B. Surrounding Land Uses and Environmental Setting**:

The Project is located at 26454 Lot B, Carmelo Street, Monterey County, California. More specifically, the Project is located on an existing development lot. The Project site, encompasses three parcels which will be merged into one lot as part of this Project, resulting in a final lot approximately 36,914 square-feet (0.85 acres) in size.

The current subject parcels front onto Scenic Road. The site is designated as Medium-Density Residential ("MDR/2-D(18)(CZ)"), is located in the Carmel Area Land Use Plan ("Carmel Area LUP"). The proposed project area is relatively flat ground atop a slight hillslope, developed with existing paved pathways, lawn, and landscaping. **Figure 4** shows the Project site and surrounding land uses. The site is surrounded by existing medium-density residential development and is bordered on the south side by Scenic Road, and Carmel Bay.

**Figure 4 – Land Use Map**


| Land Use | Figure 4 |
|---|---|

**C. Other public agencies whose approval is required:**

The IS/MND is an informational document for both agency decision-makers and the public. The County is the lead agency responsible for adoption of the IS/MND and approving land use permits related to the Project. Below is a list of approvals required by Monterey County. Project entitlements would include, but not be limited to:

- Combined Development Permit (Coastal Administrative Permit, Design Approval, Coastal Development Permit)
- Grading Permit(s)
- Building Permit(s)

Other agencies that could have permit or review authority over some aspect of the Project may include Monterey Bay Air Resources District ("MBARD"), Carmel Area Wastewater District ("CAWD"), and the Monterey Peninsula Water Management District ("MPWMD").

## *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 | ☒ | Air Quality Mgmt. Plan | ☒ |
| Specific Plan | ☐ | Airport Land Use Plans | ☐ |
| Water Quality Control Plan | ☒ | Local Coastal Program-LUP | ☒ |

General Plan/Local Coastal Program LUP: Within the coastal areas of Monterey County, the 1982 General Plan policies apply where the Local Coastal Program ("LCP") is silent. This is typically limited to noise policies as the LCP policies contain most development standards applicable to development in the coastal areas. The Project is in unincorporated Monterey County. Land use and development is governed by the Carmel Area LUP. The Carmel Area LUP does not include policies related to noise from residential development. Noise policies within the Carmel Area LUP focus on protecting low noise levels from activities related to recreation and commercial and industrial development. As discussed in **Section VI.13. Noise,** the Project would result in temporary construction-related noise but would not increase noise above the ambient levels since the Project would not change the site's existing use (i.e., the Project would add an ADU to an existing and built-up residential property). The Project site is designated as Medium Density Residential, zoned MDR/2-D(18)(CZ). Project construction and operation is an allowable use under the site's existing zoning. The Project would be consistent with the allowable uses within these designations. For additional discussion regarding land use, please refer to **Section VI.11. Land Use**. **CONSISTENT**

Water Quality Control Plan: The subject property lies within Region 3 of the Central Coast Regional Water Quality Control Board which regulates sources of water quality-related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The Project's construction Project could result in temporary water quality effects (e.g., erosion). Project operation would not generate pollutant runoff in amounts that would cause degradation of water quality. In accordance with Chapter 16.12 of the Monterey County Code ("MCC"), the Project shall be required to submit a drainage and erosion control plan to HCD-Environmental Services prior to issuance of building permits. For additional discussion on hydrology and water quality, please refer to **Section VI.10 Hydrology and Water Quality**. **CONSISTENT**

Air Quality Management Plan: The Project is located within the North Central Coast Air Basin ("NCCAB"). Air quality in the Project area is managed and regulated by the Monterey Bay Air Resources District ("MBARD"). MBARD has developed Air Quality Management Plans ("AQMPs") and CEQA Air Quality Guidelines to address attainment and maintenance of state and federal ambient air quality standards within the NCCAB. The 2012-2015 AQMP, the 2008 CEQA Air Quality Guidelines, and 2016 Guidelines for Implementing the California Environmental Quality Act are the most recent documents used to evaluate attainment and maintenance of air quality standards. The 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 station is in Carmel Valley. Based on available air quality monitoring data, there are no indications that the Project would cause a significant impact to air quality or greenhouse gas emissions. Similarly, the Project would implement best management practices during construction and interior demolition (of the main residence's plumbing fixtures as noted)

to ensure air quality impacts and greenhouse gases are less than significant. For a more detailed evaluation, please refer to **Section VI.3 Air Quality**. **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.

| | | |
|---|---|---|
| ☒ Aesthetics | ☐ Agriculture and Forest Resources | ☒ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☒ Energy |
| ☒ Geology/Soils | ☒ Greenhouse Gas Emissions | ☒ Hazards/Hazardous Materials |
| ☒ Hydrology/Water Quality | ☒ Land Use/Planning | ☐ Mineral Resources |
| ☒ Noise | ☐ Population/Housing | ☐ Public Services |
| ☐ Recreation | ☒ Transportation/Traffic | ☒ Tribal Cultural Resources |
| ☒ Utilities/Service Systems | ☐ Wildfires | ☒ Mandatory Findings of Significance |

Some proposed applications that are not exempt from CEQA review may still have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist. Potential impacts may involve only a few limited subject areas. Such projects are generally minor in scope, located in a non-sensitive environment, are easily identifiable and without public controversy. For the environmental issues 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 Project and no further discussion in the Environmental Checklist is necessary.

**EVIDENCE**:

***Agricultural and Forestry Resources***: The California Department of Conservation Division of Land Resource Protection and the Farmland Mapping and Monitoring Program maps California's agricultural resources. The Project site is designated as "Urban and Built-Up" and therefore would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (California

Department of Conservation, 2023). The Project is not zoned for agricultural use or Resource Conservation, is not designated as Forest, and is not under a Williamson Act contract (California Department of Conservation, 2023). Therefore, there would be no impacts to agriculture and forestry resources.

***Mineral Resources***: Mineral resources are determined in accordance with the Surface Mining and Reclamation Act ("SMARA") of 1975, and the California Geological Survey which maps regional significance of mineral resources. There are no known mineral resources on the Project site (CGS, 2023). As a result, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. Additionally, the Project site is also not designated as a mineral resource recovery site. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site. The Project would not result in any impacts to mineral resources.

***Population and Housing:*** The Project consists of construction of a new ADU on an already developed residential property. The Project would not induce substantial population growth either directly or indirectly. The Project would not change the existing use of the site or increase the number of individuals on the site such that potential growth-inducing impacts would occur. The Project would not displace existing housing units. Therefore, the Project would not result in any population or housing-related impacts.

***Public Services:*** The Project would not result in any adverse impacts resulting in the need for new, or physically altered, government facilities to maintain acceptable service ratios, response times, or other performance objectives for any public services (i.e., fire protection, police protection, schools, parks, or other public facilities). The Carmel Fire Station and Carmel Police Department, located in the City of Carmel-by-the-Sea, would serve the Project site consistent with existing residential operations. The Carmel Unified School District ("CUSD") would serve the Project site. The Project, consisting of new ADU construction on a currently developed property,is zoned for medium-density residential use. The Project would have no measurable impact on existing public services. Therefore, the Project would not generate new demand for public services beyond current levels associated with existing operation.

***Recreation:*** The Project would not result in an increased use of existing neighborhood and/or regional parks or other recreational facilities causing a substantial physical deterioration. No parks, trail easements, or other recreational opportunities would be adversely impacted by the Project. Therefore, the Project would not result in any adverse recreation-related impacts.

***Wildfires:*** The Project is not located in a state responsibility area, nor it in a fire hazard zone. The nearest state responsibility area is located approximately one (1) mile northeast of the Project site, across Highway 1. The Project site is bordered by the Pacific Ocean and Carmel Beach to the west and south and is not in an area prone to wildfire hazards. Additionally, the Project site would comply with all local and state building codes pertaining to wildfire protection. Therefore, the Project would have no impact on risks and emergency response associated with wildfire.

## B. DETERMINATION

On the basis of this initial evaluation:

☐ I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the 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 project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the 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 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 project, nothing further is required.

*Joseph Alameda* — *April 3, 2025*

Joseph Alameda, Assistant Planner — Date
Monterey County Housing & Community Development

## *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 consider the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and
b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## *VI. ENVIRONMENTAL CHECKLIST*

| **1. AESTHETICS**<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Have a substantial adverse effect on a scenic vista? (Source: ) (sources: 11,17,20,25) | ☐ | ☐ | ☒ | ☐ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (sources: 11,17,20,25) | ☐ | ☐ | ☒ | ☐ |
| 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. (sources: 11,17,20,25) | ☐ | ☐ | ☒ | ☐ |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (sources: 11,17,20,25) | ☐ | ☐ | ☒ | ☐ |

**Discussion/Conclusion/Mitigation:**

The Project site, located at 26454 Carmelo Street in Carmel, is developed with an existing residence, surrounded by existing medium-density housing. The Project site consists predominantly of maintained lawn area. An existing screen of non-native cypress trees located along the northern edge of the property would be removed to construct the new ADU.

The Project site is not located within view from a State designated scenic highway; however, it is in a critical viewshed (Carmel Area LUP, 1985). Highway 1,the nearest State designated scenic highway is two (2) miles east of the Project site (Caltrans, 2023). The Project site is not visible from this segment of Highway 1 or any critical viewing areas along Highway 1. The Project site is, however, located on a locally designated scenic roadway (i.e., Scenic Road) and a designated public viewing area. Due to changes in topography and the existing structures on the property, the Project site is generally not visible from publicly accessible roadways, including Scenic Road. Visibility of the proposed ADU from portions of Scenic Road and Carmel River Beach, be limited to the upper portion of the ADU roof, would be distant and unobtrusive due to its' proposed setback and the existence of Monterey Project5392770395279477 **Figure 5**). ProjectSite improvements would include replacing non-native, invasive, ice plant (*Carpobrotus edulis*) with native dune species along Scenic Road; and removal of nine (9) non-native Mediterranean cypress trees along the property's eastern boundary for the construction of a screening fence between this and the neighboring property.

**Figure 5 – Site Photos**


| Project Site Photos | Figure 5 |
|---|---|

**Aesthetic Impact (a), (b), and (c) Less than Significant:** The Project site is developed with an existing residence and is surrounded by existing medium-density housing. The site's existing visual character consists of a single-family residence with landscaped areas consisting of lawns and a mix of native and non-native plant and tree species. The segment of Highway 1 located east of the Project site is designated as a scenic highway. However, the Project site is not visible from Highway 1, nor can Highway 1 be seen from the Project site. While the Project site is not visible from a designated scenic highway, it would be partially visible from a designated scenic road, a common public viewing area, and within a locally designated viewshed. As such, the site is subject to policies in the Carmel Area LUP (2.2.3). The Project complies with relevant polices, as demonstrated below:

2.2.3.1- The Project would be designed and sited appropriately and would not detract from the natural beauty of the scenic shoreline, undeveloped ridgelines, and slopes in the public viewshed.

2.2.3.2 – The Project is set back from Scenic Road, and minimally visible due to topography and existing structures (e.g., neighboring residences).

2.2.3.6 – The Project would be designed and constructed with materials consistent with the existing residence, and are aligned with the surrounding environment (e.g., Carmel stone, wood siding, wood shake roofing).

2.2.4.10(c) - The Project would be designed and constructed with materials consistent with the existing residence and aligned with the surrounding environment (e.g., Carmel stone, wood siding, wood shake roofing).

As discussed above, the Project consists ADU construction on a site with an existing residence. Site views from Scenic Road (i.e., designated scenic road) and Carmel River Beach would be limited and unobtrusive due to the proposed setbacks, existing vegetation, and the property's topography. Moreover, the Proposed Project would be designed to be visually compatible with the existing residence. Building materials would consists of local Carmel stone, wood siding, wood shake roofing. Therefore, the proposed development would result in a less than significant impact on a scenic vista and on views from a designated scenic highway or road. Additionally, as designed, the proposed development would not impact any other scenic resources such as trees, rock outcrops, or historic buildings. Therefore, as proposed, the project would result in less than significant impacts to scenic resources such as trees, rock outcroppings, and/or historic buildings within a state scenic highway.

**Aesthetic Impact (d) Less than Significant:** The Project consists of the construction of a new ADU within a residential area. The Proposed Project does not entail any nighttime construction-related activities; therefore, the Proposed Project would not result in any temporary increases in construction lighting. Similarly, operation of the Proposed Project would not substantially increase lighting beyond existing conditions. All exterior lighting would comply with standard Monterey County conditions of approval and would be adequately shielded or downlit, consistent with the design requirements set by the Carmel Area LUP, Monterey County General Plan, and Title 20. This represents a less than significant impact.

## 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? (sources: 7,8,17,20) | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (sources: 7,8,17,20) | ☐ | ☐ | ☐ | ☒ |
| 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)? (sources: 7,8,17,20) | ☐ | ☐ | ☐ | ☒ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? (sources: 7,8,17,20) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 7,8,17,20) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

Please refer to Section IV.A Environmental Factors Potentially Affected. The Project would have no impact on agricultural or forest land resources.

## 3. AIR QUALITY

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

| **Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? (sources: 15,16,17,20, 25) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 15,16,17,20, 25) | ☐ | ☐ | ☒ | ☐ |
| c) Expose sensitive receptors to substantial pollutant concentrations? (sources: 15,16,17,20, 25) | ☐ | ☐ | ☒ | ☐ |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (sources: 15,16,17,20, 25) | ☐ | ☐ | ☒ | ☐ |

**Discussion/Conclusion/Mitigation:**

The Project is located within the NCCAB, which is under MBARD jurisdiction. MBARD is responsible for producing an Air Quality Management Plan ("AQMP") that reports air quality and regulates stationary air pollution sources throughout the NCCAB. MBARD is also responsible for measuring the concentration of pollutants and comparing those concentrations against Ambient Air Quality Standards ("AAQS"). Additionally, MBARD monitors criteria pollutants to determine whether they are in attainment or not in attainment. **Table 3-1** illustrates the attainment status for criteria pollutants.

**Table 3-1 Attainment Status for the NCCAB**

| **Pollutants** | **State Designation** | **Federal Designation** |
|---|---|---|
| Ozone ($O_3$) | Nonattainment – Transitional | Attainment |
| Inhalable Particulates ($PM_{10}$) | Nonattainment | Attainment |
| Fine Particulates ($PM_{2.5}$) | Attainment | Attainment |
| Carbon Monoxide (CO) | Monterey Co. – Attainment | Attainment |
| | San Benito Co. – Unclassified | Attainment |
| | Santa Cruz Co. – Unclassified | Attainment |
| Nitrogen Dioxide ($NO_2$) | Attainment | Attainment |
| Sulfur Dioxide ($SO_2$) | Attainment | Attainment |

| Table 3-1 Attainment Status for the NCCAB | | |
|---|---|---|
| **Pollutants** | **State Designation** | **Federal Designation** |
| Lead | Attainment | Attainment |
| Source: Monterey Bay Air Resources District, 2017. 2012 – 2015 Air Quality Management Plan | | |

MBARD has set air quality thresholds of significance for the evaluation of projects. **Table 3-2** illustrates the thresholds of significance used to determine if a project would have a significant air quality effect on the environment during construction.

| Table 3-2 Thresholds of Significance Construction Emissions | |
|---|---|
| **Pollutant** | **Threshold of Significance (lb./day)** |
| Nitrogen Oxides (NOx) | 137 |
| Reactive Organic Gases (ROG) | 137 |
| Respirable Particular Matter ($PM_{10}$) | 82 |
| Fine Particulate Matter ($PM_{2.5}$) | 55 |
| Carbon Monoxide (CO) | 550 |
| Source: Monterey Bay Unified Air Pollution Control District, 2016. Guidelines for Implementing the California Environmental Quality Act. | |

In addition to these thresholds, MBARD has also determined that a significant short-term construction-generated impact would occur if more than 2.2 acres of major earthmoving (i.e., excavation) per day were to occur. Activities associated with this threshold include excavation and grading. For projects that require minimal earthmoving activities MBARD has determined that a significant short-term construction-generated impact would occur if more than 8.1 acres per day of earthmoving were to occur (MBARD, 2008).

**Table 3-3** illustrates the thresholds of significance used to determine if a project would have a significant air quality effect on the environment during operation.

| Table 3-3 Thresholds of Significance Operational Emissions | |
|---|---|
| **Pollutant** | **Threshold of Significance (lb./day)** |
| Nitrogen Oxides (NOx) | 137 |
| Reactive Organic Gases (ROG) | 137 |
| Respirable Particular Matter ($PM_{10}$) | 82 |
| Fine Particulate Matter ($PM_{2.5}$) | 55 |
| Carbon Monoxide (CO) | 550 |
| Source: Monterey Bay Unified Air Pollution Control District, 2016. Guidelines for Implementing the California Environmental Quality Act. | |

The California Air Resources Board (CARB) defines sensitive receptors as children, elderly, asthmatic individuals and others who are at high risk of negative health outcomes due to exposure to air pollution. Pursuant to California Health and Safety Code Sec. 42705.5, a sensitive receptor includes hospitals, schools and day cares centers and such locations as the district or state board may determine. MBARD similarly defines sensitive receptors and adds that the location of sensitive receptors be explained in terms that draw a relationship to the project site and potential air quality impacts.

**Air Quality Impact (a) No Impact:** CEQA Guidelines Sec. 15125(b) requires that a project be evaluated for consistency with applicable regional plans, including the AQMP. MBARD is required to update their

AQMP every three (3) years. The most recent update was the 2012 – 2015 AQMP adopted in March 2017. This plan addresses attainment of the State ozone standard and Federal air quality standards. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments ("AMBAG") and other indicators. Consistency determinations are issued for commercial, industrial, residential, and infrastructure-related projects that have the potential to induce population growth. A project is considered inconsistent with the AQMP if it has not been accommodated in the forecast projects considered in the AQMP. The Project comprises constructing a new two (2)-bedroom ADU on an already developed property of approximately one (1) acre, which is zoned for construction of two units per acre. The Project would not induce substantial population growth or result in the need for additional residential development beyond what currently exists. Therefore, the Project would not conflict with or obstruct an applicable air quality plan. There would be no impact.

**Air Quality Impact (b) Less than Significant:** The MBARD 2016 CEQA Air Quality Guidelines contain standards of significance for evaluating potential air quality effects of projects subject to the requirements of CEQA. According to MBARD, a project would violate an air quality standard and/or contribute to an existing or projected violation if it would emit (from all sources, including exhaust and fugitive dust) more than:

- 137 pounds per day of oxides of nitrogen ($NO_x$),
- 137 pounds per day of reactive organic gases (ROG),
- 82 pounds per day of respirable particulate matter ($PM_{10}$),
- 55 pounds per day of fine particulate matter ($PM_{2.5}$), and
- 550 pounds per day carbon monoxide (CO).

According to the MBARD's criteria for determining construction impacts, a project would result in a potentially significant impact if it would result in 8.1 acres of minimal earthmoving per day or 2.2 acres per day with major grading and excavation.

Construction of the Project would require 43 cubic yards (cy) of cut, 11 cy of fill, with 32 cy of export. Construction would require equipment such as tractors, backhoes, excavators, loading trucks, and pickup trucks. Construction-related emissions would come from sources such as exhaust or fugitive dust. Construction of the Proposed Project would not, however, exceed MBARD's significance criteria. The Project would result in minimal ground-disturbing activities. Specifically, the Project would disturb less than one (1) acre of land. Grading and excavation-related activities would occur over several days and would not exceed MBARD's daily ground disturbing thresholds for excavation (2.2 acres per day) or grading (8.1 acres per day). Moreover, the Project would implement standard construction Best Management Practices ("BMPs") related to dust suppression (e.g., watering active construction areas, prohibiting grading activities during periods of high wind (over 15 mph), covering trucks hauling soil, covering exposed stockpiles, etc.) thereby further ensuring that temporary construction-related effects would be minimized. Therefore, the Project would have a less than significant temporary construction-related increase of non-attainment pollutants (i.e., $O_3$ and $PM_{10}$).

The Project would also result in a less than significant impact from operational emissions. The Project would be constructed on an already developed property which is zoned for medium-density residential housing. The ADU would minimally increase the use of the existing site and would not generate additional traffic trips or energy. Additionally, the Project would be constructed in accordance with contemporary building standards and applicable California energy codes, and would include energy efficient upgrades (e.g., dual pane steel frame windows and doors) to reduce operational energy demand. As a result,

operational emissions associated with the Project would not exceed an applicable MBARD threshold of significance. See **Section VI.5 Energy**, below, for more information regarding energy consumption. For these reasons, the Project would result in a less than significant impact.

**Air Quality Impact (c) Less than Significant:** Locations where sensitive receptors congregate may include hospitals, schools, and day care centers. CARB identifies sensitive receptors as children, elderly, asthmatics, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. The Project site is not within the immediate vicinity of a hospital or daycare center. The nearest school is located 0.5 miles to the north of the Project site. The school is separated from the Project site by residential housing and other buildings, trees, and the lagoon and riparian corridor associated with the Carmel River. Other residences are located within the immediate vicinity of the Project site; however, as discussed above, construction of the Project would generate short-term temporary air quality impacts which would not exceed the thresholds set by MBARD. Operation of the Project would not result in a substantial impact to air quality beyond existing levels. Therefore, the Project would not result in a significant impact.

**Air Quality Impact (d) Less than Significant:** Construction could generate temporary odors from construction equipment (e.g., diesel exhaust) which could be noticeable at times to neighboring residences and users of nearby recreational trails and public roads in the Project vicinity. However, construction-generated odors would be temporary in nature. Given the project's location atop a sea bluff north of Scenic Road, prevailing onshore winds are likely to dissipate most of the potential odors from construction activities. Additionally, construction would be limited to daytime hours between Monday and Friday when people are most likely to be at work or in school, which would limit potential exposure to construction-related odors. This represents a less than significant impact.

| **4. BIOLOGICAL RESOURCES**<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (sources:4,5,17,20,25) | ☐ | ☒ | ☐ | ☐ |
| 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? (sources: 4,5,17,20,25) | ☐ | ☒ | ☐ | ☐ |

| 4. BIOLOGICAL RESOURCES<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? (sources: 4,5,17,20,25) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 4,5,17,20,25) | ☐ | ☐ | ☒ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (sources 4,5,17,20,25) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 4,5,17,20,25) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

Biotic Resources Group (BRG) conducted a comprehensive assessment of biological resources on the 26454 Carmelo property in 2003. BRG subsequently amended their initial assessment with results from a survey conducted in 2022 which focused on the impact area in Lot B, where the new ADU would be constructed. The 2003 assessment resulted in a recommendation to implement a revegetation plan to mitigate removal of coastal dune scrub; however, results of the 2022 assessment showed the restoration area had been encroached by nonnative, invasive ice plant and nonnative landscape plantings. BRG recommended in their 2022 addendum that the previously designated dune scrub revegetation area should be restored and enhanced during construction of the new ADU. Potential impacts to native dune scrub in the Project area during ADU construction would be mitigated by this restoration.

No special-status plant or wildlife species are located within the Project site. The Project is in the Carmel River watershed, near the mouth of the Carmel River. While the Carmel River and the lagoon are considered an Environmentally Sensitive Habitat Area ("ESHA") and areas of special biological importance (Carmel Area LUP, 1979), the Project site is located outside of these areas and would not impact ESHA. Furthermore, BRG determined the trees on the property do not provide habitat which supports unique or

special-status wildlife species, and no other habitat supporting sensitive species are likely to occur on the site.

**Biological Resources Impacts (a) and (b) Less than Significant with Mitigation:** The Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species. Additionally, no native trees would be removed during Project activities. One (1) special-status plant species (Monterey paintbrush) is known to occur within the vicinity of the Project site, however, it was not observed within the Project's construction footprint (BRG 2003). Impacts to the tree would be unlikely, but to ensure this project's impacts remain less than significant, a standard condition of approval requiring installation of tree protection measures prior to issuance of construction permits have been applied. BRG also identified potential impacts from the removal of remnant dune scrub, a protected environmentally sensitive habitat per the Carmel Area Land Use Plan. Mitigation was recommended by BRG to reduce impacts to less than significant. In addition to the mitigation BRG recommended, the Project would be required to develop a Landscape and Maintenance Plan consistent with Monterey County Conditions of Approval. With implementation of the County Conditions of Approval and **Mitigation Measures BIO – 1(a)** through **BIO – 2(a)**, this remains a less than significant impact.

**Mitigation Measure BIO – 1** – *Coastal Dune Scrub Revegetation Plan*. The applicant shall submit a coastal dune scrub revegetation plan to enhance the property's environmentally sensitive habitat areas per the Carmel Area LUP. The plan shall be prepared by a qualified biologist and shall detail efforts to eradicate invasive species and restore and enhance the previously designated dune scrub revegetation area, located along the portion of the property that abuts Scenic Road. The revegetation plan shall include the use of locally collected native dune species and should occur concurrently with Project activities. Native plants within the Project impact area shall be salvaged and transplanted to the restoration area whenever feasible. The restoration plan shall include success criteria and contingency measures. Revegetation and enhancement should be completed within one (1) year of construction of the Project and should implement a post-restoration monitoring plan to ensure restoration success. If the botanist finds that restoration is successful after the first site assessment, no further action is required. If the botanist finds that restoration is not successful after the first site assessment, remedial measures, as recommended by the qualified botanist, should be included in the revegetation plan, and implemented, and further monitoring would be required.

> **Mitigation Measure BIO – 1(a) Monitoring Action:** Prior to issuance of any building or grading permits, the applicant shall submit a biologist-prepared coastal dune scrub revegetation plan to HCD-Planning for review and approval
>
> **Mitigation Measure BIO – 1(b) Monitoring Action–** Prior to issuance of any building or grading permit, the construction plans shall depict measures to protect all dune scrub vegetation that is adjacent to the construction area. The plan shall specify the placement of both silt fencing and plastic construction fencing along the edge of the dune scrub vegetation to be retained. The plans shall specify that no construction work, equipment staging, or other activities are to occur in these protected areas.
>
> **Mitigation Measure BIO – 1(c) Monitoring Action:** Prior to final inspection, the applicant shall demonstrate to HCD-Planning that restoration activities have been initiated (eradicate invasive species and replant/restore dune scrub habitat areas).

**Mitigation Measure BIO – 1(d) Monitoring Action:** One year from the final inspection, the applicant shall demonstrate to HCD-Planning whether restoration activities were successful or if additional remedial measures are required.

**Biological Resources Impact (c) No Impact:** The Project would not have any adverse effects on any riparian habitat or wetlands. As previously discussed, the Project site is located within the Carmel River watershed, near the mouth of the Carmel River. However, the Project site is located outside of any riparian or wetland areas as identified by the Carmel Area LUP. As a result, the Project would have no impact on riparian or wetland resources.

**Biological Resources Impact (d) Less than Significant:** The Project would not have a substantial adverse effect on any native resident or migratory fish or wildlife species. The Project would be located on a previously developed and disturbed property in a residential area. Additionally, Biotic Resources Group did not identify any on-site breeding habitat or migratory corridors within the Project site or on the surrounding property and determined that the trees onsite were not suitable nesting habitat for birds. The Project site is located approximately ¼ mile from the Carmel lagoon, which is a rookery for several bird species (Monterey County, 1983). However, the Project is outside of the wetland and riparian habitats associated with the Carmel River and therefore no impacts to nesting or migratory wildlife species are likely to occur. This represents a less than significant impact.

**Biological Resources Impacts (e) and (f) No Impact:** The Project would not conflict with any local policies or ordinances protecting biological resources, nor would the Project have any impact on an adopted habitat conservation plan or other approved local, regional, or state habitat conservation plan affecting the subject property.

| **5. CULTURAL RESOURCES**<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (sources: 1,2,3,17,20,25) | ☐ | ☒ | ☐ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (sources: 1,2,3,17,20,25) | ☐ | ☐ | ☒ | ☐ |
| c) Disturb any human remains, including those interred outside of formal cemeteries? (sources: 1,2,3,17,20,25 | ☐ | ☒ | ☐ | ☐ |

**Discussion/Conclusion/Mitigation:**

Basin Research Associates ("Basin") previously conducted monitoring and subsurface testing in connection with construction of additions to the existing main house in 2003. An Archaeological Resources Assessment

Report was subsequently prepared in 2022 that summarized previous findings and included auger testing within the Project's footprint.

The project was circulated for review and comment January 9, 2024 to OCEN. Requests include a tribal council-approved tribal monitor for each soil disturbing machine (see Tribal Cultural Resources checklist section).

**Cultural Resources Impacts (a) and (c) Less than Significant with Mitigation:** CEQA Guidelines Sec. 15064.5 defines a historical resource as one being listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources. Public Resources Code Section 21084.1 states a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. The Project site is located within the boundary of CA-MNT-17, which is eligible for listing in the Register of Historical Resources; however, based on subsurface testing and monitoring conducted during construction on the site in 2003, Basin determined the Project site had very low sensitivity for significant subsurface prehistoric archaeological resources. No significant cultural resources were exposed during subsurface test trenching, auger testing, or construction monitoring. To ensure impacts remain less than significant, Basin's recommendations have been incorporated herein as a Mitigation Measure. Implementation of the **Mitigation Measure CUL-**1 and compliance with the standard Monterey County Condition of Approval requiring an on-call archaeological monitor would ensure impacts remain less than significant.

**Mitigation Measure CUL – 1:** *Limited Subsurface Excavation.* Consistent with the recommendations from Basin Research Associates' 2022 Archaeological Assessment, the subsurface disturbance associated with the ADU, and surrounding area shall not exceed a maximum of 24-30 inches below the existing surface contour for installation of the floating foundation. If the disturbance is to exceed 24-30 inches, archaeological testing shall be completed by a qualified archaeologist.

> **Mitigation Measure CUL – 1(a) Monitoring Action:** Prior to issuance of construction or grading permits, the applicant shall submit documentation that the recommendations from the Basin Research Associates 2022 Archaeological Assessment have been incorporated into the Project's final design plans, specifically that the foundation and other project components will not exceed 24-30 inches below existing surface contours. A qualified archaeologist shall review the final design plans and provide a statement of compliance. The final design plans and statement of compliance shall be submitted to HCD-Planning for review and approval.

**Cultural Resources Impacts (b) Less than Significant:** No human remains, including those interred outside of a formal cemetery, are known to occur on the Project site. The Project would occur on a previously developed site that was extensively disturbed in connection with the construction of the existing residence. As a result, it is unlikely that any human remains would be encountered during construction. Nevertheless, while unlikely, the Project could impact previously unknown human remains. The implementation of standard Monterey County Condition of Approval requiring that work halt in the event of the discovery of any human remains would ensure that impacts would be less than significant. This condition further requires that no excavation or ground-disturbing activities shall occur at the site or nearby area until the Monterey County coroner has been contacted in accordance with §7050.5 of the California Health and Safety Code. If the coroner determines that the human remains are of Native American origin, the appropriate Native American tribe shall be contacted to provide recommendations for the disposition of the remains. Work would not resume in the immediate area of the discovery until such time as the remains

have been appropriately removed from the site. For these reasons, this represents a less than significant impact.

| 6. ENERGY<br><br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (sources: 17,20,25) | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (sources: 17,20,25) | ☐ | ☐ | ☒ | ☐ |

**Discussion/Conclusion/Mitigation:**

Pacific Gas & Electric ("PG&E") is the primary electric and natural gas service provider in Monterey County. In 2018, all PG&E customers within Monterey County were enrolled in Central Coast Community Energy ("3CE"), formally known as Monterey Bay Community Power. 3CE is a locally controlled public agency providing carbon-free electricity to residents and businesses. 3CE works through PG&E who provides billing, power transmission and distribution, grid maintenance service and natural gas to customers.

**Energy Impacts (a) and (b) Less than Significant:** The Project would not result in a potentially significant environmental effect due to the wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during construction or operation. The construction of the Project would require energy for the procurement and transportation of materials, and preparation of the site (e.g., minor grading, materials hauling). Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these activities. The construction energy use has not been quantified; however, the construction would not cause inefficient, wasteful, or unnecessary consumption of energy because 1) the construction schedule and process is designed to be efficient to avoid excess monetary costs, and 2) energy use required to complete construction would be temporary in nature.

Operation of the Project would not result in a significant increase in energy beyond existing energy demand associated with the current residence. Moreover, construction of the new ADU would be required to comply with the current California Building Code that set energy efficiency standards for residential and nonresidential buildings (Title 24, Part 6). Additionally, the Project would be required to comply with the California Green Building Standards Code ("CalGreen") which establishes mandatory green building standards for all buildings in California. The Project also includes energy efficient upgrades, including energy efficient windows and doors. For these reasons, this represents a less than significant impact.

| 7. GEOLOGY AND SOILS<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (sources: 6,17,19,20,22,23,25) Refer to Division of Mines and Geology Special Publication 42. | ☐ | ☐ | ☐ | ☒ |
| ii) Strong seismic ground shaking? (sources: 6,17,19,20,22,23,25) | ☐ | ☐ | ☒ | ☐ |
| iii) Seismic-related ground failure, including liquefaction? (sources: 6,17,19,20,22,23,25) | ☐ | ☐ | ☒ | ☐ |
| iv) Landslides? (sources: 6,17,19,20,22,23,25) | ☐ | ☐ | ☒ | ☐ |
| b) Result in substantial soil erosion or the loss of topsoil? (sources: 6,17,19,20,22,23,25) | ☐ | ☐ | ☒ | ☐ |
| 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? (sources: 6,17,19,20,22,23,25) | ☐ | ☐ | ☒ | ☐ |
| d) Be located on expansive soil, as defined in Chapter 18B of the Uniform Building Code (1994), creating substantial risks to life or property? (sources: 6,17,19,20,22,23,25) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 6,17,19,20,22,23,25) | ☐ | ☐ | ☐ | ☒ |

| 7. GEOLOGY AND SOILS<br>Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| f) Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (24,25) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

ATI Architects and Engineers ("ATI") prepared a geotechnical investigation for the Project site in 2003 and Rock Solid Engineering ("RSE") conducted a subsequent investigation in 2023. The following discussion is based on the findings of both the 2003 and 2023 analyses.

*Seismicity and Fault Zones*
The geologic structure of central California is primarily a result of tectonic events during the past 30 million years. Faults in the area are believed to be a result of movements along the Pacific and North American tectonic plate boundaries. The movements along these plates are northwest-trending and largely composed of the San Andreas Fault system. Monterey's complex geology is a result of changes in sea level and tectonic uplifting. Geologic units in the region have been displaced by faulting and folding. Granitic basement and overlying tertiary deposits have been juxtaposed along many of the northwest/southeast-trending faults.

The Project is located off Carmelo Street and abuts Scenic Road, in unincorporated Monterey County, California. The following geotechnical hazards were assessed for their potential to affect the Project site: seismic shaking, ground surface fault rupture, liquefication, and landsliding. Ground shaking was the only geotechnical hazard with greater than "low" potential for impact to the Project (ATT, 2003 and RSE,2023). The Project is in a seismically active region with mapped faults that have the potential to generate earthquakes that could cause significant ground shaking at the Project site. The most active fault nearest to the Project site is the San Gregorio fault, located approximately four (4) miles to the southwest of the Project site. Less active faults nearest to the Project are the Cypress Point fault, located approximately 220 feet east of the Project site, and the Monterey Bay-Tularcitos fault, located approximately two (2) miles to the northeast.

*Soils*
The Natural Resources Conservation Service ("NRCS") characterizes soils within the Project site as mostly *Oceano loamy sand, two (2) to 15 percent slopes,* a typical soil type found in coastal central California. The typical profile is loamy sand, with a grayish brown, pale, or light yellowish brown to brown color. These soils are typically found on dune-like topography at elevations of 20 to 800 feet. These soils are typically associated with climate that is subhumid with cool rainless but foggy summers and cool moist winters. These soils are "excessively drained and have "very slow runoff" due to rapid permeability (NRCS, 2023 and Monterey County, 2023).

**Geology and Soils Impact (a.i) No Impact:** The Project is not located within any of the Alquist-Priolo Earthquake Fault Zones established by the Alquist-Priolo Earthquake Fault Zone Act of 1972. No impact would occur.

**Geology and Soils Impact (a.ii) Less than Significant:** While the Project is not located in an Alquist-Priolo Earthquake Fault Zone, the Project site is located in a seismically active region. Due to the proximity of the Project to active and potentially active faults, there is the potential for strong seismic ground shaking at the site during the design lifetime of the structure. While the Project could be exposed to seismically induced hazards, the Project would be required to comply with California Building Code seismic design standards (RSE, 2023). In addition, the final design of the Project would be required to comply with the recommendations of a design-level geotechnical analysis. As a result, potential impacts due to seismic hazards would be minimized. This represents a less than significant impact.

**Geology and Soils Impact (a.iii) Less than Significant**: The Project site is located in an area of low landslide susceptibility and the Project site is moderately flat. As a result, it is unlikely that the Project would be exposed to potential landslide related hazards. Moreover, the Project would be required to comply with the recommendations of a design-level geotechnical analysis. This represents a less than significant impact.

**Geology and Soils Impact (a.iv) Less than Significant:** The Monterey County Geologic Hazards Map indicates a high potential for liquefaction at the site; however, the project-level analysis by ATI and RSE concluded that the potential for liquefaction was low due to the lack of a shallow ground water table. As a result, it is unlikely that the Project would be exposed to potential liquefaction-related hazards. Moreover, the Project would be required to comply with the recommendations of a design-level geotechnical analysis thereby ensuring that potential impacts would be minimized. This represents a less than significant impact.

**Geology and Soils Impact (b) Less than Significant:** The Project is in an area identified as having moderate erosion potential. Grading and excavation could result in localized erosion onsite. However, the Project would implement standard construction BMPs intended to minimize potential erosion-related effects and would also be required to implement standard erosion control measures during construction. Similarly, the Project would be required to implement the recommendations of a design-level geotechnical analysis to further ensure that erosion impacts would be minimized. Finally, the Project would also be required to comply with standard Monterey County Conditions of Approval related to grading restrictions, as well as comply with the requirements of MCC Chapter 16.08 and 16.12. The implementation of standard construction BMPS in addition to adhering to applicable MCC requirements would ensure that impacts would be minimized. This represents a less than significant impact.

**Geology and Soils Impact (c) Less than Significant:** Soils within the Project site have low liquefication susceptibility. No groundwater was encountered during site exploration. The Project site is also not located in a known subsidence zone. Therefore, it is unlikely the Project would be subject to subsidence-related hazards. While the Project site is in a seismically active region, surface rupture and lateral spreading are unlikely (ATI, 2003 and RSE, 2023). Furthermore, the site inspection completed during the preparation of the 2003 geotechnical investigation, and re-reviewed in 2023, did not reveal surface features indicating fault rupture or subsurface lateral or vertical displacements. Likewise, RSE and ATI did not identify any significant geotechnical characteristics that require immediate attention and found the site to be suitable for development. This represents a less than significant impact.

**Geology and Soils Impact (d) No Impact:** RSE determined the project's near surface soils were not expansive, in accordance with Chapter 18B of the Uniform Building Code (1994). Therefore, no impact would occur.

**Geology and Soils Impact (e) No Impact:** The Project is served by the CAWD for sewer services. Therefore, the Project would not result in an adverse impact related to site soils being incapable of

adequately supporting the use of septic tanks or alternative wastewater disposal systems. The Project would have no impact.

**Geology and Soils Impact (f) No Impact:** Significant paleontological resources are fossils or assemblages of fossils that are unique, unusual, rare, uncommon, and diagnostically or stratigraphically important, as well as those that add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally. They include fossil remains of large to very small aquatic and terrestrial vertebrates, remains of plants and animals previously not represented in certain portions of the stratigraphy, and assemblages of fossils that might aid stratigraphic correlations – particularly those offering data for the interpretation of tectonic events, geomorphic evolution, paleoclimatology and the relationships of aquatic and terrestrial species. Most fossils found in Monterey County are of marine life forms, forming a record of the region's geologic history of advancing and retreating sea levels. In a review of nearly 700 known fossil localities within the County was conducted by paleontologist in 2001; 12 fossil sites were identified as having outstanding scientific value. The Project site is not located in or near any of those sites. No impact would occur.

| **8. GREENHOUSE GAS EMISSIONS**<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 15,16,17,20,25) | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 15,16,17,20,25) | ☐ | ☐ | ☒ | ☐ |

**Discussion/Conclusion/Mitigation:**

Various gases in the earth's atmosphere, when they exceed naturally occurring or 'background' levels due to human activity, create a warming or greenhouse effect, and are classified as atmospheric greenhouse gases ("GHGs"). These gases play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide ("$CO_2$"), methane ("$CH_4$"), ozone ("$O_3$"), water vapor, nitrous oxide ("$N_2O$"), and chlorofluorocarbons ("CFCs"). Human-caused emissions of these GHGs exceeding natural ambient concentrations are responsible for the greenhouse effect. In California, transportation sector is the largest emitter of GHGs.

MBARD has not yet adopted a threshold for construction-related GHG emissions but recommends utilizing thresholds set by neighboring districts (e.g., Sacramento Metropolitan Air Quality Management District ["SMAQMD"]). SMAQMD adopted an updated threshold based on the 2030 target year in April 2020. According to SMAQMD, a Project would result in a significant GHG related impact if the Project would emit more than 1,100 metric tons of carbon dioxide equivalent-$CO_2e$ ("$MTOCO_2e$") per year. Operation of a stationary source project would not have a significant GHG impact if the project emits less than 10,000 $MTOCO_2e$.

**Greenhouse Gas Emissions (a) and (b) Less than Significant:** The Project is in the NCCAB, where air quality is regulated by MBARD. As discussed above, if a project emits less than 1,100 $MTOCO_2e$ per year, its GHG emissions impact would be less than significant. The Project would generate temporary construction-related GHG emissions during demolition of the existing plumbing structures and the construction of the new ADU. Any potential effects from GHG generation during construction would be short-term and temporary.

The Project would not generate substantial GHG emissions beyond existing levels. The Project would be required to comply with current building code requirements and include energy efficient windows and doors which further ensure its' potential operational energy demand would be minimized. Furthermore, a CMP would be required as a Condition of Approval. The CMP would establish number of worker trips, vehicles, and type of equipment planned for use, truck routes, and other details that would ensure energy and traffic related emissions are minimized. As discussed in **Section IV.17 Transportation**, the Project would not result in an increase in operational traffic trips. As a result, the Project would not substantially increase GHG emissions beyond existing levels associated with current use. As described above, the Project is not expected to generate GHG emissions that would exceed applicable thresholds. Therefore, the Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. This represents a less than significant impact.

| **9. HAZARDS AND HAZARDOUS MATERIALS**<br><br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (sources: 10,12,13,17,20,25) | ☐ | ☐ | ☒ | ☐ |
| 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? (sources: 10,12,13,17,20,25) | ☐ | ☐ | ☒ | ☐ |

| 9. HAZARDS AND HAZARDOUS MATERIALS<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (sources: 10,12,13,17,20,25) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources10,12,13,17,18,20,25) | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (sources: 10,12,13,17,18,20,25) | ☐ | ☐ | ☐ | ☒ |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (sources: 10,12,13,17, 18,20,25) | ☐ | ☐ | ☒ | ☐ |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (sources: 10,12,13,17, 18,20,25) | ☐ | ☐ | ☒ | ☐ |

**Discussion/Conclusion/Mitigation:**

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed of, or otherwise managed. Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer.

The Hazardous Waste and Substances Site ("Cortese") List is a planning tool used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the

California EPA ("CalEPA") to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. There are no hazardous materials release sites in the vicinity of the Project site. Similarly, according to the California Department of Toxic Substances Control's ("DTSC") *EnviroStor* database, there are no contaminated sites within the Project's vicinity.

**Hazards and Hazardous Materials Impacts (a) and (b) Less than Significant:** The Project would entail the use of hazardous materials (e.g., fuel, cleaning materials, etc.) during construction and operation. The types and amounts of hazardous materials used would vary according to the type of activity. It is unlikely that construction of the Project would create a significant impact due to the routine transport, use, or disposal of hazardous materials in part due to the size of the Project and the temporary nature of construction.

The Project could generate surface runoff that may contain urban pollutants from vehicles including oil, grease, and heavy metals. Hazardous materials would be handled and (if needed) stored in compliance with all local, state, and federal regulations pertaining to hazardous materials. Additionally, the Project would implement standard BMPs and erosion control measures (e.g., minimize grading, re-vegetate disturbed areas, etc.) that would minimize potential impacts associated with the Project. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacture and/or applicable regulations. Compliance with appropriate regulations and implementation of BMPs would ensure that impacts would be less than significant.

**Hazard and Hazardous Materials Impact I No Impact:** The Project site is not located within a quarter mile of a school. Therefore, no impact would occur.

**Hazard and Hazardous Materials Impact (d) No Impact:** The Project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Department of Toxic Substances Control, 2023). No impact would occur.

**Hazard and Hazardous Materials Impact (e) No Impact:** The Project is not located within an airport land use plan or within two (2) miles of an airport. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the project area.

**Hazard and Hazardous Materials Impact (f) Less than Significant:** The Project would not interfere with or impair the implementation of any emergency response plans or evacuation plans. Primary evacuation routes near the Project site are Highway 1 and Carmel Valley Road. A secondary evacuation route near the Project is 17 Mile Drive (*2021 Monterey County Operational Area Evacuation and Transportation Plan)*. The Project consists of constructing a new ADU on a developed property. The Project could result in temporary construction-related traffic; however, all construction vehicles and equipment would be parked onsite, not on any public roadways. Any construction-related traffic would be limited in duration and would not physically impair and/or otherwise interfere with the implementation of an existing emergency response plan or evacuation plan. Moreover, the Project would not create a substantial increase in existing operational traffic beyond current levels. Therefore, the Project would not interfere with an emergency response plan or evacuation plan. This represents a less than significant impact.

**Hazard and Hazardous Materials Impact (g) Less than Significant:** The Project is not located in a fire hazard zone and is an area of low wildfire risk. The Project site is bordered by the Pacific Ocean and Carmel Beach to the west and south and is not located in an area of high wildlife risk.. Additionally, the Project would comply with all local and state building codes pertaining to wildfire protection. Therefore, the Project

would have a less than significant impact. The Project would be required to comply with all applicable fire codes to ensure impacts remain less than significant.

| **10. HYDROLOGY AND WATER QUALITY**<br><br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (sources:6,13,17,20,21,22,25) | ☐ | ☐ | ☒ | ☐ |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (sources: 6,13,17,20,21,22,25) | ☐ | ☐ | ☒ | ☐ |
| 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? (sources: 6,13,17,20,21,22,25) | ☐ | ☐ | ☒ | ☐ |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (sources: 6,13,17,20,21,22,25) | ☐ | ☐ | ☒ | ☐ |
| 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? (sources: 6,13,17,20,21,22,25) | ☐ | ☐ | ☒ | ☐ |
| iv) impede or redirect flood flows? (sources: 6,13,17,20,21,22,25) | ☐ | ☐ | ☒ | ☐ |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (sources: 6,13,17,20,21,22,25) | ☐ | ☐ | ☒ | ☐ |

| 10. HYDROLOGY AND WATER QUALITY<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (sources: 6,13,17,20,21,22,25) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

The Project site is located within the Carmel River watershed. More specifically, the Project site is approximately ¼-mile northwest of the mouth of the Carmel River, and within 400 feet of the Carmel River lagoon. The Project site is atop a coastal sea bluff consisting of highly permeable sandy soils. Site topography is mostly flat, with gentle slopes along the southern and easternmost extents of the property. The Project includes features to minimize runoff and promote infiltration. Applicable features include permeable pavers and gravel for walkways patios, an extensive landscaped area surrounding the proposed ADU, and gutters and downspouts to direct water from the roof to vegetated areas.

**Hydrology and Water Quality Impact (a) and (c) Less than Significant:** The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Construction would result in ground disturbing activities from demolition, excavation, and grading. Ground-disturbing activities and vegetation removal could generate temporary soil erosion and could potentially affect existing water quality. To minimize construction-generated water quality impacts the contractor/engineer would implement standard construction BMPs. Moreover, the Project would also be required to comply with the requirements of MCC Chapter 16.08, which would ensure that temporary construction-related water quality impacts would be minimized. Additionally, as noted in the Stormwater Control Plan, the Project would implement measures to reduce runoff and erosion by promoting infiltration in landscaped areas. Moreover, the Project would be required to comply with the recommendations of a design-level geotechnical analysis. For these reasons, the temporary construction-related impacts associated with the Project would be less than significant.

The Project would include the construction of new impervious surfaces; however, all patio and walkway surfaces comprise permeable pavers and gravel. Additionally, the Project includes on-site drainage improvements (e.g., downspouts and gutters from roofs and pavement to vegetated areas) to address impacts due to increases in impervious surfaces. Moreover, the Geotechnical Investigation determined that no runoff was expected due to the high permeability of sandy soils on the Project site, and the final design of the Project would be required to comply with the recommendations of a design-level Stormwater Control Plan. This represents a less than significant impact.

**Hydrology and Water Quality Impact (b) Less than Significant:** The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. The Project consists of the construction of a new ADU on a developed and landscaped property. Additionally, the Project consists of the demolition of 15 plumbing fixtures in the existing main house and garage to transfer water credits to the new ADU. The Monterey County Environmental Health Bureau determined that with the transfer of existing fixture

units, existing water services from California American Water (CalAm) would be adequate for supporting the Project. This represents a less than significant impact.

**Hydrology and Water Quality Impact (d) Less than Significant:** The Project is not located in an area subject to significant seiche, tsunami, or flooding effects. FEMA designates the Project site as being located in an area of low flood risk (FEMA, 2023). Additionally, the California Office of Emergency Services indicates that the Project site is located outside of any tsunami hazard areas. As a result, the Project would not result in the risk of pollutants due to Project inundation from a tsunami, seiche, or flood hazard. This represents a less than significant impact.

**Hydrology and Water Quality Impact (e) No Impact:** The Project would not conflict with or obstruct a water quality control plan or sustainable groundwater management plan. As discussed previously, the Project would be served by CalAm and would consist of transferring existing water credits to support the new ADU. Existing water services would be sufficient to serve the Project. Therefore, there would be no impact.

| **11. LAND USE AND PLANNING**<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Physically divide an established community? (sources: 17,20,25) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 17,20,25) | ☐ | ☒ | ☐ | ☐ |

**Discussion/Conclusion/Mitigation:**

The Project lies within the coastal zone and is regulated by the Carmel Area LUP, which is the certified LCP for the region. The overall philosophy of the Carmel Area LUP is to preserve the scenic quality along Carmel's coastline. Basic objectives of the LCP affecting the Project include:

- Protecting coastal resources,
- Restricting development on scenic beaches and bluffs that are within the public viewshed,
- Restricting development within view of scenic viewing corridors (e.g., Scenic Road) and major public viewpoints, and
- Placing the preservation of natural scenery above the need for development.

The Carmel Area LUP identifies the land use category of the Project site as *Medium-Density Residential.* This land use category supports development of multiple residential units within a single property and is the primary land use described in the Carmel Area LUP. The principal use in this land use category is residential.

**Land Use and Planning Impact (a) No Impact:** The division or disruption of an established community would occur if a project were to create a physical barrier that separates, isolates, or divides a portion of a built community. The physical division of a community is traditionally associated with the construction of large-scale transportation improvements (e.g., highways) or the creation of a large university campus. The Project is located within a residential area. Development of the Project is consistent with the surrounding land uses and consists of constructing an ADU on a previously developed property. Due to the nature of the Project and location, the Project would not create a barrier that would divide an established community. Therefore, no impact would occur.

**Land Use and Planning Impact (b) Less Than Significant With Mitigation Incorporated:** The Project site lies within the coastal zone and is regulated by the Carmel Area LUP, which is the certified LCP for the region. The Carmel Area LUP identifies the land use category of the Project site as *Medium-Density Residential*. As discussed above, this land use category primarily supports development of multiple residences within a single property. The Project consists of the construction of a new ADU on a property with an existing residence and landscaped yard.

The Carmel Area LUP restricts development within view of scenic corridors and atop coastal bluffs within the public viewshed (Carmel Area LUP Policies 2.2.3 (1-10), and 2.2.4). The Project would be atop a coastal bluff and would be visible from parts of Scenic Road and Carmel Beach; however, views of the Project from Scenic Road and Carmel River Beach would be limited to only the roof of the ADU. Due to changes in topography, proposed setbacks, existing vegetation, and other existing structures, views are limited. As discussed in **Section VI.1 Aesthetics**, where features are visible from Scenic Road, are generally small in scale and cohesive with the surrounding environment. The Project would not substantially alter the appearance of the site from Scenic Road as the site is previously developed with an existing residence, surrounded by medium-density residences, and minimally visible from Scenic Road for the reasons previously identified. The Project would not detract from the natural beauty or negatively affect the public view.

Furthermore, the Project consists of the removal of invasive ice plant and revegetation of dune habitat along Scenic Road. The Carmel Area LUP establishes polices to protect environmentally sensitive habitats (Policies 2.2.3). As discussed in Section VI.3 Biological Resources, the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species. Additionally, no native trees would be removed during Project activities. One (1) native Monterey Cypress is outside the proposed construction area. Impacts to the tree would be unlikely, but to ensure this remains less than significant, BRG recommended mitigation, as identified below. BRG identified potential impacts due to the removal of remnant dune scrub and recommended mitigation to reduce impacts to less than significant. In addition to the mitigation BRG recommended, the Project would be required to develop a Landscape and Maintenance Plan consistent with Monterey County Conditions of Approval. With implementation of the County Conditions of Approval and **Mitigation Measure BIO – 1**, this remains a less than significant impact.

The Project site is located within the boundary of CA-MNT-17, which is eligible for listing in the Register of Historical Resources; however, based on subsurface testing and monitoring conducted during construction on the site in 2003, Basin determined the Project site had very low sensitivity for significant subsurface prehistoric archaeological resources. The Carmel Area LUP also establishes policies that require the protection of archaeological resources. With implementation of County Conditions of Approval and **Mitigation Measure CUL-1**, potential impacts on cultural resources would be less than significant.

| 12. MINERAL RESOURCES<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (sources: 9,17,20) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 9,17,20)) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

Please refer to Section IV.A Environmental Factors Potentially Affected. The Project would have no impact on mineral resources.

| 13. NOISE<br>**Would the project result in:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (sources: 17,20,25) | ☐ | ☐ | ☒ | ☐ |
| b) Generation of excessive ground borne vibration or ground borne noise levels? (sources: 17,20,25) | ☐ | ☐ | ☒ | ☐ |
| 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? (sources: 17,20,25) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

Noise is commonly defined as unwanted sound. Sound levels are usually measured and expressed in decibels ("dB") with zero (0) dB corresponding roughly to the threshold of hearing. Most sounds consist of a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Most environmental noise includes a conglomeration of noise from distant sources, which creates a relatively steady background noise in which no source is identifiable.

The Project consists of the construction of a new ADU and demolition of existing plumbing features in the main house and garage. The Project site is located adjacent to Scenic Road and the nearest residences are located less than 50 feet from the Project site. The primary source of noise in the Project vicinity would be from vehicle traffic and construction activities. The Carmel Area LUP does not include specific policies related to noise from residential development. In absence of noise related polices within the Carmel Area LUP, the 1982 Monterey County General Plan policies are applicable.

**Noise Impacts (a) and (b) Less than Significant:** Operational noise would not result in a permanent increase in ambient noise, nor would operation of the Project result in permanent ground vibration or noise. Construction of the Project would generate temporary noise and ground borne vibration and noise in the Project vicinity due to the use of construction equipment (e.g., trucks, tractors, excavators). Construction activities would be required to comply with the Monterey County Noise Ordinance as described in Chapter 10.60 of the Monterey County Code. 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. Additionally, construction related activities would be limited to the hours of 7am – 7pm Monday through Saturday, no construction would occur on Sundays or holidays.

The closest residence, located to the east of the Project, is approximately 10 feet from the Project site. Noise-generating construction activities would be limited to the hours between 7AM and 5PM, Monday through Friday and noise impacts from the Project would be temporary and limited. Compliance with the County's Noise Ordinance will ensure impacts related to noise are less than significant. **Table 13-1 Construction Equipment Noise Emission Levels** identifies typical noise emissions (i.e., levels) generated by construction equipment and how equipment noise reduces with distance.[1]

**Table 13-1**
**Construction Equipment Noise Emission Levels**

| Equipment | Typical Noise Level (dBA) 50 ft from Source | Typical Noise Level (dBA) 100 ft from Source[1] | Typical Noise Level (dBA) 200 ft from Source[1] | Typical Noise Level (dBA) 400 ft from Source[1] |
|---|---|---|---|---|
| Air Compressor | 81 | 75 | 69 | 63 |
| Backhoe | 80 | 74 | 68 | 62 |
| Ballast Equalizer | 82 | 76 | 70 | 64 |
| Ballast Tamper | 83 | 77 | 71 | 65 |
| Compactor | 82 | 76 | 70 | 64 |
| Concrete Mixer | 85 | 79 | 73 | 67 |
| Concrete Pump | 82 | 76 | 70 | 64 |
| Concrete Vibrator | 76 | 70 | 64 | 58 |
| Dozer | 85 | 79 | 73 | 67 |
| Generator | 81 | 75 | 69 | 63 |

[1] The rate of noise diminishes as the distance from the source of noise doubles.

**Table 13-1**
**Construction Equipment Noise Emission Levels**

| Equipment | Typical Noise Level (dBA) 50 ft from Source | Typical Noise Level (dBA) 100 ft from Source[1] | Typical Noise Level (dBA) 200 ft from Source[1] | Typical Noise Level (dBA) 400 ft from Source[1] |
|---|---|---|---|---|
| Grader | 85 | 79 | 73 | 67 |
| Impact Wrench | 85 | 79 | 73 | 67 |
| Jack Hammer | 88 | 82 | 76 | 70 |
| Loader | 85 | 79 | 73 | 67 |
| Paver | 89 | 83 | 77 | 71 |
| Pneumatic Tool | 85 | 79 | 73 | 67 |
| Pump | 76 | 70 | 64 | 58 |
| Roller | 74 | 68 | 62 | 56 |

Source: U.S. Department of Transportation, *Transit Noise and Vibration Impact Assessment*, 2006
Construction generated noise levels drop off at a rate of about 6 dBA per doubling of distance between the source and receptor.

**Noise Impact (c) No Impact:** The Project is not located within the vicinity of a private airstrip of an airport land use plan, or within two miles of a public airport. For these reasons, no impact would occur.

| **14. POPULATION AND HOUSING**<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (sources: 17,20) | ☐ | ☐ | ☐ | ☒ |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (sources:17,20) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

Please refer to Section IV.A Environmental Factors Potentially Affected. The Project would have no impact on population and housing.

| 15. PUBLIC SERVICES<br>**Would the project result in:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| a) Fire protection? (sources:17,20) | ☐ | ☐ | ☐ | ☒ |
| b) Police protection? (sources: 17,20) | ☐ | ☐ | ☐ | ☒ |
| c) Schools? (sources: 17,20) | ☐ | ☐ | ☐ | ☒ |
| d) Parks? (sources: 17,20) | ☐ | ☐ | ☐ | ☒ |
| e) Other public facilities? (sources: 17,20) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

Please refer to Section IV.A Environmental Factors Potentially Affected. The Project would have no impact on public services.

| 16. RECREATION<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? (sources: 17,20) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 17,20) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

Please refer to Section IV.A Environmental Factors Potentially Affected. The Project would have no impact on agricultural or forest land resources.

| **17. TRANSPORTATION/TRAFFIC**<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (sources:14,17,18,20,25) | ☐ | ☐ | ☒ | ☐ |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (sources: 14,17,18,20,25) | ☐ | ☐ | ☒ | ☐ |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (sources: 14,17,18,20,25) | ☐ | ☐ | ☐ | ☒ |
| d) Result in inadequate emergency access? (sources: 14,17,18,20,25) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

*Significance Criteria - Vehicle Miles Traveled*

Senate Bill (SB) 743 required that starting July 2020 transportation impact for projects per CEQA be based on a project's Vehicle Miles Traveled ("VMT"). CEQA Guidelines Section 15064.3, subdivision (b)(1) calls for the evaluation of transportation impacts of projects based on Vehicle Miles Traveled ("VMT"). CEQA uses the VMT metric to evaluate a project's transportation impacts. The publication "Technical Advisory on Evaluating Transportation Impacts in CEQA, State of California Governor's Office of Planning and Research," December 2018, suggests that a significant environmental impact would occur if a project would generate more than 110 trips per day.

**Transportation Impact (a) and (b) Less than Significant:** The Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities, or be inconsistent with CEQA guidelines Section 15064.3(b). The Project would result in temporary construction-related traffic. There would be no substantial increase in operational traffic due to the Project.

The Project would not result in an increase in operational traffic such that an increase in VMT would occur. For the purposes of this IS/MND, the Project would result in a significant traffic-related effect if the Project would exceed 110 daily trips. As noted previously, the Project consists of the construction of a new ADU

on an existing residential property. The Project would temporarily increase vehicle trips during construction and may increase vehicle trips during operation; however, the number of trips would be less than 110 daily trips both during construction and during operation of the Project. In the absence of a traffic analysis, the Institute of Transportation Engineers ("ITE") *11th Edition Trip Generation Manual* identifies typical daily traffic trips associated with residential use. Based on the ITE manual, a residential unit could reasonably generate 9.43 daily trips. Daily trips generated by a sing-family residence is below the daily threshold of 110 daily trips. As previously discussed, the construction and operation of an ADU would generate additional daily traffic trips, and if the ITE daily trip rate is applied, the number of daily trips for the property would be approximately 19 daily trips, and still below the daily threshold set by SB 743. As a result, the Project would not result in a significant VMT-related impact. This represents a less than significant impact.

**Transportation Impact (c) No Impact:** The Project would not substantially increase hazards due to the geometric design features or incompatible uses. The Project would not be changing existing circulation systems, roadways, or bicycle and pedestrian facilities. No impact would occur.

**Transportation Impact (d) No Impact:** The Project would conform with all County and Fire Department requirements regarding emergency access, and therefore, would not result in inadequate emergency access. No impact would occur.

| **18. TRIBAL CULTURAL RESOURCES**<br><br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | | | | |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (sources:1,2,3,17,20) | ☐ | ☒ | ☐ | ☐ |

| 18. TRIBAL CULTURAL RESOURCES<br><br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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. (sources: 1,2,3,17,20) | ☐ | ☒ | ☐ | ☐ |

**Discussion/Conclusion/Mitigation:**

The following discussion is based on the results of the 2022 Basin Research Associates ("Basin") Archaeological Resources Assessment Report. Basin conducted background research which included a records search of the Northwest Information Center of the California Historical Resources Information System. An extensive files and maps search was also conducted to support the evaluation. Monitoring and subsurface testing were conducted in connection with construction of additions to the existing main house in 2003 and auger testing was conducted within the footprint of the Project in 2022. The information contained in this discussion is supplemented with additional information provided by Native American representatives as part of the Tribal consultation process undertaken by the County of Monterey in accordance with AB52.

**Tribal Resources Impact (a) and (b) Less than Significant with Mitigation Incorporated:** Public Resources Code Sec. 21074 defines a tribal cultural resource as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: a) included or determined to be eligible for inclusion in the California Register of Historical Resources, [or] b) included in a local register of historical resources as defined in subdivision (k) of [Public Resources Code] Section 5020.1" (Public Resources Code Sec. 21027(a)).

The Project site is located within the boundary of CA-MNT-17, which is eligible for listing in the Register of Historical Resources; however, based on subsurface testing and monitoring conducted during construction on the site in 2003, Basin determined the Project site had very low sensitivity for significant subsurface prehistoric archaeological and cultural resources. No significant cultural resources were exposed during subsurface test trenching, auger testing, or construction monitoring. Additionally, the Project site is developed and has been heavily disturbed by activities associated with the development of the main house. Furthermore, the Project would be required to comply with the recommendations made by Basin to ensure impacts on cultural resources are less than significant (see Section VI.5).

Pursuant to Public Resources Code Section 21080.3.1, Monterey County HCD-Planning initiated consultation with local Native American tribes in 2023. The Esselen Tribe of Monterey County requested the on-site presence of a Native American monitor to observe excavation activities associated with the

development of the site. In addition, the Esselen Tribe of Monterey County requested that they be included in any resource recovery program or reburial.

A standard County condition of approval for the protection of cultural resources, "PD003(B)", would be applied to address the potential inadvertent discovery of tribal cultural resources (see **Section VI.5**). Given the project's proximity to know archaeological resources, a mitigation measure is required to reduce potential impacts to unknown tribal cultural resources to a less than significant level. **Mitigation Measure No. TR-1** (described below) would require a Tribal Monitor be on site during initial ground disturbance to ensure that tribal cultural artifacts or human remains are treated with the appropriate dignity and respect if discovered. With implementation of the County's condition of approval for cultural resources (**PD003B**) and **Mitigation Measure No. TR-1**, the potential impact on tribal cultural resources would be less than significant.

**Mitigation Measure No. TR-1:** *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 shall be on-site and observe initial project-related grading and excavation. This Tribal Monitor shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features. If resources are discovered, the Applicant/Owner/contractor shall refer to and comply with County condition of approval PD003(B) as applicable. This mitigation is not intended to alleviate the responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

> **Mitigation Measure TR – 1(a) Monitoring Action:** Prior to the issuance of construction permits from HCD-Building Services, the Applicant/Owner shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. TR-1, including all compliance actions. The Applicant/Owner shall submit said plans to HCD-Planning for review and approval.
>
> **Mitigation Measure TR – 1(b) Monitoring Action:** Prior to the issuance of construction permits from HCD-Building Services, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of HCD-Planning that a Tribal Monitor 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 AB52 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 initial project-related grading and excavation related to the barn, equipment storage building, and new ranch roads.
>
> 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 shall 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 NAHC, 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 fieldwork. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University prior to the finalization of construction permits. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and the penalty for violation pursuant to PRC section 5097.994.

The Tribal Monitor shall prepare daily monitoring reports that shall be available upon request by HCD – Planning. A final report prepared by the Tribal Monitor, including all of the daily monitoring reports, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities. The final report shall confirm participation in the monitoring and provide a summary of archaeological and /or cultural finds or no finds, as applicable.

The Tribal Monitor shall prepare daily monitoring reports that shall be available upon request by HCD – Planning. A final report prepared by the Tribal Monitor, including all of the daily monitoring reports, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities. The final report shall confirm participation in the monitoring and provide a summary of archaeological and /or cultural finds or no finds, as applicable.

| **19. UTILITIES AND SERVICE SYSTEMS**<br>**Would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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:17,20,21,25) | ☐ | ☐ | ☒ | ☐ |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: 17,20,21,25) | ☐ | ☐ | ☒ | ☐ |
| 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: 17,20,21,25) | ☐ | ☐ | ☒ | ☐ |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Source: 17,20,21,25) | ☐ | ☐ | ☒ | ☐ |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Source: 17,20,21,25) | ☐ | ☐ | ☒ | ☐ |

**Discussion/Conclusion/Mitigation:**

The Project would be provided wastewater services by the Carmel Area Wastewater District. The property on which the Project site is located currently receives water supply services from CalAm. The Project would require the removal of 15 plumbing fixture units in the main house and garage to allow transfer of the fixture units to the new ADU. The Monterey County Environmental Health Bureau determined that with the transfer of these water credits, the current water services from CalAm would be sufficient to support the Project.

Solid waste generated by the Project would be transported and disposed of at the Monterey Peninsula Landfill and Recycling Facility north of the City of Marina. The Monterey Regional Waste Management District ("MRWMD") operates the landfill which has a permitted capacity of 3,500 tons per day of solid waste and currently receives approximately 1,100 tons per day. The remaining capacity is approximately 48 million tons or 72 million cubic yards. At current rates of disposal, the landfill will continue to serve the present service area for approximately 150 years.

**Utilities and Service Systems Impacts (a) through (c) Less than Significant:** Monterey County Environmental Health Bureau previously reviewed the Project and determined that the existing wastewater and water connections were sufficient to serve the Project. The Project would connect to the Carmel Area Wastewater District. Additionally, the Project would be served by existing water services from CalAm to the property. The Project consists of the construction of a new ADU and demolition of fifteen (15) plumbing features in existing structures to transfer water credits to support the new ADU. Additionally, the Project consists of drought-tolerant landscaping and rainwater recapture features (i.e., gutter, drains, and downspouts to capture water from the ADU roof and direct it to vegetated areas) to reduce water use in landscaped areas. As proposed, the Project would not substantially increase the demand for utilities beyond existing levels. Moreover, the construction and operation of the new ADU would comply with existing local and state regulations and policies which would result in resource conservation practices (e.g., low-flush toilets). For these reasons, this represents a less than significant impact.

**Utilities and Service Systems Impact (d) and (e) Less than Significant:** The Project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure. Solid waste generated from construction is not quantifiable, however for the purpose of this report it is assumed that construction waste would have been disposed of at the Monterey Peninsula Landfill. Operation-generated waste would be disposed of at the Monterey Peninsula Landfill. As discussed above, this landfill is operating well below its daily intake capacity; the Monterey Peninsula Landfill has a permitted capacity of 3,500 tons per day of solid waste and currently receives approximately 1,100 tons per day. Based on CalRecycle Residential Sector Generation Rates, generation of solid waste from the Project be insubstantial. This represents a less than significant impact.

| 20. WILDFIRE<br><br>**If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:** | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (sources:12,17,20,25) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 12,17,20,25) | ☐ | ☐ | ☐ | ☒ |
| 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? (sources: 12,17,20,25) | ☐ | ☐ | ☐ | ☒ |
| 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(sources: 12,17,20,25) | ☐ | ☐ | ☐ | ☒ |

**Discussion/Conclusion/Mitigation:**

The Project would have no impact on risks and emergency response associated with wildfire. Please refer to Section IV.A Environmental Factors Potentially Affected.

## *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.

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

| **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? (sources: 1,2,3,4,5,17,20,25) | ☐ | ☒ | ☐ | ☐ |
| 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)? (sources: 1,2,3,4,5,17,20,25) | ☐ | ☐ | ☒ | ☐ |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (sources: 1,2,3,4,5,17,20,25) | ☐ | ☐ | ☒ | ☐ |

**Discussion/Conclusion/Mitigation:**

**Mandatory Findings Impact (a) Less than Significant with Mitigation Incorporated:** As discussed in this Initial Study, the Project would not 1) degrade the quality of the environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife population to drop below self-sustaining levels; 4) threaten to eliminate plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of major periods of California history or prehistory. The Project may result in temporary construction-related impacts to biological resources that would be mitigated to less than significant through mitigation measures identified above (**Mitigation Measure BIO-1**). While unlikely, construction could unearth cultural or tribal cultural resources that were previously unknown. However, the Project would implement standard County Conditions of Approval to ensure that potential impacts related to the inadvertent discovery of previously unknown resources are minimized. Further, this Initial Study also identifies mitigation to ensure that potential impacts to previously unknown cultural and tribal cultural resources are minimized to a less than significant level (**Mitigation Measure CUL-1 and TR-1**). All potentially significant impacts associated with the Project would be minimized to a less than significant level through the implementation of mitigation measures identified in this Initial Study.

**Mandatory Findings Impact (b) Less than Significant:** To determine whether a cumulative effect requires an EIR, the lead agency shall consider whether the impact is significant and whether the effects of the project are cumulatively considerable (CEQA Guidelines §15064(h)(1)). In addition, CEQA allows a lead agency to determine that a project's contribution to a potential cumulative impact is not considerable and thus not significant when mitigation measures identified in the Initial Study will render those potential impacts less than considerable (CEQA Guidelines 15064(h)(2).

Here, the Project would not result in a cumulatively considerable adverse environmental effect when considered with past, present, and reasonably foreseeable future projects planned in the area for several reasons. First, this Initial Study identifies mitigation measures to lessen the extent of potential impacts associated with the Project to a less than significant level. These mitigation measures would ensure that the Project's contribution towards a cumulative impact would be less than considerable. As identified in this Initial Study, the Project is located entirely on an already-developed property. While this Initial Study identified potential impacts on biological resources due to the proximity of the site to adjacent biological resources, development is proposed entirely within the existing developed/ property. Mitigation identified in this Initial Study would ensure that any potential secondary or indirect impacts to surrounding biological resources during construction would be minimized. Second, other cumulative development in the surrounding area would be subject to additional project-level CEQA review and would be subject to project-specific mitigation measures to reduce those effects to a less than significant level thereby minimizing future cumulative effects associated with long-range development in the area. Third, development of the Project would occur over a relatively short period and construction-related impacts would be limited in duration. The potential for construction activities associated with the Project to overlap and contribute towards a cumulative construction-related impact in the area would be unlikely as development within the area tends to be minimal. Moreover, as identified in this Initial Study, potential temporary construction-related impacts would be limited in duration and would not exceed any applicable threshold of significance related to construction-related impacts. As a result, the Project would not contribute to a cumulatively considerable construction-related impact. Finally, as discussed in this Initial Study, the Project would not substantially increase population, traffic, or use of recreational and other facilities in the area. As a result, the Project would not contribute to potential cumulative effects associated with substantial increases in the local population.

In summary, the Project, when considered with past, present, and reasonably foreseeable future development in the area, would not result in a cumulatively considerable impact. All impacts associated

with the Project would be addressed through 1) the implementation of mitigation measures identified in this Initial Study, 2) compliance with standard Monterey County conditions of approval and all applicable local and State regulations, and 3) implementation of standard construction BMPs. No additional mitigation measures are necessary to reduce cumulative impacts to a less than considerable level.

**Mandatory Findings Impact (c) Less than Significant:** The Project would not have a substantial adverse effect on human beings, either directly or indirectly. The Project would result in temporary construction-related impacts that would be minimized to a less than significant level through the incorporation of construction BMPs and appropriate mitigation measures identified throughout this Initial Study. The Project comprises construction of a new ADU on an already developed and landscaped property. The Project would therefore not result in a change in land use. Additionally, the Project would not increase the local population or use of public facilities and other common resources. The Project would primarily replace an existing lawn with a new ADU, which would be designed to aesthetically blend with the existing structures on the property.

## *VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES*

**Assessment of Fee:**

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

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

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

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

**Evidence:** Based on the record as embodied in the HCD-Planning files pertaining to PLN210331 and the attached Initial Study / Proposed (Mitigated) Negative Declaration.

## *IX. SOURCES*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