

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: June 9, 2011	Time: 1:30 P.M	Agenda Item No.: 3
Project Description: Combined Development Permit to allow: 1) a Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat to allow construction of a 120-foot long, 5 to 10-foot tall retaining wall on the face of the coastal bluff to protect eroding coastal bluff and adjacent single family residence; 2) a Coastal Development Permit to develop within 750 feet of a known archaeological resource; and Design Approval.		
Project Location: 26340 Scenic Road, Carmel		APN: 009-443-004-000
Planning File Number: PLN090208		Owners: Dillon, Donald F. and Mary Ann, Co-Trs Agent: Phil Doody, Mesiti-Miller Engineering, Inc.
Planning Area: Carmel Area Land Use Plan		Flagged and staked: No
Zoning Designation: : MDR/2-D(18)(CZ) (Medium Density Residential, 2 units per acre, Design Control, 18 foot height limit in the Coastal Zone)		
CEQA Action: Mitigated Negative Declaration		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to:

- 1) Adopt the Mitigated Negative Declaration (**Exhibit E**);
- 2) Approve PLN090208, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**); and
- 3) Adopt the Mitigation Monitoring and Reporting Program (**Exhibit B**)

PROJECT OVERVIEW:

This project application requests to construct a 120-foot long, 5 to 10-foot tall retaining wall to protect eroding coastal bluff and adjacent single family residence. The subject parcel is located in Carmel, on the west side of Carmel Point, between the coastal bluff and Scenic Road. The existing single family dwelling at the site was constructed in approximately 1960 and is situated as close as 4 to 5 feet from the top of the coastal bluff.

The Dillon residence was impacted by wave run-up during the winter storms in January 2008, eroding a portion of the terrace deposits supporting the residence. An erosion gully along the north side of the parcel had been previously filled, perhaps concurrent with the construction of the residence, and the fill is retained along the coastal bluff by a concrete masonry unit retaining wall. The base of the retaining wall is protected from undermining by grouted granite boulders which extend approximately 12 feet seaward from the base of the wall.

The exposed face of the upper bluff protection structure will be finished and sculpted by Cemrock Naturalistic Environments. The artificial rock work construction by Cemrock is indistinguishable from the natural surroundings. Landscaping has been specifically designed with the intention of visually softening and partially camouflaging the structure. The top of the proposed structure will match the adjacent natural occurring bluff elevation. Therefore, visual impact would be less than significant.

A Mitigated Negative Declaration was prepared for the project and was circulated from April 25, 2011 to May 25, 2011. No comments were received. The primary CEQA issues involve visual resources, biological resources, cultural resources, and geology/soils. These resources will be affected by the proposed project. However, evidence supports the conclusion that impacts will

be less than significant for visual resources and geology/soils and less-than-significant with mitigation incorporated for biological resources. There are no impacts to cultural resources.

There are no unresolved issues.

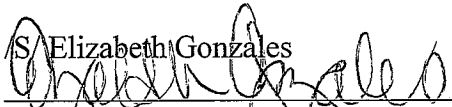
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Cypress Fire Protection District
- California Coastal Commission

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by Public Works have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

On November 15, 2010, the Carmel Unincorporated/Highlands Land Use Advisory Committee recommended approval (7-0 vote) of the project as submitted and agreed there would be no new negative impacts to motorists or pedestrians during construction.

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


Elizabeth Gonzales, Associate Planner
(831) 755-5102, gonzalesl@co.monterey.ca.us
May 26, 2011

cc: Front Counter Copy; Zoning Administrator; Cypress Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Elizabeth Gonzales, Project Planner; Carol Allen, Senior Secretary; Dillon, Donald F. and Mary Ann, Owners; Phil Doody, Mesiti-Miller Engineering, Agent; Planning File PLN090208

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
1. Conditions of Approval and Mitigation Monitoring and Reporting Program
2. Site Plan, Floor Plan and Elevations
Exhibit C Vicinity Map
Exhibit D Advisory Committee Minutes (LUAC)
Exhibit E Mitigated Negative Declaration

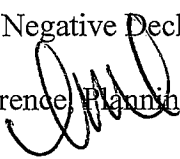
This report was reviewed by Laura Lawrence, Planning Services Manager


EXHIBIT A

Project Data Sheet for PLN090208

Project Title: DILLON

Location: 26340 SCENIC ROAD
CARMEL

Primary APN: 009-443-004-000

Applicable Plan: CARMEL AREA LAND
USE PLAN

Coastal Zone: YES

Permit Type: COASTAL DEV
PERMIT

Zoning: MDR/2-D (CZ)

Environmental Status: MITIGATED
NEGATIVE DEC

Plan Designation: RESIDENTIAL

Advisory Committee: CARMEL
HIGHLANDS/UNINC

Final Action Deadline (884): MAY 22, 2011

Project Site Data:

Lot Size: 12,477 SQUARE FEET

Coverage Allowed: 35%

Coverage Proposed: N/A

Existing Structures (SF): N/A

Height Allowed: N/A

Proposed Structures (SF): N/A

Height Proposed: 5 – 10 FEET ON FACE OF
BLUFF

Total SF: N/A

Floor Area Ratio Allowed: 45%

Floor Area Ratio Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: YES

Erosion Hazard Zone: LOW

Biological Report #: LIB110143

Soils Report #: LIB110140 & LIB110141

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: II

Archaeological Report #: LIB110147

Geologic Report #: LIB0110140 & LIB110141

Fire Hazard Zone: LOW

Traffic Report #: N/A

Other Information:

Water Source: PUBLIC

Sewage Disposal (method): PUBLIC

Water Dist/Co: CAL AM

Sewer District Name: CAWD

Fire District: CYPRESS FIRE
PROTECTION DIST

Total Grading (cubic yds.): N/A

Tree Removal: N/A

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

DILLON, DONALD F. AND MARY ANN, CO-TRS (PLN090208)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Adopting Mitigated Negative Declaration;
- 2) Approving Combined Development Permit to allow 1) a Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat to allow construction of a 120-foot long, 5 to 10-foot tall retaining wall on the face of the coastal bluff to protect eroding coastal bluff and adjacent single family residence; 2) a Coastal Development Permit to develop within 750 feet of a known archaeological resource; and Design Approval; and
- 3) Adopting the Mitigation Monitoring and Reporting Program.

[PLN090208, Dillon, Donald F. and Mary Ann, Co-Trs, 26340 Scenic Road, Carmel, Carmel Area Land Use Plan (APN: 009-443-004-000)]

The Combined Development Permit application (PLN090208) came on for public hearing before the Monterey County Zoning Administrator on June 9, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan;
 - Carmel Area Land Use Plan;
 - Monterey County Coastal Implementation Plan, Part 4; and
 - Monterey County Zoning Ordinance (Title 20);No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
b) Site Description. The subject site is approximately 12, 477 square feet and is located at 26340 Scenic Road, on the west side of Carmel Point,

between the coastal bluff and Scenic Road in Carmel (Assessor's Parcel Number 009-443-004-000, Carmel Area Land Use Plan. The parcel is zoned "MDR/2-D(18)(CZ)" (Medium Density Residential, 2 units per acre, Design Control, 18 foot height limit in the Coastal Zone) which allows retaining walls to protect existing structures. Therefore, the project is an allowed land use for this site.

- c) Pursuant to Policy 2.4.7.4.10 and CIP section 20.146.080.D.i, "Revetments, groins, seawalls, or retaining walls and other such construction that alters natural shoreline processes shall be permitted only where required for the protection of existing development. These structures shall not impede lateral beach access and shall respect, to the greatest degree possible, natural landform and visual appearance. Such facilities shall be designed to eliminate or mitigate adverse impacts on local shoreline supply..."
- d) The project application requests to construct a 120-foot long, 5 to 10-foot tall retaining wall on the face of a coastal bluff to protect eroding coastal bluff and adjacent single family residence. The existing single family dwelling at the site was constructed in approximately 1960 and is situated as close as 4 to 5 feet from the top of the coastal bluff. Entitlement includes a Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat to allow construction of a 120-foot long, 5 to 10-foot tall retaining wall on the face of the coastal bluff.
- e) Design Approval Pursuant to Chapter 20.44, Design Control Zoning Districts, zoning for the project requires design review of structures to make sure they are appropriate to assure protection of the public viewshed, neighborhood character, and assure visual integrity. To ensure that the retaining wall will not detract from the visual quality of Carmel Point, the exposed face of the upper bluff protection structure will be finished and sculpted by Cemrock Naturalistic Environments. The artificial rock work construction by Cemrock is indistinguishable from the natural surroundings. Landscaping has been specifically designed with the intention of visually softening and partially camouflaging the structure. The top of the proposed structure will match the adjacent natural occurring bluff elevation.
- f) Visual Resources. According to the Carmel Coastal Implementation Plan (CIP), the public viewshed are those areas visible from major public viewing areas such as 17 Mile Drive, Scenic Road, Highway 1 Corridor and turn-outs, roads/viewpoints/sandy beaches within Point Lobos Reserve and Carmel River State Beach, Garrapata State Park, and Carmel City Beach (20.146.020 CIP). Although, the wall cannot be seen from Scenic Road, Policy 2.2.3 CLUP states, "the design and siting of structures, whether residential, commercial, agricultural, or public and the access roads thereto, shall not detract from the natural beauty of the scenic shoreline and undeveloped ridgelines and slopes in the public viewshed." The top of the proposed structure will match the adjacent natural occurring bluff elevation and the landscaping has been specifically designed with the intention of visually softening and partially camouflaging the structure. This project has been evaluated for consistency with the Visual Resources policies of the Carmel Area Land Use Plan (CLUP) and Carmel Coastal Implementation Plan as part of

- the Mitigated Negative Declaration (*See Finding 5*).
- g) Cultural Resources. The parcel is also located within 750 feet of a known archaeological resource. Pursuant to 20.146.090.A.1, the entitlement for development within 750 feet of a known archaeological resource requires a Coastal Development Permit. An Archaeological letter for Assessor's Parcel 009-443-004-000 was prepared by Mr. Lynne H. Mounday, dated April 19, 2011 for the project to evaluate the potential for significant archaeological resources on-site and the potential for impacts to these resources as a result of the project. It was determined since the ground surface was bare and clear of any obstacles to determining the presence or absence of archaeological remains and there is no evidence on the site or adjacent garden area of any cultural deposits present to be impacted, the work proposed will not affect archaeological or historical cultural resources known to exist in Monterey County or archaeological evidence for any prehistoric resource on the property. This project has been evaluated for consistency with the Cultural Resources policies of the Carmel Area Land Use Plan (CLUP) and Carmel Coastal Implementation Plan as part of the Mitigated Negative Declaration (*See Finding 5*).
- h) ESHA. A Biological Assessment was prepared by Denise Duffy & Associates, dated October 2009. Prior to construction of the residence, coastal bluff habitat likely dominated the site. Remnant plant species of the habitat type, including seaside daisy and salt grass are still present in very limited numbers at the top of the bluff at the edge of the residence. However, due to historic and ongoing disturbance, the majority of this vegetation consists of non-native plant species. The wall will be constructed along the rocky bluff, and will not extend up above the terrace and the vegetation. This area is regularly impacted by wave action, leaving it devoid of topsoil and vegetation. No sensitive habitats are present within the project. However, Carmel Bay, located immediately adjacent to the project site, is designated Waters of the U.S. and is protected by the Clean Water Act as a sensitive habitat. Additionally, rocky intertidal habitat is present immediately adjacent to the project site. This habitat is listed as ESHA in the Carmel Area Land Use Plan (*see Finding 7*). This project has been evaluated for consistency with the Biological Resources policies of the Carmel Area Land Use Plan (CLUP) and Carmel Coastal Implementation Plan as part of the Mitigated Negative Declaration (*See Finding 5*).
- i) Geology. The project site lies in an area identified by the Monterey County Geographic Information System as a geologic II seismic sensitivity zone. Pursuant to Section 20.146.080 of the Monterey County Coastal Implementation Plan, regardless of a parcel's seismic hazard zone, a geologic report shall be required for any development project within 50 feet of the face of a cliff or bluff or within the area of a 20 degree angle above horizontal from the fact of a cliff, whichever is greater. A Geotechnical and Coastal Engineering Investigation for the design and construction of a retaining wall system to stabilize the coastal bluff top adjacent the existing residence at 26340 Scenic Road was prepared by Haro, Kasunich and Associates, Inc. They concluded that the work recommended is based on presently accepted geotechnical and coastal engineering practices and standards. The conclusions do not

imply that the site is free from geologic hazards or that the site will not be subject to coastal erosion, ground failure, or inundation; however the report does suggest that compliance with the recommendations will reduce potential coastal and geologic hazards to an acceptable risk. This project has been evaluated for consistency with the Hazards Resources policies of the Carmel Area Land Use Plan (CLUP) and Carmel Coastal Implementation Plan as part of the Mitigated Negative Declaration (*See Finding 5*).

- j) On November 15, 2010, the Carmel Unincorporated/Highlands Land Use Advisory Committee recommended approval (7-0 vote) of the project as submitted and agreed there would be no new negative impacts to motorists or pedestrians during construction.
- k) The project planner conducted a site inspection on March 30, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- l) 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 PLN090208.

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, Cypress Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Public Works has incorporated a non-standard condition requiring a Construction Management Plan to address temporary construction impacts from the project (Condition #3).
 - b) Staff identified potential impacts to Biological Resources, Archaeological Resources, Geology and Soils. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - “Geotechnical and Coastal Engineering Investigation for Proposed Retaining Wall at 26340 Scenic Road, Assessor’s Parcel Number 009-443-004-000” (LIB110140), prepared by Haro, Kasunich and Associates, Inc., dated May, 2009;
 - “Updated Project Plan Review of Geotechnical and Coastal Engineering Investigation for Proposed Retaining Wall at 26340 Scenic Road” (LIB110141), prepared by Haro, Kasunich and Associates, Inc., dated October 12, 2010;
 - “Sand Loss Analysis Estimates” (LIB110142), prepared by Haro, Kasunich and Associates, Inc., dated August 12, 2010;
 - “Biological Assessment” (LIB110143), prepared by Denise Duffy & Associates, dated October, 2009;

- “Archaeological Letter” (LIB110147) prepared by Lynne H. Mounday, Planning Consultant, dated April 19, 2011.
- c) This project has been evaluated for visual resources, biological resources, cultural resources, and geology/soils. These resources will be affected by the project. However, evidence supports the conclusion that the project is suitable for this use (*see Finding 1*).
- d) Staff conducted a site inspection on March 30, 2010 to verify that the site is suitable for this use.
- e) 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 PLN090208.

3. **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:**
- a) The project was reviewed by Cypress Fire Protection District, Public Works, Environmental Health Bureau and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities for the existing structure are currently being provided by public entities, Cal Am and CAWD. These will not be affected by the project.
 - c) See preceding Findings # 1 and 2, and supporting evidence for PLN090208.

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.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on March 30, 2010 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090208.

5. **FINDING:** **CEQA (Mitigated Neg Dec)** - On the basis of the whole record before the Monterey County 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) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN090208).
 - c) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. The Initial Study identified three potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. Staff accordingly prepared a Mitigated Negative Declaration. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN090208).
 - d) The primary CEQA issues involve visual resources, biological resources, cultural resources, and geology/soils. These resources will be affected by the proposed project. However, evidence supports the conclusion that impacts will be less than significant for visual resources and geology/soils and less-than-significant with mitigation incorporated for biological resources. There are no impacts to cultural resources. Detailed analysis for each issue can be found in Section VI. – Environmental Checklist of the Initial Study (**Exhibit E**).
 - e) In order to ensure the recommended avoidance and minimization measures are implemented properly, County staff will require an on-site pre-construction meeting between the contractor, biologist, applicant and County staff to discuss the Biological Survey Report, prepared by Denise Duffy and Associates, dated October 2009. County staff has incorporated a non-standard Condition of Approval requiring this be done prior to issuance of grading/building permits (Condition #7).
 - f) Biological mitigation measures include: 1) consultation with a qualified hydrologist shall be required for excavation and other activities that involve soil disturbance; 2) use of only certified, weed-free straw for erosion control protection; and 3) retain a biologist on site to ensure minimal removal of vegetation.
 - g) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference as **Exhibit 1**. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval.
 - h) The Draft Mitigated Negative Declaration (“MND”) for PLN090208 was prepared in accordance with CEQA and was circulated for public review from April 25, 2011 to May 25, 2011 (SCH #2011041085). No comments were received. The primary CEQA issues involve visual resources, biological resources, cultural resources, and geology/soils. These

resources will be affected by the proposed project. However, evidence supports the conclusion that impacts will be less than significant for visual resources and geology/soils and less-than-significant with mitigation incorporated for biological resources. There are no impacts to cultural resources (*see Finding #1/Consistency*).

- i) Evidence that has been received and considered includes: the application, technical studies/reports (*see Finding 2/Site Suitability*), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN090208) and are hereby incorporated herein by reference.
- j) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources. The site supports biological resources, therefore the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
- k) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

6 **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) 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.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3 of the Public Access Map in 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) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090208
 - e) The project planner conducted a site inspection on March 30, 2010.

7 **FINDING:** **ESHA** – The subject project minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

- EVIDENCE:**
- a) The project includes application for development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the Carmel Area Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met.
 - b) The intent of the Environmentally Sensitive section of the Coastal Implementation Plan is to protect the environmentally sensitive habitats of the Carmel Coastal Segment. These areas are unique, limited and fragile resources of statewide significance important to the enrichment of present and future generation of County residents and visitor; accordingly, they shall be protected, maintained and where possible enhanced and restored. (20.146.040 CIP)
 - c) The proposed project may have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. Specifically, Carmel Bay, located immediately adjacent to the project site, is designated Waters of the U.S. and is protected by the Clean Water Act. Additionally, rocky intertidal habitat is present immediately adjacent to the project site. This habitat is listed as ESHA in the Carmel Area Land Use Plan. Section 20.146.040.C.3.c of the CIP, states that “development on parcels adjacent to intertidal habitat shall be sited and designed to prevent percolation of septic runoff and deposition of sediment.”
 - d) A Biological Assessment was prepared by Denise Duffy & Associates, dated October 2009. The project is connected to public sewer and does not involve the installation of new, or modification of any existing septic infrastructure. It was determined that no project activities will occur within these habitats. Additionally, the project will protect these habitats from increased sedimentation associated with erosion of the bluff. Implementation of the recommended avoidance and minimization measures recommended in the Biological report will reduce potential sedimentation and erosion during construction-phase activities to a less than significant level (*see Finding #5e & f*).
 - e) The project planner conducted a site inspection on March 30, 2010 to verify ESHA locations and potential project impacts to ESHA.
 - f) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090208.

8 **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission

- EVIDENCE:**
- a) Section 20.86.030 Monterey County Zoning Ordinance (Board of Supervisors).
 - b) Section 20.86.080.A.3 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because the project includes conditional uses (Coastal Development Permit) to allow development within 100 feet of Environmentally Sensitive Habitat and development within 750 feet from a known archaeological resource.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Adopt Mitigated Negative Declaration;
- B. Approve Combined Development Permit to allow 1) a Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat to allow construction of a 120-foot long, 5 to 10-foot tall retaining wall on the face of the coastal bluff to protect eroding coastal bluff and adjacent single family residence; 2) a Coastal Development Permit to develop within 750 feet of a known archaeological resource; and Design Approval, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference; and
- C. Adopt the Mitigation Monitoring and Reporting Program (**Exhibit 1**)

PASSED AND ADOPTED this 9th day of June, 2011 upon motion of:

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

- 1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall 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 by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 03-28-2011

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN090208

Responsible
Department

Compliance or Monitoring
Actions to be Performed

1. PD001 - SPECIFIC USES ONLY

This Combined Development Permit allows 1) a Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat to allow construction of a 120-foot long, 5 to 10-foot tall retaining wall on the face of the coastal bluff to protect eroding coastal bluff and adjacent single family residence; 2) a Coastal Development Permit to develop within 750 feet of a known archaeological resource; and Design Approval. The property is located at 26340 Scenic Road, Carmel (Assessor's Parcel Number 009-004-004-000), in the Carmel Area Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 the 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

Planning

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

The applicant shall record a Permit Approval Notice. This notice to confirm that Resolution Number _____, approved by the Zoning Administrator for Assessor's Parcel Number 009-443-004-000, on June 9, 2011, and states, "The permit was granted subject to 7 conditions of approval which run with the land" and "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 the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

Planning

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

EXHIBIT "B" |

3. PWSP001 - CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD)

The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (RMA Planning Department and RMA Public Works)

Prior to issuance of grading/building permits, the applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval.

Pub Works

4. PDSP001 - CONSULTATION WITH HYDROLOGIST/EROSION CONTROL SPECIALIST

MITIGATION MEASURE #1 - In order to protect the rocky intertidal habitat area from increased sedimentation, removal of vegetation shall not exceed the minimum necessary to complete operations. Excavation and other activities that involve soil disturbance shall be planned and carried out in consultation with a qualified hydrologist or erosion control specialist, and shall utilize standard erosion control and slope stabilization measures in satisfaction of Monterey County erosion control guidelines to minimize erosion of slopes and sedimentation to adjacent sensitive habitats. (RMA-Planning Department)

Monitoring Action #1:

Straw used for check dams and erosion control protection shall only be certified, weed-free straw. In order to avoid the introduction of non-native, invasive plants, erosion control measures outlined in the Erosion Control Plan, Sheet C1.2 of the plans created for the project by Mesiti-Miller Engineering, Inc. (Appendix C) shall be implemented. Evidence shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

Planning

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

5. PDSP002 - STAGING AREA FOR MECHANICAL EQUIPMENT (NON-STANDARD)

Conditions of Approval and/or Mitigation Monitoring Measures

MITIGATION MEASURE #2 - In order to protect the rocky intertidal habitat area, no fueling or maintenance of equipment shall take place within or adjacent to the previously identified sensitive habitats. Mechanical equipment shall be serviced in designated staging areas located outside of the areas. Water from equipment washing or concrete wash downs shall be prevented from entering these habitats. All food-related trash items shall be enclosed in sealed containers and removed daily from the site. (RMA - Planning Department)

Monitoring Action #2:

Prior to issuance of grading/building permits, a signed agreement between the applicant, qualified biologist, and contractor stating that no fueling or maintenance of equipment shall take place in the construction area, that all mechanical equipment be serviced in designated staging areas located outside of the construction area and all food related trash items shall be removed daily. A copy of the signed agreement shall be submitted to the RMA- Planning Department for review and approval.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

6. PDSP003 - RETAIN QUALIFIED BIOLOGIST

MITIGATION MEASURE #3 - In order to fulfill the requirements of all the biological mitigation measures required of this project, the applicant shall retain a qualified biologist to ensure minimal removal of vegetation. The applicant shall submit a signed contract to the County prior to the issuance of any vegetation clearance activities. The contract will include language demonstrating that a qualified biologist shall be retained to be on-site during initial vegetation removal activities and to fulfill the requirements of erosion control measures outlined in Erosion Control Plan, Sheet C.1.2 of the plans created for the project by Mesiti-Miller Engineering, Inc. (Appendix C) and the biological mitigation measures #1 and #2 required for this project. (RMA - Planning Department)

Planning

Monitoring Action #3:

A copy of a signed agreement between a qualified biologist and the applicant stating that the biologist will be retained to be on-site during initial vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project, shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

7. PDSP004 - PRE-CONSTRUCTION MEETING (NON-STANDARD)

In order to ensure the recommended avoidance and minimization measures are implemented properly, County staff will require an on-site pre-construction meeting between the contractor, biologist, applicant and County staff to discuss the Biological Survey Report, prepared by Denise Duffy and Associates, dated October 2009. (RMA - Planning Department)

Planning

Prior to issuance of grading/building permits, the applicant shall set up an on-site pre-construction meeting between the contractor, biologist, applicant and County staff to discuss the Biological Survey Report, prepared by Denise Duffy and Associates, dated October 2009.

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CONCEPTUAL PLANS FOR DILLON RESIDENCE UPPER BLUFF PROTECTION STRUCTURE

LEGEND

0'	10'	STRUCTURAL WALL
0'	0'	STRUCTURAL WALL
SD	SD	ELECTRIC OVERHEAD WIRE
SD	SD	STRUCTURE
SD	SD	COASTLINE (PACIFIC OCEAN)
PT	PT	PROPERTY LINE
PT	PT	PROPERTY LINE
PT	PT	PROPERTY LINE
PT	PT	PROPERTY LINE
PT	PT	PROPERTY LINE
PT	PT	PROPERTY LINE
PT	PT	PROPERTY LINE
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SHEET INDEX

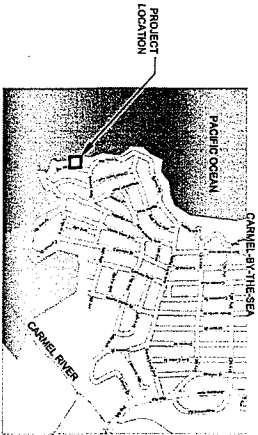
- CNR MAPS, SHEET INDEX, DEVELOPMENT PLAN & LEGEND
- CND VISUAL SHADOWS, SPECIFICATIONS AND ABBREVIATIONS
- C10 SITE PLAN
- C11 GRADING AND DRAINAGE PLAN
- C12 WEST ELEVATION & EX-HOUSE FLOOR PLAN
- C13 SLOPE & EXISTING VEGETATION DIAGRAM
- C14 PLANTING PLAN
- C20 WEST ELEVATION & EX-HOUSE FLOOR PLAN
- C21 SECTIONS
- C30 STRUCTURAL WALL CROSS SECTION & DETAILS
- C31 WEST ELEVATION & EX-HOUSE FLOOR PLAN
- 1 BEST MANAGEMENT PRACTICES - PLAN, BY ENRGO
- 2 BEST MANAGEMENT PRACTICES - DETAIL & BY ENRGO
- 3.1.0 TOPOGRAPHIC SURVEY

PROJECT DESIGN TEAM

CIVIL/STRUCTURAL ENGINEERING
 MARK MASTALICHER
 MASTALICHER ENGINEERING, INC.
 229 WALLUT AVENUE, SANTA CRUZ
 PHONE (831) 428-3188 EXTENSION 101

GEOTECHNICAL ENGINEERING
 PAOLO KASIMIRIAN AND ASSOCIATES, INC.
 110 WEST LIME AVENUE, WATSONVILLE
 PHONE (831) 726-2119

LOCATION MAP
SCALE: NTS



OBLIQUE AERIAL VIEW
SCALE: NTS



APPROXIMATE LIMITS OF UPPER BLUFF PROTECTION STRUCTURE

Photo Courtesy of California Coastal Regional Council



SITE MAP
SCALE: NTS

PROJECT DEVELOPMENT DATA

The project site is located in Monterey County in the unincorporated area known as Carmel. The property protection structure will consist of a structural wall and an exterior residential-grade exterior. The structural layer will be composed of reinforced spray applied concrete secured to the bluff face using rock anchors. The exterior architectural facing will be finished, textured and finished to replicate the character of the upper bluff. The upper bluff will be reinforced with concrete retaining walls and rock anchors. The top of the bluff protection structure will extend to approximately 25.5 feet NGVD29 in conjunction with the top of the naturally occurring bluff, and is between 15 feet and 50 feet inland of the mean high tide line.

The Dillon Residence is situated on the top of a coastal upper bluff composed of granite bedrock and is subject to a high level of seismicity. The Dillon Residence is currently being retrofitted for seismicity. The retrofit will include the foundation, the exterior masonry wall, the upper bluff protection structure, and the upper bluff. The edge of the upper bluff is actively retreating due to wave erosion. If unchecked, further erosion will threaten the integrity of the building's foundation. The wave impact analysis conducted as part of this project has shown that the Dillon Residence is currently at risk of structural failure. The bluff face is currently being eroded at the rate of approximately 1.5 feet per year. The bluff face is currently being eroded at the rate of approximately 1.5 feet per year.

It is not practical to relocate the Dillon Residence due to the size of the property. Consequently, improvements to the upper coastal bluff are required to protect the residence from further erosion due to wave impact, and also to reduce exposure to wave attack. The proposed upper bluff protection structure will be constructed to protect the Dillon Residence from wave impact. The structure will be constructed to protect the Dillon Residence from wave impact. The structure will be constructed to protect the Dillon Residence from wave impact.

The project will be completed in three phases. Construction of the structure will be completed in the first phase. Construction of the upper bluff protection structure will be completed in the second phase. Construction of the upper bluff protection structure will be completed in the third phase.

The bluff face is currently being eroded at the rate of approximately 1.5 feet per year. The bluff face is currently being eroded at the rate of approximately 1.5 feet per year. The bluff face is currently being eroded at the rate of approximately 1.5 feet per year.

GENERAL INFORMATION

LOCATION	28340 SCENIC ROAD	
APN	069-43-004-000	
ZONING	MOR251 (B)(C2)	
LOT SIZE	12,877 SQ-FT	
TOTAL NUMBER OF DWELLING UNITS	1	
TOTAL PARKING SPACES	3	
LOT COVERAGE	EXISTING AREA 1,914 SQ-FT	
BUILDING	PROPOSED CHANGE NO CHANGE	
BLUFF PROTECTION STRUCTURE	EXISTING AREA 21 SQ-FT	
	PROPOSED CHANGE 489 SQ-FT	
TOTAL AREA	890 SQ-FT	
PAVED	EXISTING AREA 2,492 SQ-FT	
	PROPOSED CHANGE 0 SQ-FT	
LANDSCAPED	EXISTING AREA 2,492 SQ-FT	
	PROPOSED CHANGE -170 SQ-FT	
TOTAL AREA	2,328 SQ-FT	
SUPPLEMENTAL INFORMATION	EXISTING AREA 21 SQ-FT	
	PROPOSED CHANGE 265 SQ-FT	
TOTAL	288 SQ-FT	
GEARBOX DIMENSIONS	7'0" (D)	
EXCAVATION (SOIL & STRUCTURE TO)	32 CLYD (RQ SWALE PLANTER MATERIAL)	
FILL	25 CLYD (RQ)	
SUB TOTAL		

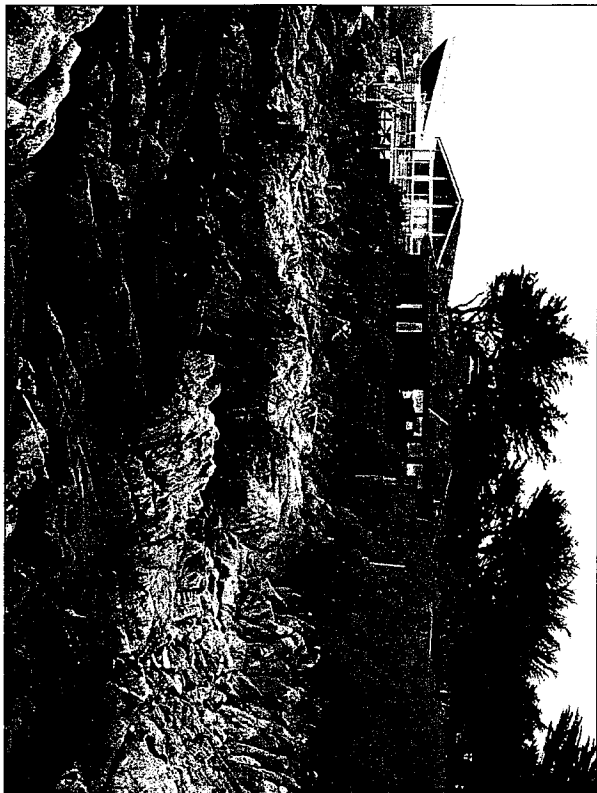


Figure 18 - Photo of Existing Conditions
 The photo is a basis for the visual simulation at right. Topsoil deposits under a highly weathered granite bedrock formation which varies in color from tan to drab-white. The photo presents the view of the project site as seen by the passing pedestrian road prominently seen from the project site.

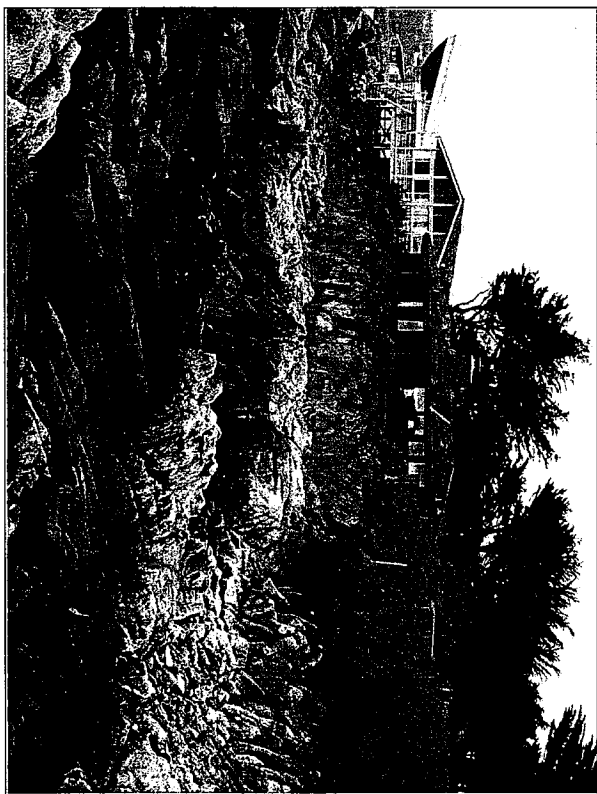


Figure 18 - Visual Simulation of Upper Bluff Protection Structure
 The visual simulation provides an artistic rendering of the finished bluff protection structure. The actual bluff protection structure will be designed and constructed to match the natural appearance of the site. The top of the bluff protection structure will closely follow the top of the adjacent bedrock scarp. To visually soften and partially camouflage the structure, Ceanothus (Carmel Creeper) has been included in the landscape planting plan. Carmel Creeper is a naturally draping native plant which, when mature, will drap several feet below the top of wall. In summary, the structure has been designed to be visually compatible with the character of the natural surroundings. The Visual Simulation was created from two photographs, Figure 18 (existing conditions), and Figure 20 (sculpted stone facade by Connors in Pacific Grove). The Pacific Grove wall was used as the basis of the visual simulation because it is also a sculpted and finished stone wall, and poses characteristics of the native materials at the Dillon site.

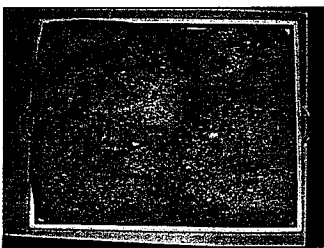


Figure 25 - Sample panel by Connors



Figure 10 - Project Site as Viewed from State Road Looking South



Figure 14 - Project Site as Viewed from State Road Looking North



Figure 20 - Sculpted Stone Facade by Connors in Pacific Grove (Example Installation)
 The photo shows the work done by Connors in Pacific Grove, near Lovers' Point as part of the Coastal Blue Pine Restoration Project. The sculpted stonework in this picture is representative of the proposed finished appearance of the Dillon Residence Coastal Bluff Protection Structure. Note the quarters shown in the example installation will be replaced by toppling the wall with draping vegetation to the maximum extent possible.

REV	DESCRIPTION	BY	DATE
1	DEVELOPMENT PERMIT APPLICATION SUBMITTAL	PD	09/08
2	REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL	AS	02/09
3	PLANNING SUBMITTAL FOR CONVEYANCE	PD	10/09

UPPER BLUFF PROTECTION STRUCTURE		
PREPARED AT THE REQUEST OF: DON DELUCHI, SR. 20340 SERRANO ROAD CARMEL, CA 93923		
VISUAL SIMULATION EXAMPLE INSTALLATIONS		
DRAWN BY: PD CHECKED BY: AS DATE: 1/10	PROJECT NO: 090100001 SHEET NO: 01	
CO.3		

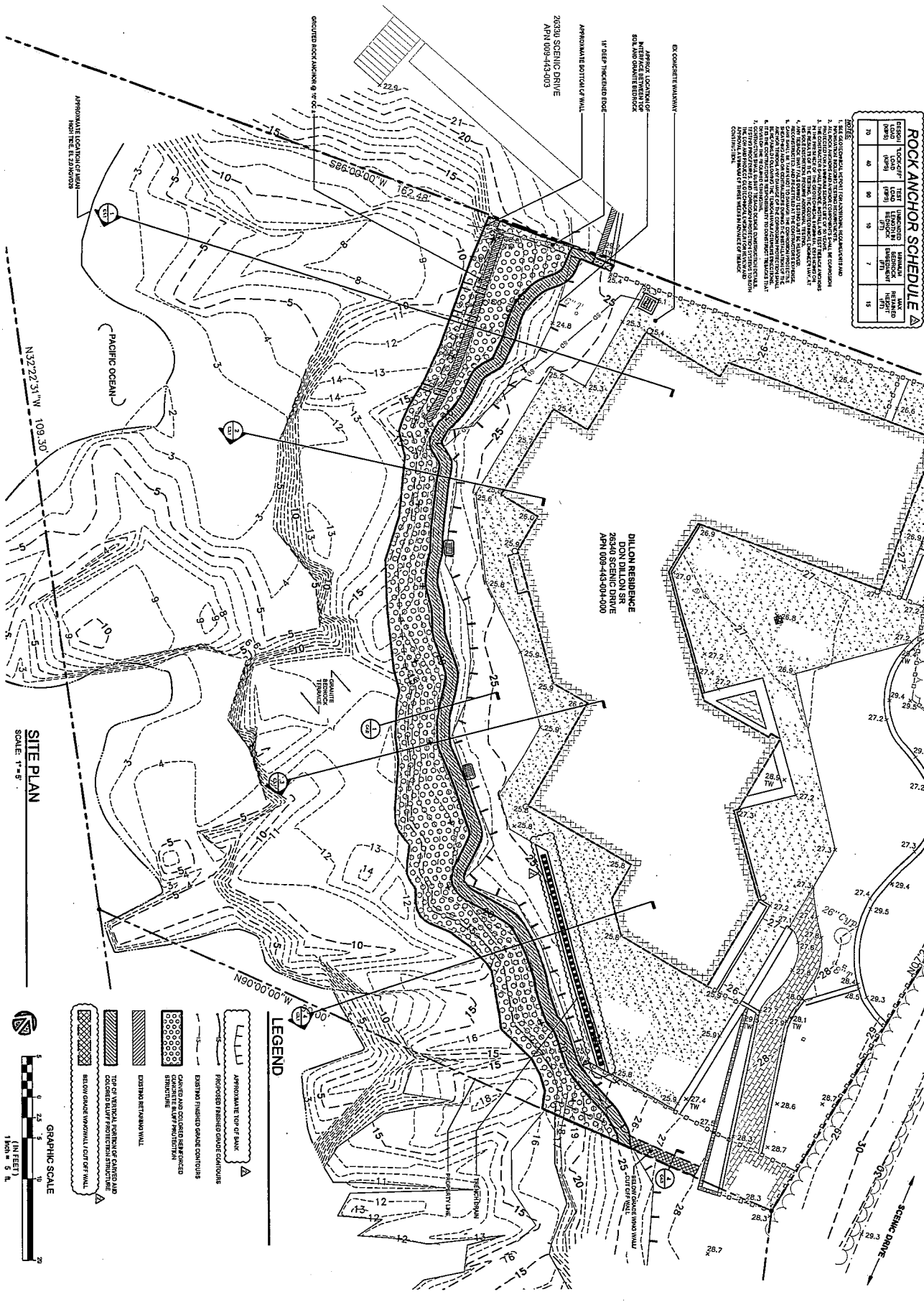
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ROCK ANCHOR SCHEDULE

TEST LOAD (KIP)	TEST LOAD (TON)	TEST LOAD (KIP)	TEST LOAD (TON)	TEST LOAD (KIP)	TEST LOAD (TON)	TEST LOAD (KIP)	TEST LOAD (TON)
75	40	90	50	10	7	15	8

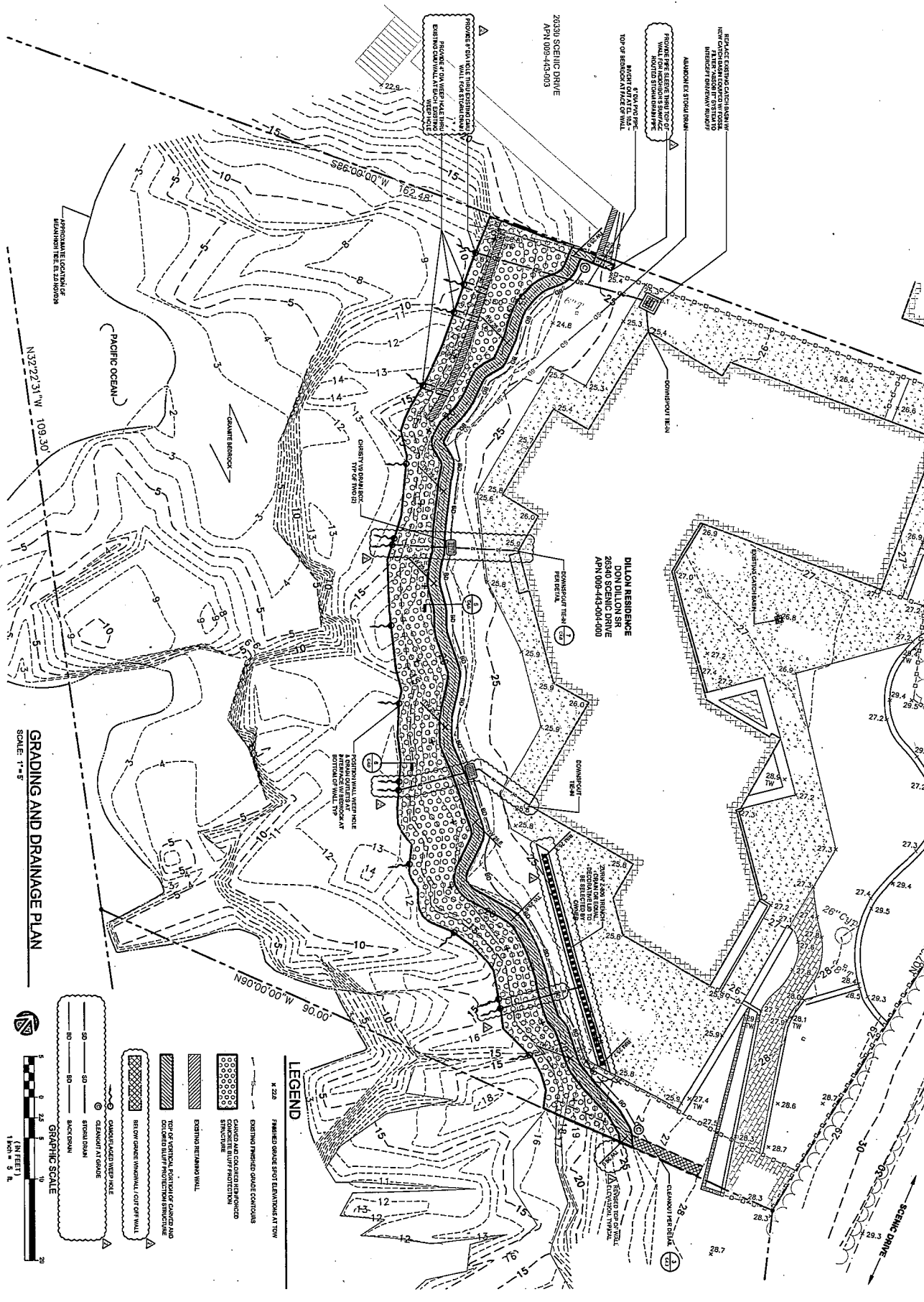
NOTES:

1. ALL ROCK ANCHORS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE.
2. THE SCHEDULE IS BASED ON THE ASSUMPTION THAT THE ROCK ANCHORS ARE INSTALLED IN UNFRACTURED, UNWEATHERED, AND UNALTERED NATURAL ROCK.
3. THE SCHEDULE IS BASED ON THE ASSUMPTION THAT THE ROCK ANCHORS ARE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE.
4. THE SCHEDULE IS BASED ON THE ASSUMPTION THAT THE ROCK ANCHORS ARE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE.
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C1.0 SHEET NO.	SITE PLAN	UPPER BLUFF PROTECTION STRUCTURE			REV. DESCRIPTION BY DATE 1 DEVELOPMENT PERMIT APPLICATION SUBMITTAL PD 02/10/10 2 REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL MI 02/11/10 3 PLANNING SUBMITTAL FOR COMPLETENESS PD 10/31/10
	DRAWN BY: JAT CHECKED BY: PLW APPROVED BY: JAM	PREPARED AT THE REQUEST OF: DON DILLEN, SR. 2630 SCENIC ROAD CARROLL, CA 92922	MEITZ-MILLER ENGINEERING, INC. CIVIL AND STRUCTURAL ENGINEERING 224 W. HAVEN AVENUE, SUITE 201, TULSA, OKLA. 74106 PHONE: 918-244-3188 • FAX: 918-244-8807		

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GRADING AND DRAINAGE PLAN
SCALE: 1" = 5'


LEGEND

- PROPOSED GRADING
- EXISTING GRADING
- PROPOSED DRAINAGE
- EXISTING DRAINAGE
- PROPOSED RETAINING WALL
- EXISTING RETAINING WALL
- PROPOSED CONCRETE FOOTING
- EXISTING CONCRETE FOOTING
- PROPOSED CONCRETE WALL
- EXISTING CONCRETE WALL
- PROPOSED GRAVEL FILL
- EXISTING GRAVEL FILL
- PROPOSED ASPHALT DRIVE
- EXISTING ASPHALT DRIVE
- PROPOSED GRAVEL DRIVE
- EXISTING GRAVEL DRIVE
- PROPOSED SAND DRIVE
- EXISTING SAND DRIVE
- PROPOSED GRAVEL DRIVE
- EXISTING GRAVEL DRIVE
- PROPOSED SAND DRIVE
- EXISTING SAND DRIVE

GRAPHIC SCALE
1" = 5'

REV.	DESCRIPTION	BY	DATE
1	DEVELOPMENT POINT APPLICATION SUBMITTAL	PD	02/10/10
2	PERMITS DEVELOPMENT PERMIT APPLICATION SUBMITTAL	MI	02/10/10
3	PLANNING SUBMITTAL FOR COMPLETION	PD	10/10/10

GRADING AND DRAINAGE PLAN		UPPER BLUFF PROTECTION STRUCTURE	
DRAWN BY	JT	PREPARED AT THE REQUEST OF	DOH DILLON SR 26340 SCENIC ROAD CARREL, CA 95723
CHECKED BY	MS		
DATE	1/10		
SCALE	1/8" = 1'		



Mark Mauldin Engineering, Inc.
Civil and Structural Engineering
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Phone: 925-426-5100 • Fax: 925-426-5007

C1.1

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STRAW ROLL

CONSTRUCTION SPECIFICATIONS:

- INSTALL STRAW ROLL EVERY 4 FEET (1.2M) ALONG THE SLOPE TO PREVENT EROSION OF THE SOIL FROM THE SLOPE AND WORKER.
- STRAW ROLLS SHOULD BE SMOOTHED AS WORK PROGRESSES.
- CONTRACTOR SHALL VERIFY THE STRAW ROLL IS PROPERLY INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- STRAW ROLL SHOULD BE REPLACED IMMEDIATELY IF IT IS DAMAGED OR REMOVED FROM THE SLOPE.
- STRAW ROLL SHOULD BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- STRAW ROLL SHOULD BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

ADJACENT ROLLS SHOULD BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

STRAW ROLL SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

SCALE: NTS

EROSION BLANKETS

CONSTRUCTION SPECIFICATIONS:

- INSTALL EROSION BLANKETS EVERY 4 FEET (1.2M) ALONG THE SLOPE TO PREVENT EROSION OF THE SOIL FROM THE SLOPE AND WORKER.
- EROSION BLANKETS SHOULD BE SMOOTHED AS WORK PROGRESSES.
- CONTRACTOR SHALL VERIFY THE EROSION BLANKET IS PROPERLY INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- EROSION BLANKET SHOULD BE REPLACED IMMEDIATELY IF IT IS DAMAGED OR REMOVED FROM THE SLOPE.
- EROSION BLANKET SHOULD BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- EROSION BLANKET SHOULD BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

ADJACENT ROLLS SHOULD BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

EROSION BLANKET SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

SCALE: NTS

EROSION CONTROL NOTES

1. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

2. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

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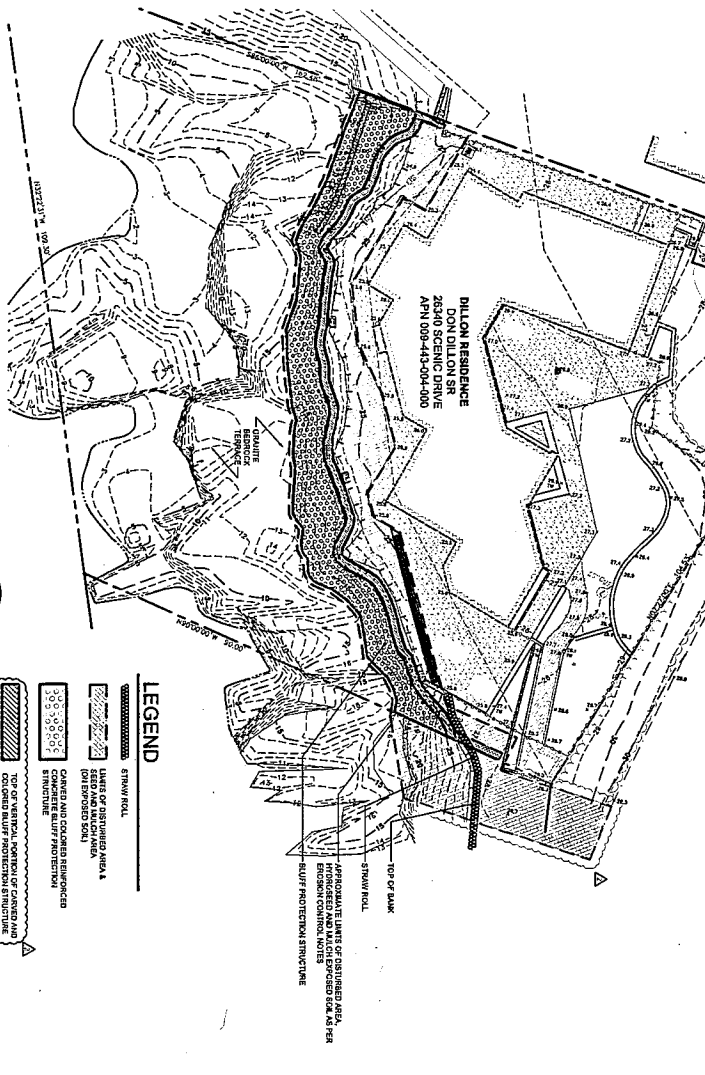
16. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

17. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

18. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

19. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

20. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.



EROSION CONTROL PLAN
SCALE: 1" = 10'

LEGEND

- STRAW ROLL
- EROSION BLANKET
- AREA OF DISTURBED AREA A
- AREA OF DISTURBED AREA B
- AREA OF DISTURBED AREA C
- AREA OF DISTURBED AREA D
- AREA OF DISTURBED AREA E
- AREA OF DISTURBED AREA F
- AREA OF DISTURBED AREA G
- AREA OF DISTURBED AREA H
- AREA OF DISTURBED AREA I
- AREA OF DISTURBED AREA J
- AREA OF DISTURBED AREA K
- AREA OF DISTURBED AREA L
- AREA OF DISTURBED AREA M
- AREA OF DISTURBED AREA N
- AREA OF DISTURBED AREA O
- AREA OF DISTURBED AREA P
- AREA OF DISTURBED AREA Q
- AREA OF DISTURBED AREA R
- AREA OF DISTURBED AREA S
- AREA OF DISTURBED AREA T
- AREA OF DISTURBED AREA U
- AREA OF DISTURBED AREA V
- AREA OF DISTURBED AREA W
- AREA OF DISTURBED AREA X
- AREA OF DISTURBED AREA Y
- AREA OF DISTURBED AREA Z

EROSION CONTROL NOTES

1. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

2. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

3. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

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16. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

17. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

18. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

19. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

20. THE CONTRACTOR SHALL MAINTAIN THE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.

EROSION CONTROL PLAN

UPPER BLUFF PROTECTION STRUCTURE

PREPARED AT THE REQUEST OF
DON DILLON SR.
28340 SCENIC DRIVE
CHURCHVILLE, VA 22922

NO. 42945
DEPT. OF ENVIRONMENTAL QUALITY
DIVISION OF WATER RESOURCES

Mestl-Miller Engineering, Inc.
Civil and Structural Engineering
2000 S. FARM ROAD, SUITE 200
FARMERSVILLE, VA 22942
PHONE: 801-424-5100 FAX: 801-424-5865

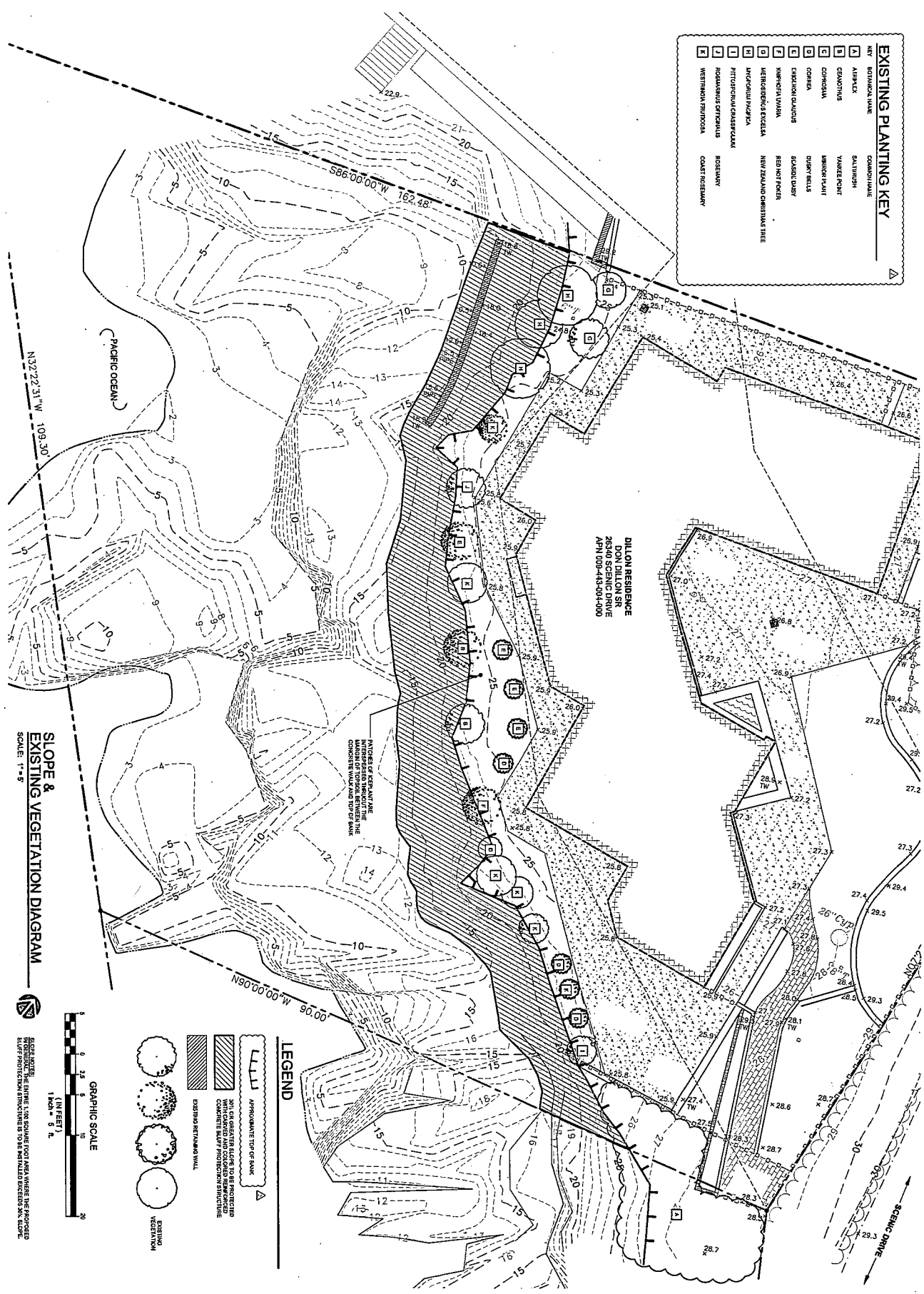
REV.	DESCRIPTION	BY	DATE
1	DEVELOPMENT POWER APPLICATION SUBMITTAL	PD	9/28/09
2	PRELIMINARY DEVELOPMENT PERMIT APPLICATION SUBMITTAL	PD	3/23/10
3	FINAL SUBMITTAL FOR CONSTRUCTION PERMIT	PD	10/29/10

C1.2

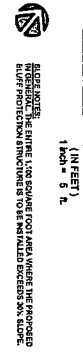
DESIGNED BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]
DATE: [Date]

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EXISTING PLANTING KEY	
SYM	COMMON NAME
A	ALBIBLUE
B	GRABOLTUS
C	COMPANNA
D	COCHINA
E	EMERSONIA CALANCA
F	HARRISIA LAMARA
G	METROSTROPHIS ESCALLA
H	MICROCALYMMA
I	PITTOCOPIUM CASSEYANUM
J	ROSEMARY
K	WESTERN YUCCA
L	COAST ROSEMARY



SLOPE & EXISTING VEGETATION DIAGRAM
SCALE: 1" = 5'

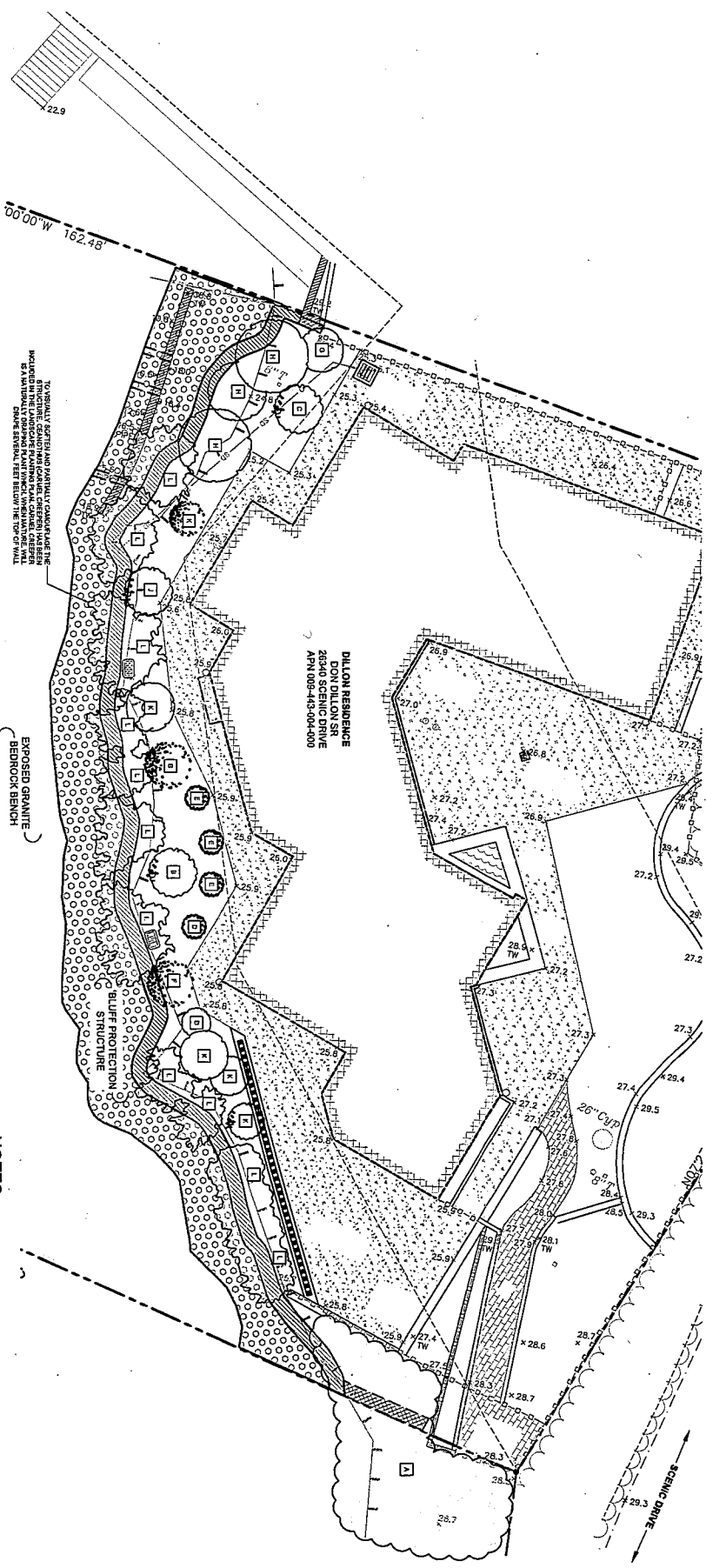


LEGEND

	APPROXIMATE TOP OF BANK
	SLOPE PROTECTION TO BE INSTALLED WHERE CONCRETE AND TOP OF BANK EXCEEDS 5% SLOPE
	EXISTING RETAINING WALL
	EXISTING VEGETATION

<p>C1.3</p>	<p>SLOPE & EXISTING VEGETATION DIAGRAM</p> <p>DATE: 11/11/10 DRAWN BY: JMS CHECKED BY: JMS APPROVED BY: JMS</p>	<p>UPPER BLUFF PROTECTION STRUCTURE</p> <p>PREPARED AT THE REQUEST OF: DON DILLON, SR. 26340 SCENIC ROAD CARMEL, CA 95003</p>		<p>Mark A. Miller Engineering, Inc. Civil and Structural Engineering 27777 Redwood Avenue, Suite 11, Torrey Pines, CA 90230 PHONE: 310.426.3161 FAX: 310.426.8607</p>	<table border="1"> <thead> <tr> <th>REV.</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>DEVELOPER'S POINT APPLICATION SUBMITTAL</td> <td>PC</td> <td>03/16/10</td> </tr> <tr> <td>2</td> <td>PROPOSED DEVELOPMENT PERMIT APPLICATION SUBMITTAL</td> <td>ML</td> <td>02/10/10</td> </tr> <tr> <td>3</td> <td>PLANNING SUBMITTAL FOR COMPLETE REVIEW</td> <td>PC</td> <td>10/16/10</td> </tr> </tbody> </table>	REV.	DESCRIPTION	BY	DATE	1	DEVELOPER'S POINT APPLICATION SUBMITTAL	PC	03/16/10	2	PROPOSED DEVELOPMENT PERMIT APPLICATION SUBMITTAL	ML	02/10/10	3	PLANNING SUBMITTAL FOR COMPLETE REVIEW	PC	10/16/10
	REV.	DESCRIPTION	BY	DATE																	
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3	PLANNING SUBMITTAL FOR COMPLETE REVIEW	PC	10/16/10																		

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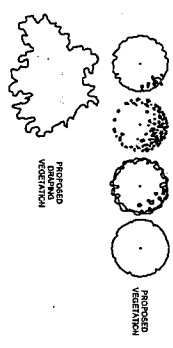
PROPOSED PLANTING KEY

NO.	BOTANICAL NAME	COMMON NAME	SIZE	STATUS
A	ALBIFLORUS	SLABBERGHI	REPLANT EXISTING	
B	CAESALPINIA	YARROW BUSH	REPLANT EXISTING	
C	CONIFERA	WAXWOOD PLANT	REPLANT EXISTING	
D	CONIFERA	DUNE YEW	REPLANT EXISTING	
E	ERIODENDRON	DUKE'S PALM	REPLANT EXISTING	
F	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
G	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
H	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
I	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
J	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
K	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
L	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
M	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
N	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
O	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
P	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	
Q	ERIODENDRON	SEASIDE DUNE	REPLANT EXISTING	

NOTES

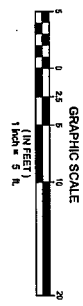
1. THE CONTRACTOR SHALL PROTECT EXISTING LANDSCAPE TO REMAIN AS SPECIFIED BY THE OWNER.
2. EXISTING PLANTING SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION OF BLUFF PROTECTION STRUCTURE.
3. REPLANT LOCATED WITHIN THE LANDSCAPE SHALL BE REPLANTED.

LEGEND



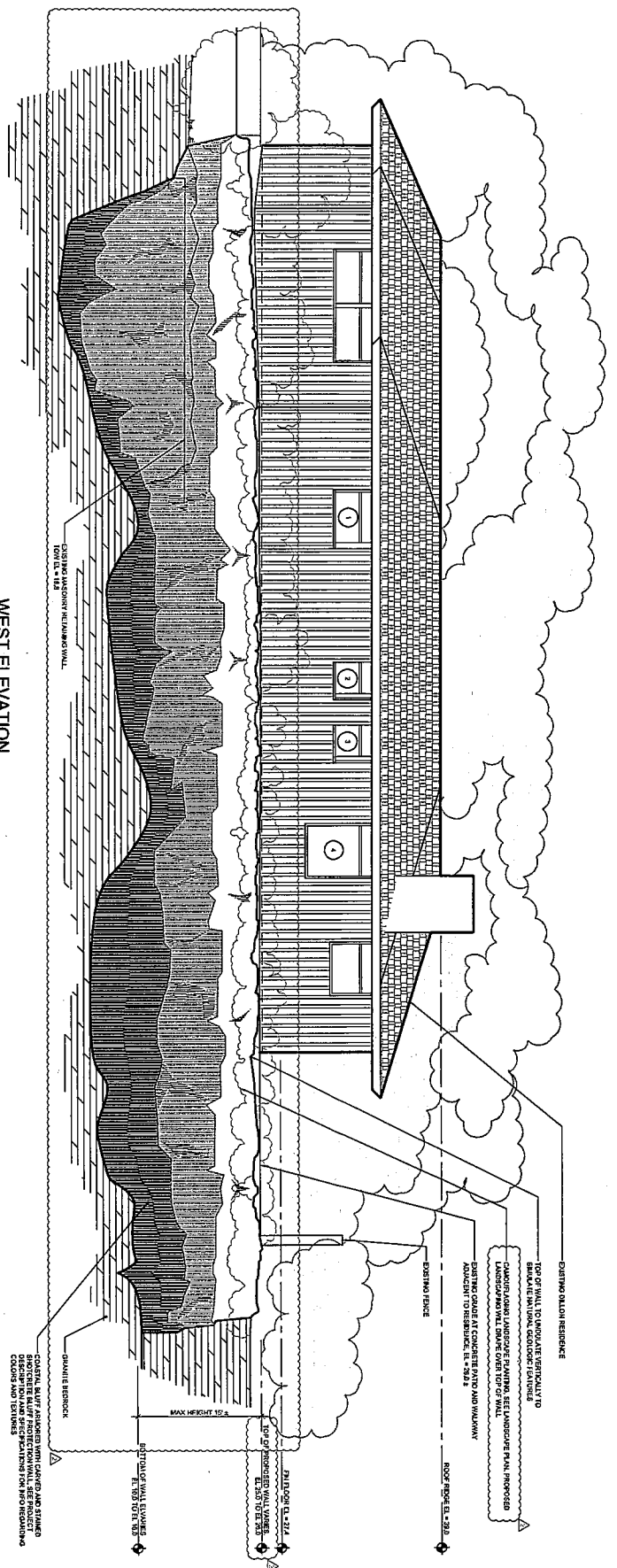
PLANTING PLAN

SCALE: 1" = 5'

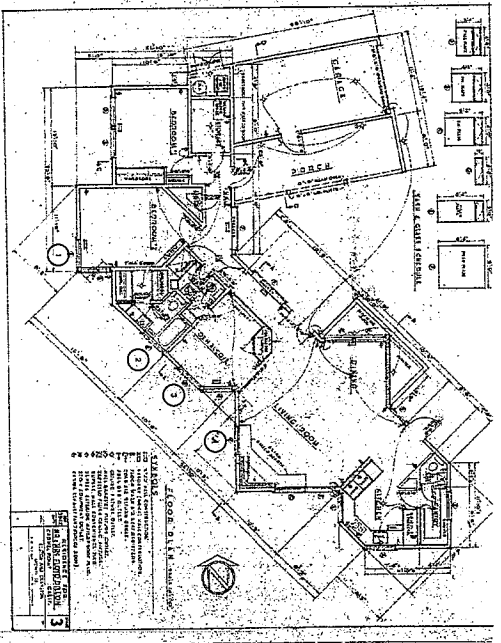


C1.4	DRAWN BY: JAM CHECKED BY: JAM DATE: 1/13/11	UPPER BLUFF PROTECTION STRUCTURE				REV: 1	DESCRIPTION: DEVELOPMENT POOR APPLICATION SUBMITTAL	BY: PD	DATE: 09/20/10
		REV: 2	DESCRIPTION: REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL			BY: HP	DATE: 09/20/10		
						REV: 3	DESCRIPTION: PLANNING SUBMITTAL FOR COMPLETION	BY: PD	DATE: 09/20/10

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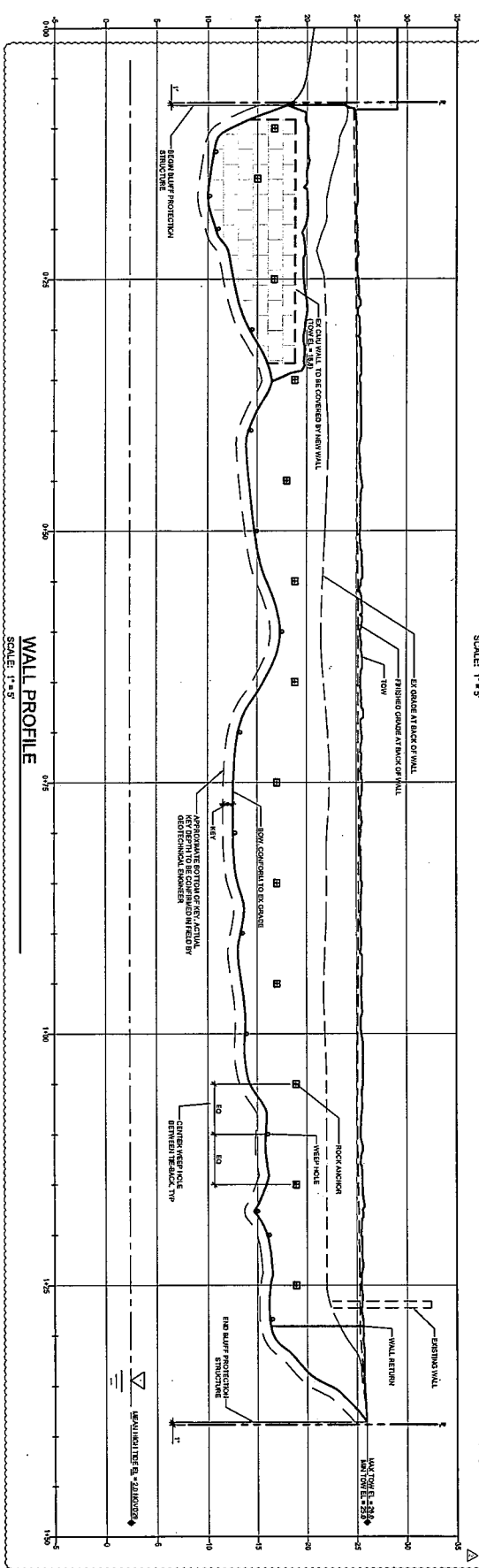
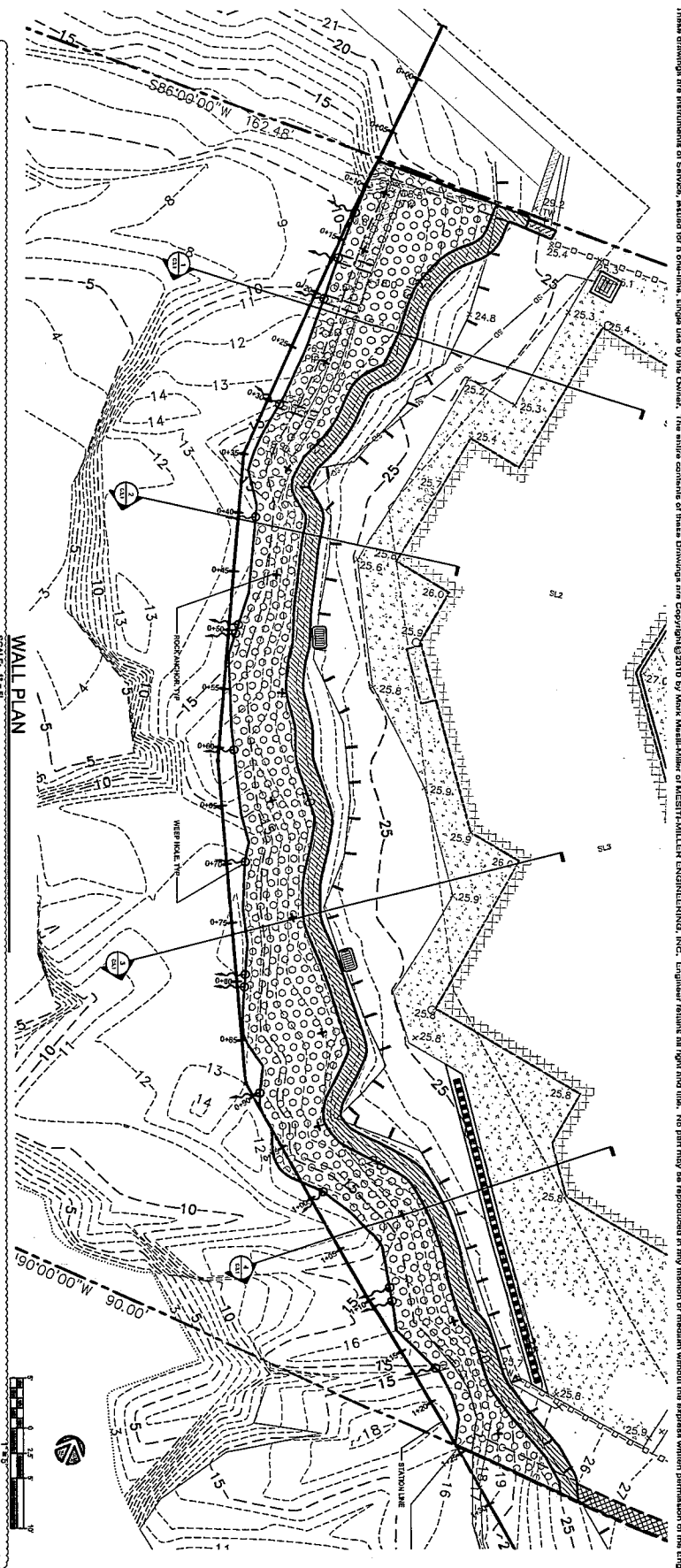
WEST ELEVATION
SCALE: 1/8" = 1'-0"



EXISTING FLOOR PLAN
SCALE: 1/8" = 1'-0"

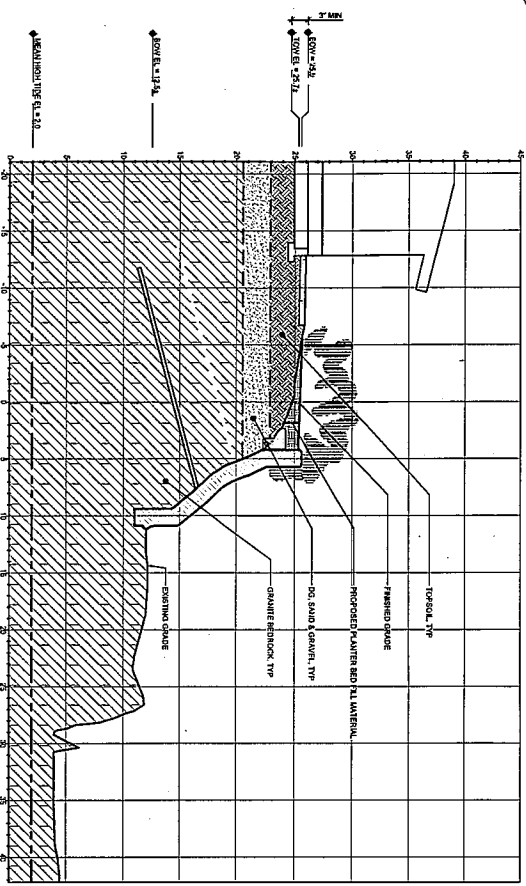
<p>C2.0</p> <p>WEST ELEVATION & FLOOR PLAN</p>	<p>UPPER BLUFF PROTECTION STRUCTURE</p>			<p>West-Miller Engineering, Inc. Civil and Structural Engineering 27 Wood Street, Suite 200, Carmel, CA 93983 Phone: 831-424-3181, Fax: 831-424-6607</p>	REV.	DESCRIPTION	BY	DATE
	NO. 40945 Exp. 3/31/11 CIVIL ENGINEER STATE OF CALIFORNIA	PREPARED AT THE REQUEST OF:			DON DILLON, SR. 26340 SCENIC ROAD CARMEL, CA 93921	1	DEVELOPMENT PERMIT APPLICATION SUBMITTAL	PD
2	REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL	UD	02/10	3	PLANNING SUBMITTAL FOR COMPLETENESS	UD	02/10	

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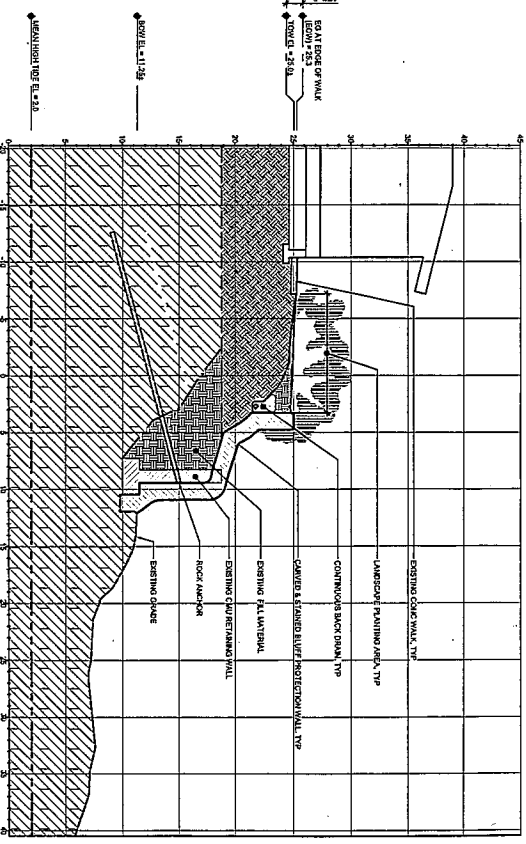


C3.0	WALL PLAN & PROFILE	UPPER BLUFF PROTECTION STRUCTURE			<table border="1"> <thead> <tr> <th>REV.</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>DEVELOPMENT PERMIT APPLICATION SUBMITTAL</td> <td>PD</td> <td>02/20/10</td> </tr> <tr> <td>2</td> <td>REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL</td> <td>VO</td> <td>03/07/10</td> </tr> <tr> <td>3</td> <td>PLANNING SUBMITTAL FOR COMPLETION</td> <td>PD</td> <td>03/15/10</td> </tr> </tbody> </table>	REV.	DESCRIPTION	BY	DATE	1	DEVELOPMENT PERMIT APPLICATION SUBMITTAL	PD	02/20/10	2	REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL	VO	03/07/10	3	PLANNING SUBMITTAL FOR COMPLETION	PD	03/15/10
	REV.	DESCRIPTION			BY	DATE															
1	DEVELOPMENT PERMIT APPLICATION SUBMITTAL	PD	02/20/10																		
2	REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL	VO	03/07/10																		
3	PLANNING SUBMITTAL FOR COMPLETION	PD	03/15/10																		
PREPARED AT THE REQUEST OF DON BOLDEN, SR. 26340 SCENIC ROAD CARMEL, CA 93923			Mesthaller Engineering, Inc. Civil and Structural Engineering 24 Westwood Square, Suite 400, Santa Cruz, CA 95060 Phone: (831) 236-2170 Fax: (831) 236-6607																		

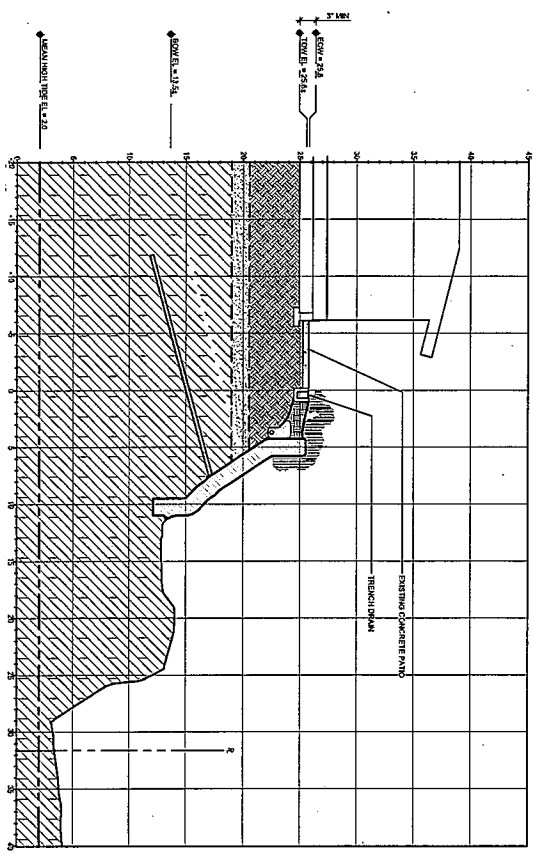
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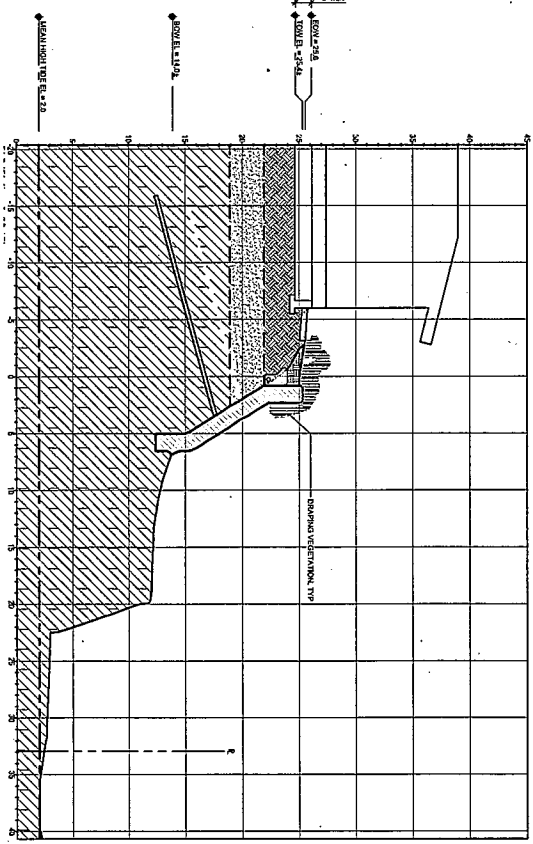
SECTION 3
SCALE: 1" = 5'



SECTION 1
SCALE: 1" = 5'



SECTION 4
SCALE: 1" = 5'



SECTION 2
SCALE: 1" = 5'

REV.	DESCRIPTION	BY	DATE
1	DEVELOPMENT PERMIT APPLICATION SUBMITTAL	PD	03/09
2	REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL	MY	09/10
3	PLANNING SUBMITTAL FOR COMPLETION	PD	05/10

UPPER BLUFF PROTECTION STRUCTURE

PREPARED AT THE REQUEST OF
 DON BELLON JR.
 2040 SCLER ROAD
 CARMEL, CA 93923

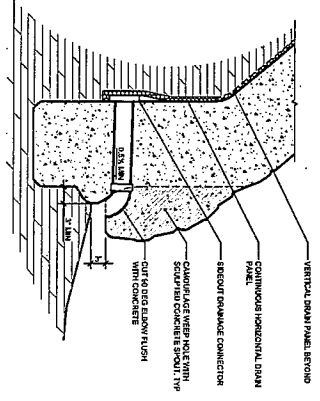
M&M Engineering, Inc.
 Civil and Structural Engineering
 24 Howard Avenue, Suite 400, Carmel, CA 93923
 Phone: 831.426.5170 • Fax: 831.426.6007

SITE SECTIONS

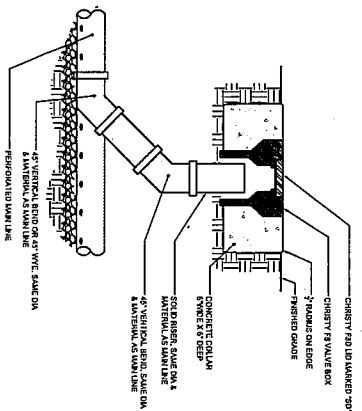
DRAWN: A.B.T.C.
 CHECKED: R.W.S.
 DATE: N/A

C3.1

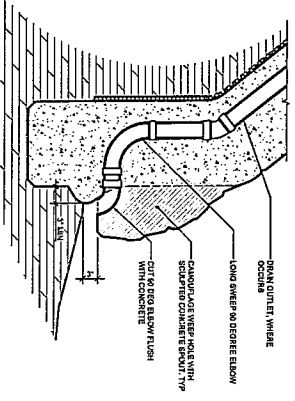
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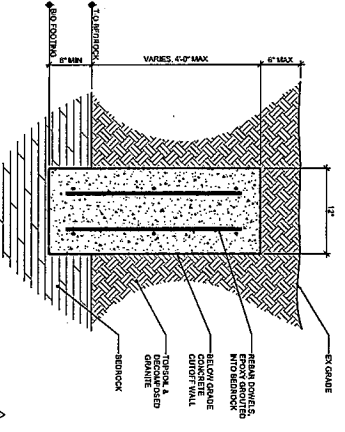
DRAINAGE PANEL OUTLET DETAIL



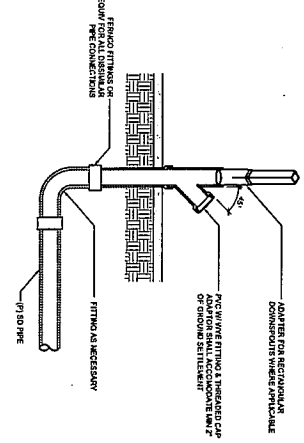
BACK DRAIN CLEANOUT



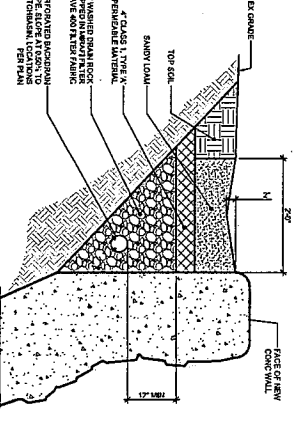
STORM DRAIN OUTLET DETAIL
CAMOUFLAGED WEEP HOLE
SCALE: 1" = 1'-0"



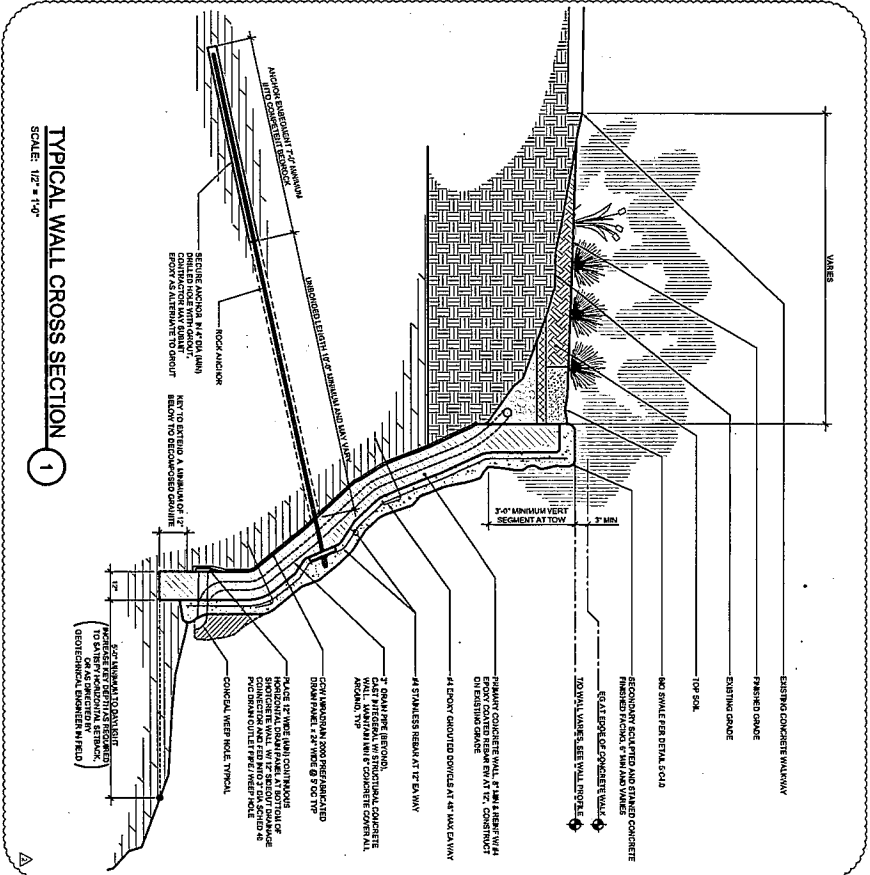
CUTOFF WALL
SCALE: 1 1/2" = 1'-0"



RAINWATER LEADER CLEANOUT
SCALE: NTS



BIOSWALE & BACK DRAIN
SCALE: NTS



TYPICAL WALL CROSS SECTION
SCALE: 1/2" = 1'-0"

REV.	DESCRIPTION	BY	DATE
1	DEVELOPMENT PERMIT APPLICATION SUBMITTAL	PO	02/26/09
2	REVISED DEVELOPMENT PERMIT APPLICATION SUBMITTAL	MO	05/01/09
3	PLANNING SUBMITTAL FOR COMPLETE PERMITS	PO	10/01/09

STRUCTURAL SECTION		UPPER BLUFF PROTECTION STRUCTURE	
PREPARED AT THE REQUEST OF			
DON DILLON, GR 26340 SCENIC ROAD CARMEL, CA 95023			

C4.0	DATE: 11/11/09
SCALE: NTS	DRAWN BY: JMT
NO. 40945	CHECKED BY: RML
STATE OF CALIFORNIA	DESIGNED BY: RML
PROFESSIONAL ENGINEER	APP. NO. 40945

CONSTRUCTION SITE BARS

- THE PERMITTEE SHALL NOTIFY MONTEY COUNTY BUILDING SERVICE DEPARTMENT AT LEAST THREE WORKING DAYS IN ADVANCE OF THE START OF CONSTRUCTION OF WORKS OF CONSTRUCTION AND MAINTENANCE ACTIVITIES.
- THE CONTRACTOR AND PERMITTEE SHALL MAINTAIN RECORDS AND FILES OF ALL CONSTRUCTION EQUIPMENT AND MATERIALS OF THE BECKHOFF BEACH AREA IN DOWN-TOWN OF SAN JOSE COUNTY FILES.
- ALL WORK SHALL BE COMPLETED WITHIN THE PERMITTED PERIOD OF 600 AM AND 500 PM UNLESS OTHERWISE SPECIFIED.
- CONSTRUCTION WORK AND EQUIPMENT OPERATIONS SHALL ONLY BE PERMITTED WITHIN THE DESIGNATED WORK AREAS.
- CONSTRUCTION (INCLUDING BUT NOT LIMITED TO CONSTRUCTION ACTIVITIES AND MATERIALS AND/OR EQUIPMENT STORAGE) IS PROHIBITED OUTSIDE OF THE DESIGNATED WORK, STORAGE, AND STORAGE AREAS SHOWN HEREON.
- ALL CONSTRUCTION EQUIPMENT WILL BE PARKED IN THE DESIGNATED CONSTRUCTION ENTRANCE/STORAGE/STAGING AND STORAGE AREAS OF THE SITE. WORKERS VEHICLES ARE TO BE PARKED IN AN APPROVED PUBLIC PARKING AREA.
- ALL CONSTRUCTION EQUIPMENT AND CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO THE DESIGNATED WORK AREAS. ALL CONSTRUCTION EQUIPMENT AND CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO THE DESIGNATED WORK AREAS. ALL CONSTRUCTION EQUIPMENT AND CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO THE DESIGNATED WORK AREAS.
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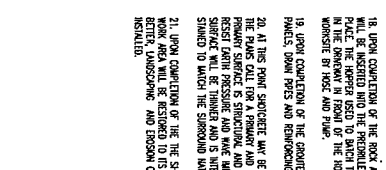
MAINTENANCE AND MONITORING OF BARS

- ALL PERMITS SHALL BE MAINTAINED IN A SAFE PLACE AT ALL TIMES DURING PROJECT CONSTRUCTION ACTIVITIES. COPIES OF EACH OF THE FOLLOWING SHALL BE MAINTAINED IN A SAFE PLACE AT ALL TIMES DURING PROJECT CONSTRUCTION ACTIVITIES. COPIES OF EACH OF THE FOLLOWING SHALL BE MAINTAINED IN A SAFE PLACE AT ALL TIMES DURING PROJECT CONSTRUCTION ACTIVITIES.
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CONSTRUCTION NOTES

- ALL WORK SHALL BE PERFORMED IN COMPLIANCE WITH OSHA REQUIREMENTS.
- A VARIO REEFER OR 900 SHALL BE PROVIDED FOR THE STORAGE OF SCENE. THE VARIO REEFER OR 900 SHALL BE PROVIDED FOR THE STORAGE OF SCENE. THE VARIO REEFER OR 900 SHALL BE PROVIDED FOR THE STORAGE OF SCENE.
- THE FOLLOWING IS A LIST OF THE EQUIPMENT ANTICIPATED FOR THE PROJECT. THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT ANTICIPATED FOR THE PROJECT. THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT ANTICIPATED FOR THE PROJECT.
- ALL WORK SHOULD BE SCHEDULED TO AVOID THE PEAK TRAFFIC PERIODS. ALL WORK SHOULD BE SCHEDULED TO AVOID THE PEAK TRAFFIC PERIODS. ALL WORK SHOULD BE SCHEDULED TO AVOID THE PEAK TRAFFIC PERIODS.
- COMPLETE EQUIPMENT PARKING AND MATERIAL STORAGE AREAS SHALL BE LIMITED TO THE AREAS SHOWN ON THE PLAN.
- STANDARD CONSTRUCTION PRACTICES SHALL BE ANTICIPATED FOR THE PROJECT. STANDARD CONSTRUCTION PRACTICES SHALL BE ANTICIPATED FOR THE PROJECT. STANDARD CONSTRUCTION PRACTICES SHALL BE ANTICIPATED FOR THE PROJECT.
- ACCESS FOR HEAVY TRUCK OR OTHER EQUIPMENT TO THE BEACH SHALL BE MAINTAINED THROUGHOUT THE PROJECT. ACCESS FOR HEAVY TRUCK OR OTHER EQUIPMENT TO THE BEACH SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
- CONSTRUCTION OF SAND BARS WILL BE CONDUCTED IN ACCORDANCE WITH THE BEACH ACT AND LOCAL ORDINANCES. CONSTRUCTION OF SAND BARS WILL BE CONDUCTED IN ACCORDANCE WITH THE BEACH ACT AND LOCAL ORDINANCES.
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TYPICAL BARS ON SHEET 3



3 BEST MANAGEMENT PRACTICES - NOTES

NO.	DESCRIPTION
1	BEST MANAGEMENT PRACTICES - NOTES
2	BEST MANAGEMENT PRACTICES - PLAN
3	BEST MANAGEMENT PRACTICES - BARS
4	FIELD INLET PROTECTION
5	STANDARD ROCK CONSTRUCTION ENTRANCE
6	OVERSPILL CONTAINMENT DETAIL - OPTION 1
7	OVERSPILL CONTAINMENT DETAIL - OPTION 2
8	VEHICLE SPILL CONTAINMENT DETAIL

NO.	DESCRIPTION
1	BEST MANAGEMENT PRACTICES - NOTES
2	BEST MANAGEMENT PRACTICES - PLAN
3	BEST MANAGEMENT PRACTICES - BARS
4	FIELD INLET PROTECTION
5	STANDARD ROCK CONSTRUCTION ENTRANCE
6	OVERSPILL CONTAINMENT DETAIL - OPTION 1
7	OVERSPILL CONTAINMENT DETAIL - OPTION 2
8	VEHICLE SPILL CONTAINMENT DETAIL

BEST MANAGEMENT PRACTICES - NOTES
 DILLON RESIDENCE
 26340 SCENIC ROAD
 CARMEL, CALIFORNIA

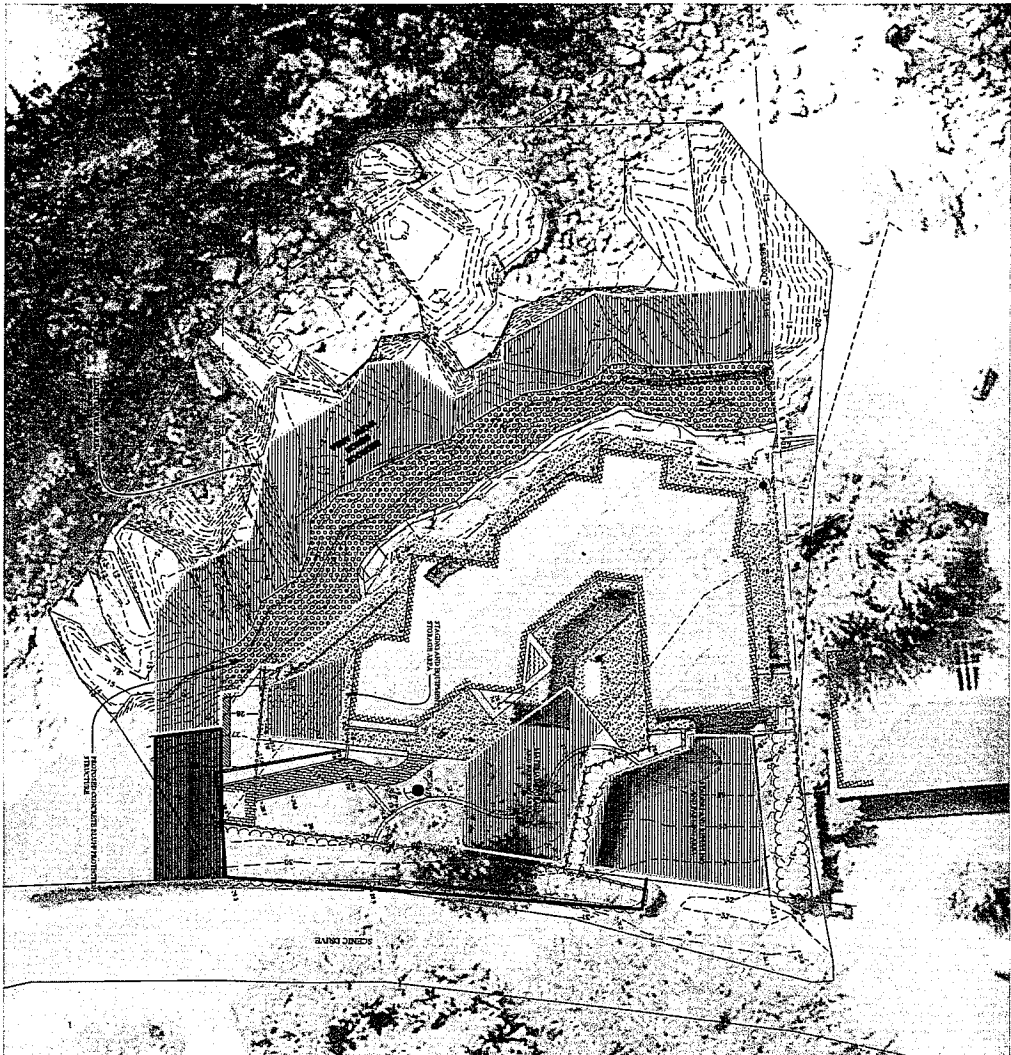
ENGELO
 Expect Excellence

370 CROWN CANYON PLACE
 SUITE 300
 SAN JOSE, CALIFORNIA 95128
 (408) 944-0000
 FAX (408) 274-0888

DATE: 10/10/2010
 TIME: 10:10 AM
 DRAWN BY: SPK
 CHECKED BY: WMT
 DATE: OCTOBER 2010
 SCALE: AS SHOWN

NO.	REVISION	DATE	DESCRIPTION
1			

SHEET NUMBER: 1 OF 3 SHEETS
 PROJECT NO: 091100000



- LEGEND**
- APPROXIMATE LOCATION OF THE BEST MANAGEMENT PRACTICES (BMP) STRUCTURE
 - APPROXIMATE LOCATION OF THE BMP STRUCTURE
 - APPROXIMATE LOCATION OF THE BMP STRUCTURE
 - APPROXIMATE LOCATION OF THE BMP STRUCTURE
 - APPROXIMATE LOCATION OF THE BMP STRUCTURE
 - APPROXIMATE LOCATION OF THE BMP STRUCTURE

DESIGNED BY: JRL/LL	DATE: OCTOBER 2010	
DRAWN BY: SRP	SCALE: AS SHOWN	
CHECKED BY: JAM		
BY:		
REV.	DATE	DESCRIPTION
1		
2		

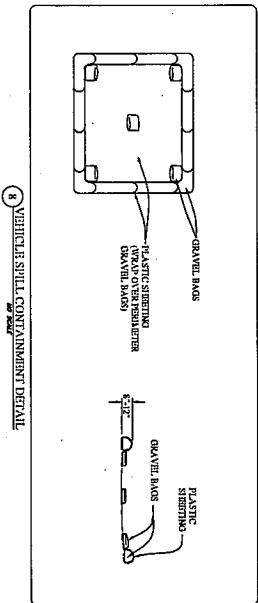
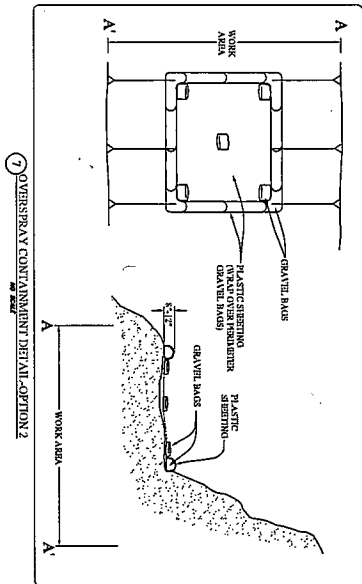
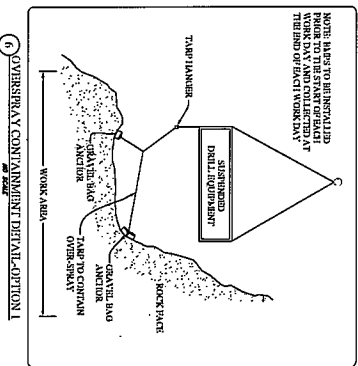
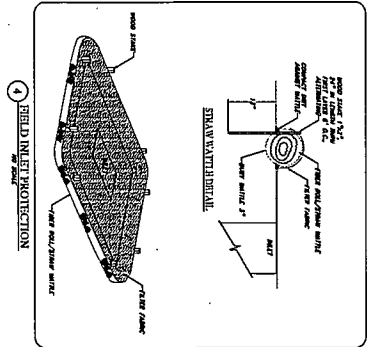
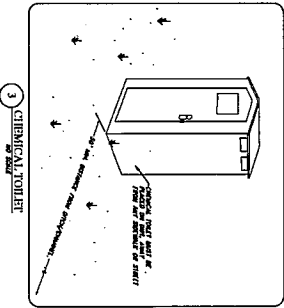
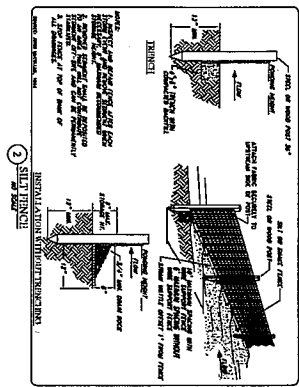
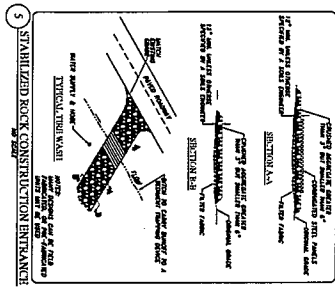
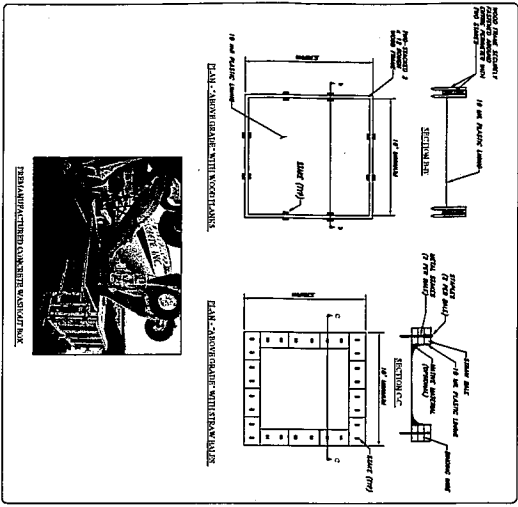
BEST MANAGEMENT PRACTICES - PLAN
DILLON RESIDENCE
26340 SCENIC ROAD
CARMEL, CALIFORNIA

ENGEØ
Expect Excellence

2010 CROW CANYON PLACE
SUITE 200
SAN BRUNO, CALIFORNIA 94068
(408) 884-4000
FAX (408) 279-8898

REGISTERED PROFESSIONAL ENGINEERS
CALIFORNIA LICENSE NO. 50614, 50615

2
OF 3 SHEETS
PROJECT NO.
091000000



REV	DATE	DESCRIPTION	BY	AS SHOWN

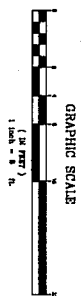
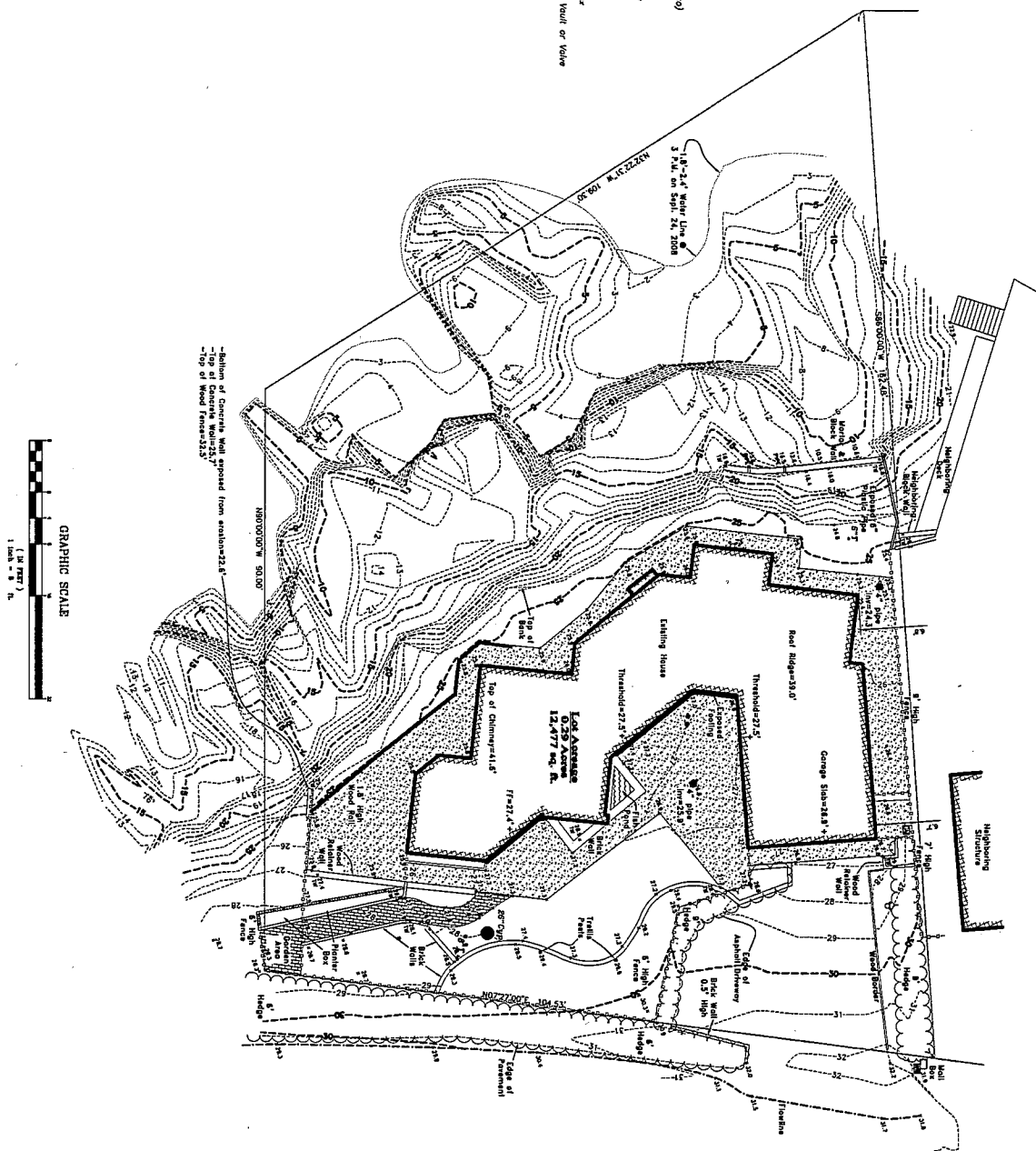
CHECKED BY: SKP
 DRAWN BY: JAM
 DATE: OCTOBER 2010
 SCALE: AS SHOWN

BEST MANAGEMENT PRACTICES - DETAILS
 DILLON RESIDENCE
 26340 SCENIC ROAD
 CARMEL, CALIFORNIA

ENGE0
Expert Excellence
 2670 CROWN CANYON PLACE
 SUITE 200
 SAN MARCO, CALIFORNIA 92068
 (858) 888-6000
 FAX (858) 278-0888
 SANRAO.SALETTE@ENGE0.COM

OF 3 SHEETS
 PROJECT NO. 891100.000

- Legend**
- ☐ Gas Meter
 - ☐ Water Meter
 - ⊖ Electric Box
 - Sewer Cleanout (fec)
 - Utility Pole
 - Utility Pole Guy Wire
 - Hose Box
 - Aseo Device
 - ⊖ Inspection Control Box
 - ⊖ Miscellaneous Utility Vault or Valve
 - ⊖ Sign
 - ⊖ Wood or Iron Fence
 - ⊖ Rock Wall



-Bottom of Concrete Well spaced from elevation 22.8
 -Top of Concrete Wall 22.7
 -Top of Wood Frame 22.3



Scenic Road
 (40' Right of Way)



1 SHEETS
 OF
 SHEET 1

SITE PLAN
 APN 009-443-004
 26340 Scenic Drive, Carmel, Ca
 prepared for:
 Don Dillon

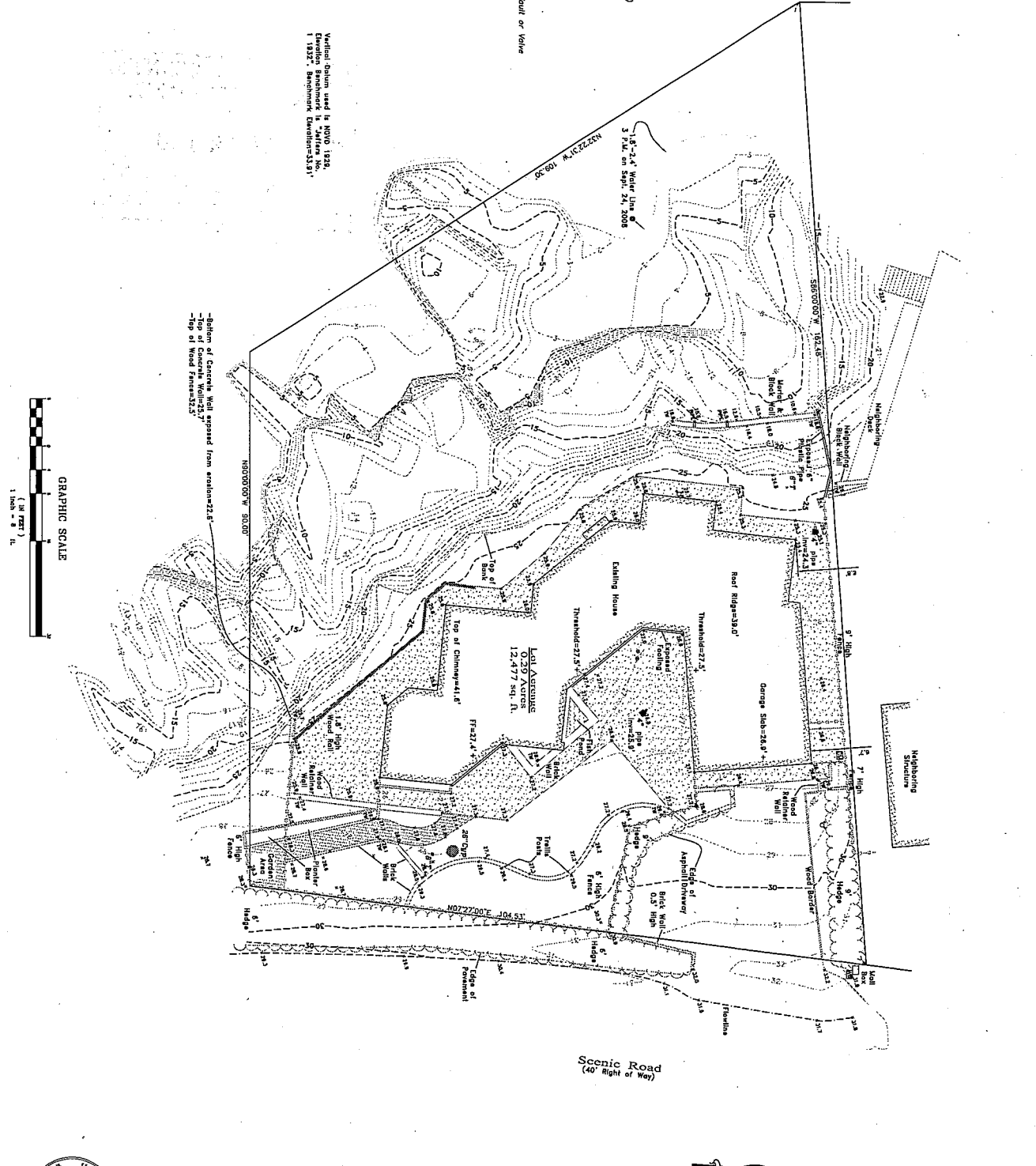
DRAWN BY: SKL
 APPROVED BY: MTD
 M. DOOLITTLE
 L.S. 6332
 REVISION: 02-18-09
 SCALE: 1" = 8'
 DATE: 09-26-08

TOPOGRAPHIC SURVEYS
 ALTA SURVEYS
 831-373-3293 PHL
 301 HOFFMAN AVENUE, SUITE B
 MONTEREY, CALIFORNIA 93940



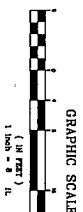
CONSTRUCTION STAKING
 LAND DEVELOPMENT
 FAX 831-373-3294

- Legend**
- ☐ Gas Meter
 - ⊗ Water Meter
 - ⊕ Electric Box
 - Sewer Cleanout (size)
 - Utility Pole
 - Utility Pole Guy Wire
 - Hesa Box
 - Aco Drains
 - ⊖ Irrigation Control Box
 - ⊖ Miscellaneous Utility Vault or Valve
 - Wood or Iron Fence
 - - - - - Rock Wall



Vertical Datum used is NAD83 1988. Elevation Benchmarks in California NAD 11 19327 Benchmark Elevation=33391'

-Bottom of Concrete Wall spread from station=218
-Top of Wood Fence=227



Scenic Road
(40' Right of Way)



SHEET 1
OF
1 SHEETS

SITE PLAN
 APN 009-443-004
 26340 Scenic Drive, Carmel, Ca
 prepared for:
 Don Dillon

DRAWN BY: SXL
 APPROVED BY: MTD
 M. DOOLITTLE
 L.S. 6332
 REVISION: 02-18-09
 SCALE: 1" = 8'
 DATE: 09-26-08

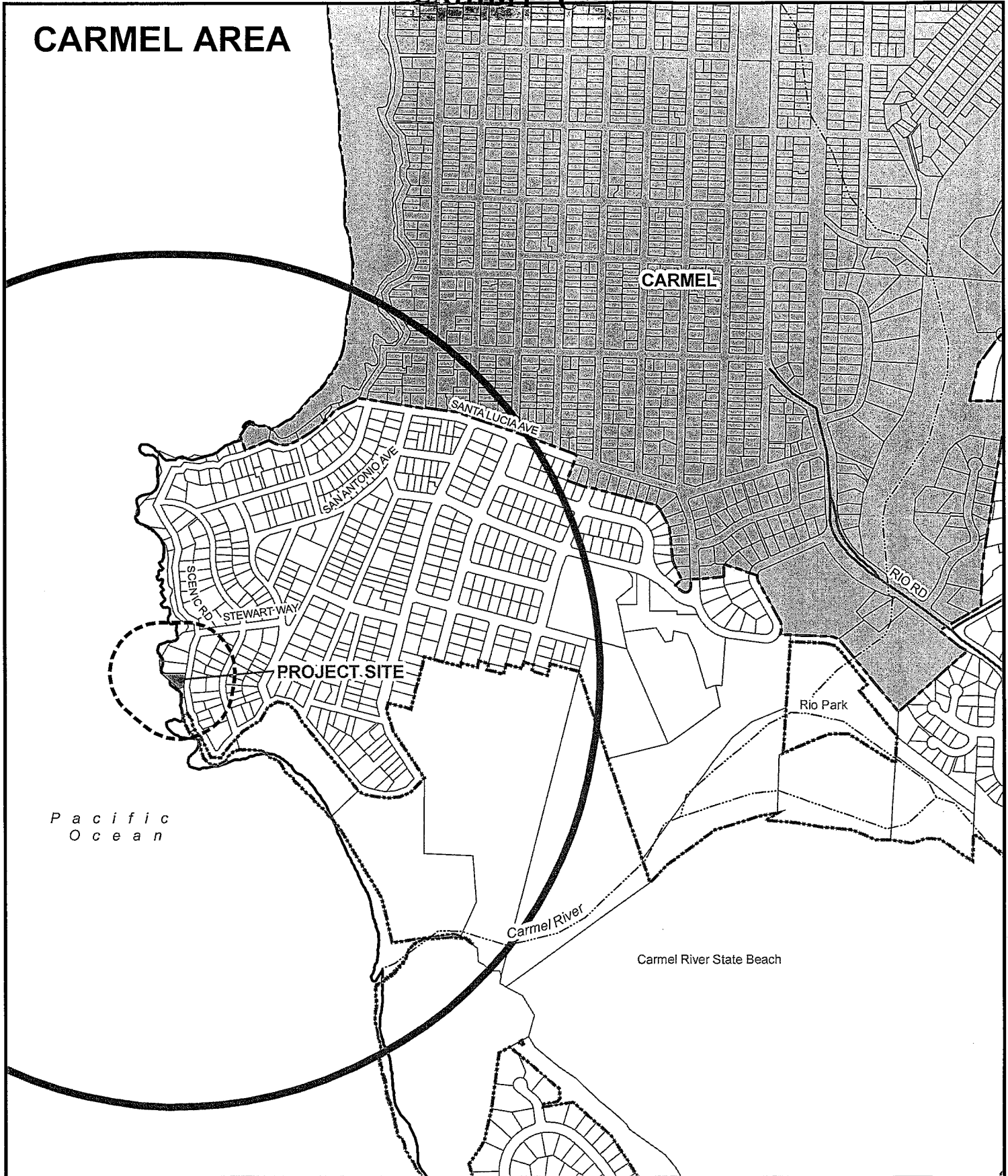
TOPOGRAPHIC SURVEYS
 ALTA SURVEYS
 831-373-3293 PH.
 201 HOFFMAN AVENUE, SUITE 8
 MONTEREY, CALIFORNIA 93940



CONSTRUCTION STAKING
 LAND DEVELOPMENT
 831-373-3294
 MONTEREY, CALIFORNIA 93940

EXHIBIT "C"

CARMEL AREA

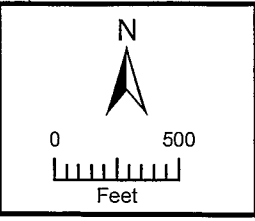


APPLICANT: DILLON

APN: 009-443-004-000

FILE # PLN090208

 300' Limit
 2500' Limit
 City Limits
 Water



PLANNER: GONZALES

EXHIBIT "D"

MINUTES

Carmel Highlands Land Use Advisory Committee
Monday, November 15, 2010

1. Meeting called to order by Peter Davis at 4:04 pm

2. Roll Call

Members Present: Hirst, Mehean, Wald, Davis, Hall, Weber, Rainier

Members Absent: Jeselnick

3. Approval of Minutes:

A. October 18, 2010 minutes

Motion: Davis - motion to approve (LUAC Member's Name)

Second: Hall (LUAC Member's Name)

Ayes: 4 - Weber, Hall, Davis, Rainier

Noes: 0

Absent: 1 - Jeselnick

Abstain: Hirst, Wald, Mehean (absent on Oct. 18, 2010)

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

RECEIVED

NOV 24 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

5. **Scheduled Item(s)** – Refer to attached project referral sheet(s)

6. **Other Items:**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

B) Announcements

The Dec. meeting is scheduled for Monday, Dec. 6.
at 4:00 pm.

7. Meeting Adjourned: 5:15 pm

Minutes taken by: B. Rainer

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NOV 24 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: **Carmel Unincorporated/Highlands**

Please submit your recommendations for this application by: **November 15, 2010**

Project Title: DILLON DONALD F & MARY ANN CO-TRS

File Number: PLN090208

File Type: ZA

Planner: GONZALES

Location: 26340 SCENIC RD CARMEL

Project Description:

Coastal Development Permit to construct a 120-foot long, 5 to 10-foot wide retaining wall to protect eroding coastal bluff and adjacent single family residence. The property is located at 26340 Scenic Road, Carmel (Assessor's Parcel Number 009-443-004-000), Coastal zone.

Was the Owner/Applicant/Representative Present at Meeting? Yes No
Donald Dillon

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
None			
			<div style="font-size: 2em; font-weight: bold; margin: 0;">RECEIVED</div> <div style="font-weight: bold; margin: 5px 0;">NOV 24 2010</div> <div style="font-weight: bold; font-size: 0.8em; margin: 0;">MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPT</div>

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Recurve at top of wall eliminated. Uneven top edge of wall will look natural.		Staging area identified on Dillon property for trucks and equipment.
Wall reduced in height by 2 ft.		Addresses concern for visual impacts as seen from Scenic Rd.
Permanence of imitation rock material (as shown in other projects (Monterey Bay Aquarium)) will match well along natural shore line.		Sample shown at LUAC meeting. Looks very much like natural stone, sculpted to look like rocky shore line.

ADDITIONAL LUAC COMMENTS

Erosion concerns addressed by engineers who will construct wall. Weep holes from run off water on property will allow for storms, etc.
 Hand scaping at top of wall will be selected to survive ocean spray and waves. Some vegetation will cascade over lip of wall to make it look less obtrusive and soften visual impact from ocean side of wall.

Very strict and comprehensive monitoring of construction will occur during installation. No negative impacts for motorists or pedestrians along Scenic Drive during construction.

Motion by: Hall, approved as submitted (LUAC Member's Name)

Second by Ward (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: T - Hall, Weber, Dain's, Ward, McKeen, Horst, Rainer

NOES: None

ABSENT: 1 - Jeselnick

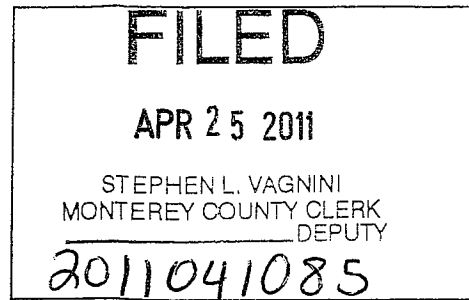
ABSTAIN: None

RECEIVED

NOV 24 2010

MONTEREY COUNTY
 PLANNING & BUILDING
 INSPECTION DEPT

County of Monterey, State of California **EXHIBIT "E"**
**MITIGATED NEGATIVE
DECLARATION**



Project Title: DILLON DONALD F & MARY ANN CO-T
File Number: PLN090208
Owner: DILLON DONALD F & MARY ANN CO-TRS

Project Location: 26340 SCENIC RD CARMEL
Primary APN: 009-443-004-000
Project Planner: ELIZABETH GONZALES
Permit Type: Coastal Development Permit

Project Description: COASTAL DEVELOPMENT PERMIT TO CONSTRUCT A 120-FOOT LONG, 3-FOOT WIDE RETAINING WALL TO PROTECT ERODING COASTAL BLUFF AND ADJACENT SINGLE FAMILY RESIDENCE. THE PROPERTY IS LOCATED AT 26340 SCENIC ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 009-443-004-000), COASTAL ZONE.

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 (check one):

- | | |
|--|---|
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Subdivision Committee |
| <input checked="" type="checkbox"/> Zoning Administrator | <input type="checkbox"/> Chief of Planning Services |
| <input type="checkbox"/> Board of Supervisors | <input type="checkbox"/> Other: _____ |

Responsible Agency: County of Monterey
Review Period Begins: 4/25/2011
Review Period Ends: 5/25/2011

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning Department, 168 West Alisal St, 2nd Floor, Salinas, CA (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 Coastal Development Permit (Dillion, File Number PLN090208) at 26340 Scenic Road (APN 009-443-004-000) (see description below). 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 and the Harrison Memorial Library at Ocean and Lincoln Streets, Carmel. The Zoning Administrator will consider this proposal at a meeting on June 9, 2011, in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from April 25, 2011 to May 25, 2011. Comments can also be made during the public hearing.

Project Description: Coastal Development Permit to construct a 120-foot long, 5 to 10-foot tall retaining wall to protect eroding coastal bluff and adjacent single family residence. The property is located at 26340 Scenic Road, Carmel (Assessor's Parcel Number 009-443-004-000), Coastal Zone.

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, Director of Planning
168 West Alisal, 2nd Floor
Salinas, CA 93901

Re: Dillon File Number PLN090208

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. ✓ California Coastal Commission
3. ✓ County Clerk’s Office
4. ✓ Association of Monterey Bay Area Governments
5. ✓ Carmel High School District
6. ✓ Carmel Riviera Water Company
7. ✓ Monterey Bay Unified Air Pollution Control District
8. ✓ City of Carmel, P.O. Drawer G, Carmel-by-the-Sea CA 93921
9. ✓ Carmel Highlands Fire Protection District
10. ✓ Monterey County Water Resources Agency

11. ✓ Monterey County Public Works Department
12. ✓ Monterey County Parks Department
13. ✓ Monterey County Division of Environmental Health
14. ✓ Monterey County Sheriff's Office
15. ✓ Monterey Free Libraries
16. ✓ Harrison Memorial Library at Ocean and Lincoln Streets, Carmel
17. ✓ Donald Dillon , Owner
18. ✓ Phil Doody, Mesiti-Miller Engineering, Inc. 224 Walnut Avenue, Suite B, Santa Cruz CA 95060
19. ✓ Property Owners within 300 feet (Notice of Intent only)

Revised 01-25-2008

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025 FAX: (831) 757-9516



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: DILLON

File No.: PLN090208

Project Location: 26340 Scenic Road, Carmel

Name of Property Owner: Donald F. Dillon and Mary Ann, Co-Trs

Name of Applicant: Phil Doody, Mesiti-Miller Engineering, Inc.

Assessor's Parcel Number(s): 009-443-004-000

Acreage of Property: 12,477 square feet

General Plan Designation: Residential

Zoning District: MDR/2-D(18)(CZ) (Medium Density Residential, 2 units per acre, Design Control, 18 foot height limit in the Coastal Zone)

Lead Agency: Monterey County RMA Planning Department

Prepared By: Elizabeth Gonzales, Associate Planner

Date Prepared: April 11, 2011

Contact Person: Elizabeth Gonzales, Associate Planner

Phone Number: (831) 755-5102 or gonzalesl@co.monterey.ca.us

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

This project application requests to construct a 120-foot long, 5 to 10-foot tall retaining wall to protect eroding coastal bluff and adjacent single family residence. The subject parcel is located in Carmel, on the west side of Carmel Point, between the coastal bluff and Scenic Road. The existing single family dwelling at the site was constructed in approximately 1960 and is situated as close as 4 to 5 feet from the top of the coastal bluff.

The Dillon residence was impacted by wave run up during the winter storms of January 2008 with erosion of a portion of the terrace deposits supporting the residence. An erosion gully along the north side of the parcel had been previously filled, perhaps concurrent with the construction of the residence, and the fill is retained along the coastal bluff by a concrete masonry unit retaining wall. The base of the retaining wall is protected from undermining by grouted granite boulders which extend approximately 12 feet seaward from the base of the wall. Aerial photos provided indicate the retaining wall was built subsequent to completion of the residence.



Originally, in October 2009, an application for a retaining wall was considered to be under the jurisdiction of the Coastal Commission. However, it was determined that the County would permit the wall. In April 2010, a revised retaining wall was submitted that included additional height and a recurve. It was determined the retaining wall was not consistent with the Visual Resources policies of the Carmel Area Land Use Plan and the Coastal Commission concurred. Specifically, the recurves and additional height did not adequately conform to the natural shoreline and would result in the effect of an artificial wall, inconsistent with policies that require "the design and siting of structures...shall not detract from the natural beauty of the scenic shoreline and undeveloped ridgelines and slopes in the public viewshed." Also, additional information was required to address the natural exchange of material between the bluff and the beach and the sand loss affecting the natural shoreline process of formation and retention of sand beaches.

A third revision was received in October 2010, reducing the perceived visual impact of the retaining wall, eliminating the recurve feature. The recurve feature was previously included in the design as a mechanism to reduce wave run-up and overtopping. The design no longer

includes a requirement to prevent wave overtopping. Landscaping has been specifically designed with the intention of visually softening and partially camouflaging the structure. The top of the proposed structure was reduced to match the adjacent natural occurring bluff elevation. The exposed face of the upper bluff protection structure will be finished and sculpted by Cemrock Naturalistic Environments. The artificial rock work construction by Cemrock is indistinguishable from the natural surroundings. Therefore, visual impact would be less than significant.

As demonstrated, the revisions made to the project wall address the issues raised on the previous application, and is now in conformance with the policies of the Carmel Area Land Use Plan.



EXISTING WITHOUT WALL

PROPOSED WITH WALL

A Sand Loss Analysis Estimate prepared by Haro, Kasunich, dated August 12, 2010 analyzes the shoreline processes which are affected by such shoreline protective devices include the formation and retention of sandy beaches and bluff retreat which adds bluff material to the shoreline. Shoreline armoring impedes these natural processes by fixing the position of the back of the beach and preventing the landward migration of the beach profile, and by preventing bluff erosion from contributing to the sand supply. The methodology calculates the beach area that is displaced, and the mountain of bluff material which does not reach the beach, as a result of a seawall, and calculates the volume of sand which would be required to replace that lost beach area if a beach nourishment program were implemented. There are three types of sand losses that were discussed sequentially and estimates of beach surface area loss presented, as the amount of sand which would be required to report that lost beach area.

At the site, a sandy beach does not exist. The lower coastal bluff consists of very irregular craggy and jointed granite bedrock. Some boulders and cobbles derived from eroded granite exist. Calculating the volume of sand which would be required to replace the lost beach area caused by encroachment of the existing seawall if a beach nourishment program were implemented is inapplicable, because the proposed project is located only along the steep upper bluff face. Therefore, direct beach area loss and direct sand loss due to direct coverage of the beach by coastal protection structures is less than significant.

Long term average historical recession rates in the competent granite bedrock at the project site appear to be less than one quarter inch per year, which is less than 1.05 feet in 50 years. Calculating the volume of sand needed to implement a beach nourishment program which could be required to replace the lost beach area caused by a wall that "fixes" the position of the back edge of the beach, is inapplicable at the Dillon property. This is because the proposed project is located in a region where the areas at the base of the retaining wall consist of very irregular craggy and jointed granite bedrock. Therefore, passive beach area loss and passive sand loss from recession due to fixing the position of the back edge of the beach which prevents new beach area from forming as future recession occurs is less than significant.

It is estimated that all of the granite may become sediment with a grain size of more than 0.18 mm per year after it is eroded. Coastal protection structures stop or reduce erosion of the coastal bluff. Based on the above earth material thicknesses and recession rates, it was calculated that the volume of sandy material that would be prevented from reaching the beach is approximately 137 cubic yards of sand in 50 years. The existing and proposed coastal protection structures will continue to cause that amount of reduction in beach sand supply, for as long as they continue to prevent bluff erosion. In conclusion, the existing revetment has the potential to impact the natural sand supply to the beach. The proposed coastal protection structure would continue to incrementally impact beach sand supplies. However, it was determined that 2.7 cubic yards per year of sand supply loss due to prevention of bluff erosion which provides beach sand material to the beach is less than significant.

A Biological Assessment was prepared by Denise Duffy & Associates, dated October 2009. The Dillon property is set back approximately 4 to 18 feet from the top of a coastal bluff composed of granite bedrock and overlain by decomposed granite and topsoil. Prior to construction of the residence, coastal bluff habitat likely dominated the site. Remnant plant species of the habitat type, including seaside daisy and salt grass are still present in very limited numbers within a narrow band of vegetation present at the top of the bluff at the edge of the residence. However, due to historic and ongoing disturbance, the majority of this vegetation consists of non-native plant species, such as ice plant, scarlet pimpernel, New Zealand spinach and saltbrush, and landscape plantings, including rosemary and jade. The wall will be constructed along the rocky bluff, and will not extend up above the terrace and the vegetation. This area is regularly impacted by wave action, leaving it devoid of topsoil and vegetation.

In conclusion, no special status plant species were identified within the project boundaries during the site visit. The project was evaluated for the presence or potential presence of a variety of special status wildlife species. No sensitive habitats are present within the project. However, Carmel Bay, located immediately adjacent to the project site, is designated Waters of the U.S. and is protected by the Clean Water Act as a sensitive habitat. Additionally, rocky intertidal habitat is present immediately adjacent to the project site. This habitat is listed as ESHA in the Carmel Area Land Use Plan. Section 20.146.040.C.3.c of the CIP, states that "development on parcels adjacent to intertidal habitat shall be sited and designed to prevent percolation of septic runoff and deposition of sediment." The project is connected to public sewer and does not involve the installation of new, or modification of any existing septic infrastructure.

Additionally, no project activities will occur within these habitats. Additionally, the project will protect these habitats from increased sedimentation associated with erosion of the bluff.

The parcel is also located within 750 feet of a known archaeological resource. An archaeological report was prepared for the project to evaluate the potential for significant archaeological resources on-site and the potential for impacts to these resources as a result of the project. An Archaeological letter for Assessor's Parcel 009-443-004-000 was prepared by Mr. Lynne H. Mounday, dated April 19, 2011 for the project. In conclusion, it was determined since the ground surface was bare and clear of any obstacles to determining the presence or absence of archaeological remains and there is no evidence on the site or adjacent garden area of any cultural deposits present to be impacted, the work proposed will not affect archaeological or historical cultural resources known to exist in Monterey County or archaeological evidence for any prehistoric resource on the property.

The primary CEQA issues involve visual resources, biological resources, cultural resources, and geology/soils. These resources will be affected by the proposed project. However, evidence supports the conclusion that impacts will be less than significant for visual resources and geology/soils and less-than-significant with mitigation incorporated for biological resources. There are no impacts to cultural resources. Detailed analysis for each issue can be found in Section VI. – Environmental Checklist.

Since this is a request to construct a retaining wall in order to secure the structure, the proposed project meets the policies of the Carmel Area Land Use Plan. Less than significant impacts have been identified for Air Quality and Greenhouse Gas Emissions (see Section VI, Environmental Checklist, of the Initial Study). As these were considered less than significant impacts, no mitigations were required for the project. However, implementation of conditions of approval will be included to assure compliance with County requirements.

Other Project Impacts

The subject property is not located within Prime or Unique Farmlands, forest land, an area that poses a threat caused by flooding, or on a mineral resource recovery site. The result of the project will not require large amounts of water, induce or reduce the population or availability of housing, or cause reduction of the existing level of services for fire, police, public schools, or parks. Therefore, the project will have no impact on Agriculture/Forest Resources, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation or Utilities/Service Systems.

B. Environmental Setting and Surrounding Land Uses:

The property is zoned Medium Density Residential, 2 units per acre, Design Control with an 18 foot height limit within the Coastal Zone "MDR/2-D(18)(CZ)" and is located at 26340 Scenic Road (Assessor's Parcel Number 009-443-004-000), Carmel, CA. The property is located on the west side of Carmel Point, between the coastal bluff and Scenic Road and located within the General Viewshed Map A of the Carmel Area Land Use Plan which is a highly scenic area of the Carmel Area. The surrounding properties are located on the east side of Scenic Road and

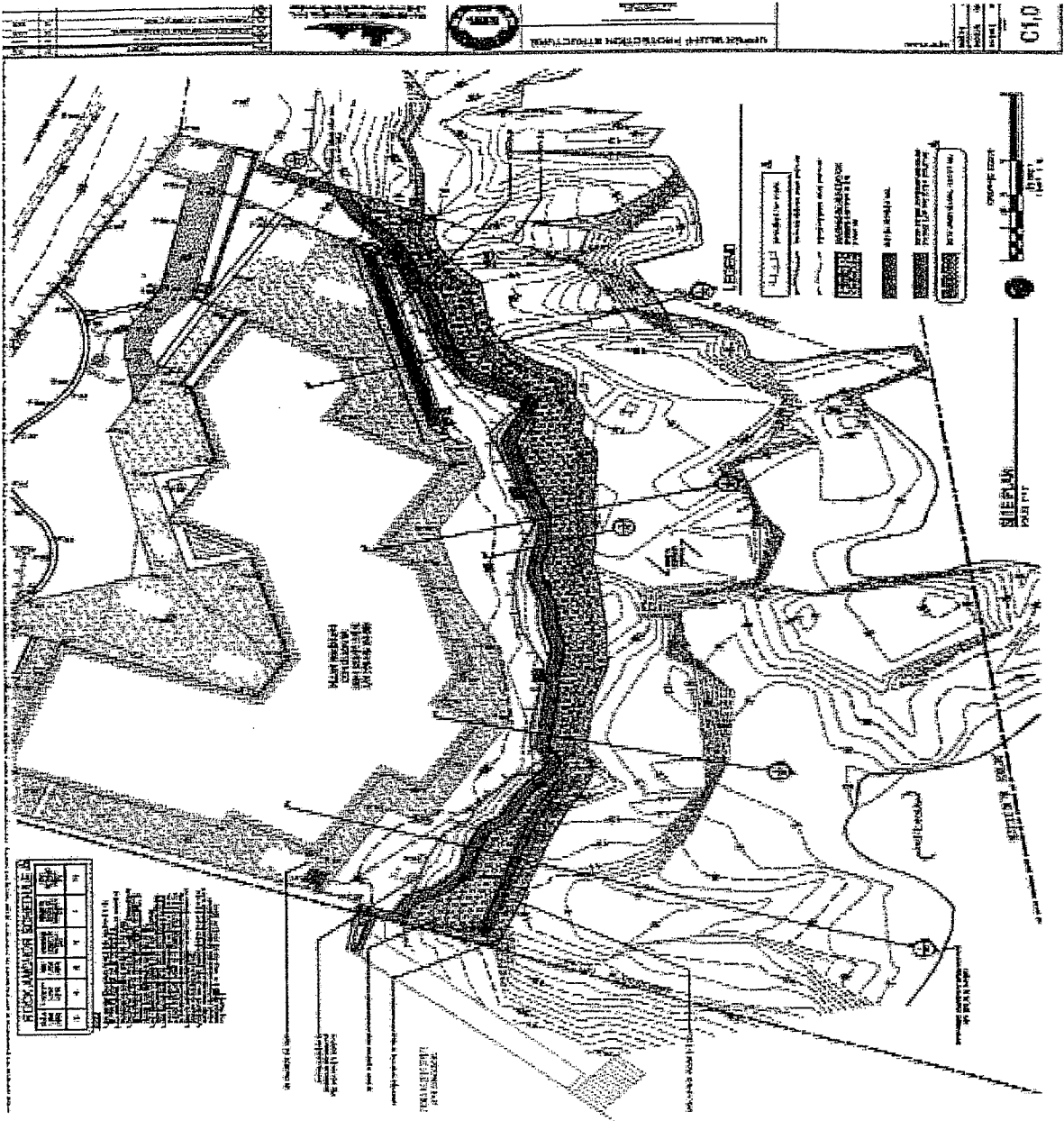
similarly zoned Medium Density Residential with lot sizes averaging 4,000 sq. ft. All of these properties are currently developed with single family dwellings and are primarily used for residential purposes.

The Carmel Highlands/Unincorporated Land Use Advisory Committee supported the project as proposed, stating that all concerns with regard to erosion and landscaping have been adequately addressed along with the construction management plan proposed in construction plans.

A construction management plan is required by the RMA Public Works Department. The applicant has indicated a staging area on-site for the Cemrock truck and wash out container for cleaning and removal of the spoils. There will not be more than two vehicles off site at any given time and they have been instructed not to park on Scenic Road.

C. Other public agencies whose approval is required: (e.g. permits, financing approval, or participation agreement). No other public agency permits would be required under this request.

Site Plan



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

General Plan/Area Plan. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan and the Carmel Area Land Use Plan (CLUP). Policy 4.5.H of the CLUP categorizes Medium Density Residential as the primary use of this category. Maximum development densities from 2-6 units per acre would be allowed according to site evaluation of slope and natural resource, septic system and public facility constraints. The proposed project meets those categories as there is an existing single family on the property. However, a new retaining wall is being proposed to protect that structure. Land Use and Planning (Section IV. evidence) discusses whether the project physically divides an established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (refer to *Local Coastal Program-LUP* discussion below); or conflicts with any applicable habitat conservation plan or natural community conservation plan. **CONSISTENT** (References IX 1, 2, 3, 4, 6, 7)

Air Quality Management Plan (AQMP).

Consistency with the AQMP is an indication of a project's contribution to a cumulative adverse impact on regional air quality. It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The project is consistent with the 1982 Monterey County General Plan and with the Association of Monterey Bay Area Governments (AMBAG) regional population and employment forecast. The proposed project will not increase the population of the area nor generate additional permanent vehicle trips above levels projected in the AQMP. Therefore, the project will be consistent with the AQMP. **CONSISTENT** (References IX 1, 2, 5)

Local Coastal Program-LUP. The proposed project was reviewed for consistency with the Carmel Area Land Use Plan (CLUP). Land Use and Planning (Section IV. Evidence) discusses whether the project physically divides an established community; conflicts with any applicable

land use plan, policy, or regulation of an agency with jurisdiction over the project; or conflicts with any applicable habitat conservation plan or natural community conservation plan. As discussed therein, the proposed project is consistent with the Carmel Area LUP. **CONSISTENT** (References IX 1, 3, 4, 6)

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <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 | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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

Check here if this finding is not applicable

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

EVIDENCE:Based upon the planner's project analysis, many of the above topics on the checklist do not apply. Less than signification impacts or potentially significant impacts are identified for **aesthetics, air quality, biological resources, cultural resources, geology/soils, and greenhouse gas emissions**. The project will have no quantifiable adverse environmental effect on the categories not checked above as follows:

- 1) Aesthetics. See Section VI. for detailed analysis.
- 2) Agricultural and Forest Resources: The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance, and the proposed project would not result in conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract. The project will have no impacts to agricultural and forest resources. (References IX 1, 2, 3, 6, 7)

The Carmel Area Land Use Plan states that development adjacent to prime farmland shall be planned to be compatible with the continued agricultural use of the land. **(Policy 2.6.2)** The project parcel is not located near any farmland and therefore, there is no impact to agricultural and Forest resources.

- 3) Air Quality. See Section VI. for detailed analysis.
- 4) Biological Resources. See Section VI. for detailed analysis.
- 5) Cultural Resources. See Section VI. for detailed analysis.
- 6) Geology/Soils. See Section VI. for detailed analysis.
- 7) Greenhouse Gas Emissions. See Section VI. for detailed analysis.
- 8) Hazards/Hazardous Materials: The project does not involve the transport, use or disposal of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. There is no storage of large quantities of hazardous materials on site. The project 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. (References IX 1, 2, 3, 5, 6, 7, 8, 9)

The Carmel Area Land Use Plan considers that various human activities can create or aggravate geologic hazards. Road construction and site excavation are leading causes of erosion. Vegetation removal, improper grading, cut and fill, operations, and inadequate drainage are all factors which trigger landslides. The Carmel area is characterized by a moderate to very high fire hazard. **(Policy 2.7)** Project construction will be required to be in conformance with the site-specific geotechnical reports, which will address geological stability and potential seismic

hazards. The Carmel Highlands Fire Protection District reviewed the project and deemed it complete with no conditions. Therefore, there is no impact to hazards.

- 9) Hydrology/Water Quality. The proposed project will not violate any water quality standards or waste discharge requirements nor substantially alter the existing drainage patter of the site or area. The proposed project is not located within a 100 year floodplain and would not impede or redirect flood flows.

The County should require new development in the Cal-Am service area to employ water conservation techniques to the greatest possible extent. This would include, among other things, use of water-saving fixtures, retention of native vegetation, and use of drought-tolerant landscaping (**CALUP 3.2.3.3**). (Source: IX. 1, 3, 6, 7, 11). Therefore, the proposed project would have no impacts to hydrology/water quality.

- 10) Land Use/Planning. The proposed project will not physically divide an established community. The project does not conflict with any of the policies within the Carmel Area Land Use Plan and meets all zoning requirements. There is no habitat or natural community conservation plan that the proposed project is required to conform to. The project consists of the construction of a retaining wall in order to keep the structure safely set on the bluff. The zoning regulations allow for the first single family dwelling on a legal lot of record. (Source: IX. 1, 2, 3, 4, 5, 6, 7, 12)

The Carmel Area Land Use Plan states that the subdivided areas within the segment are concentrated primarily along the west side of Highway 1, except within Carmel Highlands, where the subdivided area lies also on the east side. It is the County's objective to promote the continued "infilling" of vacant parcels of recorded in all subdivided areas. (**Policy 4.3.1**) The project proposes to construct a retaining wall to protect an existing single family that meets all site development standards. County Departments reviewed the project application and concurs. Therefore, the proposed project is consistent with the Land Use Plan policies.

- 11) Mineral Resources. No mineral resources have been identified or would be affected by the project. (References IX 1, 2, 6, 7) Therefore, the proposed project would have no impacts.
- 12) Noise. The project would not change the existing residential use of the property, would not expose the surrounding properties to noise levels that exceed standards or to substantial vibration from construction activity, and would not substantially increase ambient noise levels. (References IX 1, 2, 6, 7)

The project site is not located in the vicinity of an airport or private airstrip. The generation of substantial or significant noise over the long-term is not typically associated with a project of this scope. The proposed project would have

temporary minor noise impacts due to construction of the retaining wall, but those would cease once the project was completed. The subject parcel is approximately 1/8 acre and is located on the west side of Scenic Road. Neighboring residences are located on the east. The temporary noise will be located on the bluff off the ocean. Therefore, there is no impact to noise.

- 13) Population/Housing The proposed project would not substantially induce population growth in the area, either directly, or indirectly, as no new infrastructure would be extended to the site. The project would not alter the existing location, distribution, or density of human population in the area, nor create a demand for additional housing, or displace people. (References IX 1, 2, 3, 6, 7)

Since the proposed project requests the construction of a retaining wall for the protection of an existing single family dwelling, the housing element had already been considered within the Carmel Area Land Use Plan. There would be no impacts to Population or Housing.

- 14) Public Services. The project would have no 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. (References IX. 1, 2, 3, 6, 7, 21)

The proposed project's residential use and proximity to other residential uses signify that any potential impact to public services will be insignificant, given that adequate public services exist to properly serve the area, as evidenced by the County's interdepartmental review and recommended Conditions of Approval for the project. The Carmel Highlands Fire Protection District is approximately eight to ten miles from the property. Therefore, the proposed project will not impact Public Services.

- 15) Recreation. The project, as proposed, would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities causing substantial physical deterioration. The proposed project does not include or require construction or expansion of recreational facilities. (References IX. 1, 3, 6, 7) No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project, based on review of Figure 3 (Public Access) of the Carmel Area LUP and staff site visits. The project would not create significant recreational demands.

The Carmel Area Land Use Plan requires that public access be protected and provided where consistent with public safety needs and the need to protect the rights of private property owners and natural resource areas from overuse. (**Key Policy**

5.3.1) The project is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Monterey County Zoning Ordinance, Section 20.70.050.B.4). The proposed project is in conformance with the public access policies of Chapter 5 of the Carmel Area Land Use Plan (CLUP), and Section 20.145.150 of the Monterey County Coastal Implementation Plan for Carmel (Part 2). Figure 3 does not identify the parcel as an area requiring existing or proposed public access. No public access points or trails are located on the parcel. The proposed project would have no impacts related to Recreation.

- 16) Transportation/Traffic. The contribution of traffic from the proposed project would not cause any roadway or intersection level of service to be degraded. The project would not result in a change in air traffic patterns or an increase in traffic levels. It would not substantially increase hazards due to a design feature, nor result in inadequate emergency access or parking capacity. The project also would not conflict with adopted policies, plans, or programs supporting alternative transportation. (References IX. 1, 3, 5, 6, 7)

Construction will require a truck to shotcrete a blufftop retaining wall. The property has sufficient parking for the Cemrock truck and the washout system. Other vehicles will be limited and will not park on Scenic Road. Therefore, proposed project would have no impact to Transportation or Traffic.

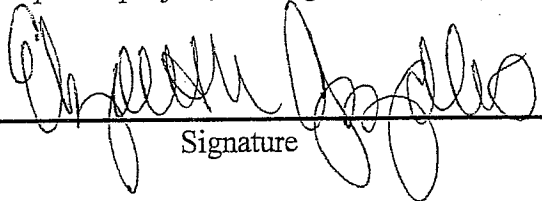
- 17) Utilities. The proposed project currently has sufficient water supplies and a wastewater treatment provider available to service the existing single family dwelling. The proposed project consists of a retaining wall to protect the existing single family dwelling located on a bluff and therefore, existing public utilities public utilities will not be affected. (Source IX. 1, 3, 6, 7, 12). Therefore, the proposed project would have no impacts related to Utilities and Service Systems.

B. DETERMINATION

On the basis of this initial evaluation:

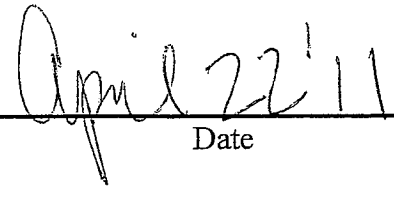
- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions 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

Elizabeth Gonzales



 Date

Associate Planner

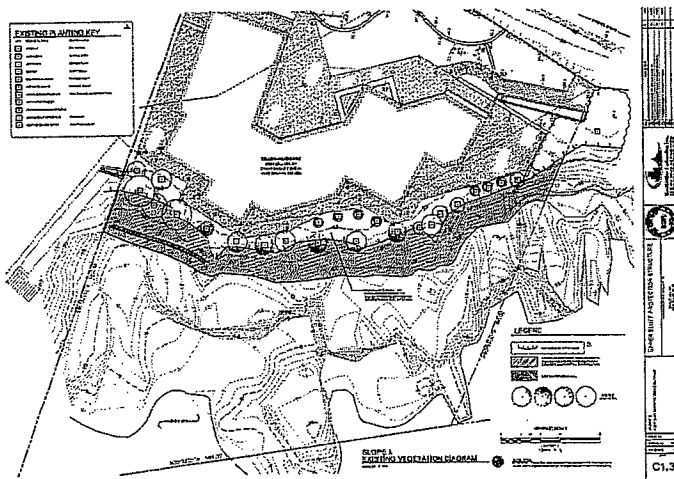
V. ***EVALUATION OF ENVIRONMENTAL IMPACTS***

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 3, 6, 7)	<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, 3, 6, 7)	<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, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



PLANTING PLAN

Discussion/Conclusion/Mitigation:

According to the Carmel Area Land Use Plan, the scenic qualities of the Carmel area have long been a cherished part of the Monterey coast. Sweeping vistas of rocky headlands and sandy beaches, architecturally-compatible residences and farm buildings, pine and cypress-topped ridges, open grazing lands, and cultivated fields are all interrelated elements of the natural mosaic that attracts visitors from all around the world. Of particular concern is the potential for new development to degrade the visual quality of what is presently a highly scenic stretch of California's coastline. (Policy 2.2.1)

According to the Carmel Coastal Implementation Plan (CIP), the public viewshed are those areas visible from major public viewing areas such as 17 Mile Drive, Scenic Road, Highway 1

Corridor and turn-outs, roads/viewpoints/sandy beaches within Point Lobos Reserve and Carmel River State Beach, Garrapata State Park, and Carmel City Beach (20.146.020 CIP). Development within the public viewshed would require mitigation in order to reduce visual impacts to a less than significant level. Appropriate mitigations include implementation of screening measures such as tree and native vegetation planting and monitoring, habitat protection and special design techniques.

Pursuant to Policy 2.4.7.4.10 and CIP section 20.146.080.D.i, "Revetments, groins, seawalls, or retaining walls and other such construction that alters natural shoreline processes shall be permitted only where required for the protection of existing development. These structures shall not impede lateral beach access and shall respect, to the greatest degree possible, natural landform and visual appearance. Such facilities shall be designed to eliminate or mitigate adverse impacts on local shoreline supply..."

Policy 2.2.3 CLUP states, "the design and siting of structures, whether residential, commercial, agricultural, or public and the access roads thereto, shall not detract from the natural beauty of the scenic shoreline and undeveloped ridgelines and slopes in the public viewshed."

1(a), (c): Less Than Significant.

The elevation of the top of the bluff protection structure has been lowered and the recurve feature eliminated. The recurve feature was previously included in the design as a mechanism to reduce wave run-up and overtopping. The design no longer includes a requirement to prevent wave overtopping. To ensure the proposed structure does not increase the potential for wave overtopping, the revised design now includes a three foot vertical segment at the top of wall. The vertical segment will deflect some wave energy upwards whereas the incline of the existing upper bank was geometrically favorable to higher wave run-up. Landscaping has been specifically designed with the intention of visually softening and partially camouflaging the structure. A continuous planting area flush with the top of the wall is included to maximize the visibility of landscaping and preserve the existing plant material to the greatest degree possible. To supplement the existing plantings, a series of Ceanothus (variety: Carmel creeper) will be placed along the seaward edge of the planting area. Ceanothus is a Californian native plant, which, when mature, will drape over the top of the wall, thus partially camouflaging the structure. Therefore, visual impact would be less than significant.

The following design features are now included to ensure the proposed structure blends seamlessly with the adjacent unarmored bedrock bluff:

- 1) The structure no longer projects above the height of the naturally occurring bluff;
- 2) The recurve feature across the top of wall has been eliminated entirely;
- 3) All exposed concrete surfaces are to be finished with a sculpted concrete surface resembling adjacent natural undulating bluff landforms in terms of integral mottled color, texture, and undulation;
- 4) The entire structure is contoured in a non-linear manner designed to evoke nature bluff undulations;
- 5) California native plants have been incorporated into the landscaping to further soften the exposed edges of the structure.

1(b), (d): No Impact. The project cannot be seen from Highway 1; however the project may be seen from Point Lobos. The project as proposed will not affect scenic resources such as trees, rock outcroppings, and historic buildings within a state scenic highway. Rock outcroppings are located within the 30 percent sloped areas. The project consists of a new retaining wall which will not require any lighting.

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 2, 3, 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, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1, 2, 3, 5, 7, 8)	<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, 3, 5, 7,8)	<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, 3, 5, 7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1, 2, 3, 5, 7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 2, 3, 5, 7,8)	<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, 3, 5, 7,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Air Quality 3(a, b, c, e, and f) - No Impact.

The proposed project site is located in the North Central Coast Air Basin, which is comprised of Monterey, Santa Cruz, and San Benito counties. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is the agency with jurisdiction over the air quality regulation in the subject air basin. In 2008, the MBUAPCD adopted an Air Quality Management Plan, which outlines the steps necessary to reach attainment with the state standards of air quality for criteria pollutants. The project involves the construction of a retaining wall that would provide support for the existing residence from the failing bluff. Construction would be a temporary impact that will not permanently conflict with or obstruct the implementation of Air Quality Management Plan, nor would it violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment. (Source: IX. 1, 2, 3, 5, 7, 8). The project would not expose any sensitive receptors to substantial pollutant

concentrations, and would not create any objectionable odors affecting a substantial number of people. The generation of substantial or significant odors over the long-term is not typically associated with a project of this scope. The main focus on the project is the retaining wall. Once construction is completed the parcel will be fully restored. Therefore, there are no impacts to Air Quality.

Air Quality 3(d) – Less than Significant.

The temporary and short-term impacts from project-related construction activities will be required to accommodate the new retaining wall. There is no grading proposed and there is very minor increase in emissions from construction vehicles and dust generation; therefore, the project would result in construction-related air quality impacts that are less than significant. Construction activities will be required to comply with the Air Quality Guidelines, including the standard MBUAPCD measures addressing dust control. Implementation of these standard dust-control measures will maintain any temporary increases in PM-10 at insignificant levels. (References 1, 2, 5, 6, 7, 8)

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 3, 6, 7, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 3, 6, 7, 11)	<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, 3, 6, 7, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 3, 6, 7, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 3, 6, 7, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 3, 6, 7, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The intent of the Environmentally Sensitive section of the Coastal Implementation Plan is to protect the environmentally sensitive habitats of the Carmel Coastal Segment. These areas are unique, limited and fragile resources of statewide significance important to the enrichment of present and future generation of County residents and visitor; accordingly, they shall be protected, maintained and where possible enhanced and restored.

The proposed project, may have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. A Biological Assessment was prepared by Denise Duffy & Associates, dated October 2009.

4(c): Less than Significant with Mitigation Incorporated.

Specifically, Carmel Bay, located immediately adjacent to the project site, is designed Waters of the U.S. and is protected by the Clean Water Act. Additionally, rocky intertidal habitat is present immediately adjacent to the project site. This habitat is listed as ESHA in the Carmel Area Land Use Plan. Section 20.146.040.C.3.c of the CIP, states that “development on parcels adjacent to intertidal habitat shall be sited and designed to prevent percolation of septic runoff and deposition of sediment.” The project is connected to public sewer and does not involve the installation of new, or modification of any existing septic infrastructure. Additionally, no project activities will occur within these habitats. Additionally, the project will protect these habitats from increased sedimentation associated with erosion of the bluff.

Implementation of the recommended avoidance and minimization measures recommended in the Biological report will reduce potential sedimentation and erosion during construction-phase activities to a less than significant level.

In order to ensure the recommended avoidance and minimization measures are implemented properly, County staff will require an on-site pre-construction meeting between the Contractor, Biologist, Applicant and County staff to discuss the Biological Survey Report, prepared by Denise Duffy and Associates, dated October 2009. County staff will incorporate a Condition of Approval in the staff report requiring this be done prior to issuance of grading/building permits.

Mitigation Measure #1:

In order to protect the rocky intertidal habitat area from increased sedimentation, removal of vegetation shall not exceed the minimum necessary to complete operations. Excavation and other activities that involve soil disturbance shall be planned and carried out in consultation with a qualified hydrologist or erosion control specialist, and shall utilize standard erosion control and slope stabilization measures in satisfaction of Monterey County erosion control guidelines to minimize erosion of slopes and sedimentation to adjacent sensitive habitats.

Monitoring Action #1:

Straw used for check dams and erosion control protection shall only be certified, weed-free straw. In order to avoid the introduction of non-native, invasive plants, erosion control measures outlined in the "Erosion Control Plan, Sheet C1.2" of the plans created for the project by Mesiti-Miller Engineering, Inc. (Appendix C) shall be implemented. Evidence shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #2:

In order to protect the rocky intertidal habitat area, no fueling or maintenance of equipment shall take place within or adjacent to the previously identified sensitive habitats. Mechanical equipment shall be serviced in designated staging areas located outside of the areas. Water from equipment washing or concrete wash downs shall be prevented from entering these habitats. All food-related trash items shall be enclosed in sealed containers and removed daily from the site.

Monitoring Action #2:

A signed agreement between the applicant, qualified biologist, and contractor stating that no fueling or maintenance of equipment shall take place in the construction area, that all mechanical equipment be serviced in designated staging areas located outside of the construction area and all food related trash items shall be removed daily. A copy of the signed agreement shall be submitted to the RMA- Planning Department for review and approval.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #3:

In order to fulfill the requirements of all the biological mitigation measures required of this project, the applicant shall retain a qualified biologist to ensure minimal removal of vegetation. The applicant shall submit a signed contract to the County prior to the issuance of any vegetation clearance activities. The contract will include language demonstrating that a qualified biologist

shall be retained to be on-site during initial vegetation removal activities and to fulfill the requirements of erosion control measures outlined in “Erosion Control Plan, Sheet C1.2” of the plans created for the project by Mesiti-Miller Engineering, Inc. (Appendix C) and the biological mitigation measures #1 and #2 required for this project.

Monitoring Action #3:

A copy of a signed agreement between a qualified biologist and the applicant stating that “the biologist will be retained to be on-site during initial vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project, shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

4(a), (b), (d), (e), (f): No Impact. The project will not affect any federally protected wetlands. The project will not conflict with any local policies or ordinances protecting biological resources or with the provisions of an approved local, regional, state or federal habitat conservation plan nor 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.

The Dillon property is set back approximately 4 to 18 feet from the top of a coastal bluff composed of granite bedrock and overlain by decomposed granite and topsoil. Prior to construction of the residence, coastal bluff habitat likely dominated the site. Remnant plant species of the habitat type, including seaside daisy and salt grass are still present in very limited numbers within a narrow band of vegetation present at the top of the bluff at the edge of the residence. However, due to historic and ongoing disturbance, the majority of this vegetation consists of non-native plant species, such as ice plant, scarlet pimpernel, New Zealand spinach and saltbrush, and landscape plantings, including rosemary and jade. The proposed retaining wall will be constructed along the rocky bluff, and will extend up above the terrace and the vegetation. This area is regularly impacted by wave action, leaving it devoid of topsoil and vegetation.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1, 3, 6, 7, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1, 3, 6, 7, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1, 3, 6, 7, 15)	<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, 3, 6, 7, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

According to the Monterey County Geographic Information System, the project site is identified as an area of high archaeological sensitivity. The parcel is also located within 750 feet of an known archaeological resource. Pursuant to Section 20.146.090, Coastal Implementation Plan, County staff requested that an archaeological report be prepared for the project to evaluate the potential for significant archaeological resources on-site and the potential for impacts to these resources as a result of the project. An Archaeological letter for Assessor’s Parcel 009-443-004-000 was prepared by Mr. Lynne H. Mounday, dated April 19, 2011 for the project.

Conclusion:

5 (a), (b), (d): No Impact. Analysis was conducted to determine whether the proposed project has the potential to cause a substantial adverse change to an archaeological resource pursuant to CEQA Section 15064.5 and/or the potential to disturb any human remains. According to the archaeology letter, the parcel is located within 750 feet of an archaeological site. Although prior surveys have been conducted in Carmel, the Northwest Information center had no record of this property every having been reviewed. The fact that the house and landscaping, constructed in 1960, are already in place, and that the proposed shotcrete erosion protection will only require the removal of existing non-native vegetation and will occupy an area that has already been disturbed, that the ground surface was bare and clear of any obstacles to determining the presence or absence of archaeological remains and that there is no evidence on the site or adjacent garden area of any cultural deposits present to be impacted, are evidence that the work proposed will not affect archaeological or historical cultural resources known to exist in Monterey County or archaeological evidence for any prehistoric resource on the property.

5 (c): Less than Significant Impact Although geological and archaeological investigations for the project did not find any evidence of these resources at the site that would indicated that the project will not directly or indirectly destroy a unique paleontological resource or geologic

feature, there is sufficient evidence that Native Americans lived among these rocky shores. And since the parcel is also located within 750 feet of an known archaeological resource, staff will incorporate a standard condition of approval that states "If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it."

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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, 3, 6,7, 8, 9, 10, 14) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 1, 3, 6, 7, 8, 9, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1, 3, 6, 7, 8, 9, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source: 1, 3, 6, 7, 8, 9, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1, 3, 6,7, 8, 9, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 3, 6,7, 8, 9, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1, 3, 6, 7, 8, 9, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 3, 6, 7, 8, 9, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

The project site lies in an area identified by the Monterey County Geographic Information System as a geologic II seismic sensitivity zone. Pursuant to Section 20.146.080 of the Monterey County Coastal Implementation Plan, regardless of a parcel's seismic hazard zone, a geologic report shall be required for any development project within 50 feet of the face of a cliff or bluff or within the area of a 20 degree angle above horizontal from the face of a cliff, whichever is greater. A Geotechnical and Coastal Engineering Investigation for the design and construction of a retaining wall system to stabilize the coastal bluff top adjacent the existing residence at 26340 Scenic Road was prepared by Haro, Kasunich and Associates, Inc. dated May, 2009.

The Carmel Area Land Use Plan states that in addition to seismic activity, various human activities can create or aggravate geologic hazards. Road construction and site excavation are leading cause of erosion. Vegetation removal, improper grading, cut and fill operations, and inadequate drainage are all factors which trigger landslides. (Policy 2.7.1)

6 a (i), (ii), (iii), (iv): Less Than Significant:

The subject property lies in a highly seismically active region of California. A broad system of inter-related, northwest-southeast trending strike-slip faults represent a segment of the boundary between the Pacific and North American crustal plates. The faults of significance to the subject property include the San Andreas, Monterey Bay-Tularcitos, and Rinconada faults, as well as the offshore San Gregorio (Sur Region) fault. The subject property is located 6.0 kilometers (3.7 miles) northeast of the San Gregorio (Sur Region) fault zone; 7.5 kilometers (4.7 miles) southwest of the Monterey Bay-Tularcitos fault zone; and 21.7 kilometers (13.5 miles) southwest of the Rinconada fault zone. All of these faults are potentially active. The active San Andreas fault lies about 48.7 kilometers (30.3) northeast of the property.

The work recommended in the coastal geotechnical investigation is based on presently accepted geotechnical and coastal engineering practices and standards. The conclusions do not imply that the site is free from geologic hazards or that the site will not be subject to coastal erosion, ground failure, or inundation. The report does suggest that compliance with the recommendations will reduce potential coastal and geologic hazards to an acceptable risk.

6 (b), (c), (d), (e): Less Than Significant Impact.

The top of the coastal bluff at the project site is at about elevation 25 feet Natural Grade Vertical Datum (NGVD). The bluff consists of about 5 to 9 feet of terrace deposits atop granitic bedrock. The terrace deposits are subject to erosion from wave run up and terrestrial surface runoff as well as shallow translational sliding due saturation and or/seismic shaking. The granitic bedrock is very resistant to erosion although subject to isolated block failure along joint or fracture planes.

The project site soil and bedrock profile at the project site consists of relatively thin layer of coastal terrace deposits atop granodiorite or granitic bedrock. The interface of these deposits is a zone of weathered or decomposed granite of non-uniform thickness. The terrace deposits, consisting of silty sand and sands, are very erodible. The underlying granitic bedrock is very hard and erosion resistant to wave action erosion.

To protect the property and improvements from wave run up and subsequent erosion of the terrace deposits supporting the Dillon residence, a structural shotcrete bluff top retaining wall with sculpted concrete veneer is proposed. The wall will begin at the downcoast end of the parcel and extend upcoast past the residence to the north property line. The bluff top wall will be subject to wave run up and wave impact forces and as such can also be termed a shoreline protection structure. The base of the bluff top retaining wall should extend at least of one foot below the top of the geologic contact between the bluff top terrace deposits, fill materials decomposed or weathered granite and the underlying competent granite bedrock. The wall will slope upward and landward to the top of the bluff. The alignment of the wall will generally follow the existing topographical contours, giving the wall the undulating relief characteristic of the coastal bluff in the Carmel area.

Originally, the previous proposal included a recurve feature included in the design as a mechanism to reduce wave run-up and overtopping. The design no longer includes a requirement to prevent wave overtopping. An Addendum to the Geotechnical Report prepared by Haro, Kasunich, dated October 12, 2010, in conjunction with the revised plans. The Geotechnical engineer worked with the project civil and structural engineers to develop a wall drainage system which facilitates conveyance of wave splash and storm runoff away from the residence while minimizing wall height. Storm shutters will be utilized for doors and windows along with seaward perimeter of the residence to minimize damage during severe wave run up events.

A Sand Loss Analysis Estimate prepared by Haro, Kasunich, dated August 12, 2010 analyzes the shoreline processes which are affected by such shoreline protective devices include the formation and retention of sandy beaches and bluff retreat which adds bluff material to the shoreline. Shoreline armoring impedes these natural processes by fixing the position of the back of the beach and preventing the landward migration of the beach profile, and by preventing bluff erosion from contributing to the sand supply. The methodology calculates the beach area that is displaced, and the mountain of bluff material which does not reach the beach, as a result of a seawall, and calculates the volume of sand which would be required to replace that lost beach area if a beach nourishment program were implemented.

There are three types of sand losses that will be discussed sequentially and estimates of beach surface area loss will be presented, as will the amount of sand which would be required to report that lost beach area.

1) Estimates of Direct Beach Area Loss and Direct Sand Loss Due to Direct Coverage of the Beach by Coastal Protection Structures which Encroach on the Beach: Beach surface area will be covered as an immediate result of the proposed project. The existing coastal protection covers 21 square feet and the proposed wall will cover an additional 205 square feet of beach surface area, based on a total coastal protection structure length of 117 feet and an encroachment of 1.75 feet.

At the site, a sandy beach does not exist. The lower coastal bluff consists of very irregular craggy and jointed granite bedrock. Some boulders and cobbles derived from eroded granite

exist. Calculating the volume of sand which would be required to replace the lost beach area caused by encroachment of the existing seawall if a beach nourishment program were implemented is inapplicable, because the proposed project is located only along the steep upper bluff face. If a beach nourishment program were implemented at this location, it would fail because sand placed on the rock shoreline would not remain there.

2) Estimates of Passive Beach Area Loss and Passive Sand Loss from Recession Due to Fixing the Position of the Back Edge of the Beach Which Prevents New Beach Area from Forming as Future Recession Occurs. Long term average historical recession rates in the competent granite bedrock at the project site appear to be less than one quarter inch per year, which is less than 1.05 feet in 50 years. Calculating the volume of sand which would be required to replace the lost beach area caused by encroachment of the existing seawall if a beach nourishment program were implemented is inapplicable, because the proposed project is located only along the steep upper bluff face. If a beach nourishment program were implemented at this location, it is expected to fail, because sand placed on the rocky shoreline would not remain there. Calculating the volume of sand needed to implement a beach nourishment program which could be required to replace the lost beach area caused by a wall that "fixes" the position of the back edge of the beach, is inapplicable at the Dillon property. This is because the proposed project is located in a region where the areas at the base of the retaining wall consist of very irregular craggy and jointed granite bedrock.

3) Estimates of Sand Supply Loss Due to Prevention of Bluff Erosion which Provides Beach Sand Material to the Beach. Armoring of the bluff face with coastal protection structures prevents bluff retreat which adds sandy bluff material to the shoreline. In order to calculate the volume of sandy material that is prevented from reaching the beach, the following tasks were performed: examined and mapped the coastal bluff geology, measured the terrace deposit and bedrock thickness and base of bluff elevation, sampled beach sediment, performed lab testing and reviewed coastal protection geometry.

It is generally accepted that eroded sediment below a grain size of 0.18 mm does not remain in the littoral system. Testing revealed that most beach sand grains near the Dillon residence are coarser than 0.6 m in diameter. It is estimated that all of the granite may become sediment with a grain size of more than 0.18 mm per year after it is eroded. Coastal protection structures stop or reduce erosion of the coastal bluff. Based on the above earth material thicknesses and recession rates, it was calculated that the volume of sandy material that would be prevented from reaching the beach is approximately 137 cubic yards of sand in 50 years. The existing and proposed coastal protection structures will continue to cause that amount of reduction in beach sand supply, for as long as they continue to prevent bluff erosion.

In conclusion, the existing revetment has the potential to impact the natural sand supply to the beach. The proposed coastal protection structure would continue to incrementally impact beach sand supplies. However, it was determined that 2.7 cubic yards of sand loss per year is less than significant.

7. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1, 2, 5, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1, 2, 5, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Greenhouse gases (GHG) are emitted by natural processes and human activities such as electricity production, motor vehicle use, and agricultural uses. It has been found that elevation of GHGs has led to a trend of unnatural warming of the earth’s climate, otherwise known as the “greenhouse effect”. In order to reduce the statewide level of GHG emissions, the State Legislature adopted California Assembly Bill 32 (AB 32) California Global Warming Solutions Act of 2006. AB 32 established a comprehensive statewide program of regulatory and market mechanisms to achieve reductions in GHG emissions, thereby reducing the State’s vulnerability to global climate change (GCC). Pursuant to Senate Bill 97 (SB 97), the Governor’s Office of Planning and Research (OPR) issued interim guidance for addressing climate change through CEQA and recommends that each agency develop and approach to address GHG emissions based on the best available information. At this time, the County of Monterey and the Monterey Bay Unified Air Pollution Control District (agency responsible for regulating air quality in the region) have not identified a significance threshold for GHG emissions. There will be GHG emissions associated with the use and transport of construction materials to and from the project site. However, quantifying the emissions has a level of uncertainty. Therefore, in lieu of State guidance or locally adopted thresholds, a primarily qualitative approach will be used to evaluate possible impacts for the proposed project.

7(a) and (b). Conclusion: Less than Significant.

Although the proposed project will create a temporary impact to air quality caused by construction activities, the result of the project will not increase the baseline amount of GHGs emitted prior to the project to a level of significance. The temporary impacts of construction for the retaining wall will not permanently create a greater amount of vehicle trips nor will it cause an increase in the emission of carbon dioxide (CO₂) by fuel combustion.

8. 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, 3, 6, 7)	<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, 2, 3, 6, 7)	<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, 2, 3, 6, 7)	<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, 3, 6, 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, 2, 3, 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, 2, 3, 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, 3, 6, 7)	<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, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

9. 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, 3, 7, 12, 14)	<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, 3, 7, 12, 14)	<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, 3, 7, 12, 14)	<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, 3, 7, 12, 14)	<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, 3, 7, 12, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1, 3, 7, 12)	<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, 3, 7, 12)	<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, 3, 7, 12)	<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, 3, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 3, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1, 2, 3, 4, 5, 6, 7, 12, 13)	<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, 7, 12, 13)	<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, 2, 3, 4, 5, 6, 7, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

11. 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, 2, 6, 7)	<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, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

12. 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, 6, 8, 9)	<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, 6, 8, 9)	<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, 6, 8, 9)	<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, 6, 8, 9)	<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, 6, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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, 6, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

13. 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, 2, 3, 6, 7)	<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, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

14. 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, 2, 3, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1, 2, 3, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1, 2, 3, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 1, 2, 3, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 1, 2, 3, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

15. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 1, 3, 5, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Source: 1, 3, 5, 6, 7, 12)	<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, 3, 5, 6, 7, 12)	<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, 3, 5, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1, 3, 5, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: 1, 3, 5, 6, 7, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Sections II and IV.

17. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1, 3, 6, 7, 12)	<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, 3, 6, 7, 12)	<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, 3, 6, 7, 12)	<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, 3, 6, 7, 12)	<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, 3, 6, 7, 12)	<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, 3, 6, 7, 12)	<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, 3, 6, 7, 12)	<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, 3, 6, 7, 10, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source: 1, 3, 6, 7, 10, 11) ("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, 3, 6, 7, 10, 11)	<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, 3, 6, 7, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

(a) Less Than Significant With Mitigation: Based upon the analysis throughout this Initial Study, the project may 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. The biological resources analysis above indicates there could be construction phase impacts to rocky intertidal habitat that is immediately adjacent to the project site via the Carmel Bay, that is designated Waters of the U.S. and is protected by the Clean Water Act. The applicant will be required to adhere to mitigations as required in the biological section of this Initial Study.

Due to sloughing of the bluff on the parcel, the project involves the construction of the retaining wall to protect the existing house and therefore the proposed project is not cumulatively considerable. A Sand Loss Analysis Estimate prepared by Haro, Kasunich, dated August 12,

2010 analyzes the shoreline processes which are affected by such shoreline protective devices include the formation and retention of sandy beaches and bluff retreat which adds bluff material to the shoreline. Shoreline armoring impedes these natural processes by fixing the position of the back of the beach and preventing the landward migration of the beach profile, and by preventing bluff erosion from contributing to the sand supply. There are three types of sand losses that were discussed sequentially and estimates of beach surface area loss presented, all of which were found to be less than significant.

As a result, impacts relating to agriculture and forest resources, hazards/hazardous materials, land use/planning, mineral resources, noise, population/housing, public services, recreation, and transportation/traffic attributable to the project have been addressed in the Carmel Area Land Use Plan, which is equivalent to an EIR. Implementation of the project, as proposed, conditioned, and mitigated would not result in an increase of development potential for the project site.

(b), (c) No Impact. The project would not result in significant construction-related impacts, and would not create any long-term impacts on the local area. The temporary and short-term environmental effects from project-related construction activities would not cause substantial adverse effects on human beings, either directly or indirectly. Because the project is not a construction project that will take many months to complete, there will be no cumulative effects from this project or any projects currently in the area.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the 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.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at www.dfg.ca.gov.

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN090208 and the attached Initial Study / Proposed Mitigated Negative Declaration. The project as proposed may 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 (Source: IX. 1, 2, 3, 5, 6, 7, 10, 11, 12, 14).

IX. REFERENCES

1. Project Application, Plans and Materials in File No. PLN090208;
2. Monterey County General Plan (1982) (deemed complete November 2010);
3. Carmel Area Land Use Plan and Coastal Implementation Plan, Part 4;
4. Title 20 of the Monterey County Code (Zoning Ordinance);
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2008;
6. Monterey County Planning Department GIS System, Property Report for Selected Parcel – 009-443-004-000;
7. Site Visit Conducted by RMA Planning Department on April 2, 2010;
8. Geotechnical and Coastal Engineering Investigation for Proposed Retaining Wall at 26340 Scenic Road, Assessor's Parcel Number 009-443-004-000 (LIB110140), prepared by Haro, Kasunich and Associates, Inc., dated May, 2009;
9. Updated Project Plan Review of Geotechnical and Coastal Engineering Investigation for Proposed Retaining Wall at 26340 Scenic Road (LIB110141), prepared by Haro, Kasunich and Associates, Inc., dated October 12, 2010;
10. Sand Loss Analysis Estimates (LIB110142), prepared by Haro, Kasunich and Associates, Inc., dated August 12, 2010;
11. Biological Assessment (LIB110143), prepared by Denise Duffy & Associates, dated October, 2009;
12. Interdepartmental Review Comments located in Project File PLN090208;
13. California Coastal Act of 1976;
14. Erosion Control Ordinance, Chapter 16.12;
15. Archaeological Letter (LIB110147) prepared by Lynne H. Mounday, Planning Consultant, dated April 19, 2011.