

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: January 30, 2014 Time: 2:00 P.M	Agenda Item No. 5
Project Description: Combined Development Permit consisting of: 1) Coastal Development Permit to allow development on slopes over 30% consisting of the partial demolition of an existing structure and slope restoration grading in the area of the demolished structure; and to allow construction of retaining walls and concrete slabs for propane and water tanks and emergency generator; 2) Coastal Development Permit for removal of three protected Oak trees; and 3) Coastal Administrative Permit and Design Approval to allow construction of four new retaining walls; reconstruction of a 450-square foot deck adjacent to the existing residence; reroofing and repair and replacement of siding on existing shop/storage outbuilding; installation of a new 5,000-gallon rubber water tank; installation of a new back-up emergency generator; and replacement of a 500-gallon propane gas tank. The project requires grading, approximately 350 cubic yards of cut and 500 cubic yards of fill, to prevent slope failure and to backfill retaining walls. The Combined Development Permit clears violations of the Monterey County Code identified under Code Enforcement Case No. 19960149.	
Project Location: 51404 Partington Ridge Road	APN: 420-221-017-000
Planning File Number: PLN110213	Owner: Nancy Golob Agent: Joel Panzer, Maureen Wruck Planning Consultant, LLC.
Planning Area: Big Sur Coast Land Use Plan	Flagged and staked: Yes
Zoning Designation: : “RDR/40-D (CZ)” [Rural Density Residential/40 Acre Minimum with Design Control Overlay (Coastal Zone)]	
CEQA Action: Negative Declaration Prepared	
Department: RMA - Planning Department	

RECOMMENDATION:

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

- 1) Adopt a Negative Declaration; and
- 2) Approve the proposed project, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**);

PROJECT OVERVIEW:

The subject property is a two-acre parcel located on Partington Ridge Road, easterly of Highway One in the Big Sur Area. The property contains steep terrain sloping towards the Pacific Ocean with a small house (cabin), a dilapidated structure and a short access driveway on the upper portion. The project covered under the subject application was initiated without the required planning and construction permits. A “Code Compliance Order” was sent to the property owner by Code Enforcement staff on March 23, 2011 stating the following code violations:

- Partial demolition of an existing cabin and reconstruction of the existing deck;
- Grading on slopes greater than 25%;
- Construction of retaining walls with a surcharge; and
- Placement of a new 5,000-gallon water tank not on a natural grade.

The application for the planning permits was submitted on March 20, 2013. The project includes the construction of a retaining wall in four sections of 108' x 9', 30' x 8', 45' x 2' and 25' x 5' foot in length and height respectively in the area above the existing house (cabin). The retaining walls are necessary to retain a failing slope located very close to the house, and to accommodate the location

of a water tank and a propane gas tank. The project also includes partial demolition of a significantly deteriorated structure; the reconstruction of an existing approximately 450 square foot deck on the west side of the existing cabin; and grading of slopes over 30% in order to build retaining walls. The construction of the retaining walls and re-grading of the slope behind the retaining walls are necessary to prevent slope failure in the area directly behind the cabin. There are no alternative sites for the construction of the walls as they are necessary at the proposed location to prevent further slope degradation and to protect the cabin. The project also includes re-grading of slopes over 30% in the area of the demolition of the existing dilapidated structure which would be the minimum necessary to prevent erosion and potential slope failure.

An Emergency Permit (File No. PLN130095) was issued on June 26, 2013 pursuant to the provisions of Chapter 20.79 of the Monterey County Coastal Implementation Plan (Part 1), for the construction of the subject retaining walls. Approval of this permit and completion of the improvements would correct the code violations of the property.

The Zoning Administrator considered the application on October 31, 2013 and directed staff to prepare an environmental document for the project. Staff prepared an Initial Study and found no potential significant environmental impacts from the project. Accordingly, a Negative Declaration was circulated for public review. No comments have been received on the Initial Study/Negative Declaration.

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

- RMA - Public Works Department
- Environmental Health Bureau
- Water Resources Agency
- √ Cal Fire Coastal Station
- RMA - Building Department
- California Coastal Commission (Emergency Permit No. PLN130095)

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

The Big Sur Land Use Advisory Committee (LUAC) considered the project on April 23, 2013. The LUAC recommended approval of the project as proposed by a 6-0 vote.

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

/S/ PROJECT PLANNER NAME

Luis A. Osorio, Senior Planner
(831) 755-5177, osoriol@co.monterey.ca.us
January 10, 2014



cc: Front Counter Copy; Zoning Administrator; Cal Fire Coastal Station; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Wanda Hickman, Planning Services Manager; Luis A. Osorio, Project Planner; Nancy Golob, Owner; Joel Panzer, Agent; The Open Monterey Project; LandWatch;; Planning File PLN110213

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Draft Resolution, including: <ul style="list-style-type: none">• Conditions of Approval• Site Plan and Wall Elevations
	Exhibit C	Vicinity Map
	Exhibit D	Negative Declaration/Initial Study

This report was reviewed by Wanda Hickman, Planning Services Manager. *wah*

EXHIBIT A

Project Information for PLN110213

Application Name:	Golob Nancy I	
Location:	51404 Partington Ridge Rd, Big Sur	
Applicable Plan:	Coast-Big Sur	Primary APN: 420-221-017-000
Advisory Committee:	Big Sur Coast Advisory Committee	Coastal Zone: Yes
Permit Type:	Combined Development Permit	Final Action Deadline (884): 6/22/2013
Environmental Status:	Categorical Exemption	
Zoning:	RDR/40-D(CZ)	Land Use Designation: Rural Residential

Project Site Data:

Lot Size:	3.16	Coverage Allowed:	25
Existing Structures (sf):	2536	Coverage Proposed:	<25%
Proposed Structures (sf):	172	Height Allowed:	30
Total Sq. Ft.:	2708	Height Proposed:	N/A
Special Setbacks on Parcel:		FAR Allowed:	NA
		FAR Proposed:	NA

Resource Zones and Reports:

Seismic Hazard Zone:	RELATIVELY UNSTABLE UPLANDS	Soils Report #:	N/A
Erosion Hazard Zone:	High	Biological Report #:	N/A
Fire Hazard Zone:	Very High	Forest Management Rpt. #:	LIB130355
Flood Hazard Zone:	X (unshaded)	Geologic Report #:	LIB130356
Archaeological Sensitivity:	high	Archaeological Report #:	LIB130050
Visual Sensitivity:	None	Traffic Report #:	N/A

Other Information:

Water Source:	Partington Ridge Mutual	Grading (cubic yds.):	350
Water Purveyor:	NA	Sewage Disposal (method):	SEPTIC
Fire District:	Big Sur VFB	Sewer District Name:	NA
Tree Removal:	3 Oak Tree		

Date Printed: 10/21/2013

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:

Nancy Golob (PLN110213)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Adopting a Negative Declaration; and
- 2) Approving a Combined Development Permit consisting of: 1) Coastal Development Permit to allow development on slopes over 30% consisting of the partial demolition of an existing structure and slope restoration grading in the area of the demolished structure; and to allow construction of retaining walls and concrete slabs for propane and water tanks and emergency generator; 2) Coastal Development Permit for removal of three protected Oak trees; and 3) Coastal Administrative Permit and Design Approval to allow construction of four new retaining walls; reconstruction of a 450-square foot deck adjacent to the existing residence; reroofing and repair/replacement of siding on existing shop/storage outbuilding; installation of a new 5,000-gallon rubber water tank; installation of a new back-up emergency generator; and replacement of a 500-gallon propane gas tank. Grading (approximately 350 cubic yards of cut and 500 cubic yards of fill) to prevent slope failure and to backfill retaining walls. The Combined Development Permit clears violations of the Monterey County Code identified under Code Enforcement Case No. 19960149.

[PLN110213, Nancy Golob, 51404 Partington Ridge Road, Big Sur Land Use Plan (APN: 420-221-017-000)]

The Golob application (PLN110213) came on for public hearing before the Monterey County Zoning Administrator on October 31, 2013 and January 30, 2014. 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:** **PROJECT DESCRIPTION** – The proposed project consists of the following: 1) Development on slopes over 30% consisting of the demolition of an existing structure (outbuilding and decks) and slope restoration grading in the area of the structure and deck demolition and to allow construction of concrete slabs for propane and water tanks and emergency generator and to allow retaining wall construction; 2) Removal of three protected Oak trees; and 3) Construction of four new retaining walls of 108' x 9', 30' x 8', 45' x 2' and 25' x 5' foot in length and height respectively; reconstruction of a 450-square foot deck adjacent to the existing residence; reroofing and repair and replacement of siding on existing shop/storage outbuilding; installation of a new 5,000-gallon rubber water tank; installation of a new back-up emergency generator; and replacement of a 500-gallon propane gas tank. Grading (approximately 350 cubic yards of cut and 500 cubic yards of fill) to prevent slope failure and to backfill retaining walls.

EVIDENCE: 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 PLN110213.
2. **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;
 - Big Sur Coast Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 3;
 - 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) The property is located at 51404 Partington Ridge Road (Assessor's Parcel Number 420-221-017-000), Big Sur Coast Land Use Plan. The parcel is zoned "RDR/40-D (CZ)", which allows allow development on slopes over 30% and construction of retaining walls, reconstruction of decks and reroofing and repairs of existing structures; the installation of ancillary facilities such as installation of water storage and propane gas tanks; and tree removal and grading. Therefore, the project is an allowed land use for this site.

 c) The area where the retaining walls are proposed is located directly behind an existing dwelling and accessory building, water tank and a propane gas tank on the subject property. A near vertical cut slope exists in the area of the retaining wall. Significant sloughing and slippage are evident and there are noticeable cracks in the soil strata immediately above the cut slope. The retaining walls are proposed to prevent landslides and to protect existing structures both below and above the

retaining wall area. Therefore the project is consistent with Policy Nos. 3.7.1 and 3.7.2.3 of the Big Sur Coast Plan.

- d) Per the Tree Assessment/Arborist Report prepared by Frank Ono, of Pacific Grove, California, dated July 28, 2011, and the site visit conducted by staff, there are no environmentally sensitive habitats in the area of the proposed retaining wall. Therefore, the project is consistent with Policy No. 3.3.2 (1) of the Big Sur Coast Land Use Plan.
- e) An Archaeological Report prepared for the project by Archaeological Consulting of Salinas, California, dated August 2, 2011, did not identify any archaeological resources in the area of the retaining wall. Therefore the project is consistent with Policy 3.11.1 of the Big Sur Coast Land Use Plan.
- f) The proposed retaining walls have been designed to meet applicable building code standards per the recommendations contained in a “Geotechnical Retaining Wall and Drainage Criteria” prepared by Haro, Kasunich and Associates, Inc. of Watsonville, California, dated August 24, 2010 and February 5, 2013. Therefore the project is consistent with Policy Nos. 3.7.3. (A) (1) (7) & (8) of the Big Sur Coast Land Use Plan.
- g) An Emergency Permit (File No. PLN130095) was issued on June 26, 2013 pursuant to the provisions of Chapter 20.79 of the Monterey County Coastal Implementation Plan (Part 1), for the construction of the 108' x 9', 30' x 8' and 25' x 5' foot retaining walls. Such issuance was accompanied by findings supporting an emergency situation arising from the deterioration of the slopes on the property. The subject Combined Development Permit is a follow-up to the Emergency Permit consistent with pertaining regulations of the Coastal Implementation Plan.
- h) The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the proposed project includes a design approval subject to review by the Zoning Administrator. The LUAC recommended approval of the project (6-0 vote).
- i) The proposed project was considered at a public hearing by the Zoning Administrator on October 31, 2013 whereby the Zoning Administrator continued the public hearing and requested that an environmental document be prepared for the project. Staff prepared an Initial Study and circulated a Draft Negative Declaration for public review as required by the Public Resources Code. The project was reconsidered and acted upon by the Zoning Administrator on January 30, 2014.
- j) The project planner conducted a site inspection on February 17, 2012 and May 1, 2013 to verify that the project on the subject parcel conforms to the plans listed above.
- k) 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 Nos. PLN110213 and PLN130095.

3. **FINDING:** **DEVELOPMENT ON SLOPES GREATER THAN 30%** - There is no feasible alternative which would allow development to occur on slopes less than 30% and therefore the proposed project is consistent with the provisions of Chapter 20.64.230 (Regulations for Development on Slopes in Excess of 30%) of the Zoning Ordinance.
- EVIDENCE:**
- a) In accordance with the applicable policies of the Big Sur Coast Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the criteria to grant said permit have been met.
 - b) The project includes grading of slopes in over 30% in order to build retaining walls. The construction of the retaining walls and re-grading of the slope behind the retaining walls are necessary to prevent slope failure in the area directly behind the existing residence on the property. There are no alternative sites for the construction of the walls as they are necessary at the proposed location to prevent further slope degradation and to protect the existing cabin on the property.
 - c) The project also includes re-grading of slopes over 30% in the area of the demolition of the existing dilapidated structure. The re-grading in this area would be the minimum necessary to prevent erosion and potential slope failure.
4. **FINDING:** **TREE REMOVAL** – The proposed removal of three (3) protected Oak trees is the minimum necessary for the proposed development and consistent with the provisions of Section 20.145.060 (Forest Resources Development Standards) of the Monterey County Coastal Implementation Plan (Part 3).
- EVIDENCE:** A Forest Management Plan (Arborist Report) has been prepared by Frank Ono for the project consistent with the requirements of Section 20.145.060 B 1 of the Implementation Plan. The Arborist Report has identified three Oak trees for removal. The trees are identified as Nos. 129, 130 & 131 on the Plot Plan included in the Report. The trees are located on the undercut embankment, directly above the area of the construction of the tallest of the proposed retaining walls and above the existing cabin, and present a high hazard potential.
- EVIDENCE:** According to the Arborist Report, Tree No. 129 is a 23-inch diameter Oak with a crack at its base and its roots have been exposed by soil failure around it. The remaining trees also have their roots exposed and are leaning dangerously over the existing cabin. The Arborist Report recommends that the trees must be removed because they constitute a significant hazard. Additionally, the area in the location of the subject trees must be re-contoured after construction of the retaining walls which would cause additional damage to the roots of the trees. Tree replacement is required as a condition of the approval of the project.
5. **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, Cal Fire Coastal Station, 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. The proposed project is accessory and complementary to the established uses on the property. Conditions recommended have been incorporated.

- b) Staff identified potential impacts to Forestry Resources, Soil/Slope Stability, and Historical and Archaeological Resources. The following reports have been prepared:
- “Golob Residence Tree Assessment Arborist Report” (LIB130355) prepared by Frank Ono, Pacific Grove, California, July 28, 2011.
 - “Geotechnical Retaining Wall and Drainage Criteria” (LIB130356) prepared by Haro, Kasunich and Associates, Inc., Watsonville, California, August 24, 2010 and February 5, 2013.
 - “Historic Survey” (LIB130357) prepared by Kent Seavey, Pacific Grove, California, recorded with the California Department of Parks and Recreation on July 24, 2010.
 - “Preliminary Archaeological Assessment for a Portion of APN 420-221-017-000, Big Sur, Monterey County, California” (LIB130050) prepared by Archaeological Consulting, Salinas, California, August 2, 2011.

The above-mentioned 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 has independently reviewed these reports and concurs with their conclusions.

- c) Staff conducted a site inspection on February 17, 2012 and May 1, 2013 to verify that the site is suitable for this use.
- d) 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 Nos. PLN110213 and PLN130095.

6. **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 the RMA - Planning Department, Cal Fire Coastal Station, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective 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 are available. Water for the site and existing use is provided by the Partington Ridge Mutual Water Company. Wastewater disposal is provided by an existing approved onsite septic disposal system.
- c) Staff conducted a site inspection on February 17, 2012 and May 1, 2013

to verify that the site is suitable for this use.

- d) 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 Nos. PLN110213 and PLN130095.

7. **FINDING:** **CODE VIOLATIONS** - The subject property is not compliance with all rules and regulations pertaining to the zoning and building/grading codes. Violations exist on the property. The approval of this permit will correct the violations and bring the property into compliance.
- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is aware of any violations existing on subject property. Staff conducted a site inspection on February 17, 2012 and May 1, 2013 and researched County records and confirmed that code violations exist on the subject property.
- b) The code violations have been documented by code enforcement staff from the RMA-Building Department (Code Enforcement Case #19960149). A "Compliance Order" was sent to the property owner on March 23, 2011.
- c) The proposed project corrects the existing code violations which include:
- Partial demolition of the existing cabin and reconstruction of the existing deck;
 - Grading on slopes greater than 25%;
 - Construction of retaining walls with a surcharge; and
 - Placement of a new 5,000-gallon water tank not on a natural grade.
- Approval of the subject application would grant the necessary land use permits to complete the zoning code violations identified in the "Compliance Order." When implemented, the project will bring the subject property into compliance with all rules and regulations pertaining to the property and will remove the existing violations.
- d) Zoning violation abatement costs, if any, have been paid.
- e) 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 Nos. PLN110213 and PLN130095.

8. **FINDING:** **CEQA (NEGATIVE DECLARATION)** - 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 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 (PLN110213). 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. Staff accordingly prepared a Draft Negative Declaration.

- c) The Draft Negative Declaration (“ND”) for the project under File No. PLN110213 was prepared in accordance with CEQA and circulated for public review, including to the State Clearinghouse and the California Department of Public Health, from December 19, 2013 through January 17, 2014 (SCH#: 2013121052).
- d) 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, designed to ensure compliance during project implementation, and is hereby incorporated herein by reference.
- e) The proposed project includes excavation in slopes greater than 30% to allow construction of a retaining wall necessary to contain the failing slope and to protect an existing cabin on the site; and re-grading/re-contouring of slopes greater than 30% to their natural configuration in the location of a severely dilapidated structure which is to be demolished as part of the approved project. The area of both the excavation and re-grading/re-contouring encompasses a relatively small area on the site. There are no alternatives to these actions.
- f) Issues that were analyzed in the Negative Declaration include: biological resources, cultural resources and hazards/geology. The analysis of these issues in the Negative Declaration is summarized as follows:
 - i. **Biological/Forest Resources:** The proposed removal of three (3) protected Oak trees is the minimum necessary for the proposed development. A Forest Management Plan (Arborist Report) has been prepared by Frank Ono for the project consistent with the requirements of Section 20.145.060 B 1 of the Implementation Plan. The Arborist Report has identified three Oak trees for removal. The trees are identified as Nos. 129, 130 & 131 on the Plot Plan included in the Report. The trees are located on the undercut embankment, directly above the area of the construction of the tallest of the proposed retaining walls and above the existing cabin, and present a high hazard potential. According to the Arborist Report, Tree No. 129 is a 23-inch diameter Oak with a crack at its base and its roots have been exposed by soil failure around it. The remaining trees also have their roots exposed and are leaning dangerously over the existing cabin. The Arborist Report recommends that the trees must be removed because they constitute a significant hazard. Additionally, the area in the location of the subject trees must be re-contoured after construction of the retaining walls which would cause additional damage to the roots of the trees. The tree removal is consistent with the provisions of Section 20.145.060 (Forest Resources Development Standards) of the

Monterey County Coastal Implementation Plan (Part 3). Tree replacement is required as a condition of the approval of the project.

- ii. **Cultural Resources:** A “Historic Survey” (LIB130357) (Reference 6 to the Initial Study) was prepared to analyze the potential historical value of the existing cabin on the property and any potential impacts from the project on the cabin. The report describes the cabin, as the “Keith B. Evans Cabin, a much altered example of a pre-WWII vernacular vacation house,” that “has lost the physical integrity of its original 1939 design and workmanship through a series of alterations and additions executed by the later owners and occupants between c. 1971 and the present.” The survey concludes that “Because of these changes the property does not evoke any particular sense of time and place, or of the feeling and association with its 1939 period of construction. Therefore the project would not result in potential significant impacts on historic resources.
- iii. **Hazards/Geology:** The construction of the retaining walls and re-grading of the slope behind the retaining walls are necessary to prevent slope failure in the area directly behind the existing residence on the property. A near vertical cut slope exists in the area of the retaining wall. Significant sloughing and slippage are evident and there are noticeable cracks in the soil strata immediately above the cut slope. The retaining walls are proposed to prevent landslides and to protect existing structures both below and above the retaining wall area. The retaining walls have been designed to meet applicable building code standards per the recommendations contained in a “Geotechnical Retaining Wall and Drainage Criteria” prepared by Haro, Kasunich and Associates, Inc. of Watsonville, California, dated August 24, 2010 and February 5, 2013 (Reference 9 to the Initial Study). The construction of the retaining walls and re-grading of the slope behind the retaining walls are necessary to prevent slope failure in the area directly behind the existing residence on the property. An Emergency Permit (File No. PLN130095) was issued on June 26, 2013 pursuant to the provisions of Chapter 20.79 of the Monterey County Coastal Implementation Plan (Part 1), for the construction of the 108' x 9', 30' x 8' and 25' x 5' foot retaining walls. There are no alternative sites for the construction of the walls as they are necessary at the proposed location to prevent further slope degradation and to protect the existing cabin on the property.
- g) Evidence that has been received and considered includes: the application, technical studies/reports (See Finding #5/Site Suitability), staff reports that reflect the County’s independent judgment, and information and testimony presented during public hearings. These documents are on file in the RMA-Planning Department and are hereby incorporated herein by reference.
- h) Staff conducted a site inspection on February 17, 2012 and May 1, 2013 to verify that the site is suitable for this use.
- i) 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 PLN110213 and PLN130095.

9. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act of 1976 (specifically Chapter 3, 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 cumulative, as described in Section 20.145.150 of the Monterey County Coastal Implementation Plan (Part 3) can be demonstrated.
 - b) The subject property is not located in an area where the Local Coastal Program requires public access.
 - 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, 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 PLN110213 and PLN130095.
10. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission
- EVIDENCE:**
- a) Section 20.86.070 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
 - b) Section 20.86.080 (A) (3) of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project is a permitted as a conditional use in the underlying zoning.

DECISION

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

1. Adopts a Negative Declaration; and
2. Approves a Combined Development Permit consisting of: 1) Coastal Development Permit to allow development on slopes over 30% consisting of the demolition of an existing structure and slope restoration grading in the area of the demolished structure, and to allow construction of concrete slabs for propane and water tanks, emergency generator and retaining walls; 2) Coastal Development Permit for removal of three protected Oak trees; and 3) Coastal Administrative Permit and Design Approval to allow construction of four new retaining walls; reconstruction of a 450-square foot deck adjacent to the existing residence; reroofing and repair and replacement of siding on existing shop/storage outbuilding; installation of a new 5,000-gallon rubber water tank; installation of a new back-up emergency generator; and replacement of a 500-gallon propane gas tank. The project requires grading, approximately 350 cubic yards of cut and 500 cubic yards of fill, to prevent slope failure and to backfill retaining walls. The Combined Development Permit clears violations to the Monterey County Code identified under Code Enforcement Case No. 19960149. The approval is in general conformance

with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 30st. day of January, 2014.

Jacqueline R. Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 [DATE]

(Coastal Projects)

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS 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.

Monterey County Planning Department
DRAFT Condition of Approval Implementation Plan/Mitigation
Monitoring Reporting Plan

PLN110213

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This permit includes: 1) Coastal Development Permit to allow development on slopes over 30% consisting of the demolition of an existing structure (outbuilding and decks) and slope restoration grading in the area of the structure and deck demolition and to allow construction of concrete slabs for propane and water tanks and emergency generator and to allow retaining wall construction; 2) Coastal Development Permit for removal of three protected Oak trees; and 3) Coastal Administrative Permit and Design Approval to allow construction of a retaining wall in four sections of 108' x 9', 30' x 8', 45' x 2' and 25' x 5' foot in length and height respectively; reconstruction of a 450-square foot deck adjacent to the existing residence (cabin); reroofing and repair and replacement of siding on existing shop/storage outbuilding; installation of a new 5,000-gallon rubber water tank; installation of a new back-up emergency generator; and replacement of a 500-gallon propane gas tank. The project requires grading, approximately 350 cubic yards of cut and 500 cubic yards of fill, to prevent slope failure and to backfill retaining walls. The Combined Development Permit clears Monterey County Code violations identified under Code Enforcement Case No. 19960149. The 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)

Compliance or Monitoring Action to be Performed: 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

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. The notice shall state: "A Combined Development Permit (Resolution No. __) was approved by the Zoning Administrator for Assessor's Parcel Number 420-221-017-000 on January 30, 2014. The permit was granted subject to 13 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."
Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: 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.

3. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

4. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis. Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

5. PD016 - NOTICE OF REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:

"The following reports were prepared prepared for the project:

"Golob Residence Tree Assessment Arborist Report" (LIB130355) prepared by Frank Ono, Pacific Grove, California, July 28, 2011.

- "Geotechnical Retaining Wall and Drainage Criteria" (LIB130356) prepared by Haro, Kasunich and Associates, Inc., Watsonville, California, August 24, 2010 and February 5, 2013.

- "Historic Survey" (LIB130357) prepared by Kent Seavey, Pacific Grove, California, recorded with the California Department of Parks and Recreation on July 24, 2010.

- "Preliminary Archaeological Assessment for a Portion of APN 420-221-017-000, Big Sur, Monterey County, California" (LIB130050) prepared by Archaeological Consulting, Salinas, California, August 2, 2011.

The reports are on file in the Monterey County RMA - Planning. All development shall be in accordance with the provisions and recommendations of the reports."
(RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to RMA - Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the RMA - Planning.

6. PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to RMA - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to RMA-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

7. PD048 - TREE REPLACEMENT/RELOCATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Within 60 days of permit approval, the applicant shall replace and or relocate each tree approved for removal as follows:

- Replacement ratio:
- Replacement ratio recommended by arborist:
- Other:

Replacement tree(s) shall be located within the same general location as the tree being removed. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall submit evidence of tree replacement to RMA-Planning for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.

Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition.

One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.

8. PD007- GRADING WINTER RESTRICTION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services. (RMA - Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed: The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

9. FIRE008 - GATES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of grading and/or building permit the applicant or owner shall incorporate specification into design and enumerate as Fire Dept. Notes on plans.
2. Prior to final building inspection the applicant or owner shall schedule fire dept. clearance inspection.

10. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of building permit, Applicant or owner shall incorporate specification into design and enumerate as Fire Department Notes on plans.
2. Prior to final building inspection, Applicant or owner shall schedule Fire Department clearance inspection.

11. FIRE014 - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available.
(Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of grading and/or building permit the applicant or owner shall incorporate specification into design and enumerate as Fire Dept. Notes on plans.
2. Prior to final building inspection the applicant or owner shall schedule fire dept. clearance inspection.

12. FIRE015 - FIRE HYDRANTS/FIRE VALVES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of grading and/or building permit the applicant or owner shall incorporate specification into design and enumerate as Fire Dept. Notes on plans.
2. Prior to final building inspection the applicant or owner shall schedule fire dept. clearance inspection.

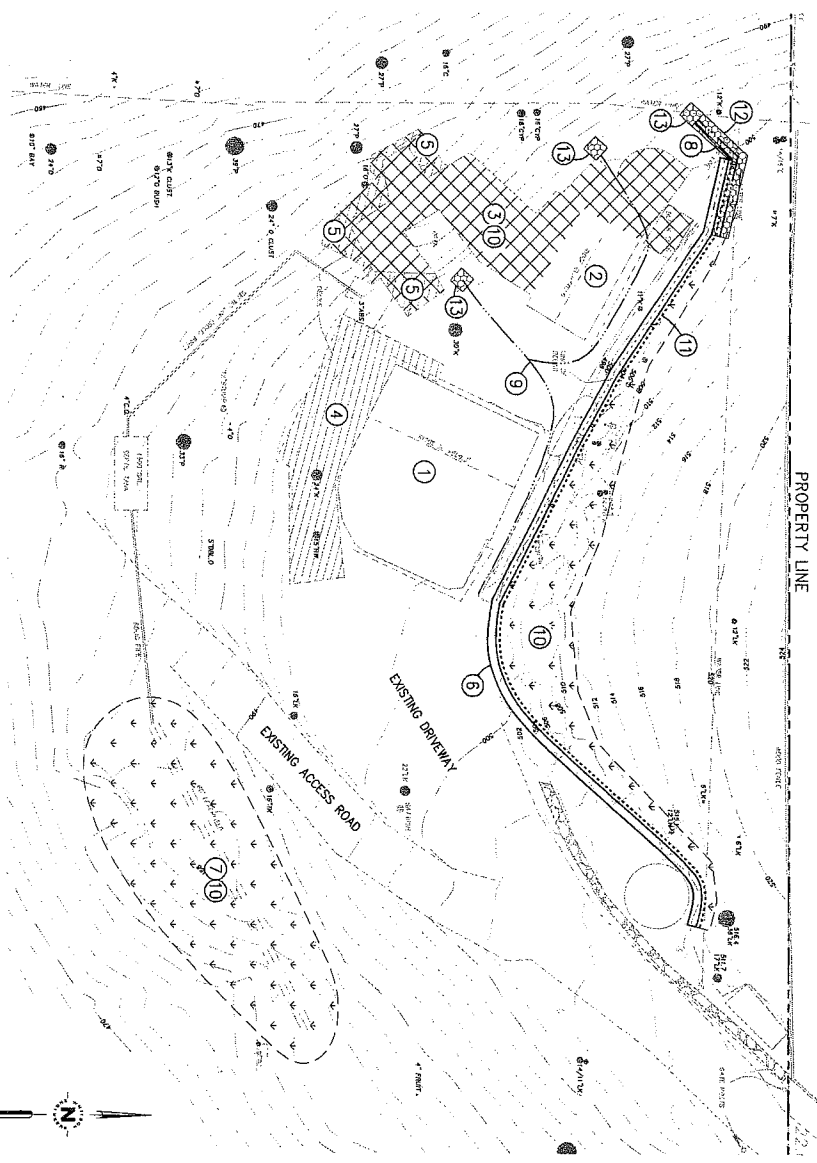
13. FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Manage combustible vegetation within a minimum of 100 feet of structures (or to the property line). Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of grading and/or building permit the applicant or owner shall incorporate specification into design and enumerate as Fire Dept. Notes on plans.
2. Prior to final building inspection the applicant or owner shall schedule fire dept. clearance inspection.



GENERAL

1. CONSTRUCTION CONTRACTOR AGREES THAT, IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF ALL EROSION CONTROL MEASURES, INCLUDING BUT NOT LIMITED TO NORMAL WORKING HOURS, CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL(S) HARMLESS FROM ANY AND ALL LIABILITY, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL(S).
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH:
 - A. THE PROJECT PLANS AND SPECIFICATIONS
 - B. THE 2010 CALIFORNIA BUILDING STANDARDS CODE (CBC)
 - C. CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ACT STANDARDS (CAL-OSHA)
3. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH ALL CURRENTLY APPLICABLE STATE AND FEDERAL EROSION CONTROL PROVISIONS. THE CONTRACTOR IS DIRECTED TO CONTACT STATE OF CALIFORNIA, DIVISION OF OCCUPATIONAL SAFETY AND HEALTH, SALINAS, CALIFORNIA AT PHONE (831) 443-3050.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL BARRICADES, SAFETY DEVICES AND CONTROL OF TRAFFIC WITHIN THE CONSTRUCTION AREA.
5. THE BUILDING OFFICIAL OR DESIGNATED REPRESENTATIVE SHALL HAVE THE RIGHT OF ENTRY TO THE JOB SITE.
6. ON-SITE GRADING AND EARTHWORK, SITE PREPARATION, AND EROSION CONTROL MEASURES SHALL BE ASSURED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE OWNER, ALL GRADING AND EARTHWORK SHALL BE DONE TO THE SATISFACTION OF THE GEOTECHNICAL ENGINEER. IMPERVIOUS SURFACES ADJACENT TO STRUCTURES SHALL SLOPE A MINIMUM OF 2% AWAY FROM THE STRUCTURE FOR A MINIMUM DISTANCE OF 10 FEET, UNLESS OTHERWISE SHOWN. LANDSCAPE AREAS ADJACENT TO STRUCTURES SHALL SLOPE A MINIMUM OF 5% AWAY FROM THE STRUCTURE FOR A MINIMUM DISTANCE OF 10 FEET, UNLESS OTHERWISE SHOWN. (REF: 2010 CBC 1803.3)

WATER POLLUTION CONTROL (MON. CO. ORD.)

1. ESTIMATED TOTAL DISTURBED AREA, LESS THAN 1 ACRE. A SWPPP IS NOT REQUIRED.
2. ALL SURFACES EXPOSED OR EXPECTED TO BE EXPOSED DURING GRADING ACTIVITIES SHALL BE PREPARED AND MAINTAINED THROUGHOUT THE LENGTH OF THE ENTIRE PROJECT TO PROTECT AGAINST EROSION. CONTRACTOR SHALL REVEGETATE OR OTHERWISE PROVIDE EFFECTIVE COVER FOR ALL SLOPES AND AREAS EXPOSED TO EROSION. GRASSING, SEEDING, MULCHING, OR OTHER APPROVED EROSION CONTROL METHODS SHALL BE USED TO PREVENT EROSION. EROSION CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH DAY'S WORK.
3. THE FOLLOWING PROVISIONS SHALL APPLY BETWEEN OCTOBER 15 AND APRIL 15:
 - A. DISTURBED SURFACES NOT INVOLVED IN THE IMMEDIATE OPERATIONS MUST BE PROTECTED BY APPLYING STRAW MULCH AT 200 LBS. PER ACRE AND TUCKED IN TO PREVENT MOVEMENT DURING WATER FLOW.
 - B. BY REMOVING AND FILTER STRIP, DISTURBED AREAS SHALL BE PROTECTED FROM BASINS TO PREVENT THE ESCAPE OF SEDIMENT FROM THE SITE. THESE DRAINAGE CONTROLS MUST BE MAINTAINED BY THE CONTRACTOR AS NECESSARY TO ACHIEVE THEIR PURPOSE THROUGHOUT THE LIFE OF THE PROJECT.
 - C. EROSION CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH DAY'S WORK.
4. AT ALL TIMES DURING CONSTRUCTION AND UNTIL FINAL LANDSCAPE PLANS, THE CONTRACTOR SHALL MAINTAIN THE SLOPES AND AREAS EXPOSED TO EROSION. THE CONTRACTOR SHALL PREVENT THE FORMATION OF ANY AEROSOL DUST, NUISANCE BY WATERING AND/OR TREATING THE SITE OF THE WORK IN SUCH A MANNER THAT WILL CONFINE DUST PARTICLES TO THE IMMEDIATE SURFACE OF THE WORK. THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY DAMAGE DONE BY DUST FROM HIS OR HER SUBCONTRACTOR.

CONSTRUCTION KEY NOTES

1. EXISTING CABIN TO REMAIN.
2. EXISTING SHED/STORAGE BUILDING TO REMAIN.
3. REMOVE EXISTING STRUCTURES. FOOTINGS ON HILLSIDE MAY REMAIN, DUE TO DIFFICULT ACCESS AND EROSION POTENTIAL. AS APPROVED BY THE GEOTECHNICAL ENGINEER, FILL IN ANY RESULTING VIDS ON THE GRADED PAD AREA AS DIRECTED BY OWNER AND BY THE GEOTECHNICAL ENGINEER. THE VOID ON THE HILLSIDE MIGHT NOT BE ENTIRELY FILLED IN, DEPENDING ON FIELD CONDITIONS ENCOUNTERED.
4. REMOVE EXISTING RECYBER NOTE 4.
5. CONSTRUCT RETAINING WALL (DESIGNED BY OTHERS).
6. PLUS FILL SHALL BE LESS THAN 100 CY FOR THE ENTIRE PROJECT. SOIL MAY BE PLACED BEHIND FINISHED RETAINING WALL IN VIDS CREATED BY STRUCTURE REMOVAL.
7. WALL BACK DRAIN DISCHARGE PIPE, 4" SOLID PVC OR ABS PIPE LAD AT 2% MIN. SLOPE. PERMEABLE BACKFILL MATERIAL SHALL BE CAPPED WITH MIN 1" OF CLAYEY NATIVE SOIL TO PREVENT STORM WATER RUNOFF FROM ENTERING THE WALL DRAIN.
8. DISCHARGE IN ROCK RIP RAP PAD LOCATED AS APPROVED BY GEOTECHNICAL ENGINEER.
9. PROVIDE A FLOWLINE AT 2% MINIMUM SLOPE BEHIND THE EXISTING BUILDINGS, AND PROVIDE A FLOWLINE AT 2% MINIMUM SLOPE TO THE SLOPE IN FRONT OF THE BUILDINGS.
10. COVER SOIL WITH MIN 2" MULCH (CHIPPED MATERIAL AND/OR PINE NEEDLES).
11. PROPOSED WALL BACK DRAIN PER RETAINING WALL PLANS BY OTHERS.
12. PREVENT EROSION WHERE FLOW LINE SLOPE EXCEEDS 20%. EXTEND LINING TO RIP RAP ENERGY DISSIPATOR (KEY NOTE 14).
13. PROVIDE 3'X3' RIP RAP (D50-4") ENERGY DISSIPATOR. PLACE FILTER FABRIC ON BOTTOM AND SLOES OF PAD PRIOR TO PLACING RIP RAP.



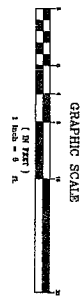
REVISIONS	DATE	DESCRIPTION
BY: DATE: DESCRIPTION:		
NDM		

GOLOB RESIDENCE
 APN 420-221-017 BIG SUR, CA
CIVIL GRADING, DRAINAGE AND EROSION CONTROL PLAN

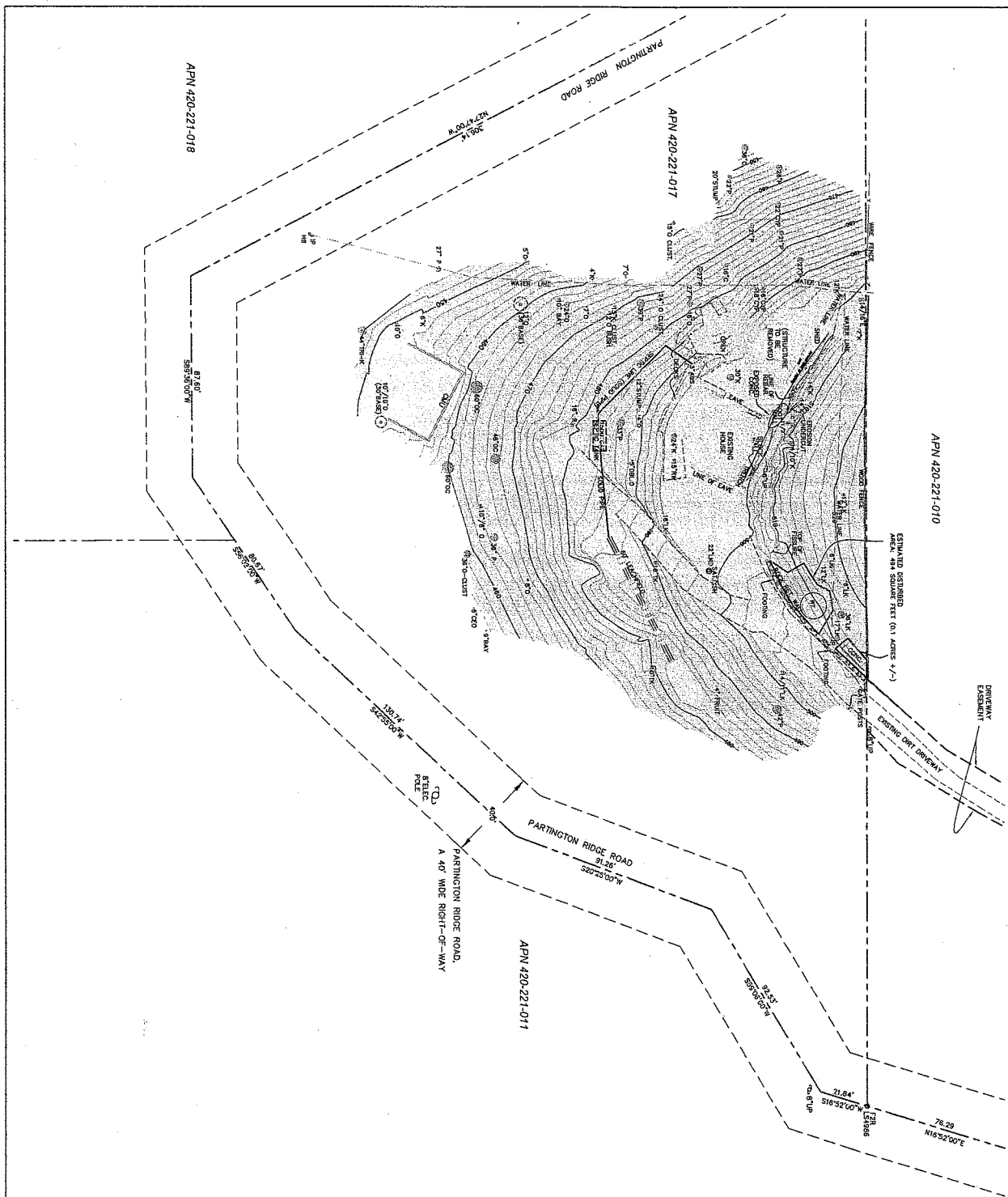
DATE: MARCH 14, 2013
 SCALE: 1"=10'
 DRAWN BY: KSL/NDM
 JOB #: 2817.00

WHITSON ENGINEERS
 9699 Blue Larkspur Lane • Suite 105 • Monterey, CA 93940
 831 649-5225 • Fax 831 373-5065
 CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

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PROJECT NO. 10022	TOPOGRAPHIC SURVEY SHOWING EXISTING CONDITIONS ON A PORTION OF THAT REAL PROPERTY DESCRIBED AS SUB. 2 OF SE 1/4 OF NW 1/4 OF SEC. 24, T20 S, R2 E (DARTINGTON RIDGE), MONTEREY COUNTY RECORDS, CALIFORNIA PREPARED FOR: FRED AND NANCY GOLDB	RLS RASMUSSEN LAND SURVEYING, INC. P.O. BOX 3135 MONTEREY, CALIFORNIA 93942 (831)375-7240 (831)376-2545 FAX	DATE OF SURVEY: MAY 19 & 20, 2010 DRAWING SCALE: SEE DRAWING DRAWN BY: TAY/BG REVISED: 02/14/11 RP REVISED: 04/26/11 RP/BG
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NOTES:

THIS MAP PORTRAYS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT REPRESENT THE PRESENT OR FUTURE CONDITION OF THE PROPERTY. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY OTHER FEATURES NOT SPECIFICALLY RECORDED BY THE RECORDS. THE SURVEYOR HAS FOUND NO EVIDENCE OF ANY OTHER FEATURES NOT SPECIFICALLY RECORDED BY THE RECORDS. THE SURVEYOR HAS FOUND NO EVIDENCE OF ANY OTHER FEATURES NOT SPECIFICALLY RECORDED BY THE RECORDS.

GRAPHIC SCALE

1 inch = 20' ft.

LEGEND

UTILITY POLE

CRISTO DE DEWEY

PRIVATE EASEMENT

PARTINGTON RIDGE ROAD

40' WIDE RIGHT-OF-WAY

PROJECT NO.

10022

DATE OF SURVEY: MAY 10 & 20, 2010

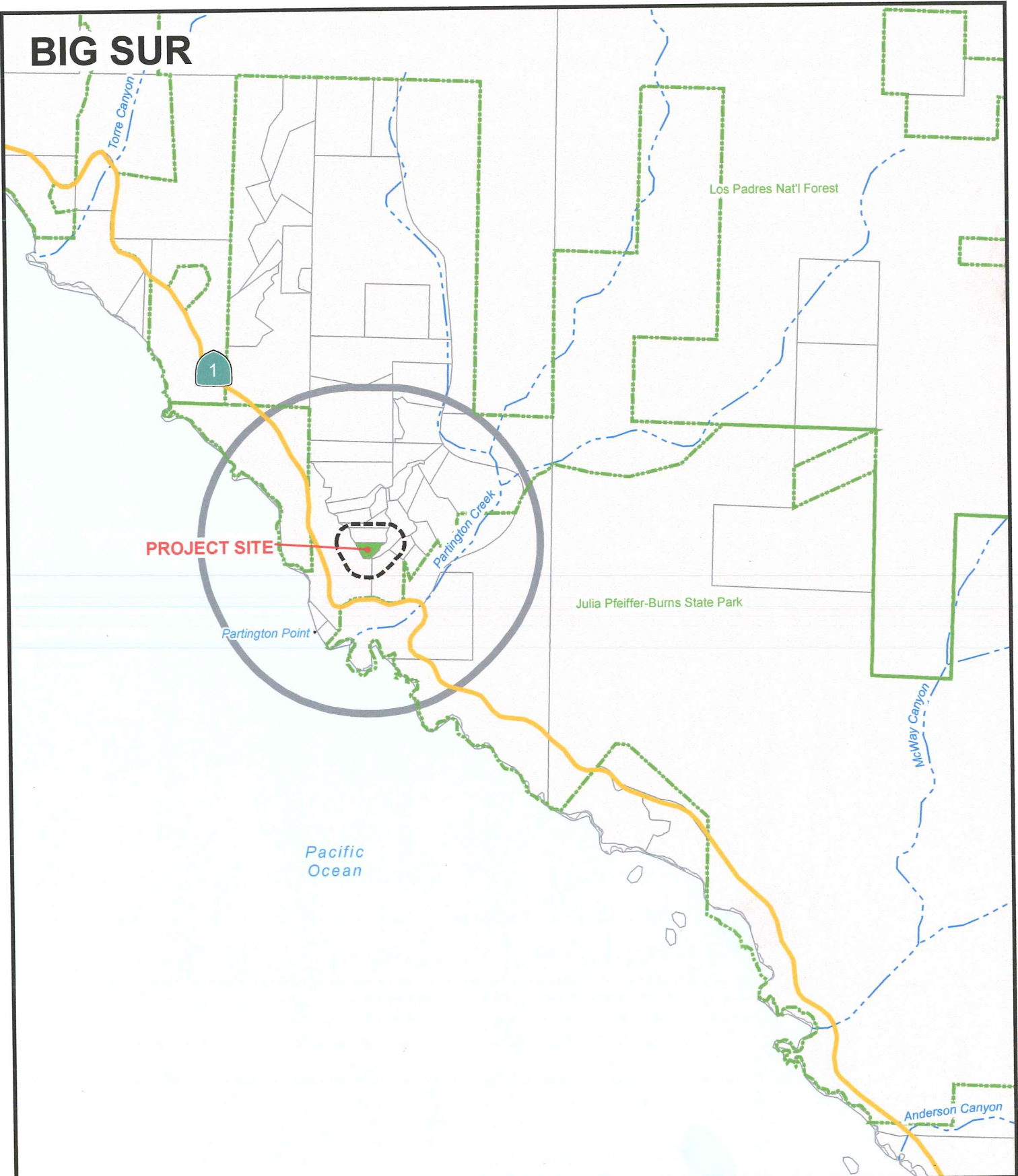
DRAWING SCALE: 1" = 20'

DRAWN BY: TAH/BO

REVISED: 02/14/11 RP

REVISED: 01/30/13 BG

BIG SUR



APPLICANT: GOLUB

APN: 420-221-017-000

FILE # PLN110213

2500' Limit 300' Limit Water City Limits

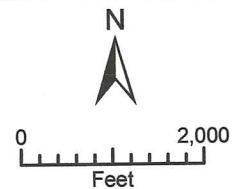


EXHIBIT C

PLANNER: OSORIO

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

DEC 17 2013

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Golob
File Number:	PLN110213
Owner:	Nancy Golob
Project Location:	51404 Partington Ridge Road, Big Sur
Primary APN:	420-221-017-000
Project Planner:	Luis A. Osorio
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of: a) Coastal Development Permit to allow development on slopes over 30% consisting of the demolition of an existing structure (outbuilding and decks) and slope restoration grading in the area of the structure and deck demolition and to allow construction of concrete slabs for propane and water tanks and emergency generator and to allow retaining wall construction; b) Coastal Development Permit for removal of three protected Oak trees; and c) Coastal Administrative Permit and Design Approval to allow construction of four new retaining walls of 108' x 9', 30' x 8', 45' x 2' and 25' x 5' foot in length and height respectively; reconstruction of a 450-square foot deck adjacent to the existing residence; reroofing and repair and replacement of siding on existing shop/storage outbuilding; installation of a new 5,000-gallon rubber water tank; installation of a new back-up emergency generator; and replacement of a 500-gallon propane gas tank. The project would require grading, approximately 350 cubic yards of cut and 500 cubic yards of fill, to prevent slope failure and to backfill retaining walls. The Combined Development Permit would clear Monterey County Code violations identified under Code Enforcement Case No. 19960149.

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

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

Decision Making Body:	Monterey County Zoning Administrator
Responsible Agency:	County of Monterey
Review Period Begins:	December 19, 2013
Review Period Ends:	January 17, 2014

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

Date Printed: 3/12/2002

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 NEGATIVE DECLARATION MONTEREY COUNTY ZONING ADMINISTRATOR

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Golob, File Number PLN110213) at 51404 Partington Ridge, Big Sur (APN 420-221-017-000) (see description below). The project involves construction of a retaining wall and demolition of a dilapidated structure.

The Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2nd Floor, Salinas, California. The Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link: <http://www.co.monterey.ca.us/planning/docs/environmental/circulating.htm>.

The Zoning Administrator will consider this proposal at a meeting at a date to be determined in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from December 19, 2013 to January 17, 2014. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of: a) Coastal Development Permit to allow development on slopes over 30% consisting of the demolition of an existing structure (outbuilding and decks) and slope restoration grading in the area of the structure and deck demolition and to allow construction of concrete slabs for propane and water tanks and emergency generator and to allow retaining wall construction; b) Coastal Development Permit for removal of three protected Oak trees; and c) Coastal Administrative Permit and Design Approval to allow construction of four new retaining walls of 108' x 9', 30' x 8', 45' x 2' and 25' x 5' foot in length and height respectively; reconstruction of a 450-square foot deck adjacent to the existing residence; reroofing and repair and replacement of siding on existing shop/storage outbuilding; installation of a new 5,000-gallon rubber water tank; installation of a new back-up emergency generator; and replacement of a 500-gallon propane gas tank. The project would require grading, approximately 350 cubic yards of cut and 500 cubic yards of fill, to prevent slope failure and to backfill retaining walls. The Combined Development Permit would clear Monterey County Code violations identified under Code Enforcement Case No. 19960149. The property is located at 51404 Partington Ridge Road, Big Sur (Assessor's Parcel Number 420-221-017-000), Big Sur Coast Land Use Plan, 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: Golob Nancy I; File Number: PLN110213

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

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

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. California Coastal Commission, Santa Cruz Office
3. California Department of Fish & Wildlife, Marine Region, Attn: Eric Wilkins
4. Cal Fire – Coastal Station, Dennis King
5. Monterey County Environmental Health Bureau
6. Nancy Golob, Owner
7. Joel Panzer, Maureen Wruck Planning Consultant, LLC Agent
8. The Open Monterey Project
9. LandWatch
10. Property Owners within 300 feet (**Notice of Intent only**)

Distribution by e-mail only (Notice of Intent only):

11. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: galacatos@usace.army.mil and Paula Gill: paula.c.gill@usace.army.mil)
12. Emilio Hipolito (ehipolito@nccrc.org)
13. United Brotherhood of Carpenters & Joiners (nedv@nccrc.org)
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15. Margaret Robbins (MM_Robbins@comcast.net)
16. Michael Weaver (michaelrweaver@mac.com)
17. Monterey/Santa Cruz Building & Construction (Office@mscbctc.com)
18. Tim Miller (Tim.Miller@amwater.com)

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:	Golob
File No.:	PLN110213
Project Location:	51404 Partington Ridge Road
Name of Property Owner:	Nancy Golob
Name of Applicant:	Maureen Wruck Planning Consultant, LLC
Assessor's Parcel Number(s):	420-221-017-000
Acreage of Property:	Two Acres
General Plan Designation:	Rural Residential
Zoning District:	"RDR/40-D (CZ)" [Rural Density Residential, 40 Acres Minimum with Design Review Overlay District, Coastal Zone]
Lead Agency:	Monterey County Resource Management Agency - Planning
Prepared By:	Luis A. Osorio, Senior Planner
Date Prepared:	December 13, 2013
Contact Person:	Luis A. Osorio
Phone Number:	(831) 755-5177

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project: The project includes the construction of a retaining wall in four sections of 108' x 9', 30' x 8', 45' x 2' and 25' x 5' foot in length and height respectively in the area above the existing house. The retaining walls are necessary to retain a failing slope located very close to an existing house (cabin), and to accommodate the location of a water tank and a propane gas tank. The project also includes partial demolition of a significantly deteriorated structure; the reconstruction of an existing approximately 450 square foot deck; grading of slopes over 30% in order to build retaining walls; reconstruction of decks and reroofing and repairs of existing structures; the installation of a 5,000-gallon water storage tank; a propane gas tank; back-up emergency generator (**See Figure 3**); and removal of three Oak trees. The construction of the retaining walls and re-grading of the slope behind the retaining walls are necessary to prevent slope failure in the area directly behind the existing residence on the property. There are no alternative sites for the construction of the walls as they are necessary at the proposed location to prevent further slope degradation and to protect the existing cabin on the property. The project would require re-grading of slopes over 30% in the area of the demolition of the existing dilapidated structure. The re-grading in this area would be the minimum necessary to prevent erosion and potential slope failure.

The project covered under the subject application was initiated without the required planning and construction permits. A "Code Compliance Order" was sent to the property owner on March 23, 2011 stating the following code violations:

- Partial demolition of an existing cabin and reconstruction of the existing deck;
- Grading on slopes greater than 25%;
- Construction of retaining walls with a surcharge; and
- Placement of a new 5,000-gallon water tank not on a natural grade.

An Emergency Permit (File No. PLN130095) was issued on June 26, 2013 pursuant to the provisions of Chapter 20.79 of the Monterey County Coastal Implementation Plan (Part 1), for the construction of the 108' x 9', 30' x 8' and 25' x 5' foot retaining walls. Such issuance was accompanied by findings supporting an emergency situation arising from the deterioration of the slopes on the property. The subject Combined Development Permit is a follow-up to the Emergency Permit consistent with pertaining regulations of the Coastal Implementation Plan. The wall is under construction (**Figure 4**).

B. Surrounding Land Uses and Environmental Setting: The subject property is a two-acre parcel located on Partington Ridge Road, easterly of Highway One in the Big Sur Area (**Figure 1**). The property contains steep terrain sloping towards the Pacific Ocean with a small house (cabin), a dilapidated structure and a short access driveway on the upper portion. The property is located in an older residential subdivision on the mountains and hillsides on the east side of Highway One overlooking the Pacific Ocean. The terrain is mountainous and access is achieved through a common access road. All the lots within the subdivision are developed with older homes. The existing development on the property includes a residential unit (cabin), and access driveway and the dilapidated structures slated for demolition (**Figure 2**).

C. Other public agencies whose approval is required: None

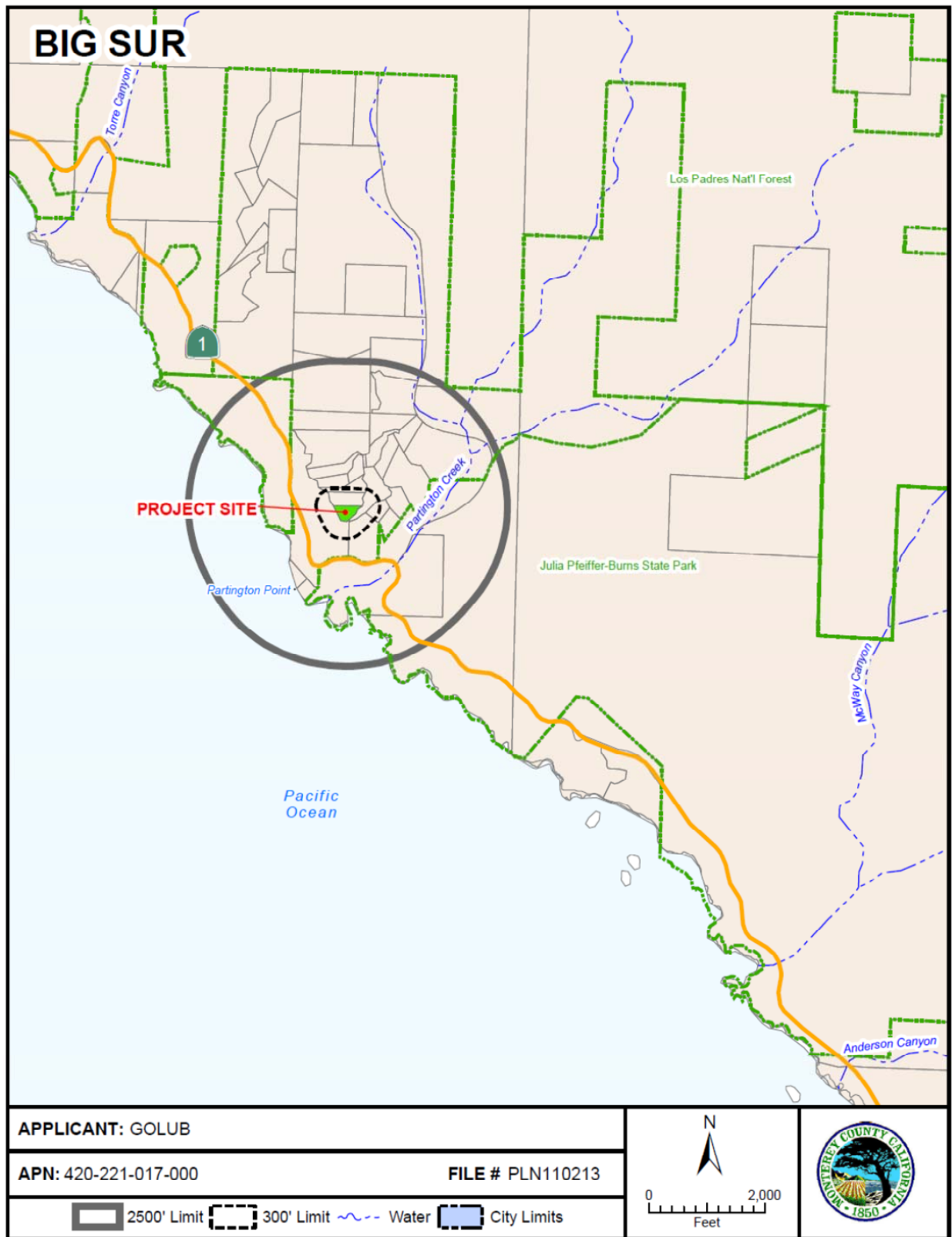


Figure 1: Vicinity Map

Figure 3: Project Plans

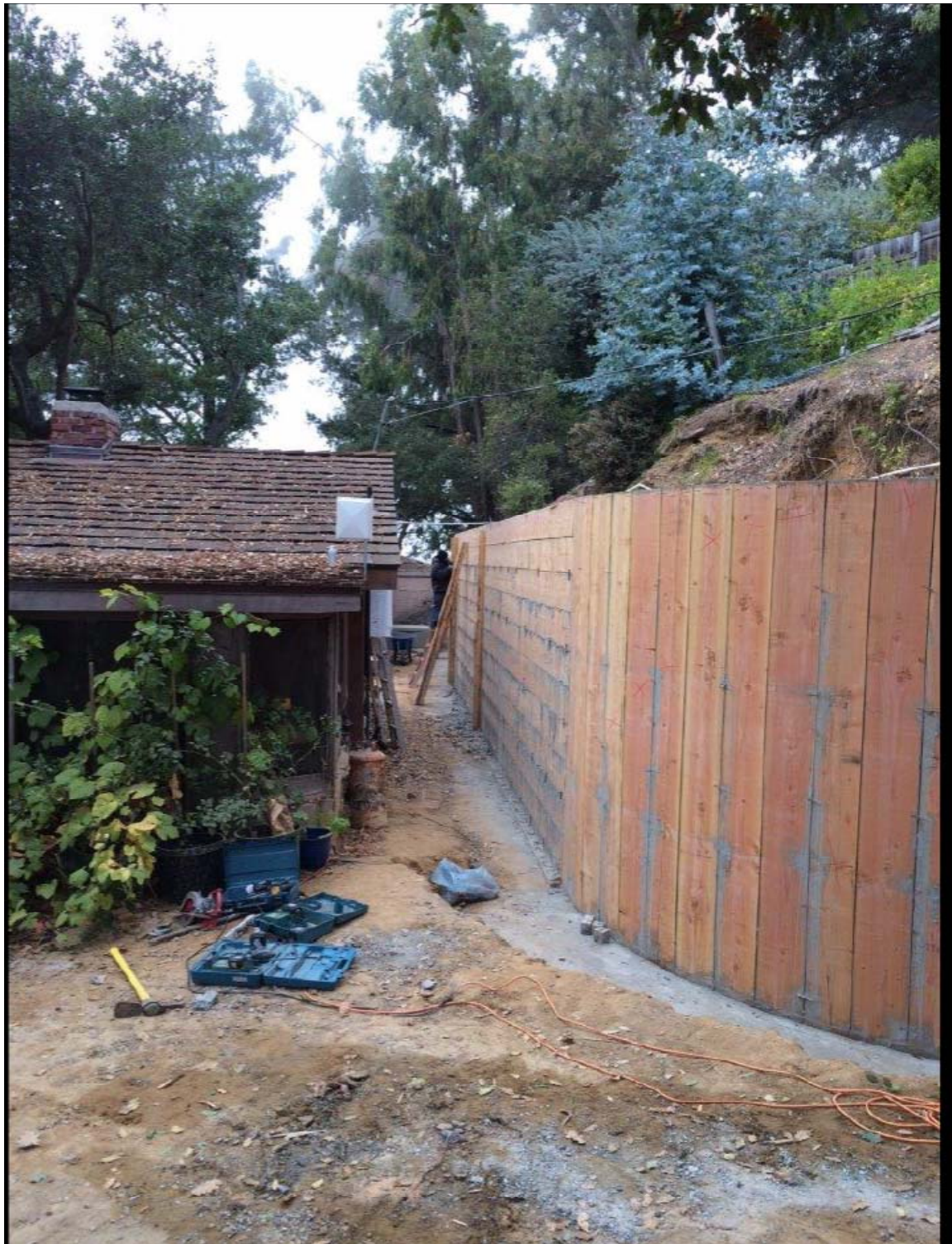


Figure 4: Wall under Construction per Emergency Permit No. PLN130095

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

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forest Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input checked="" 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: Biological/Forest Resources: – The proposed removal of three (3) protected Oak trees is the minimum necessary for the proposed development (Figure 5). A Forest Management Plan (Arborist Report) has been prepared by Frank Ono for the project consistent with the requirements of Section 20.145.060 B 1 of the Implementation Plan. The Arborist Report has identified three Oak trees for removal. The trees are identified as Nos. 129, 130 & 131 on the Plot Plan included in the Report. The trees are located on the undercut embankment, directly above the area of the construction of the tallest of the proposed retaining walls and above the existing cabin, and present a high hazard potential. According to the Arborist Report, Tree No. 129 is a 23-inch diameter Oak with a crack at its base and its roots have been exposed by soil failure around it. The remaining trees also have their roots exposed and are leaning dangerously over the existing cabin. The Arborist Report recommends that the trees must be removed because they constitute a significant hazard. Additionally, the area in the location of the subject trees must be re-contoured after construction of the retaining walls which would cause additional damage to the roots of the trees. The tree removal is consistent with the provisions of Section 20.145.060 (Forest Resources Development Standards) of the Monterey County Coastal Implementation Plan (Part 3). Tree replacement is required as a condition of the approval of the project.

Cultural Resources: A “Historic Survey” (LIB130357) (Reference 6) was prepared to analyze the potential historical value of the existing cabin on the property (Figure 6) and any potential impacts from the project on the cabin. The report describes the cabin, as the “Keith B. Evans Cabin, a much altered example of a pre-WWII vernacular vacation house,” that “has lost the physical integrity of its original 1939 design and workmanship through a series of alterations and additions executed by the later owners and occupants between c. 1971 and the present.” The survey concludes that “Because of these changes the property does not evoke any particular sense of time and place, or of the feeling and association with its 1939 period of construction. Therefore the project would not result in potential significant impacts on historic resources.

Hazards/Geology: The construction of the retaining walls and re-grading of the slope behind the retaining walls are necessary to prevent slope failure in the area directly behind the existing residence on the property. A near vertical cut slope exists in the area of the retaining wall. Significant sloughing and slippage are evident and there are noticeable cracks in the soil strata immediately above the cut slope. The retaining walls are proposed to prevent landslides and to protect existing structures both below and above the retaining wall area. The retaining walls have been designed to meet applicable building code standards per the recommendations contained in a “Geotechnical Retaining Wall and Drainage Criteria” prepared by Haro, Kasunich and Associates, Inc. of Watsonville, California, dated August 24, 2010 and February 5, 2013 (Reference 9). The construction of the retaining walls and re-grading of the slope behind the retaining walls are necessary to prevent slope failure in the area directly behind the existing residence on the property. An Emergency Permit (File No. PLN130095) was issued on June 26, 2013 pursuant to the provisions of Chapter 20.79 of the Monterey County Coastal Implementation Plan (Part

1), for the construction of the 108' x 9', 30' x 8' and 25' x 5' foot retaining walls. There are no alternative sites for the construction of the walls as they are necessary at the proposed location to prevent further slope degradation and to protect the existing cabin on the property.

The project would require re-grading of slopes over 30% in the area of the demolition of the existing dilapidated structure (See Figure 7). The re-grading in this area would be the minimum necessary to prevent erosion and potential slope failure. There are no biological or forest resources in the area of the demolition/regarding that would be affected by the project. Areas of 30% slopes need to be protected per the policies of the General Plan.

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

Luis A. Osorio


Date

December 13, 2013

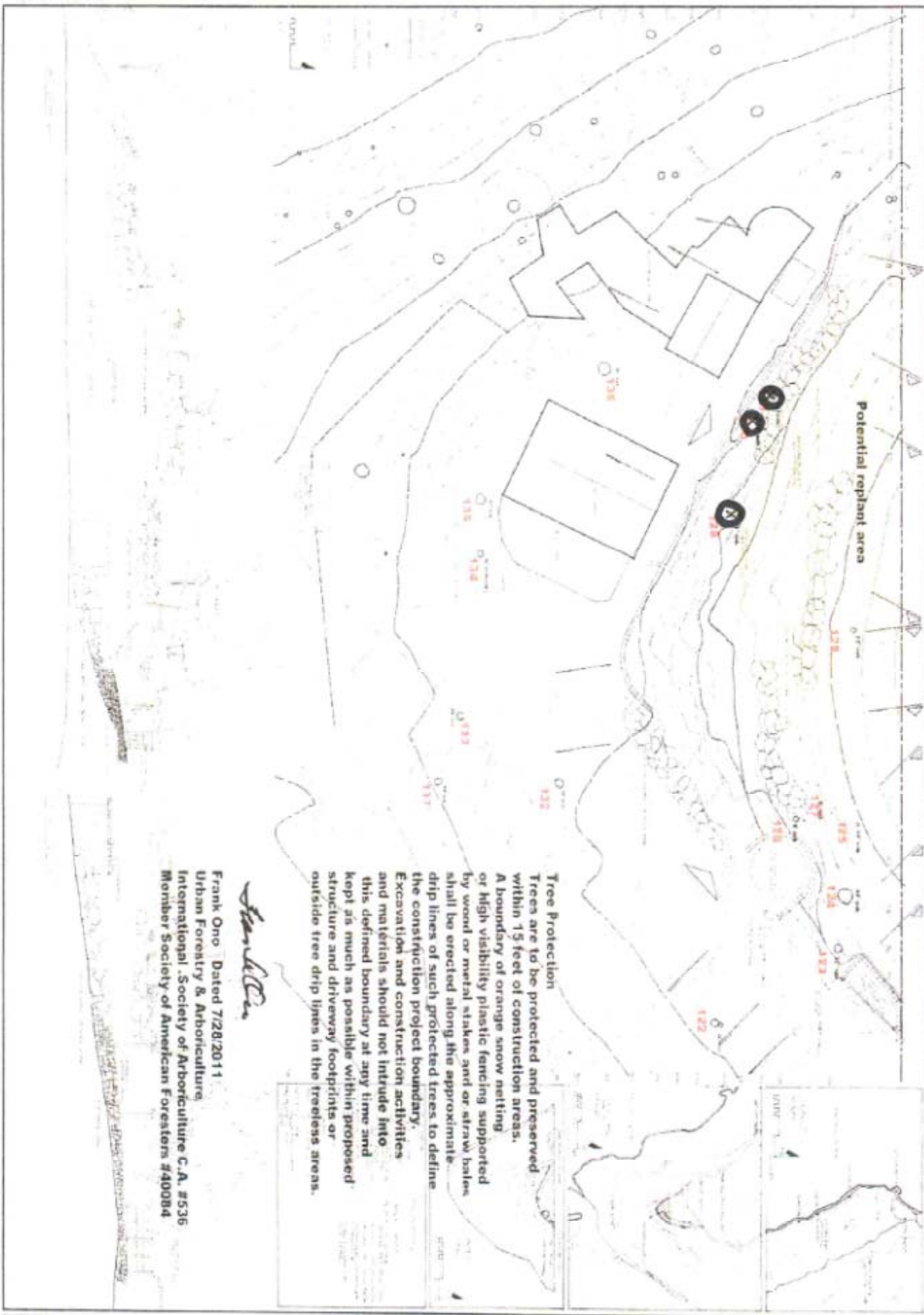


Figure 5: Proposed Tree removal



Figure 6: Existing Cabin

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:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source:)	<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:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See discussion in Section IV.A above.

2. AGRICULTURAL AND FOREST RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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:)	<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:)	<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:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d)	Result in the loss of forest land or conversion of forest land to non-forest use? (Source:)	<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:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See discussion in Section IV.A above.

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:)	<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:)	<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:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. AIR QUALITY

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

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
d)	Result in significant construction-related air quality impacts? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Expose sensitive receptors to substantial pollutant concentrations? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Create objectionable odors affecting a substantial number of people? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See discussion in Section IV.A above.

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: County GIS Database)	<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: County GIS Database)	<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: County GIS Database)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: County GIS Database)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion/Conclusion/Mitigation:

See discussion in Section IV.A above.

5. CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: Reference 8)	<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: Reference 7)	<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: Reference 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: Reference 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See discussion in Section IV.A above.

6. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: Reference 9) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: Reference 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: Reference 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: Reference 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: Reference 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: Reference 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See discussion in Section IV.A above.

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: : Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: : Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See discussion in Section IV.A above.

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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See discussion in Section IV.A above.

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: Project Description)	<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: Project Description)	<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 <u>erosion or siltation</u> on- or off-site? (Source: Project Description)	<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 <u>flooding</u> on- or off-site? (Source: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: Project Description)	<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
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: Project Description)	<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: Project Description)	<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 Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

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: Reference 3; Discussion in Section IV.A)	<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: Reference 3; Discussion in Section IV.A)	<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: Reference 3; Discussion in Section IV.A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Discussion in Section IV.A

11. MINERAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Discussion in Section IV.A

12. NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Discussion in Section IV.A

13. POPULATION AND HOUSING				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: Project Description)	<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: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Discussion in Section IV.A

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

Discussion/Conclusion/Mitigation:

Discussion in Section IV.A

15. RECREATION				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Discussion in Section IV.A

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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways? (Source: Project Description)	<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 result in substantial safety risks? (Source: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. TRANSPORTATION/TRAFFIC				
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Discussion in Section IV.A

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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<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: Project Description)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Discussion in Section IV.A

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: Project Description/Discussion in the Initial Study)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source:) ("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: Project Description/Discussion in the Initial Study)	<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: Project Description/Discussion in the Initial Study)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Discussion in Sections II.A, II.B and IV.A.

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

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 PLN110213 and the attached Initial Study / Proposed Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. Monterey County 1982 General Plan
3. Big Sur Land Use Plan
4. Title 20 of the Monterey County Code (Zoning Ordinance)
5. Site Visit conducted by the project planner.
6. “Golob Residence Tree Assessment Arborist Report,” (LIB 130355) prepared by Frank Ono, Certified Arborist #536, dated July 28, 2011.
7. “Preliminary Archaeological Assessment for a Portion of APN 420-221-017, Big Sur, Monterey County California,” (LIB130050) prepared by Archaeological Consulting, dated August 2, 2011.
8. “Historic Survey” (LIB130357) prepared by Kent Seavey, Pacific Grove, California, recorded with the California Department of Parks and Recreation on July 24, 2010.
9. “Geotechnical Retaining Wall and Drainage Criteria” (LIB130356) prepared by Haro, Kasunich and Associates, Inc., Watsonville, California, August 24, 2010 and February 5, 2013.