

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: November 8, 2007. Time: 1:55 P.M.		Agenda Item No.: 7
Project Description: Combined Development Permit consisting of (1) a Coastal Administrative Permit to allow for the construction of a new 2,950 square foot two-story single family dwelling with a 545 square foot attached garage and 990 cubic yards of cut for basement excavation; (2) a Coastal Development Permit for development within 750 feet of a known archaeological resource; and (3) a Design Approval.		
Project Location: 26327 Scenic Road, Carmel		APN: 009-442-013-000
Planning File Number: PLN060735		Name: Dale Skeen & JoMei Chang / Owners International Design Group / Agent
Plan Area: Carmel Land Use Plan		Flagged and staked: Yes
Zoning Designation: : MDR/2-D(18)(CZ) Medium Density Residential, 2 units per acre with Design Control, and (18 foot height limit) Overlays (Coastal Zone)		
CEQA Action: Mitigated Negative Declaration		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt the Mitigated Negative Declaration with Mitigation Monitoring and Reporting Plan (**Exhibit E**), approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions and Mitigations (**Exhibit D**).

PROJECT OVERVIEW: The proposed project entails the construction of a new three-story single family dwelling with associated grading. Cut material will be transported off-site. The parcel is a vacant 4,700 square foot parcel, located in an urban area on Carmel Point. Staff's review focused on consistency with the Local Coastal Plan (LCP) and California Environmental Quality Act (CEQA) policies. An Initial Study was prepared for the subject development and a Mitigated Negative Declaration was circulated. See Exhibit B for a more detailed discussion.

OTHER AGENCY INVOLVEMENT:

- ✓ Carmel Highlands Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ California Coastal Commission

The above checked agencies and departments have reviewed this project. Conditions recommended by Carmel Highlands FPD, Public Works Department, and the Water Resources Agency have been incorporated into the condition compliance reporting plan (**Exhibit D**).

On May 21, 2007 the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) recommended approval on the project by a 5-0 vote (Exhibit G). The LUAC expressed concern regarding the rear elevation appearance and design of retaining walls. Members stated that the applicant should consider using some stone veneer on the rear of the house to help soften the appearance of the mass from the rear. There was discussion from neighbors regarding obstruction of view from the Thush property to the rear. See LUAC discussion in Exhibit B.

Note: The decision on this project is appealable to the Board of Supervisors and the Coastal Commission.

Craig Spencer, Assistant Planner
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October 4, 2006

cc: Zoning Administrator; Coastal Commission; Carmel Highlands Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Carl Holm Planning Services Manager; Craig Spencer, Planner; Carol Allen, Clerk; Dale Skeen & JoMei Chang, Applicants; International Design Group, Agent; Zad Leavy, Attorney; and Planning File PLN060735.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval
	Exhibit E	Initial Study/Mitigated Negative Declaration
	Exhibit F	Site Plan, Elevations, Floor Plans
	Exhibit G	Land Use Advisory Committee Minutes
	Exhibit H	Comments from Public

This report was reviewed by Mike Novo, Interim Planning Director

EXHIBIT A

Project Information for PLN060735

Project Title: SKEEN DALE & JO MEI CHANG

Location: 26327 SCENIC RD CARMEL

Primary APN: 009-442-013-000

Applicable Plan: Carmel Land Use Plan

Coastal Zone: Yes

Permit Type: Combined Development Permit

Zoning: MDR/2-D(18)(CZ)

Environmental Status: MND

Plan Designation: RESIDENTIAL

Advisory Committee: Carmel/Carmel Highlands

Final Action Deadline (884): 11/12/2007

Project Site Data:

Lot Size: 4700

Coverage Allowed: 35%

Coverage Proposed: 31%

Existing Structures (sf): 0

Height Allowed: 18

Proposed Structures (sf): 2072

Height Proposed: 18

Total Sq. Ft.: 2072

FAR Allowed: 45%

FAR Proposed: 44%

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: IV

Biological Report #: N/A

Soils Report #: LIB070151

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: V

Archaeological Report #: LIB070152

Geologic Report #: LIB070151

Fire Hazard Zone: URBAN

Traffic Report #: N/A

Other Information:

Water Source: CAL-AM

Sewage Disposal (method): SEWER

Water Dist/Co: CAL-AM WATER COMPANY

Sewer District Name: CARMEL SAN

Fire District: CARMEL HIGHLANDS FPD

Grading (cubic yds.): 990.0

Tree Removal: N/A

EXHIBIT B
DETAILED PROJECT DISCUSSION
PLN060735 (Skeen & Chang)

A. PROJECT SETTING AND DESCRIPTION:

Setting The project site is located on Scenic Road between Stewart Road and Ocean Avenue on Carmel Point approximately 200 feet from the Pacific Ocean. Topographically the 4,700 square foot vacant lot, is gently sloping to the west at an average slope of approximately seven percent. A mixture of mowed brush currently covers the site. The lot is surrounded by an established neighborhood with existing single family dwellings. To the west of the property is Scenic Road; still further west across Scenic Road are residential lots with existing dwellings that border on the Pacific Ocean at the southern end of Carmel State Beach. The remaining sides of the lot are developed residential lots that are similar in size and character.

Project Description Construction of a new 2,950 square foot, three-story single family dwelling and attached garage, on a vacant parcel. Nine hundred ninety cubic yards of cut is proposed for garage, driveway, and basement excavation as well as new finished grades. Cut slopes will be supported by retaining walls along the driveway and along property lines. Retaining walls will be approximately three to four feet in height with the exception of the driveway retaining wall, which will be approximately eight and one half feet tall. The excess cut (990 cubic yards) will be exported from the site.

B. ANALYSIS

Development Standards The project is consistent with the applicable MDR/2-D (18) (CZ) zoning district standards including setbacks, height, lot coverage, and floor area ratio (FAR). The garage and basement will be located entirely below grade, without the benefit of natural light and are not counted in the floor area ratio. Additionally the proposal was reviewed for consistency with the Carmel Land Use Plan and the Coastal Implementation Plan (Part 4). The property is located within a Medium Density Residential land use designation, which allows 2 units/acre and is suitable for the proposed use.

Land Use Advisory Committee The Carmel Land Use Advisory Committee (LUAC) had some concern regarding the appearance of the retaining walls. The retaining walls will be finished with stucco and their appearance will be consistent with colors and materials of the house. There was also discussion from the public at the hearing regarding the height of the structure relative to the view from a neighboring property. The neighbor requested that plate heights, specifically at the master bedroom closet and bathroom, be lowered to reduce the impact to their view. The agent for the owner agreed to make some changes at the hearing and the project was recommended for approval by a vote of five to zero (see public comment for more discussion).

Public Comment (During Review)

During the review period leading up to staff's recommendation, staff received two letters of concern from neighbors. One letter directly relates to the LUAC hearing and the dialogue at that hearing regarding views and plate heights. The neighbor, Mr. Thush, had originally requested that plate heights be lowered to protect his view based on the staking and flagging that had been in place at the time of the LUAC hearing. Due to the change in height the project was re-staked to reflect the new proposal. At that time it was discovered that the original staking was lower than what was originally proposed. This error, even with the new reduction in height, demonstrated that the project was taller than originally staked. The staking has been corrected to

reflect the actual revised height, which is within the 18 feet allowed in that zoning district. Mr. Thush was informed that private views are not protected in the Carmel Land Use Plan or Zoning Ordinances. The other letter voiced concerns regarding setbacks, objection to a Variance, archaeological resources, and water rights. No Variances are requested or required for the proposed project and all setbacks are met. The archaeological and water rights issues have been reviewed and evaluated in the Mitigated Negative Declaration attached. Public comments received have been reviewed and taken into consideration during review of the project.

Local Coastal Policies (LCP)

Staff identified some site constraints at the project location identified in the Carmel Land Use Plan and other LCP policies. The primary areas of concern are Visual Resources, Archeological Resources, and Geological Hazards.

Visual Resources The proposed building site is located on an existing parcel that is visible from Scenic Road, which is a designated scenic roadway. The proposed residence meets the 18 foot height limit restriction required in the zoning district. The project is located on a currently vacant lot in a residential neighborhood with other dwellings of similar size and character making up much of the view on the eastern side of Scenic Road. The project will harmonize with the existing character of the neighborhood and scenery using natural earth toned colors. The lighting will be required to meet the basic viewshed policy of minimum visibility through the Monterey County Planning Department's standard visually sensitive exterior lighting condition. The project building site is not located on the crest of a hill and would not result in ridgeline development.

Archaeological Resources Located on Carmel Point, the project location is in an area that is known for its cultural resources. Pursuant to Section 20.146.090, an archaeological survey is required for development within a high archaeological sensitivity zone as mapped on current county resource maps. A Preliminary Cultural Resources Reconnaissance prepared by Archaeological Consulting, dated March 25, 1999, concluded that the project area contains a potentially significant archaeological resource. Staff requested an updated Archaeological Report for the current project. An updated report, dated January 17, 2007, by Archaeological Consulting indicates, based on testing performed in 1999 (which did not reveal significant resources) that construction should be allowed to proceed without further archaeological investigation; however, a possibility still exists that, during construction, previously unidentified or unexpected resources may be discovered. Due to this potential, mitigation measures are recommended (Key Policies 2.8.2). Two mitigation measures have been incorporated, to reduce potential archaeological impacts to a less than significant level, in the conditions matrix (Exhibit D). In accordance with the Carmel Land Use Plan (2.8.4.6), and to assure that the project does not impact valuable archaeological resources, an archaeologist will be contracted with to monitor ground disturbing activities associated with the proposed construction.

Geological Hazards Located in the unincorporated area of Carmel near the City of Carmel, the project site is located near potentially active faults and is subject to seismic related shaking. Drainage and erosion control measures are required due to erodible soils at the site. Support of adjacent properties during excavation must be addressed due to the design, lower finish grades, and a basement in combination with the small lot size and proximity of neighboring structures (Key Policies 2.7.2). Due to the project consisting of a new, habitable structure near a potentially active fault and in accordance with the Carmel Land Use Plan (2.7.3.1), a geotechnical and geological report were requested. In the report risks associated with the site location and characteristics including soils suitability, tendencies, and seismic effects were analyzed. The engineer recommended design features and procedures to reduce the risks pertaining to soil

suitability and support of adjacent structures. Proposed cut slopes near the property line were identified as a potential hazard in the Geotechnical and Geologic Hazards report by Grice Engineering and Geology Inc. dated January 2007. The report states "Consideration in the design and construction of these walls will need to be taken relative to the support of adjacent property during construction." Subsequently the project was revised and a light well was eliminated leaving a four foot cut for retaining walls and new finish grade near the property line and a setback of five feet from the property line to the proposed basement excavation for a total of ten feet from the proposed structure to the neighboring structure. The Geotechnical Engineer revisited the potential impact at the request of the Planning Department and prepared a follow up letter that states "As reviewed we find no reason for further site evaluation provided that Best Management Practices are utilized in the construction. Such methods will ensure that no significant impact will be incurred to adjacent properties due to the proposed construction." The recommendations for the report including erosion control, footing design, and support of adjacent structures will be incorporated in the project through conditions of approval.

C. CEQA DETERMINATION

Initial Study and Negative Declaration Potential Impacts to archeological resources were identified in the project review because the subject property lies within a mapped archaeological site. According to the Carmel Land Use Plan all development with known archaeological resources shall be subject to environmental assessment (20.146.090 C.1). Subsequently an Initial Study and Mitigated Negative Declaration were prepared and circulated. Comments were received during the notification period from David Sabih (neighbor) and his attorney Zad Leavy regarding their objection to the proposed project.

Contention: The Initial Study and project materials were not made available to them. The structure does not meet the height requirement due to a discrepancy between the natural grade and the existing grade, the bulk, mass, and visibility of the structure, and the potential for archaeological resources. Mr. Leavy requests that the Zoning Administrator to continue the hearing and require the preparation of an Environmental Impact Report due to archaeological resources and LUP in consistency (See the letter dated October 22, 2007 attached).

Response: Mr. Sabih and his attorney Mr. Leavy had the opportunity to review the Initial Study during the comment period. As stated in the Notice of Intent (NOI) that was distributed and the report was made available at the Monterey County Planning Department at 168 W. Alisal St. 2nd floor, Salinas. The NOI also included staff's contact information. On Wednesday October 17th Mr. Leavy came to the Planning Department to request to review the Skeen & Chang project file. This request was processed through the Monterey County Records Request due to the nature of the request. On Monday October 22, 2007, two days before the close of the comment period, Mr. Sabih and Mr. Leavy contacted Planning staff directly to request more information and voice their objection. A copy of the Initial Study was faxed to Mr. Sabih at that time. The 30-day comment period ended October 24, 2007.

The size, mass, bulk and location of the proposed dwelling was reviewed for consistency with the Carmel Land Use Plan and Coastal Implementation Plans Part 1 and 4. The project does not require any Variances and is similar in size and character to the surrounding dwellings, using appropriate earth-tone colors and materials (See figure 1 below, materials contained in the project file, and Finding 1 below).

Research was conducted by Staff relative to the natural grade elevations. Monterey County records show that there was a Code Enforcement Case opened on the subject property in 2002 for stock piling of graded dirt from construction of the neighboring property (CE020075). This case was reviewed by the Monterey County Code Enforcement Staff who found the site was

being used for stock piling of dirt. The dirt was removed from the property; the case was abated and closed. Planning staff also reviewed records pertaining to construction of the neighboring structure for average natural grade calculations. Review of the Planning and Grading files for the neighboring property (Ingemanson/PLN000654 and GP010252) shows similar grade changes at similar points of reference on both properties. This indicates that the grade of the site was not significantly altered. Staff would like to add that the proposed height is six (6) inches under the maximum eighteen (18) feet allowed.

An Initial Study was prepared for the proposed project that identified potential impacts. Those impacts were found to be less than significant or mitigated to a level of insignificance and no EIR is required.

Figure 1



EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Carmel Land Use Plan, The Coastal Implementation Plan Part 4, and the Monterey County Zoning Ordinance (Title 20), which designates this area as appropriate for development.

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. Communications were received during the course of review of the project indicating possible inconsistencies with the text, policies, and regulations in these documents. These comments were considered and the project was found to be consistent with the above mentioned criteria given the evidence, or lack thereof, in the record.

(b) The property is located at 26327 Scenic Road, Carmel (Assessor's Parcel Number 009-442-013-000), Carmel Land Use Plan area, Coastal Zone. The parcel is zoned MDR/2-D (18) (CZ).

(c) The project planner conducted a site inspection on August 1, 2007 to verify that the project on the subject parcel conforms to the plans listed above.

(d) As designed, conditioned, and mitigated the project is consistent with the Carmel Coastal Implementation Plan policies (CIP part 4) dealing with viewshed from Scenic Road (20.146.030 CIP part 4). The project is located on a currently vacant lot, located in a residential neighborhood with other dwellings of similar size and character making up much of the view on the eastern side of Scenic Road. The project will harmonize with the existing character of the neighborhood and scenery using natural earth toned colors. Lighting will be required to meet the basic viewshed policy of minimum visibility through the Monterey County Planning Department's standard visually sensitive exterior lighting condition (Condition 8). The project building site is not located on the crest of a hill and would not result in ridgeline development.

(e) The project was referred to the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) for review. On May 21, 2007 the LUAC reviewed and recommended approval (5-0 vote) of the Combined Development Permit

(f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060735.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Highlands Fire Protection District, Public Works, Environmental Health Division, and the Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

(b) Technical reports by outside archaeological and geological consultants indicated that there are not physical or environmental constraints that

would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

"Preliminary Cultural Resources Reconnaissance" (LIB070152) prepared by Archaeological Consulting, Salinas, CA, March 25, 1999 and follow up reports dated September 29, 1999 and January 17, 2007.

"Geotechnical and Geological Hazards Report" (LIB070151) prepared by Grice Engineering, Inc., Salinas, CA, dated January 2007 and follow up letter dated July 24, 2007.

- (c) Staff conducted a site inspection on August 1, 2007 to verify that the site is suitable for this use.
- (d) Materials in Project File PLN060735.

3. FINDING: CEQA INITIAL STUDY/MITIGATED NEGATIVE DECLARATION: -

On the basis of the whole record before the Zoning Administrator there is no substantial evidence that the proposed project as designed, conditioned, and mitigated will have a significant effect on the environment. The mitigated negative declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:
- (a) Initial Study. The Resource Management Agency – Planning Department prepared an initial study pursuant to CEQA. The Initial Study identified the potential for impacts to archaeological resources on the site but the applicant has agreed to proposed mitigation measures that avoid or mitigate the effects to a point less than significant level. Subsequently a Mitigated Negative Declaration was prepared. The Initial Study reflects the independent judgment and analysis of the County and is hereby incorporated by reference.
 - (b) Mitigated Negative Declaration. A Mitigated Negative Declaration was filed with the County Clerk on September 24, 2007, noticed for public hearing and circulated to the State Clearing House from September 24, 2007 to October 24, 2007. Among the studies, data, and reports analyzed as part of the environmental determination are the following:
 - 1. Preliminary Cultural Resources Reconnaissance of Assessor's Parcel Number 009-442-013-000, Carmel, by Mary Doane B.A and Trudy Haverst, RPA (March 25, 1999), Including follow up letters prepared by Gary Breshini, Ph.D. (September 29, 1999 and January 17, 2007).
 - 2. Geotechnical and Geological Hazards Report for the proposed residence, 26327 Scenic Road, by Grice Engineering and Geology Inc. (January 2007) and follow up letter by Sam Grice from Grice Engineering dated July 24, 2007.

The County of Monterey is the custodian of these documents, which are located at the Resource Management Agency – Planning Department 168 West Alisal 2nd floor, Salinas, California. Analysis of impacts in the Initial Study determined that although the project could have significant impacts, by incorporating standard conditions of approval required by County Code and recommended mitigation measures, potential impacts of the proposed project can be reduced to a level of insignificance.

- (c) Comments were received from the Mr. Sabih (neighbor) and his attorney Zad Leavy regarding their objection to the proposed project based on the height of the proposed structure relative to the average natural grade calculations, the size, bulk, and mass of the proposed structure, potential impacts to archaeological resources, and the requirement for an Environmental Impact

Report. Staff analyzed Monterey County records regarding activity at the property. In 2002 a code enforcement case was investigated which found the Skeen and Chang property was used for stock piling of cut materials during construction of the Ingemanson residence. The dirt was removed from the site and the code enforcement case was closed (CE020075). Research of the plans for the Ingemanson property (PLN000654) show similar grade changes at similar points of reference indicated that the grade was not significantly altered. As proposed, the height of the structure is six (6) inches under the eighteen (18) feet maximum allowed as calculated from existing grade elevations. Staff's evaluation of the proposed project found that it is consistent with the LCP policies including site development standards for Floor Area Ratio, Coverage, and setbacks (Finding 1). Potential Impacts were identified that were mitigated or conditioned to reduce impacts to a less than significant level and no EIR is required (see Initial Study, Exhibit E).

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

5. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: Preceding findings and supporting evidence.

6. **FINDING:** **PUBLIC ACCESS** - The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights. No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c. of the Monterey County Coastal Implementation Plan, can be demonstrated.

EVIDENCE: (a) The subject property is not described as an area where the Local Coastal Program requires access.

(b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 3, the Shoreline Access/Trails Map, of the Carmel Area Land Use Plan.

(c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

(d) Staff site visit on August 1, 2007.

7. **FINDING:** **APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE: Sections 20.86.030 and 20.86.080 of the Monterey County Zoning Ordinance (Title 20).

EXHIBIT D

Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: Dale Skeen & Jo Mei Chang

File No: PLN060735

APNs: 009-442-013-000

Approved by: Zoning Administrator

Date: November 08, 2007

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
1.		PBD029 - SPECIFIC USES ONLY This Combined Development permit (PLN060735) consists of 1) A Coastal Administrative Permit to allow the construction of a new 2,950 square foot three-story single family dwelling with a 545 square foot attached garage, grading totaling 990 cubic yards of cut and construction of approximately 300 linear feet of retaining walls; 2) a Coastal Development Permit for development within 750 feet of a known archaeological resource; and 3) Design Approval. The property is located at 2327 Scenic Drive, Carmel (Assessor's Parcel Number 009-442-013-000), Carmel Area Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. [Resource Management Agency (RMA) - Planning Department]	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other- wise stated	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
2.		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution No. PLN060735) was approved by the Zoning Administrator for Assessor's Parcel Number 009-442-013-000 on November 08, 2007. The permit was granted subject to 21 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use.</p> <p>(RMA - Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to RMA - PD</p>	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
3	1	<p>PD003(B) – CULTURAL RESOURCES – POSITIVE ARCHAEOLOGICAL REPORT</p> <p>If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:</p> <p>There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and</p> <p>If the coroner determines the remains to be Native American:</p> <ul style="list-style-type: none"> - The coroner shall contact the Native American Heritage Commission and the RMA – Planning Department within 24 hours. - The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoans/ Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent. - The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or - Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance: 	<p>The applicant shall submit the contracts with a Registered Professional Archeologist and a Registered Professional Anthropologist to the Director of the RMA – Planning Department for approval.</p>	<p>Owner/Applicant per archaeologist or anthropologist</p>	<p>Prior to the issuance of grading or building permits</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</p> <p>2. The descendent identified fails to make a recommendation; or</p> <p>3. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</p> <p>(RMA - Planning Department)</p>	<p>The requirements of this condition shall be included as a note on all grading and building plans, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.</p>	Owner/Applicant	Prior to the issuance of grading or building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4		PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA – Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
5		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
6		PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	Evidence of compliance with the Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits. Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of grading and building permits Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/Applicant	Prior to final inspection	
7		PD012(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.	Owner/Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	At least three (3) weeks prior to final inspection or occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/Applicant	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
8		<p>PD014(B) – LIGHTING – EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT)</p> <p>All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)</p>	<p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p>	Owner/ Applicant	Prior to the issuance of building permits.	
9		<p>PD016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Geotechnical and Geological Hazards Report has been prepared for this parcel by Grice Engineering and Geology, Inc., dated January 2007 and is on record in the Monterey County RMA - Planning Department, Library No. LIB070151 with a supplement letter prepared by Grice Engineering and Geology Inc., dated July 24, 2007. All development shall be in accordance with these reports." (RMA – Planning Department)</p>	<p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Ongoing	
			<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
10		PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
11		PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection 2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant Owner/ Applicant/ Engineer	Prior to the issuance of grading or building permits Prior to the final inspection	
12		PDSP001-BEST MANAGEMENT PRACTICES (BMP'S) The permittee shall submit activity reports for the project that describes the construction methodology including dust control, hours of operation, staging areas to avoid traffic impacts, conformance with reports prepared for the subject parcel, and contains other measures to ensure that there are minimum impacts to the people working, residing and visiting the area. Work shall not begin if there is a potential for	Submit an activity report to the RMA- Planning Department including photographs and activity logs where applicable, that document how all construction Best Management Practices and recommended mitigations measures were followed prior to construction.	Owner/ Applicant/ Contractor	Prior to the issuance of grading or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		impacts to neighboring properties. If during construction potentially harmful impacts to the adjacent properties or the neighborhood are identified work shall be stopped at the site (other than corrective measures) and the RMA-Planning Department shall be contacted to assess the situation and formulate appropriate action. (RMA-Planning Department)	Submit a construction activity report with a signature from a qualified engineer including photographs and activity logs where applicable that document how Best Management Practices and Geotechnical recommendations were implemented and followed during grading activities.	Owner/ Applicant/ Contractor	Prior to foundation inspection	
			Submit a construction activity report with a signature from a qualified engineer including photographs and activity logs where applicable that document how Best Management Practices and Geotechnical recommendations were implemented and followed during construction and grading activities.	Owner/ Applicant/ Contractor	Prior to final inspection or occupancy	
13		PW0005 – ENCROACHMENT (STD DRIVEWAY) Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to Ocean View Avenue. (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building / Grading Permits Issuance	
14		WR1 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
15		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p>	<p>Compliance to be verified by building inspector at final inspection.</p>	Owner/ Applicant	Prior to final building inspection/occupancy	
16		<p>WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p>	<p>Submit the Water Release Form to the Water Resources Agency for review and approval.</p>	Owner/ Applicant	Prior to issuance of any building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
17		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Carmel Highlands Fire District.</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection	
18		<p>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</p> <p>Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety...</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. Responsible Land Use Department: Carmel Highlands Fire District.	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
19		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. Responsible Land Use Department: Carmel Highlands Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner Applicant or owner	Prior to issuance of building permit. Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
20		FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD & PEBBLE BEACH CSD) All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. Responsible Land Use Department: Carmel Highlands Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
21	2	<p>MITIGATION MEASURE #1 – ARCHAEOLOGICAL MONITORING</p> <p>The contractor shall sign and record an agreement created by an Archaeologist informing them of the potential for incidental impacts and requirements to contract the archaeologist for monitoring during earth disturbing activities associated with new construction on the parcel, such as grading, foundation excavations, etc. The monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. (RMA – Planning)</p>	<p>The applicant shall provide the Director of Planning with a copy of a recorded agreement containing recommendations for protection of incidental impacts to potentially significant resources including any measures necessary to be in place and in good order through construction and the requirement of an Archaeological monitor on site during earth disturbing activities.</p> <p>The applicant shall provide evidence of the presence of the Archaeologist on-site during demolition of existing structures and earth disturbing activities.</p>	<p>Owner/ Contractor / Archaeologist</p> <p>Owner/ Contractor / Archaeologist</p>	<p>Prior to issuance of grading or building permits</p> <p>Prior to final grading inspection</p>	

Exhibit E

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

SEP 24 2007

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Dale Skeen & JoMei Chang
File Number:	PLN060735
Owner:	Dale Skeen & JoMei Chang
Project Location:	26327 Scenic Road Carmel
Primary APN:	009-442-013-000
Project Planner:	Craig Spencer
Permit Type:	Combined Development Permit
Project Description:	COMBINED DEVELOPMENT PERMIT CONSISTING OF; 1) A COASTAL ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY 2,950 SQUARE FEET SINGLE FAMILY DWELLING WITH A 545 SQUARE FEET ATTACHED GARAGE AND 990 CUBIC YARDS OF CUT; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 750 FEET OF A KNOWN ARCHAEOLOGICAL RESOURCES; AND 3) DESIGN APPROVAL.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	Monterey County Board of Supervisors
Responsible Agency:	County of Monterey
Review Period Begins:	September 24, 2007
Review Period Ends:	October 24, 2007

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 West Alisal St, 2nd Floor, Salinas, CA 93901 (831) 755-5025

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT
168 WEST ALISAL, 2ND FLOOR, SALINAS, CA 93901
(831) 755-5025 FAX: (831) 757-9516



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION MONTEREY COUNTY ZONING ADMINISTRATOR

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Skeen & Chang, File Number PLN060735) at 26327 Scenic Road Carmel (APN 009-442-013-000) (see description below). The project involves the construction of a new single family residence. The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2nd Floor, Salinas, California. The Zoning Administrator will consider this proposal at a meeting on **November 8, 2007 at 1:30PM** in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from **September 24, 2007 to October 24, 2007**. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of; 1) A Coastal Administrative Permit to allow the construction of a new two-story 2,950 square feet single family dwelling with a 545 square feet attached garage and 990 cubic yards of cut; 2) A Coastal Development Permit to allow development within 750 feet of a known archaeological resources; and 3) Design Approval.

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

CEQAcomments@co.monterey.ca.us

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at **(831) 757-9516**. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

For reviewing agencies: The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey
Resource Management Agency – Planning Department
Attn: Mike Novo, Interim Director of Planning
168 West Alisal, 2nd Floor
Salinas, CA 93901

Re: Skeen & Chang; File Number PLN060735

From: Agency Name: _____
Contact Person: _____
Phone Number: _____

- ____ No Comments provided
____ Comments noted below
____ Comments provided in separate letter

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 copies)—include Notice of Completion
2. CalTrans – San Luis Obispo office
3. California Coastal Commission
4. County Clerk's Office
5. Association of Monterey Bay Area Governments
6. Carmel Central School District
7. California American Water Company
8. Pacific Gas & Electric
9. Pacific Bell

10. Monterey Bay Unified Air Pollution Control District
11. City of Carmel
12. Carmel Highlands Fire Protection District
13. Monterey County Agricultural Commissioner
14. Monterey County Water Resources Agency
15. Monterey County Public Works Department
16. Monterey County Parks Department
17. Monterey County Division of Environmental Health
18. Monterey County Sheriff's Office
19. Dale Skeen & JoMei Chang, Owners
20. International Design Group, Agent
21. Property Owners within 300 feet (Notice of Intent only)

IX. REFERENCES

1. Project Application and Plans (PLN070025)
2. Monterey County General Plan (1982 as amended)
3. Monterey County Coastal Implementation Plan Part 1 (Title 20)
4. Carmel Land Use Plan
5. Coastal Implementation Plan Part 4
6. Site visit by planner April 12, 2007
7. Monterey County Planning Department GIS system and selected property report for Assessor's Parcel Number 009-463-011-000
8. Geological Report prepared by CapRock Geology, Inc. (dated February 5, 2007)
9. Preliminary Cultural Resources Reconnaissance prepared by Archaeological Consulting (November 2, 2006)
10. Phase One Assessment prepared by Circa: Historic Property Development (January 8, 2007)
11. Phase Two Historic Assessment prepared by Circa: Historic Property Development (June 28, 2007)
12. "2004 Air Quality Management Plan" and "CEQA Air Quality Guidelines , July 2004" prepared by the Monterey Bay Unified Air Pollution Control District
13. Monterey County Historic Resources Review Board Resolution and minutes (September 6, 2007)

X. ATTACHMENTS

1. Site Plan and Elevations (dated February 18, 2007 and revised pages P2. P3. and P4 dated August 20, 2007)
2. Monterey County Historic Resource Review Board Resolution for approval.

MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT
168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901
PHONE: (831) 755-5025 FAX: (831) 755-9516



INITIAL STUDY MITIGATED NEGATIVE DECLARATION

I. BACKGROUND INFORMATION

Project Title: Skeen & Chang

File No.: PLN060735

Project Location: 26327 Scenic Road Carmel

Name of Property Owner: Dale Skeen & Jo Mei Chang

Name of Applicant: International Design Group

Assessor's Parcel Number(s): 009-442-013-000

Acreage of Property: 4,700 Square Feet \approx .11 acres

General Plan Designation: Residential

Zoning District: MDR/2-D (18) (CZ)

Medium Density Residential/ 2 units per acre-with a design control overlay zoning district and an 18 foot height limit in the Coastal Zone

Lead Agency: Monterey County Resource Management Agency – Planning Department

Prepared By: Craig W Spencer (Project Planner)

Date Prepared: June 2007

Contact Person: Craig W. Spencer

Phone Number: (831) 755-5233 spencerc@co.monterey.ca.us

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

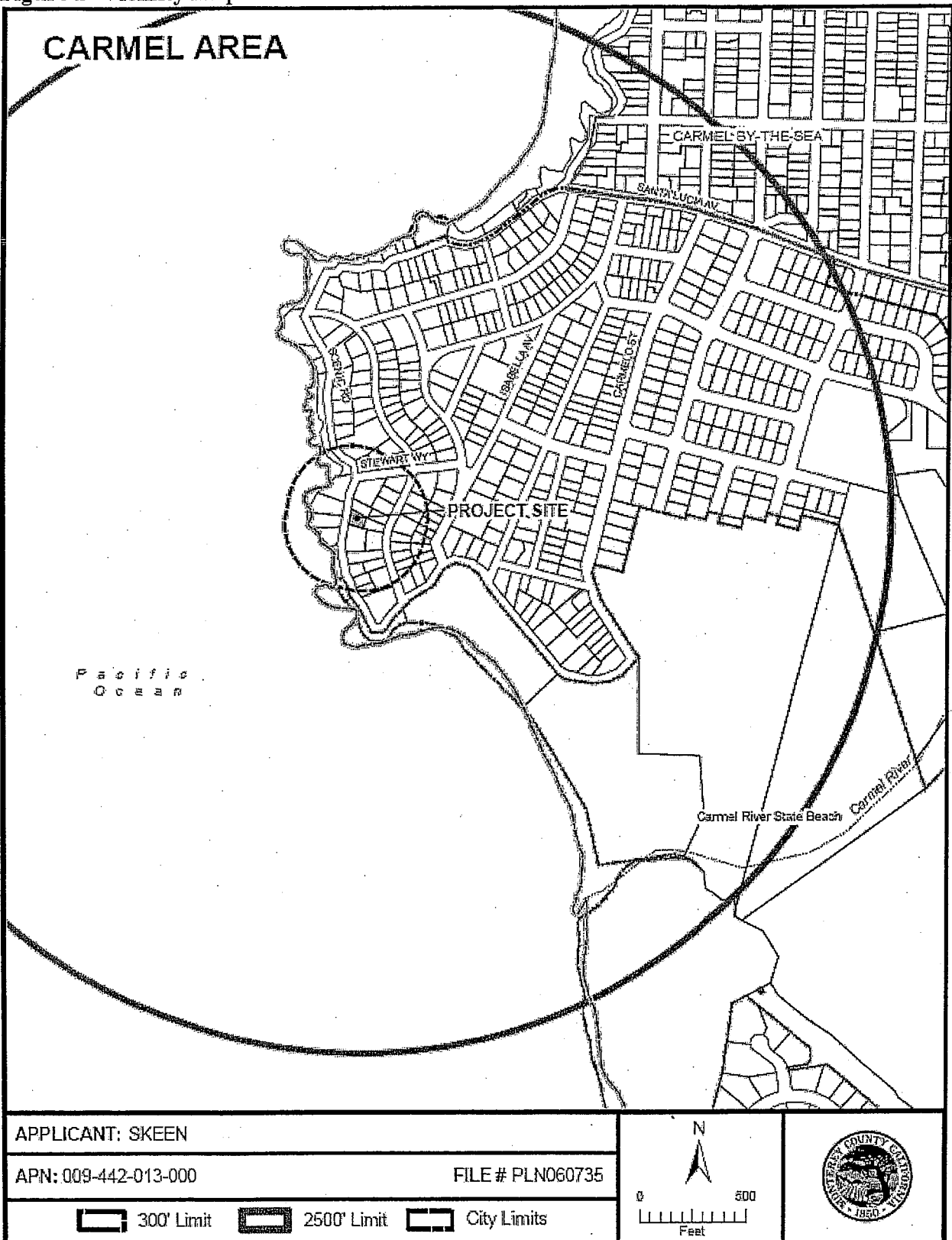
A. Project Description: The proposed project entails the construction of a new 2,072 square foot, 3-story single family dwelling including an attached garage on the lower level/basement and approximately 280 linear feet of retaining walls. The project calls for 990 cubic yards of cut/excavation for the driveway access to the garage, basement, and finish grade elevations. Three to four feet high retaining walls are proposed to surround the property on the North, South, and East. A terrace is formed off the main floor, by the two tiered retaining walls at the rear. Another terrace is proposed at the front entry, connecting to the driveway. The colors and materials will consist of Spanish clay tile roof, copper gutters and down spouts, beige stucco with stone veneer and exposed wood details, dark green metal clad doors and windows, and painted wrought iron railings.

B. Environmental Setting and Surrounding Land Uses: The project site is located on Scenic Road between Stewart Road and Ocean View Avenue in Carmel. Scenic Road is a designated scenic corridor that runs from the city of Carmel by the Sea to Carmel River State Beach along the Pacific Ocean (Reference 4). To the west of Scenic Road are sandy beaches, rock outcroppings, and blue water views with a few single family dwellings. To the east of Scenic Road is a medium density residential neighborhood. The project site is a vacant 4,700 square feet in-fill lot, located to the east of Scenic Road, on the Carmel River State Beach (southern) end, approximately 200 feet inland from the Pacific Ocean (Reference 6). Located in the Carmel Point area the site is high in archeological sensitivity (Reference 4). Vegetation on the site is highly disturbed and consists of mowed grasses and brush (see Figure 2 below). The surrounding area is also disturbed with improvements of single family dwellings and roadways, including dwellings located to the West across Scenic Road. Topographically the site is relatively flat, gently sloping to the West at an average slope of approximately 7 percent. Loose top soil in the area provides for potential erosion hazards if not properly controlled (Reference 8). The property will be served by public utilities including water, sewer and electric. Other characteristics not mentioned have little or no significance such as proximity to agricultural lands (See section IV below).

Figure 1- View from Scenic Road



Figure 2- Vicinity Map



III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input checked="" type="checkbox"/>

General Plan / Local Coastal Program – LUP

The proposal was reviewed for consistency with the Carmel Land Use Plan and the Coastal Implementation Plan Parts 1 & 4. The property is located within the Medium Density Residential land use designation, which allows 2 units/acre and is suitable for the proposed use. The only policy area that is not addressed by the Local Coastal Program cited above is Noise Hazards. As such, the County considers consistency with General Plan noise policies for projects in the coastal zone. The project is consistent with these General Plan policies, as explained below in section IV.A.8. Potential Impacts were identified regarding aesthetics due to the visibility of the project from Scenic Road which is a designated scenic roadway in the Carmel Land Use Plan (see section VI.1 below), cultural resources due to the project location relative to known archeological resources (see section VI.5 below), and geology and soils due to the proximity to the Cypress Point Fault line, erodible soils, and proposed grading excavation in proximity to adjacent properties (see section VI.6 below). The project was found to be consistent with other development standards and policies provided in the Local Coastal Program (LCP) (see section IV below).

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | | |

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

- ☐ Check here if this finding is not applicable

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

EVIDENCE: Many of the above topics on the checklist do not apply. Less than significant or potentially significant impacts are identified for cultural resources, aesthetics, geologic and soils. Mitigation measures are provided as warranted. The project will have no quantifiable adverse environmental effect on the categories not checked above, as follows:

1. Agricultural Resources. The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance and project construction would not result in conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract. The project site is located within an urban area and is not located adjacent to agriculturally designated lands. *Therefore, the proposed project would not result in impacts to agricultural resources.* (Source: IX.1, 2, 3, 4, 5, 6, & 7)
2. Air Quality. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) prepared the Air Quality Management Plan (AQMP) for the Monterey Bay Region. The AQMP addresses the attainment and maintenance of State and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB). Grading of the project site will result in minor increases in emissions from construction vehicles and dust generation. The MBUAPCD's CEQA Air Quality Guidelines outline a threshold for construction activities with potentially significant impacts for PM-10 to be 2.2 acres of excavation-type (intensive) soil disturbance a day. As the disturbance area is significantly less than 2.2 acres for this project and grading will entail approximately 990 cubic yards, it has been judged not to constitute a potentially significant impact. Generally, in the long-term, the primary source of air emissions is vehicular traffic. The development on the project site for a single family home will be in accordance with the AMBAG population projections, which is accommodated in the AQMP. *Therefore, the proposed project will not have a significant adverse impact upon air quality.* (Source: 1, 2, 4, & 10)
3. Biological Resources. The proposed site does not contain any environmentally sensitive habitat areas. In addition there are no trees proposed for removal. The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a sensitive or special status species and would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. (Sources II.B and IX.1, 4, 5, 6, & Figure 1 above). *Therefore, no impact on biological resources is anticipated as a result of the project.*
4. Hazards/Hazardous Materials. The proposal involves residential development where there would be no use of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. The project, given the nature of its proposed use (one single-family residence), would not involve the transport, use, or disposal of any hazardous materials. There are no known hazards or hazardous materials associated with this project. The proposed residence would not involve stationary operations, create hazardous emissions or handle hazardous materials. The site location and scale have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip. The Carmel Highlands Fire Protection District reviewed the project application and recommended conditions of approval regarding fire safety, including a fire sprinkler system (Source: IX.1, 2, 3, 4, 5, 6, & 7). *Therefore, the proposed project would not result in impacts related to hazards/hazardous materials.*

5. Hydrology/Water Quality. The proposed project will not violate any water quality standards or waste discharge requirements. The Coastal Implementation Plan Part 4 Section 20.146.050E4 requires that an erosion control plan be prepared by a registered civil engineer for development in the Medium Density Residential areas of Carmel. The erosion control plan must contain detailed plans and measures to retain on site stormwater runoff resulting from a 20-year recurrence interval storm. Further discussion on erosion is contained in the Soils and Geology section below (VI 6). The erosion control and stormwater retention plan will ensure that the drainage pattern at the site will not be substantially altered. There is no water course, stream or river on site. The site is not located within the 100 year floodplain and the property is served by all public utilities, including public sewer (Carmel sanitary sewer district) and water (California American Water Co.). The Monterey County Water Resources Agency and Environmental Health Division have reviewed the project application and as conditioned deemed that the project complies with applicable ordinances and regulations. (Source: IX.1, 2, 4, & 5). *Therefore, the proposed project would not result in any negative impacts related to hydrology/water quality.*
6. Land Use/Planning The project will not disrupt, divide, or otherwise have a negative impact upon the existing neighborhood or adjacent properties. The parcel is zoned for medium density residential use and the project as proposed meets all the site development standards including the 18 foot height limit. There is no evidence that the project would conflict with any applicable habitat or natural community plans. The project was reviewed by the Monterey County Resource Management Agency-Planning Department and found to be consistent with the Certified Local Coastal Plan.(Source: IX. 1, 2, 3, 4, 5, 6, &7). *Therefore, the proposed project will not have a negative impact to the neighborhood, adjacent properties or the County of Monterey.*
7. Mineral Resources. No mineral resources have been identified or would be affected by this project (Source: IX. 1, 4, 5, 6, & 7). *Therefore, the proposed project would not result in impacts to mineral resources.*
8. Noise. The construction of one single-family home within a residential area would not be exposed to noise levels that exceed standards and would not substantially increase ambient noise levels. The project site is not located in the vicinity of an airport or private airstrip. The project is located within a residential neighborhood and consists of the construction of one single family dwelling. The project is in compliance with Monterey County Division of Environmental Health noise standards. The Health Department has reviewed and approved the proposal without conditions. There is no evidence that the persons residing or working near the project site would be significantly impacted by noise related to this project. Temporary construction activities shall comply with the County's noise requirements, as required in the County Code, Chapter 10.60. (Source: IX.1, 2, 4, & 5). *Therefore, the proposed project would not result in impacts to noise.*

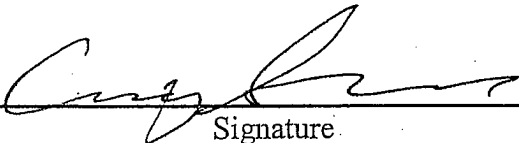
9. Population/Housing. The proposed project would not induce substantial population in the area, either directly through the construction of one single-family home within a residential area or indirectly as no new infrastructure would be extended to the site. The project would not alter the location, distribution, or density of human population in the area in any significant way, or create a demand for additional housing (Source: IX.1, 2, 4, & 6). *Therefore, the proposed project would not result in impacts related to population and housing.*
10. Public Services. The proposed project consists of the construction of one new single-family home which is being served by public services and utilities. The project would have no measurable effect on existing public services. The Monterey County Water Resources Agency, Monterey County Public Works Department, the Environmental Health Division, and the Carmel Highlands Fire Protection District have reviewed the project. These agencies provided comments on the project, which are incorporated into the project as conditions of approval. None of the County departments / service providers indicated that this project would result in potentially significant impacts (Source: IX.1, 4, & 5). *Therefore, the proposed project would not result in impacts related to public services.*
11. Recreation. The proposed project would result in the construction of one new single-family home on a vacant lot. The project would not result in an increase in use of existing recreational facilities that would cause substantial physical deterioration. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project (Source: IX.1, 4, 5, & 7). *Therefore, the proposed project would not result in impacts related to recreation.*
12. Transportation/Traffic. The development of a single-family dwelling on an existing lot of record will not generate a significant increase in traffic movements. The County Department of Public Works has reviewed the project and has recommended only a standard condition of approval for encroachment of a new driveway onto Scenic Road, a County road. The project is not located along a proposed trail as mapped in the County's Carmel Area Trail Plan (Source IX. 1, 2, 4, & 5). *Therefore, the proposed project would not result in impacts related to traffic.*
13. Utilities/Services. The proposed project consists of the construction of a single family home with public utilities and services provided by California American Water Company and the Carmel Sanitary Sewer District. A new single family dwelling will not cause a significant increase nor exceed the capacity of the utilities and services being provided. The County Department of Public Works has reviewed the project and has recommended only a standard condition of approval for encroachment. Monterey County Water Resources agency recommended as a condition of approval that, prior to issuance of building permits proof of water availability on the property in the form of an approved Monterey Peninsula Water Management District Water Release Form must be obtained. This lot has been allocated one half (1/2) acre feet of water based on a

purchase of water credits from Robles Del Rio in 1998. (Source IX. 1, 4, 5, & 12).
Therefore, the proposed project would not result in impacts related to utilities/services.

B. DETERMINATION

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

Craig W. Spencer

Printed Name

9/17/07
Date

Assistant Planner

Title

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

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

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source:1,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source:1,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source:1,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Aesthetics

The existing parcel is a legal lot of record created by Addition Number 7 to Carmel-By-The-Sea in 1908. The proposed dwelling will be located in the viewshed because of its visibility from Scenic Road which is a designated scenic corridor and major public viewing area. The vacant parcel is located in a residential neighborhood with other dwellings of similar size and character making up much of the view on the eastern side of Scenic Road (Key Policies 2.2.2 and 4.1.1 Carmel LUP).

Conclusion:

Aesthetics 1(a) & (b) – No Impact

The project will not obstruct views from scenic vistas, blue water, and sandy beaches from major public viewing areas, nor will it damage scenic resources or significant landmarks. The project is

surrounded by single family dwellings that are the dominant scenery to the east of Scenic Road. The views from Scenic Road are made up of 180 degree views of blue water, sandy beaches, and rock outcroppings with a small number of single family dwellings to the west of the road. To the east are residential neighborhoods with a variety of architectural designs, features, and materials. These views will not be affected by the proposed project. There is no indication that views of any significant landmarks or resources would be impacted. The design of and color scheme are consistent with the Carmel Coastal Implementation Plan and the surrounding neighborhood (Source IX. 1, 4, 5, 6, & 7). *Therefore the project will have no impact on scenic vistas or resources.*

Aesthetics 1(c), (d) - Less Than Significant Impact

The proposed building site is located on an existing parcel that is visible from Scenic Road, which is a designated scenic roadway. The project would result in the construction of a new single family residence. The height of the proposed residence meets the 18 foot height limit restriction required in the parcel's zoning district shown on Monterey County zoning maps. The project is located in a residential neighborhood with other dwellings of similar size and character making up much of the view on the eastern side of Scenic Road. The project will harmonize with the existing character of the neighborhood and blend with the scenery using natural earth toned colors. The lighting will be required to meet the basic viewshed policy of minimum visibility required by LCP policies. The Coastal Implementation Plan Part 4 (CIP) 20.146.030C requires exterior lighting to be unobtrusive and harmonious with the local area, off site glare will be minimized using low wattage, down lit lighting that illuminates only the area intended. Implementation will be through Monterey County Planning Department's standard visually sensitive exterior lighting conditions. In addition all utilities will be required to be located underground per the CIP, visual standards 20.146.030B (also a standard condition). The project building site does not contain 30% slopes, is not on the crest of a hill and would not result in ridgeline development. The lot is 4,700 square feet and there is no alternative location on the lot that would minimize visibility. There are no trees or significant vegetation existing on the lot that would help screen the proposed dwelling and requiring screening of the proposed dwelling would not be consistent with the neighborhood (Source IX.1, 2, 3, 4, 5, & 6). *Thus, the project would have a less than significant impact related to aesthetics.*

2. AGRICULTURAL 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.

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source:1,2,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source:1,2,3,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section II and IV

3. AIR QUALITY

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

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan? (Source:1,2,4,5,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source:1,2,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source:1,2,4,5,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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
d) Result in significant construction-related air quality impacts? (Source:1,2,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source:1,2,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source:1,2,4,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source:1,2,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source:1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source:1,2,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

5. CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source:1,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source:1,4,5,7,9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source:1,4,5,7,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source:1,4,5,7,9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Cultural Resources

The subject property is located within a "high" archaeological sensitivity zone. Pursuant to Section 20.146.090, an archaeological survey is required for a development within a high archaeological sensitivity zone as mapped on current county resource maps. A Preliminary Cultural Resources Reconnaissance prepared by Archaeological Consulting, dated March 25, 1999 concluded that the project area contains a potentially significant archaeological resource. Staff requested an updated Archaeological Report for the current project. An updated report, dated January 17, 2007, by Archaeological Consulting, indicates, based on testing performed in 1999 that construction should be allowed to proceed without further archaeological investigation; however, a possibility still exists that, during construction, previously unidentified or unexpected

resources may be discovered. Due to this potential, mitigation measures are recommended (Key Policies 2.8.2).

Conclusion:

Cultural Resources 5(a) - No Impact.

The proposed project includes construction of a new single family dwelling on a vacant lot. There are no identified historic resources on adjacent properties (Source IX. 1 & 6).

Cultural Resources 5(c)– Less than Significant Impact

Archaeological testing by Gary Breschini in 1999 discovered a few fragments of *Mytilus* (mussel) and *Haliotis* (abalone) shell. No other materials frequently associated with prehistoric cultural resources were found nor are likely to occur at the site (Reference 9). There is no indication that the project site contains any unique geological features (Reference 6, 8, & 9). While there are no significant impacts to paleontologic resources foreseen, recommended mitigation measures applied due to the potential archaeological impacts will provide a safeguard for unexpected paleontological resources encountered during construction (See 5(b) & 5(d) below)

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

County records identify the project site as being high in archeological sensitivity (Reference 4 & 7). An archaeological reconnaissance conducted for the project indicated a previously recorded archaeological site in the vicinity of the proposed project. Archaeological testing was performed on the site in 1999 by Gary Breschini of Archaeological Consulting. Results of the testing consisted of modern day building materials and other “trash” at a depth of 10 to 20 centimeters; 20 to 30 centimeter depths were found to be “culturally sterile”. Some evidence of was found that Native Americans may have once inhabited the area but none of the evidence found on this lot was determined to be significant and no resources suitable for radiocarbon dating were recovered. The most recent report concludes construction should not be delayed for archaeological reasons; however, the possibility exists that previously unidentified or unexpected resources may be discovered. For this reason mitigation measures are recommended to reduce potential impacts to resources to a less than significant level (Source IX. 1, 4, 5, 7, & 9).

Recommended Mitigation:

Mitigation Measure #1: Require the contractors to sign and record an agreement created by an Archaeologist informing them of the potential for incidental impacts and requirements to contract the archaeologist for monitoring during earth disturbing activities associated with new construction on the parcel, such as grading, foundation excavations, etc. The monitor should have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features.

Monitoring Action #1A: Prior to issuance of a Building Permit, the applicant shall provide the Director of Planning with a copy of a recorded agreement containing recommendations for protection of incidental impacts to potentially significant resources and the requirement of an Archaeological monitor on site during earth disturbing activities. The applicant shall provide

evidence of the presence of the Archaeologist on-site during demolition of existing structures and earth disturbing activities including any measures necessary to be in place and in good order through construction. The report shall be certified by the Archaeologist, and submitted on a monthly basis until all earth work has been completed.

Mitigation Measure #2 Because of the possibility of unidentified (e.g., buried) cultural resources being found during construction, a standard County condition of approval will be included for the project that requires construction to be halted if archaeological resources or human remains are accidentally discovered during construction with evaluation by a qualified professional archaeologist and the following steps shall be taken: There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until (a) The coroner of the county in which the remains are discovered is contacted to determine that no investigation of the cause of death is required, and (b) if the coroner determines that remains to be Native American:

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

Monitoring Action #2A. During the course of construction the applicant shall provide the Director of Planning with a monthly report prepared by the Archaeologist confirming that no intact cultural features, potentially significant cultural materials or human remains were found on the subject property. If there is a find, no work shall continue until the find can be evaluated and/or recovered for identification, possible analysis and curation, and appropriate mitigation measures formulated and implemented. The designated Most Likely Descendant of any found human remains will provide recommendations for mitigation of Native American human remains.

6. GEOLOGY AND SOILS		Less Than Significant			
Would the project:		Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source:1,4,5,7,8) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking? (Source:1,4,5,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source:1,4,5,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides? (Source:1,6,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil? (Source:1,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source:1,4,5,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source:1,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Geology and Soils

Located in the unincorporated area of Carmel near the City of Carmel, the project site is located near potentially active faults and is subject to seismic related shaking. The site soils are erodible needing drainage and erosion control measures to be incorporated in the project. Support of adjacent properties during excavation must be addressed due to the proposed design requiring new, lower elevations for finish grades and a basement in combination with the small lot size and existing setbacks from neighboring properties (Key Policies 2.7.2).

Conclusion:

Geology and Soils 6(a-i, iii, & iv), (d), & (e) - No Impact

A Geotechnical and Geological Hazard Report, prepared by Grice Engineering and Geology Inc. in January 2007, was submitted for the proposed project. Based on site investigations by the engineer including visual inspection and boring indexes, the report states that "risks from ground rupture at the site are low." Liquefaction and lateral spreading were determined to have a low potential of occurrence, due to the soils on the site not having properties normally associated with these situations. Since the site is relatively flat and not in close proximity to significant slopes there is no potential for adverse impacts from landslides. The project will be served by the Carmel Sanitary Sewer District so the adequacy of the soil for sewage disposal is irrelevant. (Source IX. 1, 6, 7, & 8) *Therefore, the project will not be impacted, or have an impact to these categories of geology and soils.*

Geology and Soils 6(c) – No Impact

The project includes excavation/cut slopes for proposed finish grade elevations and a basement of up to 12 vertical feet. Required setbacks of the surrounding community and existing locations of structures provide a five feet minimum setback from the property line. Large cut slopes near the property line were identified as a potential hazard. This concern was addressed in the Geotechnical and Geologic Hazards report submitted for the proposed project prepared by Grice Engineering and Geology Inc. dated January 2007 stating, "Consideration in the design and construction of these walls will need to be taken relative to the support of adjacent property during construction." Subsequently the project was revised and a light well was eliminated leaving a four feet cut for retaining walls and new finish grade near the property line (five feet from the adjacent dwelling) and a setback of five feet from the property line to the proposed basement excavation for a total of ten feet from basement cut to the adjacent dwellings. The Geotechnical Engineer revisited the potential impact at the request of the Planning Department and prepared a follow up letter that states "As reviewed we find no reason for further site evaluation provided that Best Management Practices are utilized in the construction. Such methods will ensure that no significant impact will be incurred to adjacent properties due to the proposed construction." Best Management Practices (BMP's) will be recommended as a condition of approval for the permit. BMP's will include the following; All recommendations contained in the geotechnical report including, observation and inspection from the geotechnical engineer, collaboration between structural, civil, and geotechnical engineer with the architect and contractor prior to grading activities, and temporary shoring if required, (Source IX. 1, 4, 5, 6, 7, & 8). *Therefore, with BMP's incorporated the soils conditions will not become unstable or result in collapse of adjacent structures.*

Geology and Soils 6(a-ii)– Less Than Significant Impact

The Carmel Land Use Plan defines high hazard areas to include zones 1/8 mile each side of active or potentially active faults. The project parcel is located approximately 0.15 miles from the Cypress Point Fault. Due to the project consisting of a new, habitable structure and in accordance with the Carmel Land Use Plan (2.7.3.1), a geotechnical and geological report were requested. The report discussed the risk associated with the site location and characteristics including soils suitability, tendencies, and seismic effects. Located in a seismically active region, strong seismic ground shaking will undoubtedly occur at the site in the future. The engineer, having taken into account the applicable information, has recommended that structures be designed and built in

accordance with the requirements of the Uniform Building Code's current edition, Seismic Zone IV, all buildings be founded on undisturbed native soils and/or accepted engineered fill, and that grading and foundation excavations be done under the direction of a qualified Soils Engineer or their representative with inspections done prior to form or reinforcement placement and again prior to placement of concrete. These are all standard construction techniques and do not result in potentially significant impacts. The recommendations for the report will be incorporated in the project through Monterey County Planning Department's standard conditions of approval. In addition it is the practice of the Monterey County Building Department to review designs for conformance with building codes, inspect work for compliance with codes and designs, and ensure compliance with geotechnical recommendations. The report concluded that the site is suitable, from a soil-engineering standpoint, for the proposed development provided the recommendations in the report are implemented. (Source IX 1, 4, 5, 7, & 8) *Therefore, the project will have a less than significant impact relating to strong seismic ground shaking.*

Geology and Soils 6(b) – Less Than Significant Impact

According to the Geologic and Soils Engineering Report submitted for the proposed project, the site soils are erodible and groundwater can be found approximately 14 feet below grade. Recommendations to address surficial soils include processing unacceptable soils as engineered fill or that the structure be supported in firmer soils found at depth. Runoff and water discharge will be controlled in accordance with the conditions of approval recommended by the Monterey County Water Resources Agency which requires submittal and approval of engineered drainage plans. Section 20.416.050E4 of the Carmel Coastal Implementation Plan (CIP) requires that an erosion control plan prepared by a registered civil engineer containing detailed plans of all erosion control devices and measures to be implemented to provide retention of sediment during grading, and storm water runoff resulting from a 20-year recurrence interval storm, be submitted and approved by RMA-Planning and the Water Resources Agency. The grading department of Monterey County requires erosion control plans and measures to be in place during the grading process when a grading permit is required. To address the possibility of encountering ground water, the geotechnical engineer recommends that structures embedded below the site surface be fully waterproofed and all subsurface walls be back drained away from the structure and pumped to an approved discharge system. These design features and discharge system are key aspects of the drainage plans required by Monterey County Water Resources Agency. Incorporating the soils report recommendations, conditions of approval from Water Resources, and general policies of the building and grading department throughout the project will reduce the potential impact of soil erosion to less than significant (Source IX 1 & 8).

7. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source:1,2,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source:1,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source:1,2,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source:1,2,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

8. HYDROLOGY AND WATER QUALITY

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? (Source:1,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source:1,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source:1,4,5,6,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source:1,6,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source:1,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:1,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source:1,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source:1,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
j)	Inundation by seiche, tsunami, or mudflow? (Source:1,4,5,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section II and IV

9. LAND USE AND PLANNING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Physically divide an established community? (Source:1, 2,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source:1,2,3,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source:1,4,5,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

10. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source:1,4,5,7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source:1,2,4,5,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

11. NOISE					
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source:1,2,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source:1,2,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source:1,2,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source:1,2,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source:1,2,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source:1,2,4,5,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

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

12. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

13. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source:1,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source:1,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

14. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source:1,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source:1,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

15. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source:1,2,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source:1,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Result in inadequate parking capacity? (Source:1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source:1,2,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

16. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source:1,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1,2,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: 1,4,5,6,7,9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: 1,2,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1,4,5,6,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Conclusion:

(a) Less Than Significant with Mitigation Incorporated

The proposed site does not contain any environmentally sensitive habitat areas. The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The project as proposed, conditioned, and mitigated will not have the potential to degrade the environment. Any potential impacts from construction may be to Cultural Resources. Mitigations are recommended to reduce potential impacts to cultural resources to a less than significant level using archaeological monitoring during earth disturbing processes (See Section VI, Number 5, Cultural Resources).

(b) No Impact

The project includes the placement of a single family dwelling on an existing legal lot of record, created through Carmel by the Sea addition number 7 subdivision in 1908. Development of this parcel was anticipated as the lot is within an approved subdivision and is zoned for residential use. Construction of the proposed project will not significantly increase population in the area, demand on utilities and services, increase in traffic and other cumulative subjects. The proposed project has been reviewed and found to be consistent with the Local Coastal Plan. There is no foreseeable or observable cumulative impact to the environment (Source: Sections II and VI above).

(c) No Impact.

There is no evidence in the record that the project will cause substantial effects to the environment that either directly or indirectly affect human beings (Source: sections IV and VI above).

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

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 Department of Fish and Game. 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 Department of Fish and Game determines that the project will have no effect on fish and wildlife resources

The Department of Fish and Game (DFG) was asked to consider a determination of "no effect" on fish and wildlife resources for the proposed development on the form prescribed by DFG.

Conclusion: The project **would not** be required to pay the fee

Evidence: The proposed site does not contain any environmentally sensitive habitat areas. The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The project as proposed and conditioned will not have the potential to degrade the environment (Source: IV 3 above and reference 11).

IX. REFERENCES

1. Project Application and Plans (PLN060735)
2. Monterey County General Plan (1982 as amended)
3. Monterey County Coastal Implementation Plan Part 1 (Title 20)
4. Carmel Land Use Plan
5. Coastal Implementation Plan Part 4
6. Site visit by planner July 31, 2007
7. Monterey County Planning Department GIS system and selected property report for Assessor's Parcel Number 009-442-013-000
8. Geotechnical and Geological Hazards Report prepared by Grice Engineering (dated January 2007) and follow up letter dated July 24, 2007
9. Preliminary Cultural Resources Reconnaissance (March 25, 1999) Updated Archaeological Reports (September 29, 1999 and January 17, 2007)
10. "2004 Air Quality Management Plan" and "CEQA Air Quality Guidelines , July 2004" prepared by the Monterey Bay Unified Air Pollution Control District
11. No Effect Determination Letter from the Department of Fish and Game
12. Water Resources Agency water allocation procedures and records (verified via phone correspondence)

X. ATTACHMENTS

1. Site Plan and Elevations (dated April 4, 2007)
2. Geotechnical and Geological Hazards Report prepared by Grice Engineering and Geology Inc dated January 2007
3. No Effect Determination Letter from the Department of Fish and Game

PLANNING INFO.

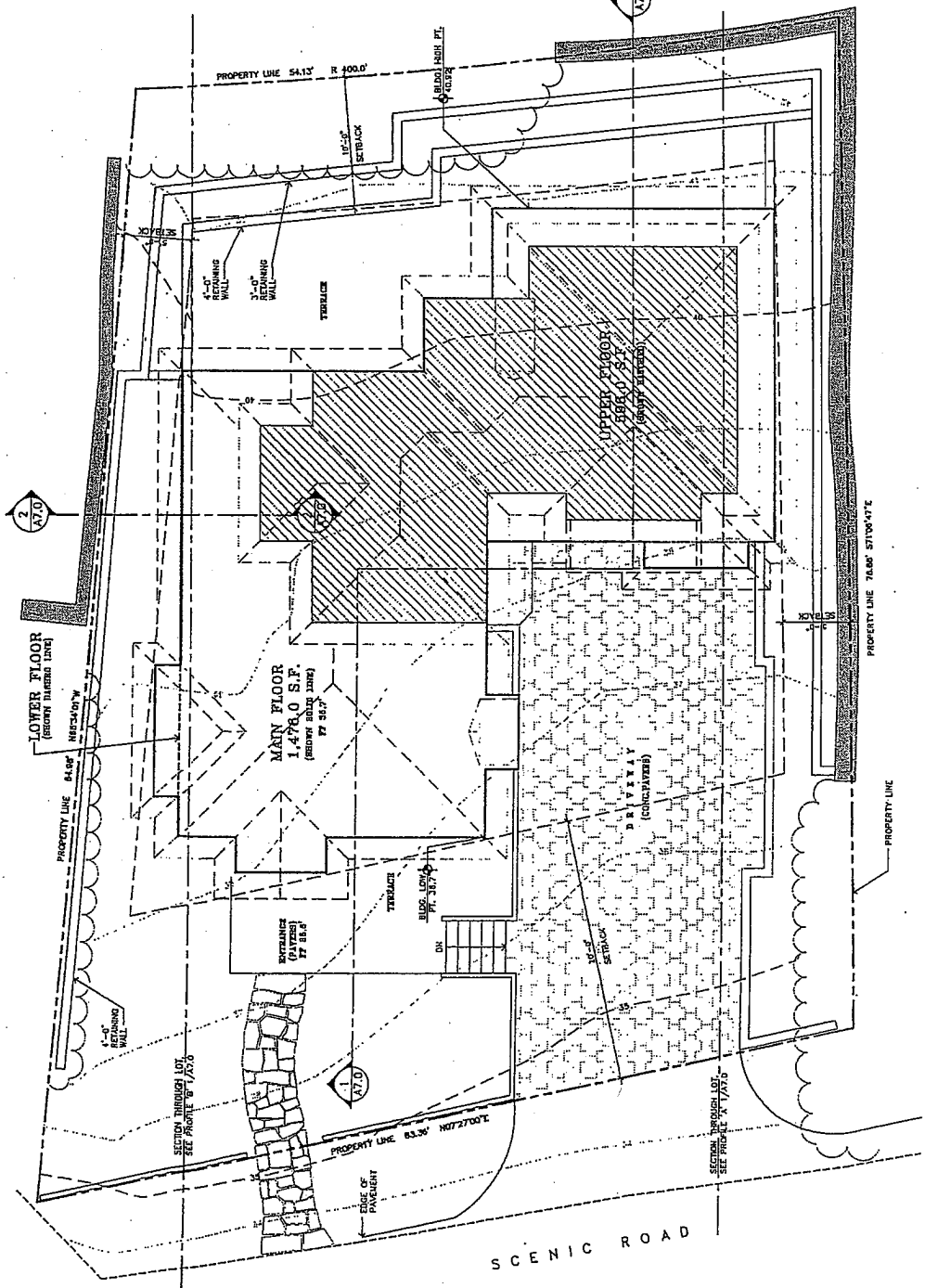
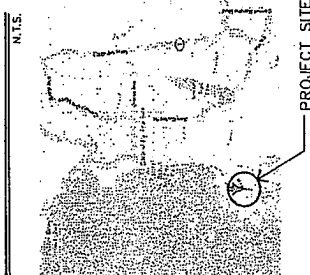
- PROPERTY OWNER: Dora Evans & John Chung
P.O. Box 7007 94038
(505) 332-8032
- PROJECT ADDRESS: 28327 SCENIC ROAD
CARMEL, CA
- PROJECT SCOPE: FAMILY RESIDENCE
WITH ATTACHED 2-CAR GARAGE
- OCCUPANCY: R3, U1
- CONEST TYPE: 1, 1A
- APN: 008-442-013-000
- LEGAL DESC: LOT 10 BLOCK B14
- ZONE: MUR/2 (10) (02)
- MAX BLDG. HT: 18 FT
- CRACKING: 800 DT CUT
- TREE REMOVAL: NONE
- TOPOGRAPHY: SLOPE
- PROJECT CODE COMPLIANCE: 1. 2001 - California Building Code
2. 2001 - California Energy Code
3. 2005 - California Energy Code
- LOT AREA: 4700 SF
- LOT COVERAGE CALCULATIONS:

PROPOSED	BUILDING (FOOTPRINT)	1,478 SF.
	UPPER FLOOR	595 SF.
	LOWER FLOOR	883 SF.
	TERACE	207 SF.
	TOTAL COVERAGE	1,478 SF.
	LOT COVERAGE ALLOWED	1,418 SF. (35%)
	LOT COVERAGE PROPOSED	1,478 SF. (31%)

PROPOSED	MAIN FLOOR	1,478 SF.
	UPPER FLOOR	595 SF.
	LOWER FLOOR	883 SF.
	CHANGE & ADDL	
	TOTAL	2,972 SF. (1,478 SF. (31%))

F.A.R. ALLOWED:	2.115 SF. (44%)
F.A.R. PROPOSED:	2.072 SF. (44%)

VICINITY MAP



1/4"=1'-0"

SITE PLAN

A1.0

PROJECT DATA	
SITE PLAN	
DATE	04-04-07
CLIENT REVIEW	
REVISIONS	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

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PROPOSED NEW RESIDENCE AT
28327 SCENIC ROAD
CARMEL, CA

THESE PLANS HAVE BEEN PREPARED BY THE ARCHITECT FOR THE CLIENT AND ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THESE PLANS, NOR FOR ANY CONSEQUENCES ARISING FROM THEIR USE. THE CLIENT AGREES TO HOLD THE ARCHITECT HARMLESS FROM ANY SUCH CLAIMS.

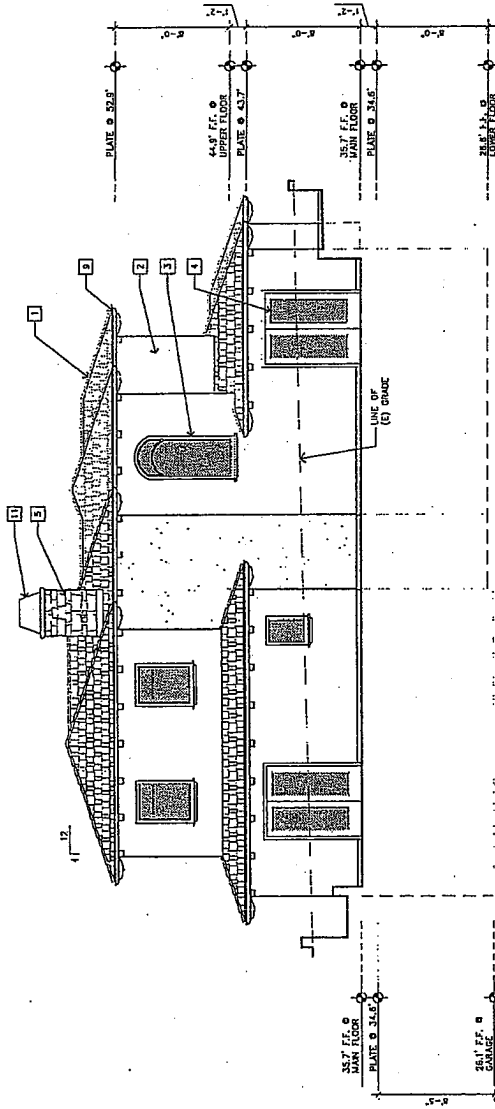
THESE PLANS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS. I AM A LICENSED ARCHITECT IN THE STATE OF CALIFORNIA, LICENSE NO. 12345. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR ANY OTHER PURPOSES. ANY REVISIONS TO THESE PLANS MUST BE APPROVED BY ME IN WRITING.

PROPOSED NEW RESIDENCE AT
26327 SCENIC ROAD
CARMEL, CA
26327 SCENIC ROAD

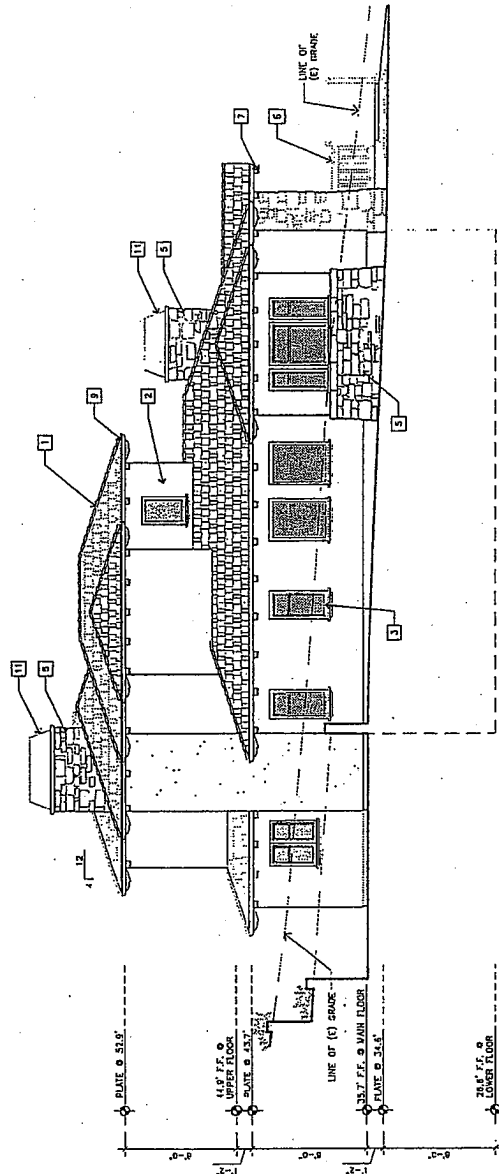
INTERNATIONAL DESIGN GROUP
ARCHITECTURE & INTERIOR DESIGN
JOHN S. MATTHEWS
JUNIOR, AIA
721 LICHTHOUSE AVE. # PACIFIC GROVE, CA 93950
TEL: (805) 461-1111 FAX: (805) 461-1112

DATE: 01-01-07
CLIENT REVIEW
REVISIONS:
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ELEVATIONS
A6.1

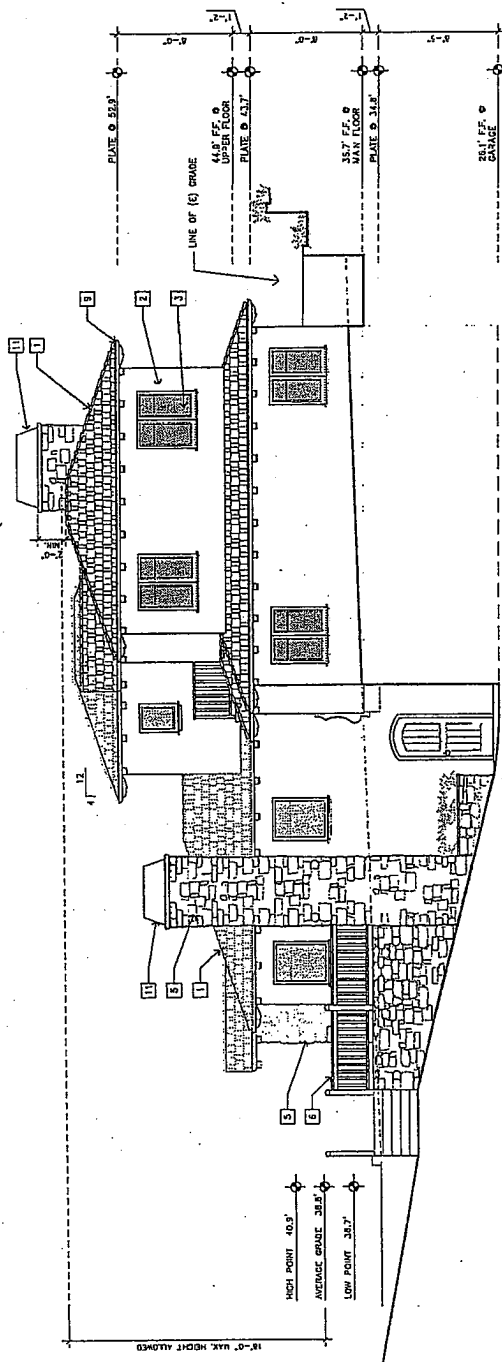


WEST ELEVATION

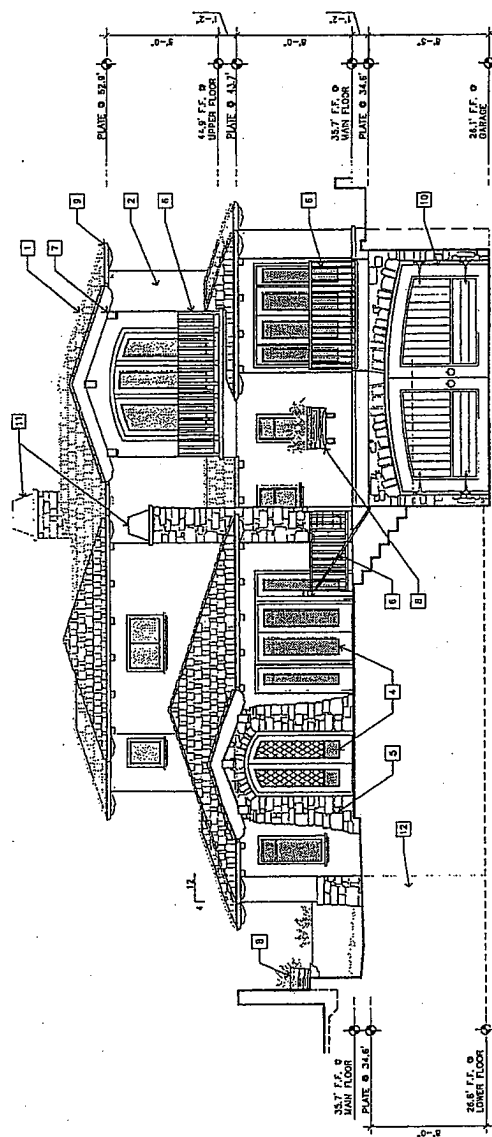


NORTH ELEVATION

- EXTERIOR FINISH LEGEND**
- 1 WOOD SHINGLE ROOF - CLASS 'X'
 - 2 EXTERIOR STUCCO
 - 3 METAL CLAD WOOD WINDOWS
 - 4 METAL CLAD WOOD DOORS
 - 5 STONE VENEER - CARMEL STONE
 - 6 POWDER COATED METAL HANDRAILS W/ FAUX FINISH
 - 7 STAINED WOOD BATTERS
 - 8 DECORATIVE WOOD PLANTER W/ COOPER LINING
 - 9 COOPER GUTTER AND DOWNSPOUT
 - 10 STAINED WOOD CABAGE DOOR
 - 11 COOPER CHIMNEY CAP
 - 12 LIGHT WELL



SOUTH ELEVATION



EAST ELEVATION

EXTERIOR FINISH LEGEND

- | | |
|----|--|
| 1 | WOOD SHINGLE ROOF - CLASS 'A' |
| 2 | EXTERIOR STUCCO |
| 3 | METAL CLAD WOOD WINDOWS |
| 4 | METAL CLAD WOOD DOORS |
| 5 | STONE VENEER - CARNEL STONE |
| 6 | POWDER COATED METAL HANDRAILS
W/ FLAID FINISH |
| 7 | STAINED WOOD RAILERS |
| 8 | DECORATIVE WOOD PLANTER
W/ COOPER LINING |
| 9 | COOPER BUTTER AND DOWNSPOUT |
| 10 | STAINED WOOD GARAGE DOOR |
| 11 | COOPER CHIMNEY CAP |
| 12 | LIGHT WELL |

REPORT
to
MR. ANATOLY OSTRETSOV
INTERNATIONAL DESIGN GROUP
721 LIGHTHOUSE AVENUE
PACIFIC GROVE, CALIFORNIA
93950

PLND60735
LIB07015
SPENCER

GEOTECHNICAL
and
GEOLOGICAL HAZARDS REPORT
for the proposed
RESIDENCE
26327 SCENIC ROAD
CARMEL-BY-THE-SEA, CALIFORNIA
A.P.N. 009-442-013

by

GRICE ENGINEERING, INC.
561-A BRUNKEN AVENUE
SALINAS, CALIFORNIA
JANUARY 2007

GRICE ENGINEERING AND GEOLOGY INC

ENGINEERING, GEOTECHNICS, HYDROLOGY, SOILS,
FOUNDATIONS, AND EARTH STRUCTURES

561A Brunken Avenue
Salinas, California 93901

Salinas: (831) 422-9619
Monterey: (831) 375-1198
FAX: (831) 422-1896

File No. 4943-07.01
January 24, 2007

Mr. Anatoly Ostretsov
International Design Group
721 Lighthouse Avenue
Pacific Grove, California 93950

Project: Proposed Residence
26327 Scenic Road
Carmel-by-the-Sea, California
A.P.N. 009-442-013

Subject: Geotechnical and Geological Hazards Report

Dear Mr. Ostretsov;

Pursuant to your request, we have completed our geotechnical investigation and evaluation of the above named site. It is our opinion that this site is suitable for the proposed development, provided the recommendations made herein are followed.

In general, the near surface soils are loose and will need to be taken into account during design and construction of the residence. In addition, consideration will need to be given to design and construction of the below grade retaining structures adjacent to the property boundaries. Recommendations are given relative to this and other characteristics within the report and especially under Special Recommendations.

The report contained herein is made with our best efforts to evaluate the site, determine the site's geotechnical conditions and provide recommendations for these conditions. We submit this report with the understanding that it is the responsibility of the owner, or his representative, to ensure incorporation of these recommendations into the final plans, and their subsequent implementation in the field.

File No. 4943-07.01
January 24, 2007
Page 2

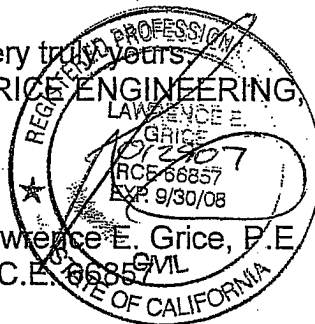
In addition, we recommend that GRICE ENGINEERING, INC., be retained to review the project plans and provide the construction supervision and testing required to document compliance with these recommendations. Should any site condition not mentioned in this report be observed, this office should be notified so that additional recommendations can be made, if necessary.

This report and the recommendations herein are made expressly for the above referenced project and may not be utilized for any other site without written permission of GRICE ENGINEERING, INC.

Please feel free to call this office should you have any questions regarding this report.

Very truly yours,
GRICE ENGINEERING, INC.

Lawrence E. Grice, P.E.
R.C.E. 66857



NOTICE TO OWNER

Any earthwork and grading performed without direct engineering supervision and materials testing by Grice Engineering and Geology Inc., will not be certified as complete and in accordance with the requirements set forth herein.

Foundations placed without observation of bearing conditions will not be certified as being in accordance with the requirements set forth herein.

Inspection of Work

It is recommended that all site work be inspected and tested during performance by this firm to establish compliance with these recommendations.

NOTIFY:	GRICE ENGINEERING INC.	SALINAS	(831) 422-9619
	561-A Brunken Avenue	MONTEREY	(831) 375-1198
	Salinas, California 93901	FAX	(831) 422-1896

A minimum of 48 hours (2 working days) notification is required prior to commencement of work so that scheduling for testing and inspections can be made.

Please be advised that costs incurred during inspection and testing of all site work is separate and not considered part of the fees as charged by Grice Engineering, Inc. for the report contained herein.

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**GEOTECHNICAL
and
GEOLOGICAL HAZARDS REPORT
for the proposed
RESIDENCE
26327 SCENIC ROAD
CARMEL-BY-THE-SEA, CALIFORNIA
A.P.N. 009-442-013**

Introduction, Method and Scope of Investigation

The purpose of this report is to evaluate the geotechnical properties of the site relative to the construction of a single family residence. From these findings recommendations are given for the design of the development and subsequent construction.

For this purpose, the site was investigated, and prior information concerning construction and subsurface exploration in this area was examined for soils and materials data. The investigation consisted of a detailed site evaluation, which included: a site inspection; a review of literature made available to GRICE ENGINEERING, INC., including Site Plans from International Design Group; geotechnical drilling and soil sampling; materials evaluation; and analysis of the geotechnical properties of the site soils. This report concludes the results of the investigation and provides recommendations based on that work.

The findings and recommendations contained in this report are applicable only to the above named site and its proposed development, and may not be utilized for any other site or purpose without written permission of GRICE ENGINEERING, INC.

Site Description

The project site, 26327 Scenic Road, is located to the northeast of Scenic Road, approximately 139 feet south of its intersection with Stewart Way, in Carmel-by-the-Sea, an un-incorporated area of Monterey County, California. Please refer to the Vicinity and Location Maps and the Site Map in Appendix A for details.

The approximately 4,700 square foot lot occupies a western facing marine terrace at an elevation of approximately 21 feet above mean sea level (USGS quad base). The lot is moderately sloped to the west and contains grasses and some bushes.

Currently the site is undeveloped. As planned a two story single family residence is to be placed centrally on the site, with a lower level including the garage with access to Scenic Drive by way of a concrete paver driveway. A light well/terrace for the lower floor is located to the north-northeast of the residence and will include the construction of a concrete retaining wall. As well, a series of terraces will be located to the rear of the residence. Due to the design of the residence a cut will have to be made to accommodate the construction of the lower floor including the driveway to the garage.

The residence with a foot print of approximately 1,440 square feet is to be of conventional wood construction above grade, masonry and concrete below grade, with raised wood floors and isolated and/or continuous spread footings. The approximately 545 square foot garage will have a slab-on-grade floor.

Field Investigation

Our field investigation consisted of a site inspection, along with drilling and sampling exploratory bores to establish the subsurface soil profile, and obtain sufficient soil specimens to determine the soil characteristics. Drilling was accomplished by continuous flight auger, with the spoil constantly examined, classified, and logged by field method in accordance with the Unified Soil Classification Chart¹.

In-situ samples were obtained by the penetration resistance method, (ASTM Method D1586), of driving a split barrel sampler a minimum of 18 inches into undisturbed materials by free dropping a 140 pound weight 30 inches. The number of blows required to drive the sampler were recorded in 6 inch increments, with the number of blows required to drive the sampler the last two increments taken as the penetration resistance. The split barrel sampler, with dimensions of 2.4" I.D. x 3.0" O.D., is provided with 1 inch tall brass ring liners for the purpose of returning the samples to the laboratory in as near *in-situ* condition as possible.

¹ Adopted 1952 by Corps of Engineers and Bureau of Reclamation

Laboratory Testing

Laboratory testing consisted of establishing the *in-situ* moisture content and dry density (ASTM D 2837-83) and unconfined penetration. Penetration Resistance values gained during the exploratory drilling are also included.

The following is a tabulation of the field and laboratory test result extremes:

TABLE 1		
SUMMARY OF SOIL PROPERTIES		
TEST	MAXIMUM	MINIMUM
Penetration Resistance	40 blows/foot	32 blows/foot
Unconfined Compression	9+ kips	6 kips
<i>In-Situ</i> Density	117.4 lbs/ft ³	108.4 lbs/ft ³
<i>In-Situ</i> Moisture	13.3 %	6.5 %

All data obtained is reported in Appendix B including the boring logs, with soil classified described at depth observed.

Site Soil Profile

As found in the exploratory drilling, the site soils are generally consistent between each of the bores.

The near surface native soils are fine to medium grained sands with trace to few amounts of silt. As observed they were loose and moist near the surface, increasing to damp and medium dense at depth.

At approximately five feet, the sands include a wider grain size with few amounts of gravel at depth. These deeper sands were observed generally damp to very damp with free water encountered in the first bore at 14 feet. These sands are considered medium dense to dense.

Weathered granitic bedrock was encountered at between 12 and 17 feet below grade. As observed in the first bore the granite is well weathered for the first several feet but becomes resistant with depth.

Complete soil characteristics and comments are reported on the boring logs at the depths observed. The logs are located in Appendix B.

Groundwater

Free groundwater was encountered in the first bore at a depth of 14 feet below grade. The bore is located at an elevation of approximately 39.5 placing the free water at an elevation of approximately 25.5 feet (as per elevations shown on the site plan). The other bores did not encounter free water.

GEOLOGIC AND GEOLOGICAL HAZARDS INVESTIGATION

Introduction

The purpose of this report section is to evaluate the site and surrounding areas to determine geologic characteristics and potential geologic hazards pertaining to site development and improvement.

In general this includes: the inspection and classification of local rock outcrops, a detailed site inspection for fault induced features or other potential hazards and a field evaluation of the local geology. A search of published and unpublished data was performed to collate geologic information as it pertains to this property. The literature review was extensive and consisted of comparing field observation with published data, analysis of site soil conditions, correlation of site observation with local hazard maps (ground failure, seismicity, dam failure and inundation, etc.) and an analysis of site seismicity.

The Vicinity and Location Map shows the location of interest, with the indication of the site.

Regional Geology

Geologically, the state of California can be separated into natural geomorphic provinces which reflect fundamental differences in both geography and geology. Monterey County is located in the Coast Range Province. This province consists of thick, folded, Cenozoic sedimentary rocks and a very distinctive triad of core rocks. The sediments are predominately sandstone, shale or mudstone and vary greatly depending on location. The core rocks of this province consist of three distinct late Mesozoic terrains: The Salinian Block, The Franciscan Series, and the Great Valley Sequence.

The Salinian Block is a complex of granite and high grade metamorphic rocks including: gneiss, schist, quartzite, marble and granulite. In this region the granite has been dated as early Cretaceous (C.O. Hutton, 1952). The Franciscan Complex is a heterogeneous assemblage of sandstone, siltstone, shale, volcanic greenstone and chert. It has undergone metamorphism, severe dislocation and pervasive shearing and is only exposed along the coast to the West of the Sur-Nacimiento Fault Zone and East of the San Andreas Fault Zone. The Great Valley Sequence extends along the East flank of the Coast Ranges near the margins of the Sacramento and San Joaquin Valleys and is a well ordered series of marine sandstone, shale, mudstone and conglomerate.

Site Geology

The site geology has been mapped by the California Division of Mines primarily Pleistocene-Holocene alluvium overlaying Mesozoic Grandiorite of the Salinian Block.

Our observation with the local geology is consistent with the above. Sediments are interpreted to be the result of alluvial outwash, shallow water deposits and eolian deposits. No rock outcrops were observed at the project site however bedrock was encountered in the exploratory bores.

The soils were observed medium dense to very dense and moist to wet. The granite was observed weathered at contact but resistant at depth.

Seismic History

Although no fault traces are thought to directly cross the building site, Monterey County is traversed by a number of both "active" and "potentially active" faults most of which are relatively minor hazards for the purposes of the site development. As such, this site will experience seismic activity of various magnitudes emanating from one or more of the numerous faults in the region.

Various maps presently exist, allowing observation on the site of distinctive geologic features. Some maps, such as that by Burkland and Associates (Reference 10) developed for Monterey County, are compilations from various sources detailing the locations of studied faults. Faults have inherent variances within their zones, and discoveries of new fault segments or entire faults is ongoing. There is also some difference in exact fault line location from source map to map, making precise location of said faults difficult. Therefore, relative to the information contained within this report, the following is considered to be as accurate as is currently possible from information made available to Grice Engineering Inc..

Active Fault Near-Source Zones

The Fault Maps as developed for the 1997 Uniform Building Code (California Department of Conservation, Division of Mines and Geology, February 1998) list faults and fault zones for the purpose of determining characteristics relative to seismic engineering. These maps indicate the position of active fault zones which are grouped in three categories, A, B & C, in decreasing influence. For this purpose an active fault is one which has tectonic movement in the last 11,000

years and as such is called a Holocene Fault. The following are the nearest listed zones.

The nearest A-type fault zone is that of the San Andreas Rift System (Pajaro), located approximately 30.2 miles (48.5 kilometers) to the northeast. It has the greatest potential for seismic activity with estimated intensities of VI-VII Mercalli in this location. This fault is listed as an A-type fault perpendicular to the site, however it is listed as B-type to the south.

The nearest B-type fault zones are the San Gregorio- Palo Colorado Fault Zone, the center of which is located approximately 3.8 miles (6.1 kilometers) to the southwest, the Monterey Bay-Tularcitos Fault Zone, approximately 4.7 miles (7.5 kilometers) to the northeast and the Rinconada Fault Zone, located approximately 13.4 miles (21.5 kilometers) to the northeast. These zones are not as liable to rupture as the San Andreas and a seismic event at either fault zone would likely produce earth movements of a lesser intensity at the site.

Local Faults

In addition to the fault zones as discussed above, the local fault as listed below, is as shown on the following maps, "Geologic Map of the Monterey Peninsula and Vicinity" (Reference No. 20), and "Faults and Earthquakes in the Monterey Bay Region, California" (Reference 26).

TABLE OF LOCAL FAULTS		
FAULT, PERPENDICULAR TO SITE	APPROXIMATE DISTANCE FROM SITE	DIRECTION
Cypress Point Fault	0.15 miles	northeast

This fault is considered "potentially active" and can be expected to produce seismic events. As this fault is short and localized, however, the energy release will be considerably less significant than any of the previously mentioned faults.

Major Earthquakes

Earthquakes with the highest intensities experienced in the area are the result of the 1906 San Francisco (Olema) and the 1989 Loma Prieta Earthquakes along the San Andreas Fault.

The epicenter of the 1906, 8.3 (Richter) earthquake was at Olema, approximately 120 miles north-northwest of the site. The intensity in the vicinity of this site was estimated to be between VII and VIII, Modified Mercalli Scale.

The Loma Prieta Earthquake of October 17, 1989, was centered in the Santa Cruz Mountains, approximately 30 miles northeast of the site. This Magnitude 7.1 (Richter) earthquake also developed an intensity of VI-VII within the vicinity of this site.

Seismic Hazards

- A: Ground Rupture; Surface rupture occurs during an earthquake when fault displacement breaks the ground surface along the historic trace of a fault. Our site investigation confirms there are no visible signs of fault induced features or indications to suggest that a fault directly crosses the site. In addition the granite basement was encountered in all bores indexing the site to the south of the Cypress Point Fault, the nearest known fault. Therefore, the risk from ground rupture at the site are low.
- B: Ground Failures; Ground failures are related to the intensity and duration of the shaking caused by an earthquake, as well as local conditions. A search of historic ground failure documentation indicates that no historic ground failures have occurred at or in the vicinity of the project site. Therefore, the risk from ground failures at the site are low.

The California Division of Mines and Geology considers four types of ground failures: (1.) Liquefaction, (2.) Lurch Cracking and Lateral Spreading, (3.) Landslides, (4.) Differential Compaction.

1. Liquefaction:

Liquefaction is the loss of strength in saturated granular soils produced by seismic shaking and is often accompanied by the surface occurrence of free water produced by sand boils. For this to occur, the soils must be saturated, at a relatively shallow depth, of a granular (non-cohesive) nature, and be relatively loose.

General liquefaction susceptibility based on depth to groundwater is as follows; if less than 10 feet, maximum possible susceptibility for liquefaction to occur is very high, depths from 9-30 feet have a moderate possible susceptibility and groundwater depths greater than 30 feet, liquefaction susceptibility is low.

Because the soils at the site of the proposed development are mostly unsaturated and of relatively high density, the site has a low potential for liquefaction.

2. Lurch Cracking and Lateral Spreading:

Soils shaken by an earthquake may settle, become compacted or slide which may produce cracks and fissures, such effects are called lurch cracking. Lateral spreading is the horizontal movement of soil masses caused by seismic waves, usually such movement is toward an open face or steep slope and occurs along a weakened strata of saturated soils.

As the soils at the proposed site are of sufficient strength and density and basement bedrock underlays the site at a relatively shallow depth, the site has a low susceptibility to the effects and damage from lurch cracking.

3. Landslides:

Landslides are generally mass movements of loose rock and soil, either dry or water saturated and are usually gravity driven. Obviously, steep slopes enhance such movements.

As only gradual slopes exist adjacent to the site and the soils strengths are high, the site generally has minimal potential from the threat of landslides.

4. Differential Compaction:

Differential Compaction is a loss of volume resulting from seismic ground shaking. Generally, for this to happen the site soils must be of low relative density and dilatant. Differential Compaction is more likely in water saturated, low density alluvial material, such as paleo-swamps and/or marshes, or strata of low density and of fine grained silts and sands.

The dense un-saturated nature of the site soils make differential compaction unlikely.

- C: Ground Shaking; Ground shaking is the soil columns response to seismic energy transmission. Intensity of ground shaking and the potential for structural damage is greatly influenced by local soil conditions. Therefore, it is important that all structures be designed and built in accordance with the requirements of the Uniform Building Code's current edition, Seismic Zone IV. All buildings should be founded on undisturbed native soils

and/or accepted engineered fill to prevent resonance amplification between soils and the structure.

- D: Tsunamis and Seiches; Tsunamis and Seiches are inundations by oceanic or fresh water waves generated by seismic events. The highest recorded wave height in the Monterey Bay is 9 feet. Since the site is approximately 21 feet above sea level and there are no fresh water bodies in the immediate area, there is little potential for inundations due to Tsunamis or Seiches. As such, the property is deemed safe from either hazard.
- E: Inundation Due to Dam Failures; The site is not within the inundation plane of any dam.
- F: Inundation Due to Storm Flooding; The Federal Emergency Management Agency Flood Limits Map shows the nearest flooding to be associated with Carmel Estuary, approximately 1,500 feet south of the site and at elevations 20 feet below that of the site. As such inundation is of no concern

Seismicity

It is recommended that all structures be designed and built in accordance with the requirements of the Uniform Building Code's current edition, seismic zone IV, Soil Type (S_d) . All buildings should be founded on undisturbed native soils and/or tested and accepted engineering fill to prevent resonance amplification between soils and the structure.

CONCLUSIONS OF INVESTIGATION

In general, the undisturbed, *in-situ*, native soils and acceptable, certified, engineered fill are suitable for foundation purposes and display engineering properties adequate for the anticipated soil pressures, providing the recommendations in this report are followed.

Special Recommendations

As discussed, the surficial native soils located in the area of development are relatively loose to several feet. In addition free groundwater was encountered in the first bore at approximately 14 feet below grade.

To address the loose surficial soils, it is recommended that the these loose soils and any other unacceptable soils, be processed as engineered fill or that the structure be supported in the firmer soils, found at depth. This recommendation will apparently be most applicable to the exterior of the structure as the design provides a full basement. Support of on grade structures, such as interior or exterior concrete slabs cast on grade, should also be addressed in a similar manner.

In general, the depth of engineering should extend to a minimum of 2 feet from the existing site surface or to depth of disturbance plus six inches, whichever is greater. In areas where the grade is to be cut below this depth, the engineering should extend 0.5 feet below this depth. In all instances the exact depth of engineering shall be determined by a Registered Soils Engineer or his representative.

Due to the possible chance of subsurface water, it is imperative that all portions of the structure embedded below the site surface be fully waterproofed. In addition, it is important that all subsurface walls be back drained from the structure and the subsurface water be collected and pumped to the system discharge.

As designed, retaining walls are to be constructed to provide access to the basement, some of which will be near the property boundary. Consideration in the design and construction of these walls will need to be taken relative to the support of adjacent property during construction. A more detailed review should be made after planning approval and prior to construction.

Any further site activity, especially grading and foundation excavations, should be under the direction of a qualified Soils Engineer or their Representative. All foundation excavations are to be inspected prior to from or reinforcement placement and again prior to placement of concrete. Should the spectrum of development change, this office should be notified so that additional recommendations can be made, if necessary.

Uniform Building Code Geoseismic Classifications

The uniform building code, 1997 edition provides for seismic design values. These values are to be utilized when evaluating structural elements. The geoseismic character is as listed in the following table.

SUMMARY of UBC; 1997; DIV. 5; SOIL PROFILE TYPES; SECTION 1636; SITE CATEGORIZATION PROCEDURE			
Subsection/Table/Figure	Description	Properties	
1636.2	Soil Profile Type	S_d = Stiff Soil	
16.2	Seismic Zone	Zone # 4	
16-I	Seismic Zone Factor Z	0.40	
16-J	Determination of Soil Profile Type	Blow counts between 15 and 50	
16-Q	Seismic Coefficient C_a	$0.44 N_a$	
16-R	Seismic Coefficient C_v	$0.64 N_v$	
16-S	Near Source Factor N_a^1	A: 1.0	B: 1.0 C: 1.0
16-T	Near Source Factor N_v^1	A: 1.0	B: 1.16 C: 1.0

Foundations and Footings

Geotechnical evaluation indicates that square, round, and continuous spread footings are satisfactory types of support. The minimum embedment for shallow, spread foundations is 12 inches for single stories and 18 inches for two stories into acceptable, *in-situ*, native soils or tested and accepted engineered fill. Embedment depths do not take into account the loose upper top soils, disturbed soils or any other unacceptable soils which exist at the site, e.g., any un-engineered fill, landscaping soils, etc.

VERTICAL SOIL PRESSURES ¹		
FOOTING TYPE	DEAD LOAD, kips/ft ²	DEAD + LL, kips/ft ²
Spread & Isolated	1.80	2.25
LATERAL SOIL PRESSURES ¹		
TYPE	VALUE, lbs/ft ²	
Active Earth Pressure	35 lbs/ft ³ × H ² (Equivalent Fluid Pressure)	
Restrained Earth Pressure	62 lbs/ft ³ × H ² (Equivalent Fluid Pressure)	
Friction at Base	0.30 × Dead Load	
Passive Earth Pressure	275 lbs/ft ³ × H ² NOTE ²	
Uplift Friction	140 lbs/ft ² × H	

Notes: LL = Live Load; DL = Dead Load; H = Vertical height of material retained.
One-third increase to be allowed for wind and seismic forces.

¹ For depths into acceptable native materials or engineered fill.

² Excludes near surface 0.5 feet of *in-situ* soils.

³ B and D are zero for depths less than 2 feet into acceptable materials
Maximum value of 8 kips / sq. ft. without review.

Slabs-on-Grade

All slabs should be constructed over a prepared sub-grade placed on suitable *in-situ* native material or tested and accepted engineered fill. Slabs should be underlain as described below.

On-grade slabs which are to receive impervious cover should be placed over a moisture vapor barrier consisting of a waterproof membrane (Moist Stop, 10 mil Visqueen, or equal) with a 2 inch protective sand cover. The waterproof membrane should be placed over a capillarity break consisting of 4 inches of open graded rock; round and sub-round rock is recommended to prevent puncture of the membrane. Open graded crushed aggregate may be utilized, provided the vapor barrier is protected from puncture by a cushion of filter fabric (Mirafi 140N or equal) laid over the aggregate prior to placement of the membrane.

All care and practice required to prevent puncture of the membrane during placement and pouring of covering slabs should be utilized during construction. Unless otherwise required for structural purposes, all slabs should be reinforced with a minimum of No.4, Grade 40, deformed steel reinforcing bar, 24 inches o.c., each way, to prevent separation and displacement in cases of cracking.

Slope Ratio and Drainage

Analysis of test results indicate that cut and fill slope ratios of 2 horizontal to 1 vertical will be satisfactory provided they are landscaped with soil retaining ground covers and are protected against free flowing overlap drainage.

Surface Drainage

All concentrated roof and area drainage should be released to the street drainage. A sub-surface dispersal system MAY NOT be used.

General concentrated surface drainage should be retained at low velocity by slope, sod or other energy reducing features sufficient to prevent erosion, with concentrated over-slope drainage carried in lined channels, flumes, pipe or other erosion-preventing installations.

Subsurface Drains

When placing subsurface drains we recommend that filter fabric not be used, as we have found that this type of drainage system may not be effective should the filter fabric become clogged. We would recommend placement of Caltrans Class 1, Type 'A' drain rock, and that any fabric only be placed over the top of the trench.

CLASS 1		
SIEVE SIZES	PERCENTAGE PASSING	
	TYPE A	TYPE B
50.0-mm	---	100
37.5-mm	---	95-100
19.0-mm	100	50-100
12.5-mm	95-100	----
9.5-mm	70-100	15-55
4.75-mm	0-55	0-25
2.36-mm	0-10	0-5
75.0-µm	0-3	0-3

General Site Preparation

For those items not directly addressed, it is recommended that all earthwork be performed in accordance with the following, and the Recommended Grading Specifications as found in Appendix B.

Preparation: Site preparation will consist of clearing and grubbing any existing structures and deleterious materials from the site, and the earthwork required to shape the site to receive the intended improvements, in accordance with the recommended grading specifications and the recommendations as provided above.

General

Fill: General fill shall be placed only on approved surfaces, as engineered fill, and shall be compacted to 90% Relative Density. Native soils accepted for fill or existing aggregate fill may be used

for fill purposes provided all aggregate larger than 6 inches are removed.

Imported
Materials:

Materials imported for fill purposes shall be classified as: SAND, group symbol SW, SP, SC or SM, as given in ASTM 2487, "The Classification of Soils For Engineering Purposes." In all cases the portion finer than the No. 200 sieve shall not contain any greatly expansive clays. All soils utilized for fill purposes must be approved by the Soils Engineer prior to placement.

Pavement
Grades:

All pavement grades shall be of uniform thickness, density and moisture prior to placement of the next grade. Flexure of each or all grades shall not exceed 0.25 inches in 5 feet under an axial load of 18.5 kip.

Aggregate

Base Course: All aggregates used for specified base courses, shall be handled in a manner which prevents segregation and non-uniformity of gradation.

Structural
Backfill:

Trench, wall and structural backfill shall be placed only on approved surfaces, as engineered fill, and shall be compacted to 95% Relative Density. Materials imported for backfill purposes shall have a Sand Equivalent of no less than 30 and shall be classified as Clean Sands as designated in "The Classification of Soils For Engineering Purposes" (ASTM 2487).

Compaction: All re-compacted soils and/or engineered fill should be placed at a minimum 90% Relative Density or at the value required for that portion of the work. All pavement sections should be compacted to a minimum of 95% Relative Density.

Moisture: During compaction moisture content of native soils should be that consistent with the moisture relative to 95% Relative Density and in no case should these materials be placed at less than 3 percent above the specific optimum moisture content for the soil in question. The engineer may elect to accept high moisture compacted soils provided the materials are at 95% Relative Wet Density at that moisture content.

Tests: All materials placed should be tested in accordance with the Compaction Control Tests: "Density of Soil In-Place by Sand Cone Method" (ASTM D-1556), "Moisture-Density Relationship of Soils" (ASTM D-1557), and "Density of Soils In-Place by Nuclear Method" (ASTM D-2922).

Deleterious Materials: Materials containing an excess of 5% (by weight) of vegetative or other deleterious matter may be utilized in areas of landscaping or other non-structural fills. Deleterious material includes all vegetative and non-mineral material, and all non-reducible stone, rubble and/or mineral matter of greater than 6 inches.

Over-Excavations: Over-excavations should include the foundation and pavement envelopes. Such excavations should extend beyond edge of development a minimum of 5 feet and to an imaginary line extending away at a slope of 45 degrees from the edge of development. The process shall include the complete removal of the required soils and subsequent placement of engineered fill. After removal of the soils to the required depth, the base of the excavation shall be inspected and approved by the Soils Engineer or his representative prior to further soils processing or placement. Based on this inspection other recommendations may be made.

Key: The toe of all slopes should be supported by a key cut a minimum of 3 feet into undisturbed soils to the inside of the fills toe. This key should be a minimum of 8 feet in width and slope at no less than 10% into the slope. In addition, as the fill advances up slope benches 3 feet across should be scarified into the fill/undisturbed soil interface.

INSPECTION OF WORK

It is recommended that all site work be inspected and tested during performance by this firm to establish compliance with these recommendations.

NOTIFY:	GRICE ENGINEERING INC.	SALINAS	(831) 422-9619
	561-A Brunken Avenue	MONTEREY	(831) 375-1198
	Salinas, California 93901	FAX	(831) 422-1896

A minimum of 48 hours (2 working days) notification is required prior to commencement of work so that scheduling for testing and inspections can be made.

LIMITATIONS AND UNIFORMITY OF CONDITIONS

The recommendations of this report are based on our understanding of the project as represented by the plans, and the assumption that the soil conditions do not deviate from those represented in this site soils investigation. Therefore, should any variations or undesirable conditions be encountered during construction, or if the actual project will differ from that planned at this time, GRICE ENGINEERING INC. should be notified and provided the opportunity to make addendum recommendations if required.

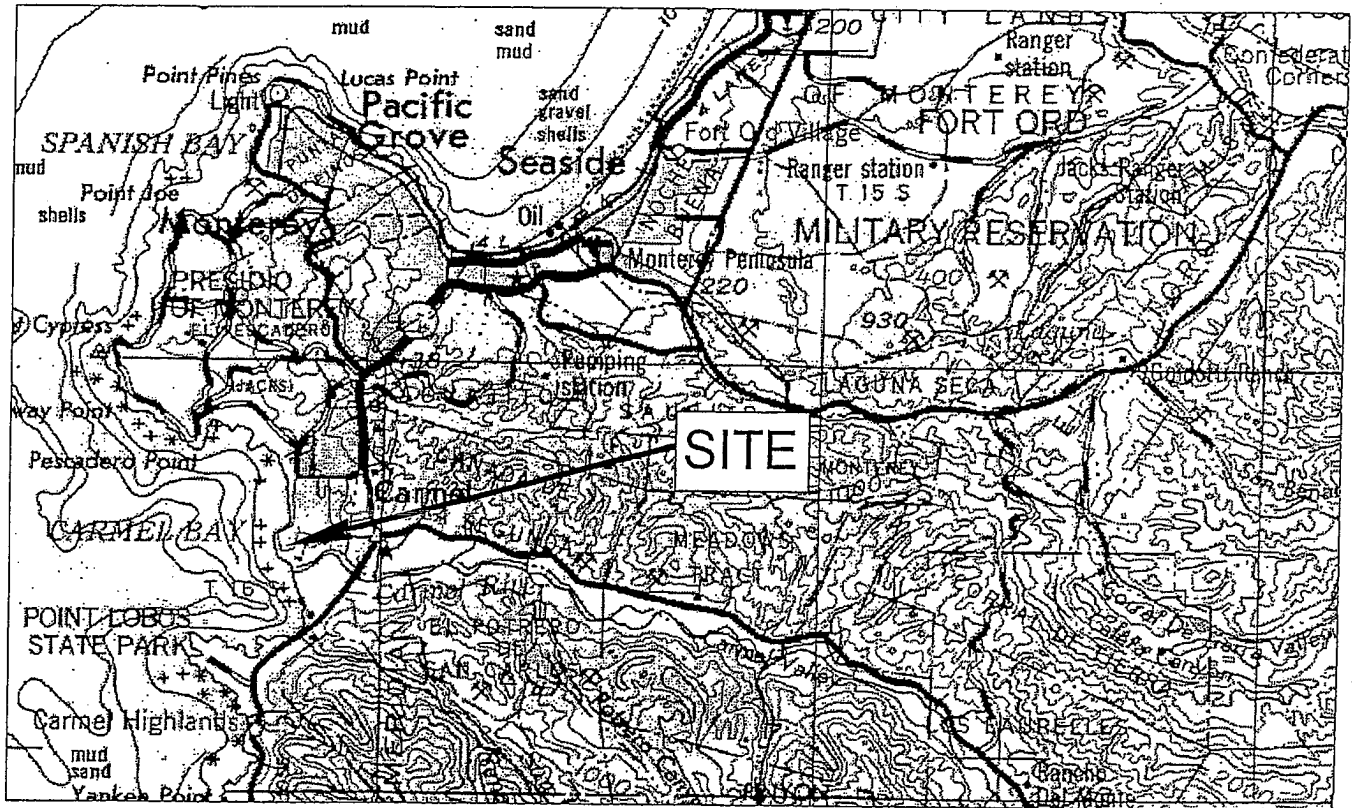
NOTIFY:	GRICE ENGINEERING INC.	SALINAS	(831) 422-9619
	561-A Brunken Avenue	MONTEREY	(831) 375-1198
	Salinas, California 93901	FAX	(831) 422-1896

This report is issued with admonishment to the Owner and to his representative(s), that the information contained herein should be made available to the responsible project personnel including the architects, engineers, and contractors for the project. The recommendations contained herein should be incorporated into the plans, the specifications, and the final work.

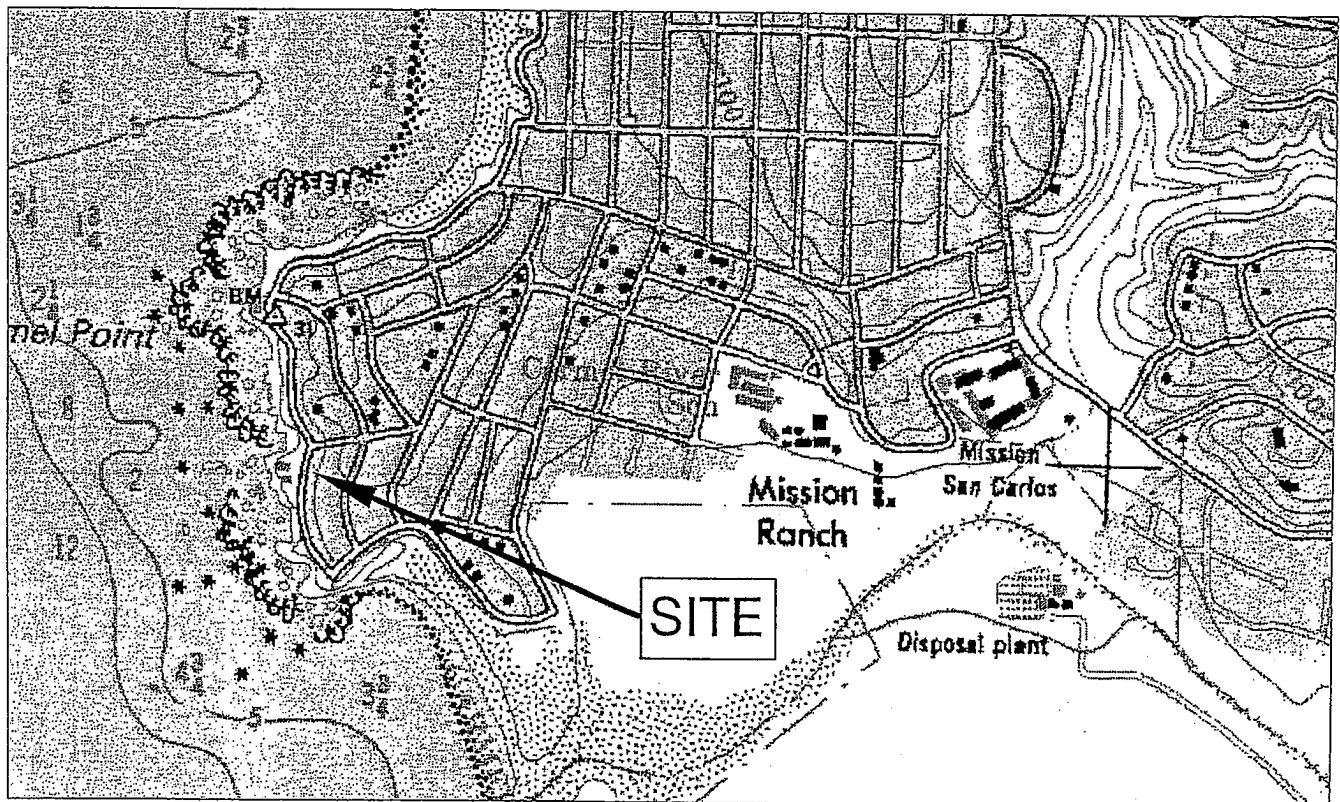
It is requested that GRICE ENGINEERING INC. be retained to review the project grading and foundation plans to ensure compliance with these recommendations. Further, it is the position of GRICE ENGINEERING INC. that work performed without our knowledge and supervision, or the direction and supervision of a project responsible professional soils engineer renders this report invalid.

It is our opinion the findings of this report are valid as of the present date, however, changes in the conditions of a property can occur with the passage of time, due either to natural processes or to the works of man as may effect this property. In addition, changes in standards may occur as a result of legislation, or the broadening of knowledge, and these changes may require re-evaluation of the conditions stated herein. Accordingly, the findings of this report may be invalidated wholly, or partially, by changes beyond our control. Therefore, this report is subject to review and should not be relied upon after a period of three years.

APPENDIX A



Vicinity Map



Location Map

APPENDIX B

26327 Scenic Road, Carmel, California

Boring No. 1

January 22, 2007

Depth	Symbol	Sample	Blow Count per 6 inch	Description	Auger Pen.	Density	Moisture	Unconfined	Cohesion	Shear
1.00	SWm			(CUTTINGS) Dark brown SAND; very fine to medium; few to coarse; granitic trace-few: silt silt moist; loose.						
1.00										
2.00										
2.50			4.00							
3.00	SWm		7.00	(CUTTINGS-sample) Pale brown SAND; very fine to medium-fine; few to coarse; trace to med gravel; subround to subang -coarser; granitic trace-few: silt silt moist; medium dense..		106.4	6.5	6		
4.00			16.00							
5.00										
6.00	SWmc			(CUTTINGS-sample at 7.5) Yellowish brown SAND; fine to medium; few to coarse; trace to med gravel; subround to subang -coarser; granitic trace-few: silt-clay damp; medium dense-dense.						
7.00										
7.50			11.00							
8.00			15.00							
9.00			18.00			111.5	9.1	9		
10.00										
11.00	SWmc			(CUTTINGS-sample at 13) Yellowish brown SAND; fine-medium to coarse; few to coarse and vfine; trace=few to med gravel; subround to subang -coarser; granitic trace-few: silt-clay; bit clotty, w/ light cement damp-vdamp, silt wet tip of sampler; dense..						
12.00										
13.00			13.00							
14.00			16.00							
14.00			20.00	free water at 14 feet after several hours		117.4	13.3	9+		
15.00				drilling resistance slowly increasing						
16.00										
17.00										
18.00	SWmc HDRK			cuttings indicate this should be weathered granite (CUTTINGS) Light olive brown GRANITE; well weathered, tight cuttings: SAND; very fine to medium-fine; trace to fine gravel; subang to ang; granitic few: silt few veins of white clay dry to moist (varies with fractures carrying water); dense..						
19.00				very resistant						
20.00										

free water at 18 after drilling

bottom hole 16.5 after drilling

Boring No. 1

January 22, 2007

[illegible]

January 22, 2007

Boring NO. 2				January 22, 2007				Auger Pen.	Density	Moisture	Unconfined	Cohesion	Shear
Depth	Symbol	Sample	Blow Count per 6 inch	Description									
1.00	SWm			(CUTTINGS) Dark brown SAND; very fine to medium; few to coarse; granitic trace-few: silt silt moist; loose.									
2.00													
3.00	SWm			(CUTTINGS-sample) Pale brown SAND; very fine to medium-fine; few to coarse; trace to med gravel; subround to subang -coarser; granitic trace-few: silt silt moist; medium dense..									
4.00				drills very firm, free									
5.00													
6.00	SWm			(CUTTINGS) Yellowish brown SAND; fine to medium; few to coarse; trace to med gravel; subround to subang -coarser; granitic trace-few: silt-clay damp; medium dense-dense.									
7.00													
8.00													
9.00													
10.00	SWm			(CUTTINGS) Yellowish brown SAND; fine-medium to coarse; few to coarse and vfine; trace=few to med gravel; subround to subang -coarser; granitic trace-few: silt-clay; bit clotty, w/ light cement damp-vdamp, silt wet at contact with granite; dense..									
11.00				roughness comes up									
12.00				resistance									
13.00	HDRK			WEATHERED GRANITE									
14.00				End of bore at 13.5 feet. No free water after drilling, only slight moisture increase on top of granite Bore backfilled with cuttings									
15.00													
16.00													
17.00													
18.00													
19.00													
20.00													

Boring No. 3

January 22, 2007

[illegible]

SOIL CLASSIFICATION CHART

UNIFIED SOIL CLASSIFICATION INCLUDING IDENTIFICATION AND DESCRIPTION

FIELD IDENTIFICATION PROCEDURES				TYPICAL NAMES		INFORMATION REQUIRED FOR DESCRIBING SOILS		LABORATORY CLASSIFICATION CRITERIA			
Excluding particles larger than 3 inches and basing fractions on estimated weights				GROUP SYMBOLS & N.							
GRAVELS (More than half of coarse fraction is larger than No. 4 sieve size)	CLEAN GRAVELS (Little or no fines)	Wide range in grain size and substantial amounts of all intermediate particle sizes.	GW	Well graded gravels, gravel-sand mixtures, little or no fines.		Give typical names, indicate approximate percentages of sand and gravel, max. size; angularity, surface condition, and hardness of the coarse grains; local or geologic name and other pertinent descriptive information, and symbol in parentheses.		C _u = $\frac{D_{60}}{D_{10}}$ Between one and 3		Greater than 4	
		Predominantly one size or a range of sizes with some intermediate sizes missing.	GP	Poorly graded gravels, gravel-sand mixtures, little or no fines.				C _c = $\frac{(D_{30})^2}{(D_{10} \times D_{60})}$		Between one and 3	
	GRAVELS WITH FINES (Appreciable amount of fines)	Non-plastic fines (for identification procedures see ML below).	GM	Silty gravels, poorly graded gravel-sand-silt mixtures.				Altenberg limits below "A" line or PI less than 4		Above "A" line with PI between 4 and 7 are borderline cases requiring use of dual symbols	
		Plastic fines (for identification procedures see CL below).	GC	Clayey gravels, poorly graded gravel-sand-silt mixtures.		For undisturbed soils add information on stratification, degree of compaction, cementation, moisture conditions and drainage characteristics.		Altenberg limits above "A" line or PI greater than 7			
SANDS (More than half of coarse fraction is smaller than No. 4 sieve size)	CLEAN SANDS (Little or no fines)	Wide range in grain sizes and substantial amounts of all intermediate particle sizes.	SW	Well graded sands, gravelly sands, little or no fines.		EXAMPLE: Silty Sand, gravelly, about 20 % hard, angular gravel particles 1/8 inch maximum size; rounded and subangular sand grains coarse to fine, about 15 % non-plastic fines with low dry strength, weak cementation and moist in place, alluvial sand; (SW).		C _u = $\frac{D_{60}}{D_{10}}$ Greater than 6		Above "A" line with PI between 4 and 7 are borderline cases requiring use of dual symbols	
		Predominantly one size or a range of sizes with some intermediate sizes missing.	SP	Poorly graded sands, gravelly sands, little or no fines.				C _c = $\frac{(D_{30})^2}{(D_{10} \times D_{60})}$		Between one and 3	
	SANDS WITH FINES (Appreciable amount of fines)	Non-plastic fines (for identification procedures see ML below).	SM	Silty sands, poorly graded sand-silt mixtures.				Altenberg limits below "A" line or PI less than 4		Above "A" line with PI between 4 and 7 are borderline cases requiring use of dual symbols	
		Plastic fines (for identification procedures see CL below).	SC	Clayey sands, poorly graded sand-silt mixtures.				Altenberg limits above "A" line or PI greater than 7			
More than half of material is smaller than No. 200 sieve size				IDENTIFICATION PROCEDURES ON FRACTION SMALLER THAN NO. 40 SIEVE SIZE				Use grain size curve in identifying the fractions as given under field identification.			
COARSE GRAINED SOILS	More than half of material is larger than No. 200 sieve size	DRY STRENGTH (capillary surface cracks)	DILATANCY (pushed to lateral)	TOUGHNESS (resistance to lateral push to limit)							
		None to slight	Quick to slow	None	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands with slight plasticity.		Give typical name, indicate degree and character of plasticity, amount and maximum size of coarse grains, color in wet conditions, color if any, local or geologic name, and other pertinent descriptive information, and symbol in parentheses.				
		Medium to high	None to very slow	Medium	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.						
		Slight to medium	Slow	Slight	Organic silts and organic silt-clays of low plasticity.						
FINE GRAINED SOILS	More than half of material is smaller than No. 200 sieve size	Slight to medium	Slow to none	Slight to medium	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts.		For undisturbed soils add information or structure, stratification, consistency in undisturbed and remolded states, moisture and drainage conditions.				
		High to very high	None	High	Inorganic clays of high plasticity, fat clays.						
		Medium to high	None to very slow	Slight to medium	Organic clays of medium to high plasticity.		EXAMPLE: Clayey silt, brown, slightly plastic, small percentage of fine sand, numerous vertical root holes, firm and dry in place, loess; (ML).				
		Readily identified by color, odor, spongy feel and frequently by fibrous texture.									
HIGHLY ORGANIC SOILS				P _t		Peat and other highly organic soils.					

COMPARING SOILS AT EQUAL LIQUID LIMIT

Toughness and dry strength increases with increasing plasticity index.

PI PLASTICITY INDEX

LL LIQUID LIMIT

Use grain size curve in identifying field fractions as given under field identification.

Determine percentages of gravel and sand from grain size curve. Depending on percentage of fines (read from No. 200 sieve), coarse grained soils are classified as follows:

GW, GP, SW, SP, GM, GC, SM, SC

Between one and 3

Greater than 4

Greater than 6

Greater than 7

Greater than 7

Greater than 7

Greater than 7

Greater than 7

Greater than 7

Greater than 7

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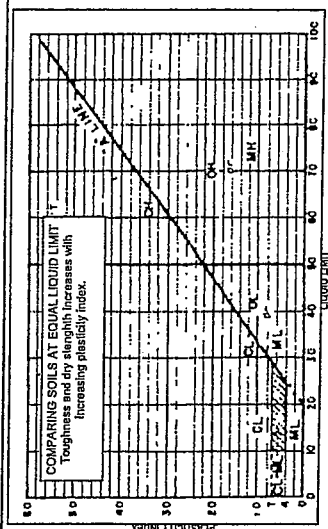
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PLASTICITY CHART

FOR LABORATORY CLASSIFICATION OF FINE GRAINED SOILS

Use grain size curve in identifying field fractions as given under field identification.

Determine percentages of gravel and sand from grain size curve. Depending on percentage of fines (read from No. 200 sieve), coarse grained soils are classified as follows:

GW, GP, SW, SP, GM, GC, SM, SC

Between one and 3

Greater than 4

Greater than 6

Greater than 7

Greater than 7

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COMPARING SOILS AT EQUAL LIQUID LIMIT
 Toughness and dry strength increases with increasing plasticity index.

PLASTICITY CHART

FOR LABORATORY CLASSIFICATION OF FINE GRAINED SOILS

Use grain size curve in identifying field fractions as given under field identification.

Determine percentages of gravel and sand from grain size curve. Depending on percentage of fines (read from No. 200 sieve), coarse grained soils are classified as follows:

GW, GP, SW, SP, GM, GC, SM, SC

Between one and 3

Greater than 4

Greater than 6

Greater than 7

Greater than 7

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Give typical name, indicate degree and character of plasticity, amount and maximum size of coarse grains, color in wet conditions, odor if any, local or geologic name, and other pertinent descriptive information, and symbol in parentheses.

PLASTICITY CHART

FOR LABORATORY CLASSIFICATION OF FINE GRAINED SOILS

Use grain size curve in identifying field fractions as given under field identification.

Determine percentages of gravel and sand from grain size curve. Depending on percentage of fines (read from No. 200 sieve), coarse grained soils are classified as follows:

GW, GP, SW, SP, GM, GC, SM, SC

Between one and 3

Greater than 4

Greater than 6

Greater than 7

Greater than 7

Greater than 7

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For undisturbed soils add information on stratification, degree of compactness, cementation, moisture conditions and drainage characteristics.

PLASTICITY CHART

FOR LABORATORY CLASSIFICATION OF FINE GRAINED SOILS

Use grain size curve in identifying field fractions as given under field identification.

Determine percentages of gravel and sand from grain size curve. Depending on percentage of fines (read from No. 200 sieve), coarse grained soils are classified as follows:

GW, GP, SW, SP, GM, GC, SM, SC

Between one and 3

Greater than 4

Greater than 6

Greater than 7

Greater than 7

Greater than 7

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EXAMPLE:
 Silty Sand, gravelly, about 20% hard, angular gravel particles 4 inch maximum size rounded and subangular sand grains coarse to fine, about 15% non-plastic fines with low dry strength, well compacted and moist in place, alluvial sand (SM).

PLASTICITY CHART

FOR LABORATORY CLASSIFICATION OF FINE GRAINED SOILS

APPENDIX C

EROSION CONTROL PLANNING

General Description

1. Design the project to fit the topographic and hydrologic features of the site. It is important to minimize grading of or near steep slopes. Disturbing native vegetation and natural soil structure allows runoff velocity and transport of sediments to increase.
2. Maintain runoff rates at or below pre-development levels. Runoff from post-development impervious structures should be retained on-site. The preferred method is to filter it back into the soil by means of percolation trenches intended for storm runoff only. Storm runoff should never be directed to septic tank system leachfields.

If retention is not possible, post-development generated runoff should be detained on-site and released in a controlled fashion. Runoff flows should be directed into pipes or lined ditches and then onto an energy dissipater to remove sediment before discharging the runoff into streams or drainage ways. De-silting the runoff may take form of stilling basins, gravel berms, reforested vegetation screens, etc.

3. During construction, never store cut and fill material where it may wash into streams or drainage ways. Keep all culverts and drainage facilities free of silt and debris. Keep emergency erosion control materials such as straw mulch, plastic sheeting, and sandbags on-site and install these at the end of each day as necessary.
4. Re-vegetate and protect exposed soils by October 15. Use appropriate grass/legume seed mixes and/or straw mulch for temporary cover. Plan permanent vegetation to include native and drought tolerant plants. Seeding and re-vegetation may require special soil preparation, fertilizing, irrigation, and mulching.

RECOMMENDED EARTHWORK GRADING SPECIFICATIONS

E:1 General Description:

- 1.1 This item shall consist of all clearing and grubbing; preparation of land to be filled; excavation and fill of the land; spreading, compaction and control of the fill; and all subsidiary work necessary to complete the graded area to conform with the lines, grades and slopes as shown on the approved plans.
- 1.2 The Contractor shall provide all equipment and labor necessary to complete the work as specified herein, as shown on the approved plans as stated in the project specifications.

E:2 Tests:

- 2.1 The standard test used to define maximum densities of all compaction work shall be the A.S.T.M. D-1557, Moisture Density of Soils, using a 10-pound ram and 18-inch drop. All densities shall be expressed as a relative density in terms of the maximum density obtained in the laboratory by the foregoing standard procedure.
- 2.2 In-place density shall be determined by Test Methods A.S.T.M. D-1556, Density of Soil In-Place by Sand Cone Method and D-2922, Density of Soil In-Place by Nuclear Method.

E:3 Clearing, Grubbing and Preparing Areas To Be Excavated Or Filled:

- 3.1 All vegetable matter, irreducible material greater than 4 inches and other deleterious materials shall be removed from the areas in which grading is to be done. Such materials not suitable for reuse shall be disposed of as directed.

- 3.2 After the foundation for fill has been cleared, it shall be brought to the proper moisture content by adding water or aerating and compacting to a Relative Density of not less than 90% or as specified. The soils shall be tested to a depth sufficient to determine quality and shall be approved by the Soils Engineer for foundation purposes prior to placing engineered fill.

E:4 Materials:

- 4.1 The material for engineered fill shall be approved by the Soils Engineer before commencement of grading operations. Any imported material must be approved for use before being brought to the site. The material used shall be free from vegetable matter and other deleterious materials.
- 4.2 Imported materials for engineered fill shall consist of non-expansive soil with maximum aggregate size of 4 inches, a PI less than 15 and/or a Cu greater than 4 and shall be approved by the Engineer.

E:5 Placing, Spreading and Compacting Fill Material:

- 5.1 The selected fill material shall be placed in layers which, when compacted, shall not exceed 6 inches in thickness. Each layer shall be spread evenly and shall be thoroughly mixed during the spreading to ensure uniformity of material in each layer. Fill shall be placed such that cross fall does not exceed 1 foot in 20 unless otherwise directed.
- 5.2 All fills on slopes greater than 1 vertical to 6 horizontal shall be keyed into the adjacent soil.
- 5.3 When fill material includes rock or concrete rubble, no irreducible material larger than 4 inches in greatest dimension will be allowed except under the direction of the Soils Engineer.

- 5.4 The moisture content of the fill material shall be maintained in a suitable range to permit efficient compaction. The Soils Engineer may require adding moisture, aerating, or blending of wet and dry soils.
- 5.5 Each layer shall be compacted to a relative density of not less than 90% relative density or as specified in the soils report and on the accepted plans. Compaction shall be continuous over the entire area of each layer.
- 5.6 Field density test shall be made by the Soils Engineer of each compacted layer. At least one test shall be made for each 500 cubic yards or fraction thereof, placed with a minimum of two tests per layer in isolated areas. Where a sheeps'-foot roller is used, the soil may be disturbed to a depth of several inches. Density tests shall be taken in compacted materials below the disturbed surface. When these tests indicate that the density of any layer of fill or portion thereof, is below the required density, that particular layer or portion shall be reworked until the required density has been obtained.
- 5.7 All earth moving and work operations shall be controlled to prevent water from running into excavated areas. All such water shall be promptly removed and the site kept dry.

E:6 Seasonal Limits:

- 6.1 When the work is interrupted by rain, fill operations shall not be resumed until field tests by the Soils Engineer indicate that the moisture content and density of the fill is as previously specified and soils to be placed are in suitable condition.

E:7 Unusual Conditions:

- 7.1 In the event that any unusual conditions are encountered during grading operations which are not covered by the soil investigation or the specifications, the Soils Engineer shall be immediately notified such that additional recommendations may be made.

SPECIFICATIONS FOR ROCK UNDER FLOOR SLABS

Definition

Graded gravel of crushed rock for use under floor slabs shall consist of a minimum thickness of mineral aggregate placed in accordance with these specifications and in conformance with the dimensions shown on the project plans. The minimum thickness is specified in the accompanying report.

Material

The mineral aggregate for use under floor slabs shall consist of broken stone, crushed or uncrushed gravel, quarry waste, or a combination thereof. The aggregate shall be free from adobe, vegetable matter, loam, volcanic tuff, and other deleterious substances. It shall be of such quality that the absorption of water in a saturated dry condition does not exceed 3 percent of the oven dry weight of the sample.

Grading

The mineral aggregate shall be of such size that the percentage composition by dry weight as determined by the use of laboratory sieves, U.S. Standard, in compliance with ASTM C 136, Standard Method for Sieve Analysis of Fine and Coarse Aggregates, will conform to the following grading specification:

SIEVE SIZE	PERCENTAGE PASSING SIEVE
3/4 inch	100 %
No. 4	0 - 10 %
No. 200	0 - 2 %

Placing

Sub-grade upon which gravel or crushed rock is to be placed shall be prepared as outlined in the Recommended Grading Specifications. In addition, the Sub-grade shall be kept moist so that no drying cracks appear prior to pouring slabs. If cracks appear, Sub-grade shall be moistened until cracks close.

REFERENCES

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551A Brunken Avenue
Salinas, California 93901

Salinas: (831) 422-9619
Monterey: (831) 375-1198
FAX: (831) 422-1896

File No. 4943-07.01
July 24, 2007

Mr. Anatoly Ostretsov
International Design Group
721 Lighthouse Avenue
Pacific Grove, California 93950

Project: Proposed Residence
26327 Scenic Road
Carmel-by-the-Sea, California
A.P.N. 009-442-013

Subject: Temporary Shoring and Permanent Retention for Basement Construction

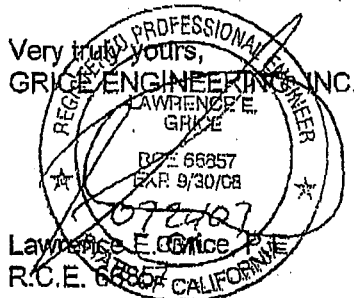
Dear Mr. Ostretsov;

Pursuant to your request and discussion with Mr. Craig Spenser of the Monterey County Planning Department, we have again reviewed the project and our given recommendations relative to the temporary shoring and permanent retaining structures for the basement. As discussed the Monterey County Planning and Building Department is concerned about the recommendation given to perform a detailed review after planning approval and prior to construction relative to this topic.

As reviewed we find no reason for further site evaluation provided that Best Management Practices are utilized in the construction. Such methods will ensure that no significant impact will be incurred to adjacent properties due to the proposed construction.

This report and the recommendations herein are made expressly for the above referenced project and may not be utilized for any other site without written permission of GRICE ENGINEERING, INC. Please feel free to call this office should you have any questions regarding this report.

Very truly yours,
GRICE ENGINEERING, INC.





DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>
Environmental Review and Permitting
1416 Ninth Street, Suite 1260
Sacramento, California 95814

Resources Agency

ARNOLD SCHWARZENEGGER, Governor



CEQA Filing Fee No Effect Determination Form

Applicant Name: Skeen & Chang Date Submitted: August 28, 2007

Applicant Address: P. O. Box 7505, Menlo Park, CAA 94026

Project Name: Skeen & Chang, Single Family Dwelling

CEQA Lead Agency: County of Monterey

CEQA Document Type: (ND, MND, EIR)

SCH Number and/or local agency ID number: PLN060735

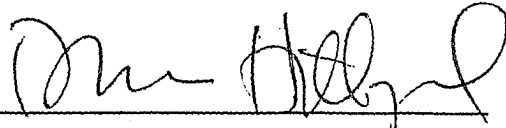
Project Location: 26327 Scenic Road, Carmel, CA

Brief Project Description: The proposed project entails the construction of a new 2,072 square foot, 3-story single family dwelling including an attached garage.

Determination: Based on a review of the Project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency's Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

DFG Approval By: 

Date: 08/28/07

Title: Staff Environmental Scientist

PLND60735



< WebShip > > > > >

800-322-5555 www.gso.com

Ship From:VANESSA CALDERON
PLANNING & BLDG INSP.DEPT.
168 W.ALISAL ST. 2ND F
SALINAS, CA 93901**Ship To:**ATTN: RECEPTION
STATE CLEARINGHOUSE
1400 TENTH ST RM 222
SACRAMENTO, CA 95814**COD:**
\$0.00**Billing Reference:**
SALINAS**Delivery Instructions:**
SIGNATURE NOT REQUIRED**Tracking #:** 508024723**PDS****SMF****A****SACRAMENTO****D95814B**

57328180

Print Date : 9/24/2007

Send Label To Printer

Edit Shipment

Finish

LABEL INSTRUCTIONS:**Do not copy or reprint this label for additional shipments - each package must have a unique barcode.**

STEP 1 - Use the "Print" menu option in your browser to send this page to a laser or inkjet printer.

STEP 2 - Fold this page in half.

STEP 3 - Securely attach this label to your package, do not cover the barcode.

ADDITIONAL OPTIONS:

Send Label Via EMail

Create Return Label

TERMS AND CONDITIONS:

By giving us your shipment to deliver, you agree to all the service terms and conditions described in this section. Our liability for loss or damage to any package is limited to your actual damages or \$100 whichever is less, unless you pay for and declare a higher authorized value. If you declare a higher value and pay the additional charge, our liability will be the lesser of your declared value or the actual value of your loss or damage. In any event, we will not be liable for any damage, whether direct, incidental, special or consequential, in excess of the declared value of a shipment whether or not we had knowledge that such damage might be incurred including but not limited to loss of income or profit. We will not be liable for your acts or omissions, including but not limited to improper or insufficient packaging, securing, marking or addressing. Also, we will not be liable if you or the recipient violates any of the terms of our agreement. We will not be liable for loss, damage or delay caused by events we cannot control, including but not limited to acts of God, perils of the air, weather conditions, act of public enemies, war, strikes, or civil commotion. The highest declared value for our GSO Priority Letter or GSO Priority Package is \$500. For other shipments the highest declared value is \$10,000 unless your package contains items of "extraordinary value", in which case the highest declared value we allow is \$500. Items of "extraordinary value" include, but not limited to, artwork, jewelry, furs, precious metals, tickets, negotiable instruments and other items with intrinsic value.

Exhibit F

PLANNING INFO.

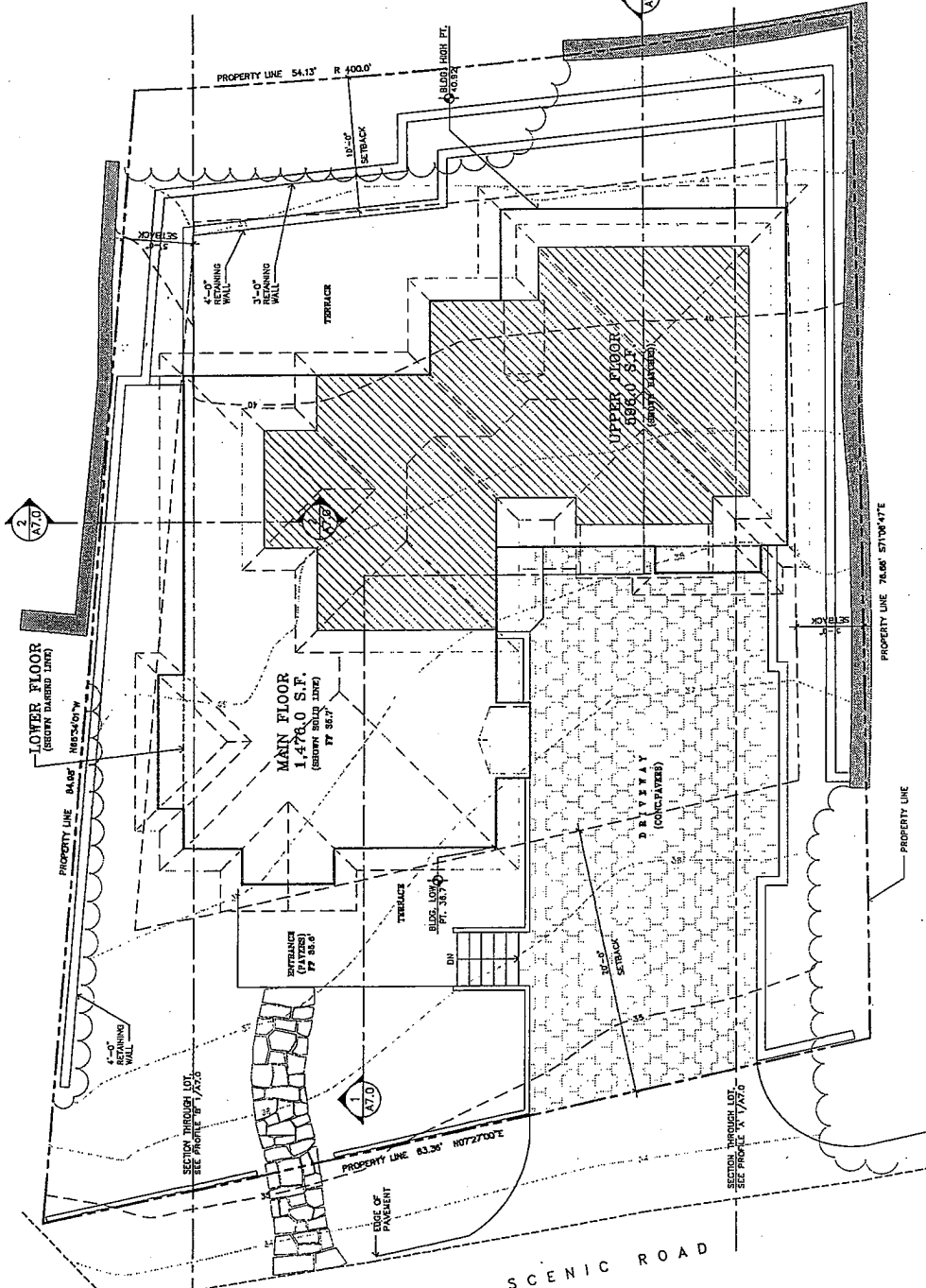
- PROPERTY OWNER: J. A. CHANG
P.O. Box 7507, Santa Clara, CA 95050
(408) 253-1234
- PROJECT ADDRESS: 26327 SCENIC ROAD
CARMEL, CA
- PROJECT SCOPE: SINGLE FAMILY RESIDENCE
WITH ATTACHED 2-CAR GARAGE
- OCCUPANCY: R1, U1
- CONST. TYPE: V, VR
- A.P.N.: 005-442-013-000
- LEGAL DESC: LOT 10 BLOCK B14
- ZONE: MVR/2 (10) (C2)
- MAX BLDG HT: 18 FT
- GRADING: 500 CY CUT
- TRCE REMOVAL: NONE
- TOPOGRAPHY: SLOPE
- PROJECT CODE COMPLIANCE:
1. 2001 - CBC, CMC, CFC, CFC
2. 2004 - California Building Code
3. 2005 - California Energy Code
- LOT AREA: 4700 SF
- LOT COVERAGE CALCULATIONS:

PROPOSED	
BUILDING (FOOTPRINT)	1,458 SF.
DRIVEWAY	760 SF.
TERRACE	412 SF.
TOTAL COVERAGE	1,458 SF.
LOT COVERAGE ALLOWED	1,458 SF. (31%)
LOT COVERAGE PROPOSED	1,458 SF. (31%)
F.A.R. CALCULATIONS	
MAIN FLOOR	1,475 SF.
UPPER FLOOR	595 SF.
LOWER FLOOR	545 SF. (BELOW GROUND)
GARAGE & MECL	545 SF. (BELOW GROUND)
TOTAL	2,070 SF. (11.03 SF. (BELOW GROUND))
F.A.R. ALLOWED	2,015 SF. (44%)
F.A.R. PROPOSED	2,070 SF. (44%)

26327 SCENIC ROAD
PROPOSED NEW RESIDENCE AT
CARMEL, CA.

INTERNATIONAL DESIGN GROUP
ARCHITECTURE • INTERIOR DESIGN
JOHN C. BILLINO, AIA
221 LIGHTHOUSE AVENUE • PACIFIC GROVE, CA • 93950
TEL: (805) 441-1201 • FAX: (805) 441-1200
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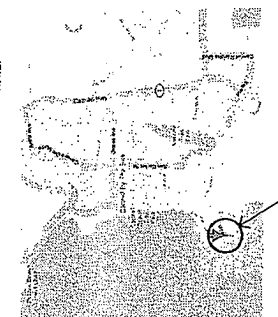
PROJECT DATA
SITE PLAN
DATE: 04-04-07
CLIENT REVIEW
REVISIONS:
A1.0
SHEET NO.



1/4" = 1'-0"

SITE PLAN



VICINITY MAP

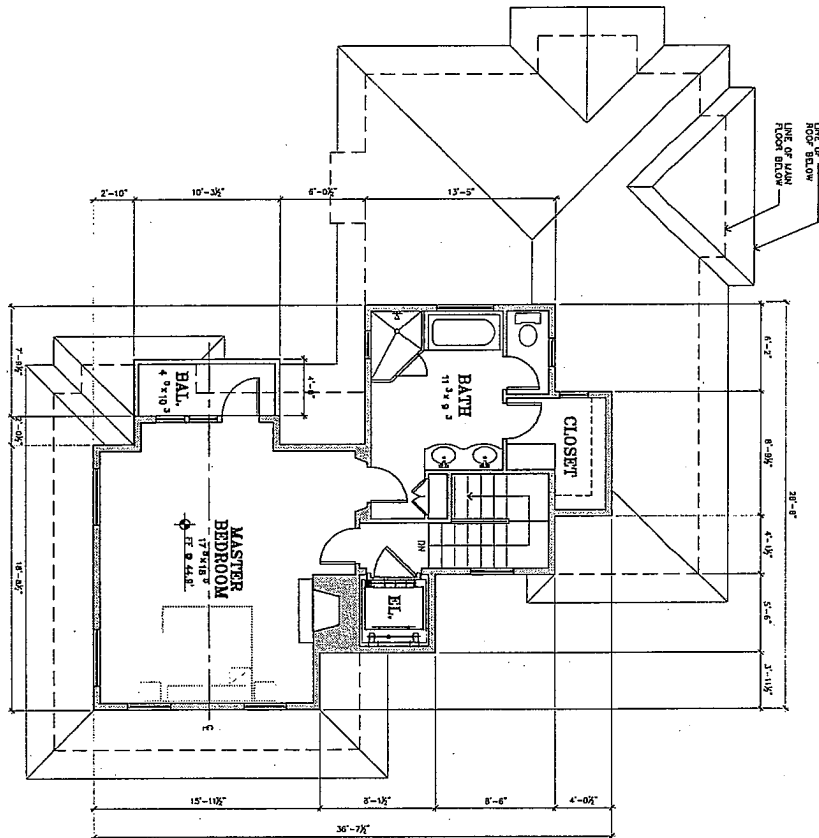


PROJECT SITE

$1/4 = 1 - 0.75$ 

WALL LEGEND

	2x STUD FRAMED WALL
	STONE VENEER

[illegible]

INTERNATIONAL DESIGN GROUP
ARCHITECTURE ■ INTERIOR DESIGN
JUN A. BILLINGS, AIA JOHN E. MATTHEWS

721 LIGHTHOUSE AVE • PACIFIC GROVE CA • 93950
PH (831) 640-1201 • FAX (831) 640-1200 • E-MAIL: herrida@herrida.com

PROPOSED NEW RESIDENCE AT

26327 SCENIC ROAD.

26327 SCENIC ROAD

CARMEL, CA

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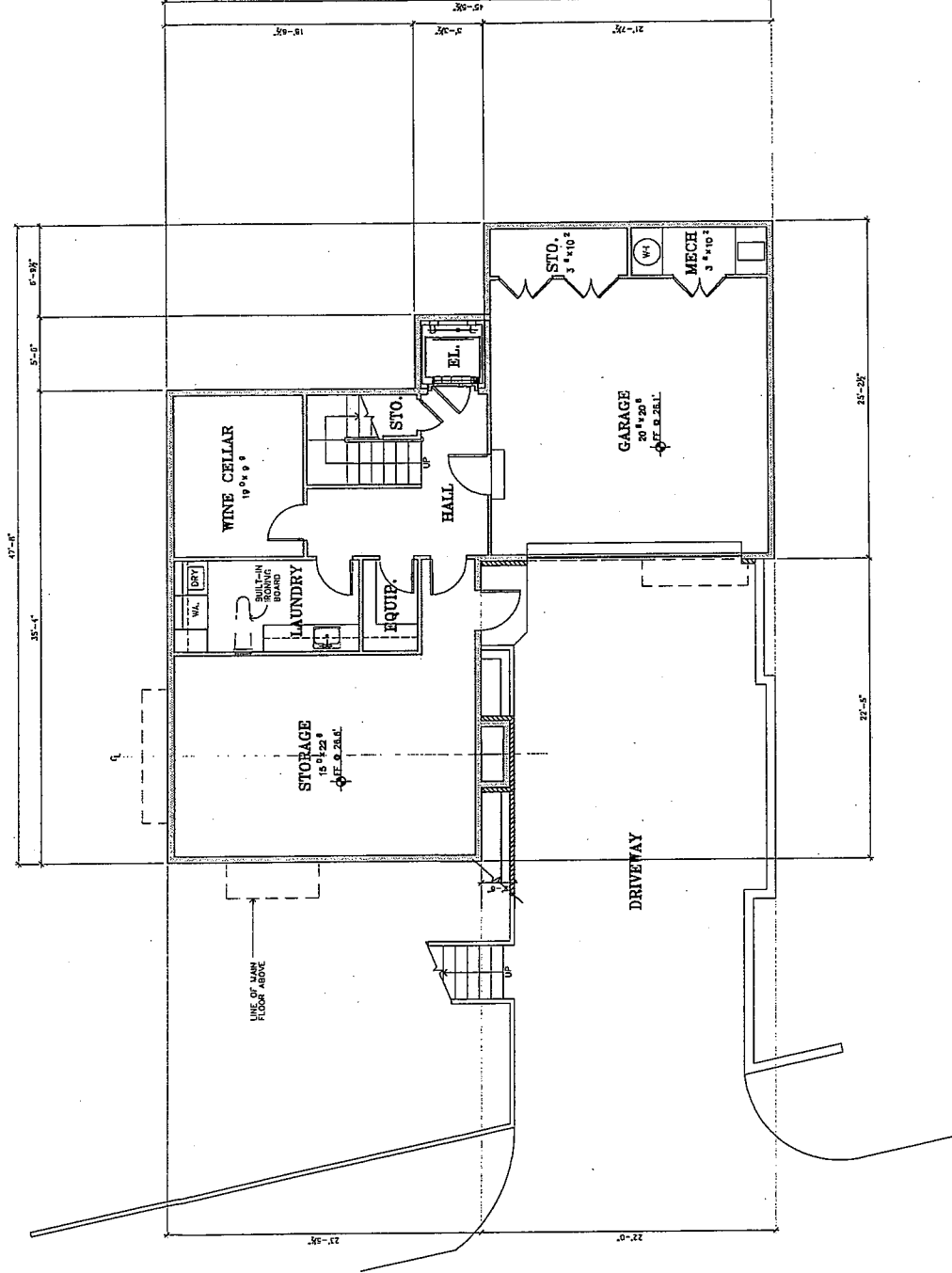
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PROPOSED NEW RESIDENCE AT
26327 SCENIC ROAD
CARMEL, CA
26327 SCENIC ROAD

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WWW.IDGARCHITECTURE.COM

LOWER LEVEL
PLAN

DATE: 04-01-07
CLIENT REVIEW
REVISIONS
SHEET NO. A4.0



WALL LEGEND
2x STD FRAMED WALL
STONE VENEER



1/4" = 1'-0"

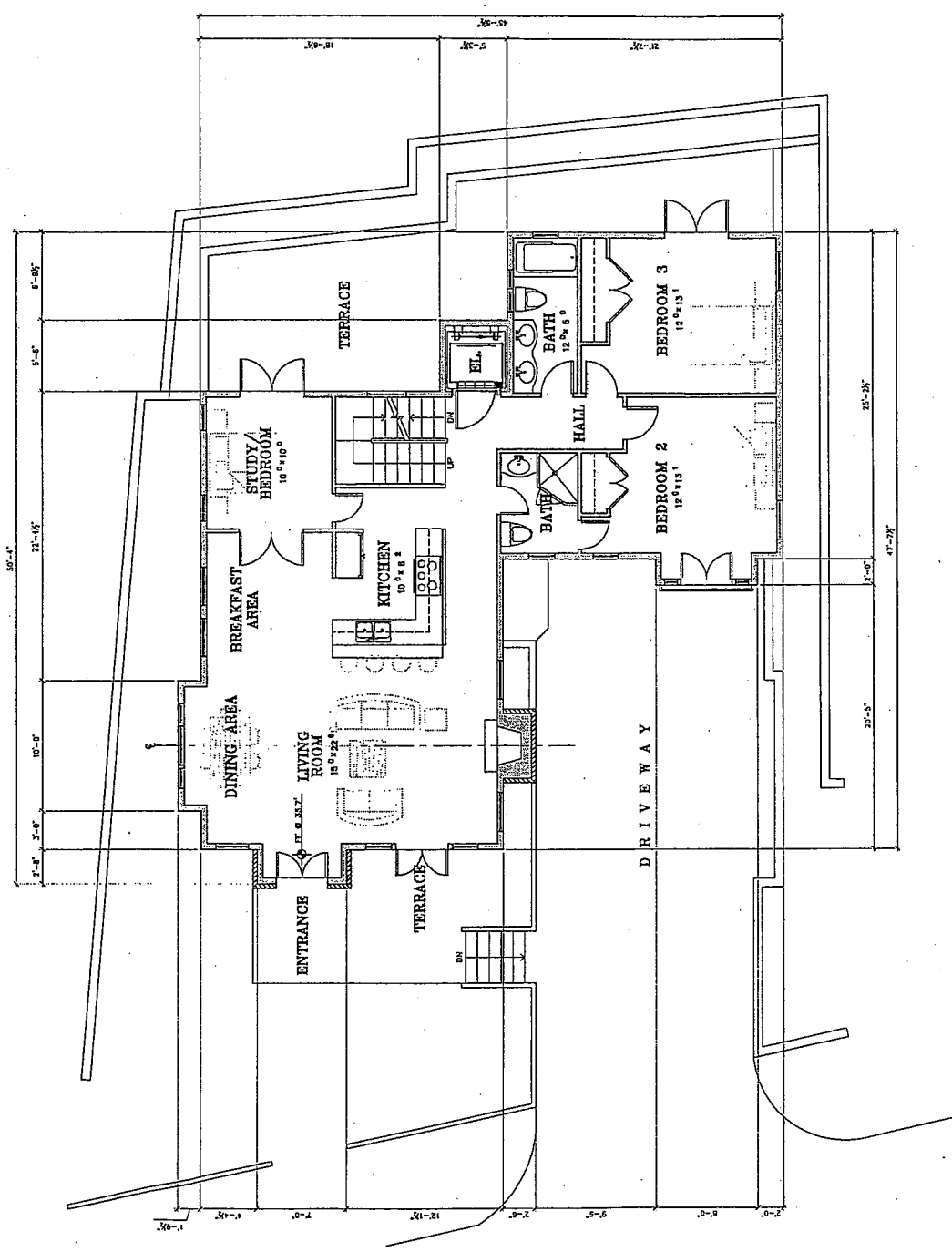
LOWER LEVEL PLAN

THE ARCHITECT'S RESPONSIBILITY IS TO PREPARE AND SEAL THESE PLANS IN ACCORDANCE WITH THE PROFESSIONAL SEAL ACT AND THE ARCHITECT'S ACT. THE ARCHITECT'S SEAL IS REQUIRED ON ALL PLANS SUBMITTED FOR PERMITTING. THE ARCHITECT'S SEAL IS REQUIRED ON ALL PLANS SUBMITTED FOR PERMITTING. THE ARCHITECT'S SEAL IS REQUIRED ON ALL PLANS SUBMITTED FOR PERMITTING.

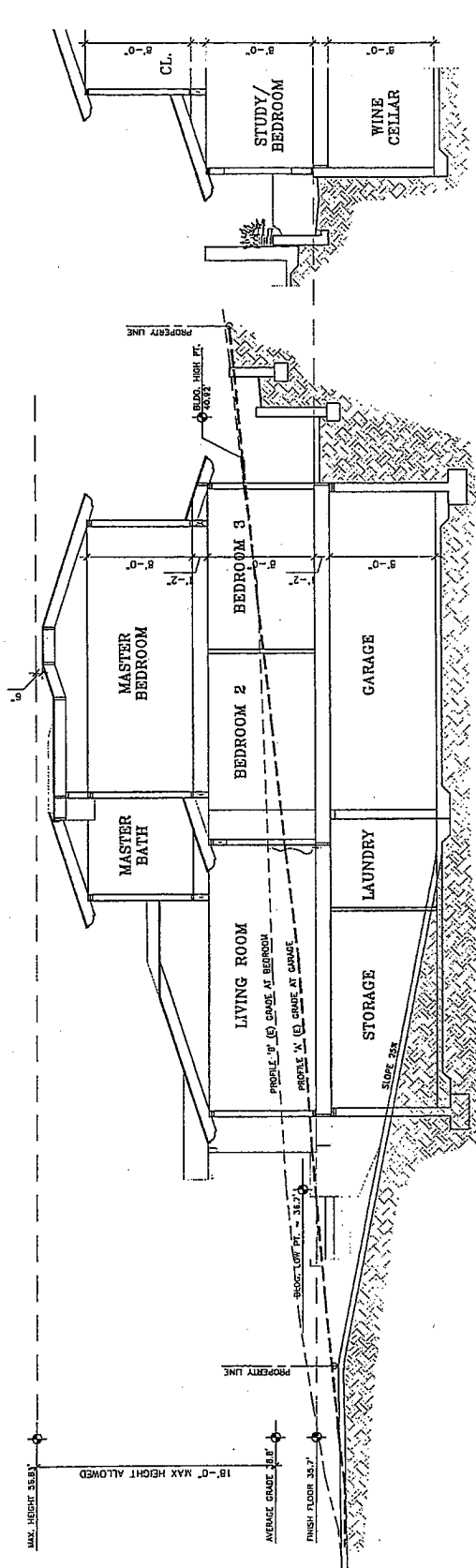
PROPOSED NEW RESIDENCE AT
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TEL (805) 644-1281 & FAX (805) 644-1282 & EMAIL: JMM@IDGARCH.COM

MAIN LEVEL PLAN	DATE: 04-04-07	CLIENT REVIEW	REVISIONS:	SCALE: 1/8"=1'-0"	SHEET NO. A2.0
			1		
			2		
			3		
			4		
			5		
			6		
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			9		
			10		



WALL LEGEND
 2x6 STUD FRAMED WALL
 STONE VENEER
 1/8"=1'-0"



SECTION 1

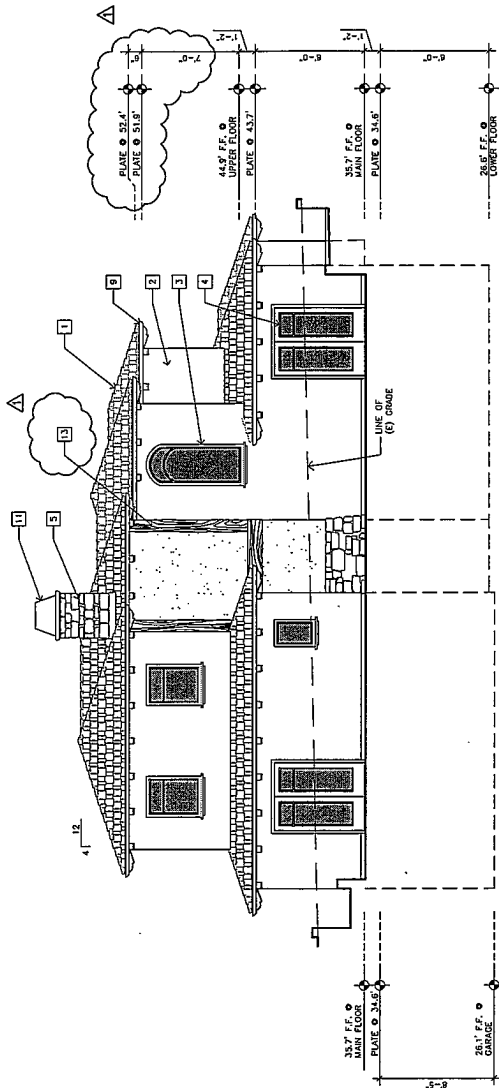
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SECTION 2

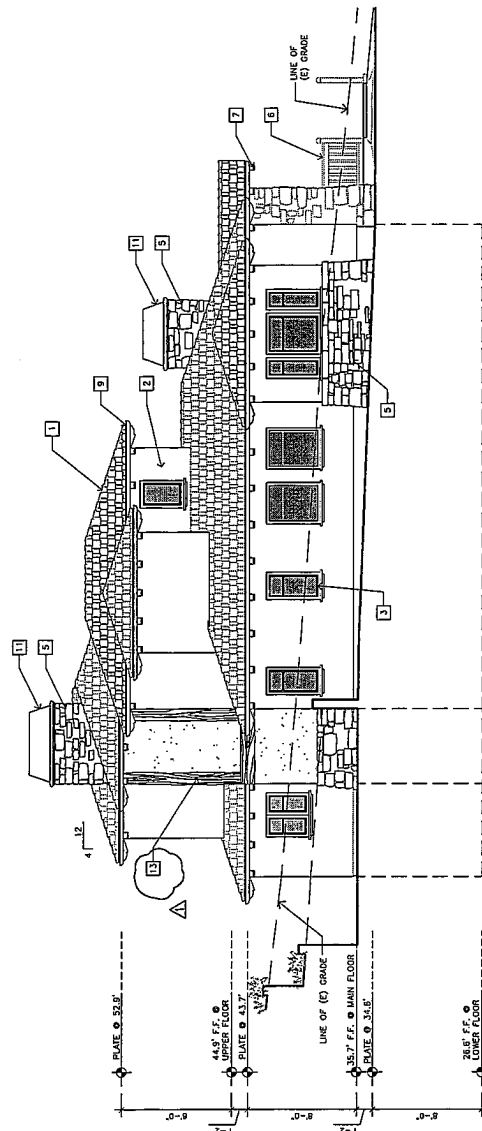
$$\underline{\underline{1/\Lambda'' \equiv 1' - Q''}}$$

EXTERIOR FINISH LEGEND

- | | |
|----|---|
| 1 | WOOD SHINGLE ROOF – CLASS A |
| 2 | EXTERIOR STUCCO |
| 3 | METAL CLAD WOOD WINDOWS |
| 4 | METAL CLAD WOOD DOORS |
| 5 | STONE VENEER – CARBOL STONE |
| 6 | POWDER COATED METAL HANDRAILS
W/ FAUX FINISH |
| 7 | STAINED WOOD RAFTERS |
| 8 | DECORATIVE WOOD PLANTER
W/ COPPER LINING |
| 9 | COPPER GUTTER AND DOWNSPOUT |
| 10 | STAINED WOOD GARAGE DOOR |
| 11 | COPPER CHIMNEY CAP |
| 12 | LIGHT WELL |
| 13 | DECORATIVE WOOD |



EAST ELEVATION

$$\underline{\underline{1/4" = 1' - 0"}}$$


NORTH ELEVATION

$$1/4'' = 1' - 0''$$

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221 LIGHTHOUSE AVE • PACIFIC GROVE CA • 93950

• 800-411-1111 • 805-461-1200 • FAX (805) 461-1201 • 805-461-1202

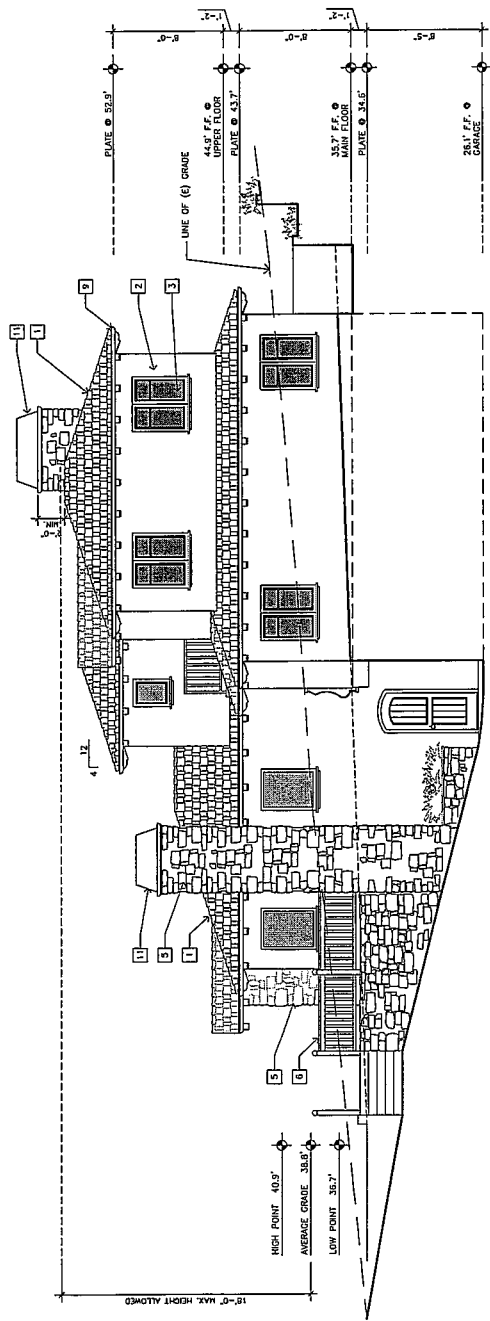
ELEVATIONS

DATE: 08-20-07
CLIENT REVIEW

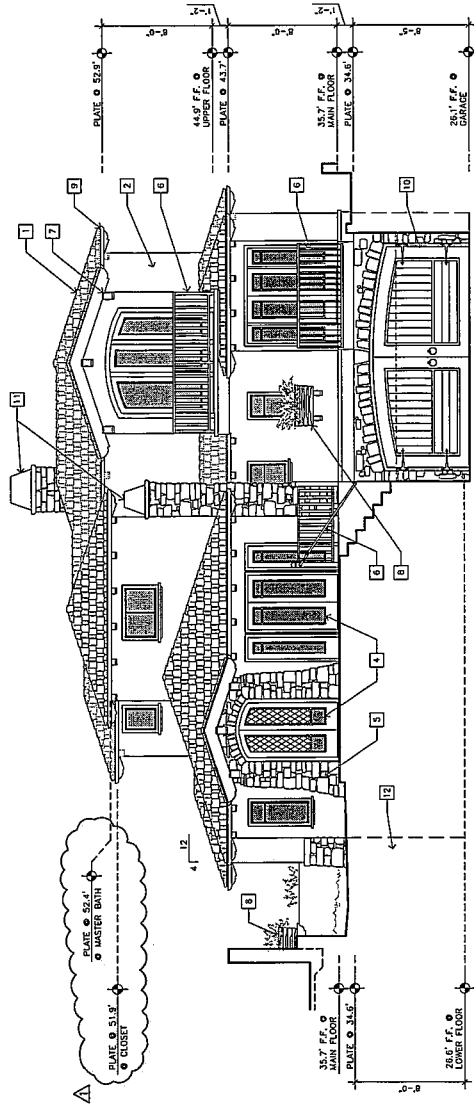
REVISIONS:

1	07-24-07	Neighbor's request

SHEET NO. A6.0



SOUTH ELEVATION

$$\overline{1/4'' = 1' - 0''}$$


WEST ELEVATION

$$1/4'' = 1' - 0$$

- | EXTERIOR FINISH LEGEND | |
|------------------------|---|
| 1 | WOOD SHINGLE ROOF - CLASS "A" |
| 2 | EXTERIOR STUCCO |
| 3 | METAL CLAD WOOD WINDOWS |
| 4 | METAL CLAD WOOD DOORS |
| 5 | STONE VENEER - CARBON STONE |
| 6 | POWDER COATED METAL HANDRAILS
w/ FAUX FINISH |
| 7 | STAINED WOOD RAFTERS |
| 8 | DECORATIVE WOOD PLANTER
w/ COOPER LINING |
| 9 | COOPER GUTTER AND DOWNSPOUT |
| 10 | STAINED WOOD GARAGE DOOR |
| 11 | COOPER CHIMNEY CAP |
| 12 | LIGHT WELL |
| 13 | DECORATIVE WOOD |

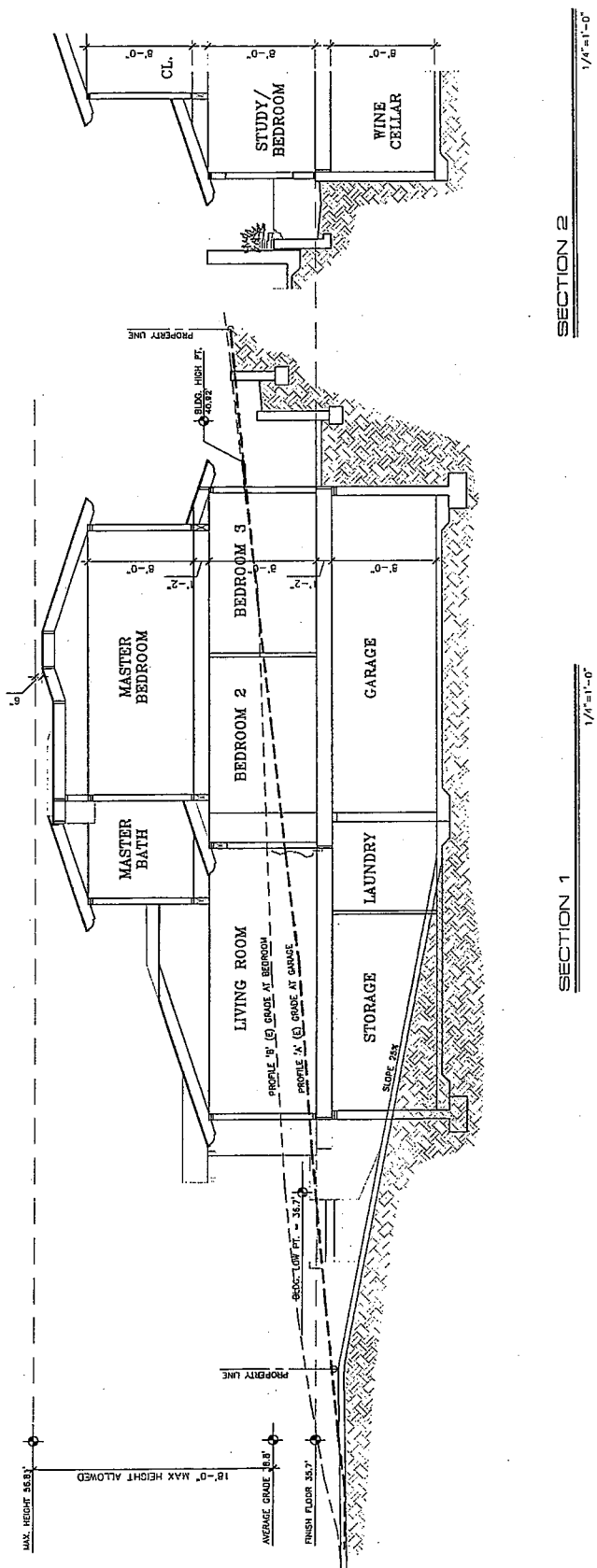


Exhibit G

MINUTES

Carmel Unincorporated/Highlands Land Use Advisory Committee
Monday, May 21, 2007

1. Meeting called to order 4:03 pm

2. Members Present: Weber, Berry, Wald, Meheen, Rainer

3. Members Absent: Davis - excused

4. Approval of Minutes:

Minutes of 4/16 Motion: approval - Berry (LUAC Member's Name)

Second: Meheen (LUAC Member's Name)

Ayes: 4 (Weber, Berry, Wald, Meheen, Rainer)

Noes: 1 - Berry - requested further reason for "no" vote

Absent: Davis, excused

on Chosen Road application
reviewed on April 2, 2007
PLN 070025

Abstain: none

5. Public Comments:

None

6. Other Items: A) Vote for LUAC Member to Participate on PC Subcommittee

5 Votes - Jack Meheen - Coastal LUAC member
5 Votes. Janet Brannen - Non Coastal LUAC member

B) Preliminary Courtesy Presentations by Applicants Regarding Potential
Projects/Applications:

None

Action by Land Use Advisory Committee

Project Referral Sheet

Planning & Building Inspection Department
168 W Alisal St 2nd Floor
Salinas CA
(831) 755-5025

Advisory Committee: Carmel Unincorporated/Highlands

Please submit your recommendations for this application by Monday, May 21, 2007.

Project Title: SKEEN DALE & JO MEI CHANG

File Number: PLN060735

File Type: ZA

Planner: SPENCER

Location: 26327 SCENIC RD CARMEL

Project Description:

COMBINED DEVELOPMENT PERMIT CONSISTING OF; 1) A COASTAL ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY 2,950 SQUARE FEET SINGLE FAMILY DWELLING WITH A 545 SQUARE FEET ATTACHED GARAGE AND 990 CUBIC YARDS OF CUT; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 750 FEET OF A KNOWN ARCHAEOLOGICAL RESOURCES; AND 3) DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 26327 SCENIC ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 009-442-013-000), COASTAL ZONE.

Was the Owner/Applicant/Representative Present at Meeting? Yes ☒ No ☐
Mathams, Architect

PUBLIC COMMENT:

Mr. Thush, 26344 Ocean View, approves of footprint of proposed residence. His one concern was view from his home to east of this project where closet and stairway at 2nd story level

Paul Ingemannson - neighbor to left of this project, 26321 Scenic Rd. says there are no impacts that affect his house. He wanted to see plans and hear the public comments.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

The one major impact to the neighbor to the rear of this property was regarding view, a corridor view, that occurred in the area of the 2nd story stairway or closet of the proposed new residence.

Mr. Mathams has verbally agreed to lower the plate line by approximately 18". After Mathams speaks to his client (owner of the property) he will call Mr. Thush to let him know if what he proposes is acceptable to owner. He, (the Advisory Comm.) said our task is to work with owners & clients to meet county reqs.

[PLN060735 SKEEN CONTINUED]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

Concern is only for the ~~back~~^{rear} corner of the proposed residence on left side of bldg. This concern has been addressed and Mr. Matthews has suggested lower the plate line by approx. 18". Advisory Comm. cannot save views for neighbors but can work with applicants in solving problems when impacts occur.

Chimneys will be of stone with copper chimney caps.
Garage doors will be of wood.

Colors and materials are appropriate for this location.
(see sample page submitted)

ADDITIONAL LUAC COMMENTS:

The LUAC members felt that the rear design of this project would look less massive if some rock work as shown on front and side elevations of home were introduced at the rear where walls are all stucco. The architect has agreed to consider additional rock detail at the rear.

There were no drawings to indicate materials for retaining wall to left of residence along the property line. Wall appears to be about 7'.

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuance):

Wald - motion for approval of plans as submitted with suggested condition that plate level be lowered by 18" at area of stairway and closet as seen from East elevation.

McHeen - 2nd to motion.

CONCUR WITH RECOMMENDATION:

AYES: 5 (Weber, Berong, Wald, McHeen, Reiner)

NOES: None

ABSENT: 1 - Davis, excused

ABSTAIN: None

MEETING ADJOURNED AT: 5:45 pm

FILE #: **PLN060735**

MONTEREY COUNTY
PLANNING AND BUILDING INSPECTION DEPARTMENT
 Salinas - 168 West Alisal, 2nd Floor, Salinas, CA 93902
 Telephone: 831.755.5025 Fax: 831.757.9516
 Coastal Office - 2620 First Avenue, Marina, CA 94039
 Telephone: 831.883.7500 fax: 831.384.3261
<http://www.co.monterey.ca.us/pbi/>

RECEIVED
 MAR 31 9 2007
 MONTEREY COUNTY
 PLANNING & BUILDING
 INSPECTION DEPT.

DESIGN APPROVAL REQUEST FORM

ASSESSOR'S PARCEL NUMBER: 009 - 442 - 013 - 000

PROJECT ADDRESS: 26327 SCENIC RD, CARMEL, CA
PROPERTY OWNER: DALE SKEEN & JOMEI CHANG Telephone: (650) 323-8002
 Address: P.O. BOX 7507 Fax: _____
 City/State/Zip: MENLO PARK, CA 94026 Email: _____

APPLICANT: INTERNATIONAL DESIGN GROUP Telephone: (831) 646-1261
 Address: 721 LIGHTHOUSE AVE. Fax: 646-1290
 City/State/Zip: PACIFIC GROVE, CA 93950 Email: _____

AGENT: _____ Telephone: _____
 Address: _____ Fax: _____
 City/State/Zip: _____ Email: _____

PROJECT DESCRIPTION: (Attach Scope of Work) SEE SCOPE OF WORK ATTACHED

MATERIALS TO BE USED: SEE ATTACHED

COLORS TO BE USED: SEE ATTACHED

You will need a building permit and must comply with the Monterey County Building Ordinance. Additionally, the Zoning Ordinance provides that no building permit be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit.

PROPERTY OWNER/AGENT SIGNATURE: [Signature] **DATE:** 01-25-07

FOR DEPARTMENT USE ONLY

ZONING: MDR/2-D(CZ)
GENERAL/AREA PLAN: Carmel LUP
ADVISORY COMMITTEE: " "
RELATED PERMITS: _____

LUAC REFERRAL: ☒ YES ☐ NO
ADMINISTRATIVE APPROVAL: ☐ YES ☒ NO
PUBLIC HEARING REQUIRED? ☒ YES ☐ NO
DOES THIS CORRECT A VIOLATION? ☐ YES ☒ NO

LEGAL LOT: Vol 2 pg 24 ☐ YES ☒ NO
GIVEN OUT BY: CS **DATE:** 1/4/07
ACCEPTED BY: CS **DATE:** 3/16/07

COMMENTS:

ADVISORY COMMITTEE RECOMMENDATION

☒ **APPROVAL** ☐ **DENIAL**

For: 5 Against: 0 Abstain: 0 Absent: 1

Was the Applicant Present? ☒ YES ☐ NO

Recommended Changes: See minutes

for comments from

LUAC

Signature: Barbara Kainer

Date: 5/21/07 (MF)

APPROPRIATE AUTHORITY: ☐ DIRECTOR OF P & B ☐ ZONING ADMINISTRATOR ☐ PLANNING COMMISSION
ACTION: ☐ APPROVED ☐ DENIED

CONDITIONS:

APPROVED BY: _____ **DATE:** _____

PROCESSED BY: _____ **DATE:** _____

Exhibit H

David Sabih, Attorney at Law

DATE: 10/24/07

Send to: *Craig Spencer*
Attention: *County Planning*
Office Location:
Fax Number: *757.9516*

From: David Sabih

Office: 26333 Scenic Rd, Carmel CA 93923

Phone Number: 831 624 3226 - Fax: 831 624 6203

Email: sabih321@aol.com

NUMBER OF PAGES, INCLUDING COVER: 5

COMMENTS:

*Please see enclosed letter**CC: Attorney - ZAN Henson*

Oct 24 07 02:00p SABIN_001-020-7113 p.2

DAVID S. SABIH

Attorney at Law

26333 Scenic Road
Carmel, CA 93923
Phone 831-624-3226
Fax 831-624-6203
e-mail sabih321@aol.com

Craig Spencer

Monterey County Resource Management

168 West Alisal St 2nd floor, Salinas, CA 93901

FAX: 831-757-9516

RE: 26327 Scenic Rd. Parcel # 009-442-013-000 Plan # 060735

October 24, 2007

Dear Mr. Walker;

I am writing concerning the above mentioned vacant property which adjoins my home. As you must be aware, this is not the first time a proposal has been made for construction on this vacant lot. In 2000, a plan for development was made by Daniel Archer. The Monterey County planner was Michael Walker. Plan # 990220 called for a 2,086 two story home removing 267 cubic yards of earth. This plan proposed that on this 4700 sq ft lot a 2,086 two story home be built. The plan showed that coverage allowed on a lot this size in this area was 35%. The coverage proposed in this plan was 34.8%. There were a number of hearings on this project, among them March 9, 2000 and June 6, 2000.

This lot was purchased by Jo Mei Chang when the above plan was under consideration by the county. She already owned the house behind the vacant lot and did not want new construction to block her view. Ms. Chang has not occupied this house for at least 10 years, if ever. She resides in Silicon Valley. She wanted to merge the two lots and speculate by building a new mega street to street home. For many years, the house behind has been vacant, rat infested and uncared for, as was the lot. I wrote her letter after letter requesting that she care for the land and house since her rats kept coming into my house. My pest control company told me the rats were coming from the neighboring property and must be eliminated there. Ms. Chang did not ever visit her property. When she was unable to sell the street to street plan to investors, she sold the house behind the lot and is now focusing her attention on speculating on this vacant lot construction.

Now you have under consideration a plan for a 2,950 sq ft house with a 545 sq ft garage and the removal of 990 cubic ft of soil. This new plan calls for almost 1000 sq ft more building (plus a larger garage) than the original plan which was already 34.8% lot coverage. (see enclosed Exhibit A) I am unclear how such a house could still be within the limits of appropriate coverage. I find this huge house on such a small lot to be out of character with the other houses in the neighborhood and object on the basis of size and aesthetics.

When the Ingemansons were building their house in 2001 (plan # 000654, 26321 Scenic Rd) , they rented this very vacant lot from the owner, Jo Mei Chang. Their contractor removed 450 yards of material and had it placed on this very vacant lot. Enclosed you will find some photos of the dirt piled on the vacant lot. When they were finishing their construction, they had the soil partly removed. However a significant amount of soil was left on the lot, artificially raising its level. The plan calls for a 18 ft home, at the areas height limit, however, the lot level has been raised by the soil added and therefore an 18ft house will be higher now than it would have been in 2000 when the first plan was proposed. I object to the height of this new construction being based on an artificially raised leveled lot.

I have concerns as to how trucks can remove 990 cubic ft of material. Where would they put it? When the 450 yards of dirt were placed on the vacant lot it was engulfed. Dirt and dust blew everywhere and was uncontainable. The construction noise was unbearable. I wrote letter after letter to Ms. Chang requesting that she contain the dirt and construction mess and keep construction within the County required work times. My requests were completely ignored until finally I had to write the County about the misuse of this lot for construction. Finally, she had the dirt covered which provided a small bit of relief. That was what happened with one half of the material was removed than the current plan calls for. However there is not a vacant lot any more to put the dirt. Scenic rd is heavily trafficked with many pedestrians and tourists as well as local traffic. The trucks and machinery required for this project would have to block the street for a significant period of time. I believe more attention needs to be paid to this issue. There will be considerable dust and noise with this construction. I would like to know how the County proposes to mitigate these problems.

In the Geological report provided by the developer, the geologist expressed concerns about how the adjacent properties would be supported during the excavation of this 990 cubic yards. (Page 19, Grice engineering). Since this plan calls for barely any set backs, how can they remove this amount of soil without affecting the adjoining property?

At the time of the first proposed plan, the issue of Archeological potentially significant resources was raised. An initial study (March 25, 1999 Library # 04.14.206) concluded that the property did have potentially significant resources. Then it was re-written by the same consultant (Sept 29, 1999 Library # 01-14-215) with a different conclusion. I find this reversal of position to be suspicious and disturbing.

The first plan called for a plan for Erosion Control. I have not seen the proposed plan for erosion control.

As you can see, there are a number of disturbing issues in this proposed plan that must be examined before any permission can be granted for construction. I am submitting my concerns for review during this stage of project consideration.

Thank you for your understanding,



David Sabih


(Exhibit A)
Project Information for PLN990220

Project Title: ARCHER DANIEL
Location: 26327 Scenic Road, Carmel
Applicable Plan: Carmel Land Use Plan
Permit Type: Coastal Development Permit
Environmental Status: Categorically Exempt
Advisory Committee: Carmel/Carmel Highlands

Primary APN: 009442013000
Coastal Zone: Yes
Zoning: MDR/2 (18)
Plan Designation: Medium Residential
Final Action Deadline (884): 5/25/2000

Project Site Data:

Lot Size: 4,700sf
Existing Structures (sf): 0
Proposed Structures (sf): 2,086
Total Square Feet: 2,086


Coverage Allowed: 35%
Coverage Proposed: 34.8%
Height Allowed: 18'
Height Proposed: 18'
FAR Allowed: 45%
FAR Proposed: 44.4

Resource Zones and Reports:

Environmentally Sensitive Habitat: No
Botanical Report #: N/A
Forest Management Rpt. #: N/A

Erosion Hazard Zone: N/A
Soils/Geotechnical Report #: N/A

Archaeological Sensitivity Zone: High
Archaeological Report #: 04.14.2006

Geologic Hazard Zone: Low II
Geologic Report #: 14.02.04

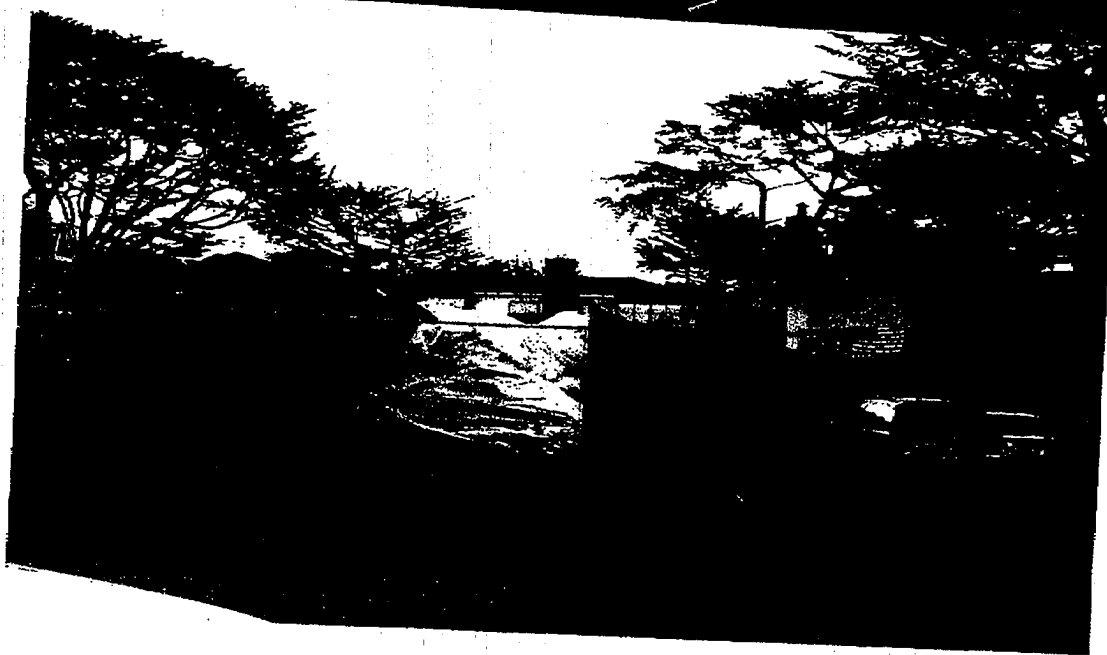
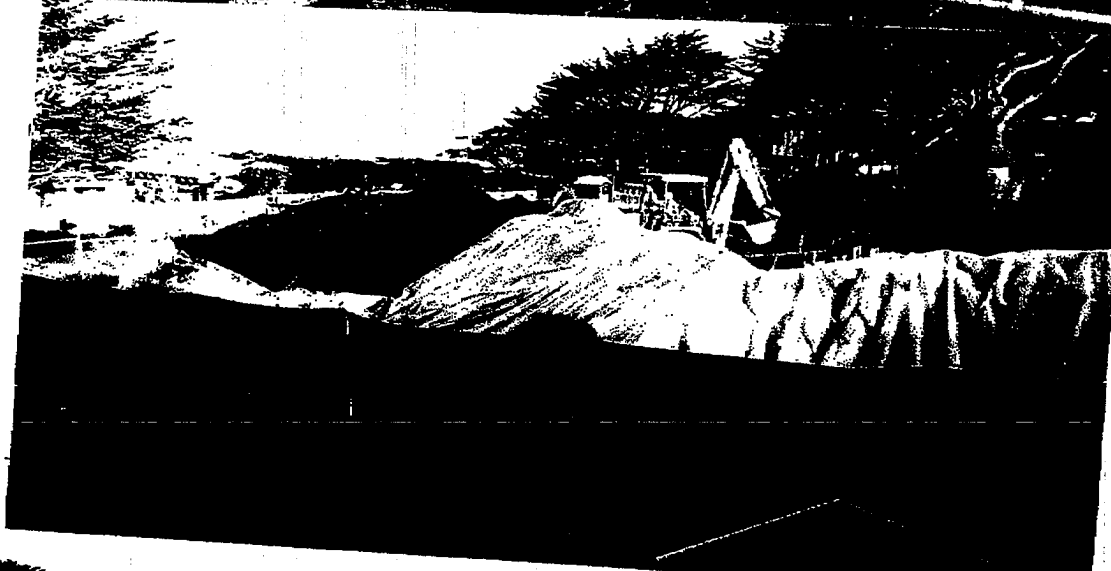
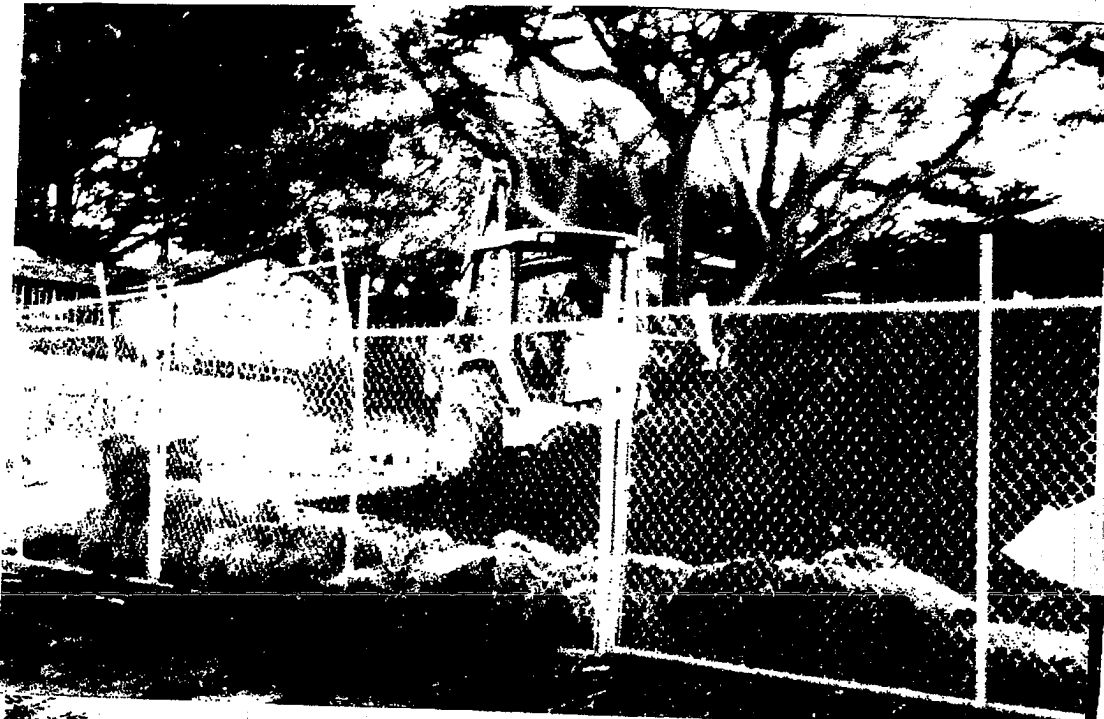
Fire Hazard Zone: Low

Traffic Report #: N/A

Other Information:

Water Source: Public
Water Dist/Co: Cal Am
Fire District: Cypress
Tree Removal: N/A

Sewage Disposal (method): Public
Sewer District Name: N/A
Grading (cubic yds.): 267.0



LAW OFFICES OF
ZAD LEAVY & ROBIN JEPSEN

100 CLOCK TOWER PLACE, SUITE 110
CARMEL, CALIFORNIA 93923

TEL: 831-624-6060

FAX: 831-625-1250

WWW.LJLAWFIRM.COM

Via Email and U.S. Mail

October 22, 2007

Monterey County Zoning Administrator
168 West Alisal Street, 2nd Floor
Salinas CA 93901

RE: Skeen/Chang Project, PLN060735 at 26327 Scenic Road, Carmel CA;
APN 009-442-013; Hearing Scheduled for 11/8/07 at 1:55 p.m.

Dear Zoning Administrator:

This office represents David Sabih, owner of the property immediately south of this project. Mr. Sabih's home is located at 26333 Scenic Road, Carmel CA 93923.

We vigorously oppose approval of this project based upon an analysis of the plans filed, and on the following grounds.

The project exceeds the height limit when the history of this parcel is examined. Approximately seven years ago the property immediately to the north was developed with a single family residence, and a considerable amount of soil was excavated therefrom, which was dumped upon this project site, APN 009-442-013, significantly raising its level in excess of one foot in height. The height of this proposed project does not take into account the artificial addition to this property from the previous development immediately to the north.

This project is much too large for the small site, violating the Land Use Plan (LUP) provision that Carmel Point is a special area and requires "minimal visibility" (LUP, p. 4, 8).

The proposed site contains archeological resources, and is not exempt from environmental review. A complete archeological survey should be required, as we have reason to believe that it may be a Native American burial ground. (LUP, p. 46)

The Land Use Plan for this area requires that the project blend with the area's natural scenic character (LUP, p. 58), but the bulk of this proposed home clearly does not blend in with the natural scenic character.

The LUP requires that all development must be in keeping with the present rural character of the area, yet the bulk and size of this proposed home does just the opposite. (LUP, p. 63)

Monterey County Zoning Administrator

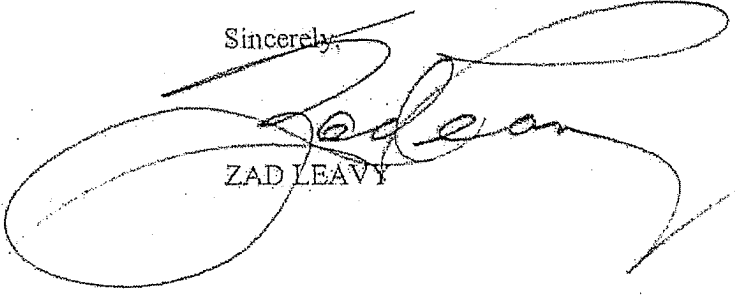
October 22, 2007

Page 2

On Wednesday, October 17, 2007, I attempted to review your file on this project, but was told at the Planning Department counter in Salinas that it could not be located. I submit that it would be inappropriate for you to move forward with a hearing on November 8, when the file is not available for our review.

In summary, the significant size and bulk of this proposed project on such a small lot indicate that a Mitigated Negative Declaration is insufficient, and we urge the Zoning Administrator to require the preparation of an Environmental Impact Report by the applicant, and to continue the hearing date to allow a full and complete investigation into this project.

Sincerely,



ZAD LEAVY

Cc: Craig Spencer, Project Manager — spencerc@co.monterey.ca.us
California Coastal Commission, Attn: Katy Morange (via fax 427-4887)
David Sabih, Esq.

ZL:gc
Real estate\sabih\my entry ltr

Spencer, Craig x5233

From: Sabih321@aol.com
Sent: Tuesday, October 23, 2007 11:02 AM
To: Quezada, Rocio x5963
Cc: zadleavy@sbcglobal.net; Spencer, Craig x5233; ABSwartley@aol.com
Subject: Re: PLN060735

Dear Craig Spencer,

Thank you for your e mail regarding the above mentioned plan. I appreciate your concern. My understanding is that my right to object has inherent the right to be able to obtain all documents concerning the project, expeditiously and easily. However, when my attorney came to examine the documents he was unable. He had to make another appointment for today to examine the documents. This is very costly and inefficient to me. Also there is no way for me to retain architects and geologists to review the documents in time, therefore I request that the hearing be re-scheduled for at least a month so I can obtain the documents from you and get experts to review them so their input can be submitted at the hearing. The geologist report that you faxed to us has been supplied by the developer. Obviously there is a conflict of interest there.

I would like to know if the county made a survey of the land to ascertain that the owners did not raise the level of the ground by adding materials of dirt and rock during the construction of the house next door.

I would like to see the Highlands committee recommendation and comments on this project.

This plan calls for 3,495 sq ft of building on a 4700 sq ft lot. Please inform me of the ratio allowed in this scenic corridor area. This size seems to be way out of proportion for the area.

I would like to see the 1999 report by Gary Breschni of Archeological Consulting which shows significant archeological sensitivity. I would also like to see the updated report Archeological Consulting, Jan 17, 2007

I am concerned about the support of adjacent properties during excavation that must be addressed which is described in the Grice Engineering geological report (page 19). The report says that the lot is very small for the set backs from neighboring property.

I would like to receive scaled plans or CAD drawing so that my experts can review the setbacks, the ratio of building sq ft to land lot size and the original land level to the artificially modified land level.

10/23/2007

I am happy to pay the reproduction costs of all documents that I am requesting.

Thank you for your courtesy and cooperation.

David Sabih

From the desk of:
David Sabih, Attorney at Law
26333 Scenic Rd.
Carmel, Ca, 93923
phone: 831-624-3226
fax: 831-624-6203
e-mail Sabih321@aol.com

Thank you for your courtesy and

David Sabih

From the desk of:
David Sabih, Attorney at Law
26333 Scenic Rd.
Carmel, Ca, 93923
phone: 831-624-3226
fax: 831-624-6203
e-mail Sabih321@aol.com

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(831) 757-9516

10-22-07

CRAIG SPENCER,

I TALKED TO YOU TODAY & THEN ANNA
SABIH TALKED TO ME ABOUT HOW THE
SURVEY ON THE SCENIC LOT AT 26327
MIGHT BE WRONG. EVIDENTLY, THE BASE
LINE WAS TAKEN FROM AN ARTIFICIAL LEVEE
BECAUSE MUCH DEBRIS WAS DUMPED ON
THIS LOT MAKING THE LINE HIGHER THAN
IT SHOULD HAVE BEEN. IT SHOULD BE
RE-SURVEYED WITH THE HELP OF A
GEOLOGIST TO DETERMINE WHERE THE
ORIGINAL DIAT IS.

THANK YOU,

J.C. Thush
JOHN CRAIG THUSH



MONTEREY BAY

Unified Air Pollution Control District
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER
Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

DISTRICT BOARD MEMBERS

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County

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Monterey County

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Santa Cruz
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Dennis Donohue
City of Salinas

Doug Emerson
San Benito
County Cities

Ila Mettee-
McCutcheon
Monterey
Peninsula Cities

Ellen Pirie
Santa Cruz
County

Simon Salinas
Monterey County

Sam Storey
Santa Cruz
County Cities

George Worthy
South Monterey
County Cities

October 24, 2007

Mr. Craig W. Spencer, Project Planner
County of Monterey
Planning & Building Inspection Department
168 West Alisal Street
Salinas, CA 93901

Sent electronically to:
spencere@co.monterey.ca.us
CEQAcomments@co.monterey.ca.us
Original by U.S. Mail.

SUBJECT: SKEEN AND CHANG SINGLE FAMILY DWELLING (PLN060735)

Dear Mr. Spencer:

Initial Study, Section VI, 1, (a-f): Environmental Checklist, Air Quality

The project's impacts would be less than significant rather than none.

Thank you for the opportunity to review and comment on the project.

Yours truly,

Jean Getchell
Supervising Planner
Planning and Air Monitoring Division

Received
Oct 25, 2007

LAW OFFICE OF ALEXANDER HENSON
13766 CENTER STREET, SUITE 27,
CARMEL VALLEY, CALIF. 93924
TELEPHONE (831) 659-4100
FAX NO. (831) 659-4101
EMAIL: ZANCAN@AOL.COM

ALEXANDER T. HENSON ESQ.

October 24, 2007

County of Monterey
Resource Management Agency-Planning Department
Attn: Mike Novo, Interim Director of Planning
168 West Alisal, 2nd Floor
Salinas, CA 93901

Re: Skeen & Chang, File Numbers: PLN060735

Dear Sir:

I am writing on behalf of my client David Sabih who lives adjacent to the lot upon which the above-referenced project is proposed to be located. My client takes issue with the findings of the Mitigated Negative Declaration concerning aesthetics, water supply, archaeology, baseline elevations, and adjacent sub-lateral support combined with a high water table.

Taking the last point first, it is noted the County Planner, as evidenced in a letter dated July 24, 2007, was concerned that retaining wall design after planning approval and prior to construction was an issue. This is because the engineering report states, "Consideration in the design and construction of these walls will need to be taken relative to the support of adjacent property during construction. A more detailed review should be made after planning approval and prior to construction." Geotechnical and Geologic Hazards Report for the Proposed Residence 26327 Scenic Road, p.11

Of all the issues affecting my client, loss of adjacent sub-lateral support to his property due to the excavation for the proposed basement is critical. The technical report does not explain what special precautions will be taken to ensure that sub-lateral support is not compromised during or after construction. This is especially worrisome given that the groundwater is found about 14 feet below grade, and the excavation appears to go over 8 feet below grade. No explanation is given as to why more "detailed" review of this problem should occur after planning approval. In fact since it may be necessary to pound shoring made of pilings or steel into the property, which would entail considerable noise and vibration, this detail should be explained *prior* to planning approval. To do otherwise is to sweep this difficult problem under the rug. This is not permissible under CEQA. The mitigated negative declaration is legally insufficient by not illuminating how this issue will be solved in a fashion that will not entail any significant adverse environmental impacts.

A related issue never addressed in the geotechnical report nor the mitigated negative declaration is whether the fact the high water table will be less than four feet below the basement slab elevation may cause any special problems. The geotechnical report notes the lower portions of construction should be wrapped in impermeable plastic, but it does not address the overall issue of how the high water table relative to the works of improvement will not be a problem for the property owner or the property owner's neighbors.

Concerning the aesthetics, it must be noted that while several comparisons are made to the previously approved dwelling on this site, it must be remembered that approval was for a building with one-half the square footage as proposed now. The bulk of imposing an almost 4000 square foot house on a 4700 square foot lot cannot be overstated. No other house on Carmel Point has such a mismatch of lot to house. The mitigated negative declaration is incredibly misleading in not making any comparisons of existing house sizes to their respective lot sizes. Such a comparison would make it abundantly clear that this proposed dwelling has a ratio of house size to parcel size far greater than any other dwelling in the area.

Concerning water supply, it is noted the project proposes to use transferred water credits. The use of any type of water credits to enable a property owner to obtain a water supply from Cal-Am whilst Cal-Am is subject to State Water Resources Control Board Order 95-10 requires the preparation of an environmental impact report given that the use of transferable water credits has never been analyzed for environmental impacts in an EIR or any other environmental document. Transferable water credits constitute an invalid exception to Order 95-10 and subsequent decisions of the State Water Resources Control Board to limit water consumption from the Carmel River Aquifer due to overuse of the water resources therein.

Concerning archaeological resources, the existing report which simply requires monitoring in case artifacts are uncovered, is totally inadequate. Carmel Point is an area rich in paleontologic resources. The existing archaeological report notes the existence of fragments of mussel and abalone that are of Native American origin. Instead of recommending further subsurface investigation due to finding this evidence, instead the report simply allows subsurface investigation by bulldozer which will totally disrupt any archaeological values of in situ deposition of such paleontologic resources. To proceed with excavation in lieu of investigation will have a significant adverse environmental impact upon this resource.

There is also the problem that the entire site has been altered by the addition of spoil material from the construction of the house on the lot adjoining the proposed project site. My client has pictures of the placement of the spoil on the subject property and of some, but not all, of that spoil being removed. Since not all the spoil was removed, the property elevations have changed. This is not discussed in the mitigated negative declaration. Since the 18 foot height limit is measured from grade, the spoil changes the height to which the building may go inappropriately.

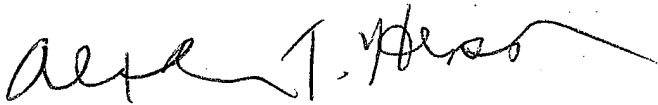
October 24, 2007

Page 3

There is also no discussion of whether imported soil is going to have to be used for engineered fill. The mitigated negative declaration points out that as much as 990 cubic yards of material may be removed. The document does not state how much imported fill there may be. Nor does the document address the truck traffic and noise and dust that will be imposed upon the neighborhood should the project need to export the native soil and import material suitable for engineered fill.

For each of the foregoing reasons, the Mitigated Negative Declaration is legally inadequate in performing its duty as an environmental disclosure document. It is anticipated that at the hearing scheduled for November 8, 2007, my client will adduce additional expert testimony concerning the potential for adverse environmental impacts as set out above from this proposed project.

Sincerely,



ALEXANDER T. HENSON
ATTORNEY

cc. David Sabih

The Truth Works!