

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02053

A. P. # 007-361-003-000M

FINDINGS AND DECISION

In the matter of the application of
Monterey Peninsula Country Club (PLN010276)

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located at 3000 Club Road, Pebble Beach, came on regularly for hearing before the Planning Commission on August 28, 2002.

WHEREAS: Said proposal includes:

- 1) Use Permit for grading of 38,000 cubic yards of cut and fill and
- 2) Use Permit for the removal of 18 Coast Live Oak trees to provide for improvements to the existing golf course and habitat restoration at the Monterey Peninsula Country Club

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The subject Combined Development Permit (PLN010276), as described in condition #1 and as conditioned, conforms with the plans, policies, requirements and standards of the General Plan, Greater Monterey Peninsula Area Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located at 3000 Club Road, Pebble Beach (Assessor's Parcel Numbers 007-361-003-000, 007-361-007-000, 007-371-005-000, 007-371-006-000, and 007-371-011-000). The parcels are zoned "O-S-D-RES" or Open Space, Site Plan Review, Design Control, Parking and Use of Major Recreational Equipment Storage in Seaward Zone. The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21 and any zoning violation abatement costs have been paid.

- EVIDENCE:** The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:
- a) The Greater Monterey Peninsula Area Plan
 - b) Chapter 21.38 of the Monterey County Zoning Ordinance regulations for Open Space Zoning Districts.
 - c) Chapter 21.44 of the Monterey County Zoning Ordinance regulations for Design Control Zoning Districts
 - d) Chapter 21.45 of the Monterey County Zoning Ordinance regulations for Site Plan Review Zoning Districts
 - e) Chapter 21.57 of the Monterey County Zoning Ordinance regulations for Parking and Use of Major Recreational Equipment Storage in Seaward Zone Districts

- EVIDENCE:** The project site is physically suitable for the proposed use as described in the project file. The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, and applicable Fire Department. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study demonstrates that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed development. Each agency has recommended conditions for project approval.
- EVIDENCE:** The proposed use is consistent with the development standards for Open Space zoning districts, pursuant to Title 21, Monterey County Zoning Ordinance.
- EVIDENCE:** Section 21.38 of the Monterey County Zoning Ordinance (Title 21). Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.
- EVIDENCE:** Written and verbal public testimony submitted at public hearings before the Planning Commission.
- EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.
- EVIDENCE:** The on-site inspection by the project planner on July, 10, 2002, September 11, 2001, December 6, 2001 December 20, 2001 and January 25, 2002 to verify that the proposed project complies with the Greater Monterey Peninsula Area Plan.
2. **FINDING:** The proposed project is consistent with Section 21.66.020 of the Monterey County Zoning Ordinance regarding development standards for environmentally sensitive habitats.
- EVIDENCE:** The proposed project includes grading of areas adjacent to wetlands and areas where two special status plants are known to occur. Measures such as specific cut and fill locations and depth have been taken to ensure that potential adverse impacts to these sensitive habitat areas are of a less than significant level consistent with Section 21.66.020.D2. The proposed project also includes restoration of sensitive habitat areas on the seaward side of the golf course. Implementation of this restoration plan would require development in the existing environmentally sensitive habitats. Section 21.66.020.D1 allows development in environmentally sensitive habitat areas that are resource dependent and that will not harm the habitat's long-term maintenance. The proposed restoration plan will have a positive impact on these habitats by expanding native habitat in areas that have been covered with non native exotic plants, such as ice plant.
- EVIDENCE:** File and application materials, Initial Study with mitigation measures, and Negative Declaration contained in the project file.
3. **FINDING:** The proposed project is consistent with Section 21.66.050 of the Monterey County Zoning Ordinance regarding development standards for Archaeological Resource Areas.
- EVIDENCE:** In accordance with section 21.66.050.C, an archaeological survey was prepared by Archeological Consulting on July 10, 2000. The report concluded that the proposed project would not adversely impact any cultural or archaeological resource on the project site. Given the existence of known archaeological sites in the project vicinity, a condition of approval (Condition #19) has been included to ensure that an archaeological monitor be present during grading operations.
- EVIDENCE:** File and application materials, Initial Study with mitigation measures, and Negative Declaration contained in the project file.
4. **FINDING:** The project is consistent with GMPAP policies 1.1.3 and 40.2.9 related to the protection of sensitive scenic areas.

EVIDENCE: Portions of the proposed project are located in a visually sensitive area east of Seventeen Mile Drive as described in the visual sensitivity and scenic routes map of the Greater Monterey Peninsula Area Plan. Policy 1.1.3 requires that the County take comprehensive measures to protect sensitive scenic areas; policy 40.2.9 requires that new development in areas mapped as sensitive maintain the visual character of the area. The existing area includes golf course fairways, vegetation and scattered trees. Development in the sensitive scenic area will consist of re contouring the existing golf course and additional turf. Eleven trees will be removed and replanted close and westward to their existing location. Therefore, the proposed development is compatible with the existing use and visual character of the area. In addition, in accordance with policy 40.2.9, all graded areas will be planted and no exposed surfaces will remain, and the existing uninterrupted viewshed will not be impacted.

5. **FINDING:** The proposed removal of twelve (12) protected Coast Live Oaks trees is the minimum required under the circumstances of this project and will not involve a risk of adverse environmental impacts consistent with the requirements of section 21.64.260 of the Monterey County Zoning Ordinance (Title 21) dealing with the removal of protected trees.

EVIDENCE: In accordance with Section 26.64.260 of the Zoning Ordinance, a Forest Management Plan dated September, 2001 updated on May 29th, June 6th, and June 10th, 2002 was prepared by Stephen Staub, registered professional forester. The original report and subsequent updates, which address changes in project design, confirm that proposed tree removal is the minimum required for the project. Consistent with the requirements of the zoning ordinance, replacement planting for removed oaks will be 3:1.

EVIDENCE: Forest Management Plan by Stephen Staub dated September, 2001 as updated on May 29th, June 6th, and June 10th, 2002 contained in the project file.

EVIDENCE: Initial Study and Negative Declaration contained in the project file.

EVIDENCE: Staff review of plans and specifications contained in the project file PLN010276.

6. **FINDING:** The proposed project, including all permits and approvals, will not have any significant adverse impacts on the environment and a Negative Declaration has been adopted. Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed and mitigated, may cause a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and in consideration of testimony and information received, and scientific and factual data presented in evidence during the public review process. Mitigation measures identified in the Initial Study have been incorporated into the project, and agreed to by the applicant, to reduce any impact to an insignificant level. All applicable mitigation measures are included in the conditions of approval, which are hereby adopted as a mitigation monitoring and reporting program.

Studies, data, and reports prepared by staff from various County departments, including Planning and Building Inspection, Public Works, Environmental Health, and the Water Resources Agency, support the adoption of a Negative Declaration for the project. The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Negative Declaration is based is the Monterey County Planning and Building Inspection Department, 240 Church Street, Salinas. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinion supported by facts have been submitted that refute the conclusions reached by these studies, data, and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data, and reports.

EVIDENCE: County staff prepared an Initial Study for the project in compliance with the California

Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on March 26, 2002 and noticed for public review. All comments received on the Initial Study have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

- Hydro Science, April 14, 2001. *Monterey Peninsula Golf Course, April 9-10, 2001 Borrow Site Soils Exploration.*
- Hydro Science, June 12, 2001. *Results of Hydrologic Investigations: November 2000, 2001 Monterey Peninsula Country Club.*
- Archaeological Consulting, July 10, 2000. *Preliminary Archaeological Reconnaissance for the Shore Course of the Monterey Peninsula Country Club, Pebble Beach, Monterey County California.*
- Zander Associates, not dated. *Biological Resources Assessment Shore Course Improvement and Restoration Program Monterey Peninsula Country Club including: Plate 1, Site Plan; Plate 2, Existing Vegetation Types; Plate 3, Locations of Rare Plants/Wetlands and Proposed Improvements; Plate 4, Restoration Plan, all plates dated October 2001.*
- Bestor Engineers, October 9, 2001. *Shore Course Conceptual Drainage Plan.*
- Staub, Stephen R. Forester and Environmental Consultant, September 2001. *Forest Management Plan for Monterey Peninsula Country Club Shore Course Routing and Drainage Improvements.*
- Higgins Associates, February 4, 2002. *Drainage Sand Trucking Operation for the Shore Course renovation project.*

EVIDENCE: File and application materials; Initial Study with mitigation measures; and Negative Declaration contained in the project file.

7. **FINDING:** For purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends. The applicant shall pay the Environmental Document Fee, pursuant to Fish and Game Code Section 753.5.

EVIDENCE: Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the proposed project could potentially adversely affect the State and Federally listed plant coastal dunes milk vetch (*Astragalus tener var. titi*) and the State listed Pacific Grove Clover (*Trifolium polyodon*) in addition to protected coastal wetlands present on the project site.

EVIDENCE: Initial Study and Negative Declaration contained in the project file.

8. **FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to 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 improvement in the neighborhood, or to the general welfare of the County.

EVIDENCE: The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Environmental Health Division, Public Works Department, applicable Fire Department, and Water Resources Agency. The respective departments 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; or the County in general.

9. **FINDING:** The project is appealable to the Board of Supervisors.

EVIDENCE: Section 21.80.040.C of the Monterey County Zoning Ordinance (Title 21).

DECISION

It is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration and Program for Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following conditions:

1. The subject Combined Development Permit consists of a Use Permit for the expansion and redesign of an existing golf course, including 38,000 cubic yards of grading and a Use Permit for the removal of 12 Coast Live Oak trees. The project is located at 3000 Club Road, Pebble Beach (Assessor's Parcel Numbers 007-361-003-000, 007-361-007-000, 007-371-005-000, 007-371-006-000, and 007-371-011-000) in the Greater Monterey Peninsula Area. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 Planning and Building Inspection. 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. **(Planning and Building Inspection)**
2. The applicant shall obtain a grading permit from the Building Inspection Division. **(Planning and Building Inspection)**

Prior to the Issuance of Grading and Building Permits:

3. The applicant shall record a notice which states: "A permit (Resolution 02053) was approved by the Planning Commission for Assessor's Parcel Numbers 007-361-003-000, 007-361-007-000, 007-371-005-000, 007-371-006-000, and 007-371-011-000 on August 28, 2002. The permit was granted subject to 23 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection)**
4. A notice shall be recorded with the Monterey County Recorder which states: "A Forest Management Plan has been prepared for this parcel by Stephen R. Staub dated September, 2001 and updated on May, 29th, June 6th, and June 10th, 2002 and is on record in the Monterey County Planning and Building Inspection Department Library, No. LIB020178. All tree removal on the parcel must be in accordance with the Forest Management Plan, as approved by the Director of Planning and Building Inspection." This notice shall be recorded prior to issuance of building or grading permits. **(Planning and Building Inspection Department)**
5. Pursuant to the State Public Resources Code, State Fish and Game Code and California Code of Regulations, the applicant shall pay a fee to be collected by the County of Monterey in the amount of **\$1,275. This fee shall be paid within five days of project approval**, before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to - the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. **(Planning and Building Inspection)**
6. The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring Plan. The Plan shall be submitted to the Director of Planning and Building Inspection Department for approval prior to issuance of building and/or building permits. **(Planning and Building Inspection)**
7. In order to protect and ensure long-term maintenance of habitat for the State and Federally listed plant coastal dunes milk vetch (*Astragalus tener var. titi*) and the State listed Pacific Grove Clover (*Trifolium polyodon*), the owner shall not construct, place any structures on, grade or disturb land in the areas where these plants are known to exist ("the Protected Areas"), except to erect or repair fencing and to create and maintain defined walkways (with railings) to limit foot traffic within the protected area. **Prior to issuance of grading and/or building permits**, the applicant shall, in consultation with the Planning and Building Inspection Department and the Department of Fish and Game, establish the limits of the Protected Areas to include:
 - The area northeast of and adjacent to proposed 8th fairway,
 - Areas of known plant occurrence adjacent to 17-Mile Drive,
 - The area delimited by the 13th, 14th, and 15th fairways,
 - The area delimited by the 5th, 6th, 11th and 12th fairwaysFuture amendments to the limits of the Protected Areas may be allowed subject to the approval of the Director of Planning and Building Inspection Department in consultation with the Department of Fish and Game. Prior to placing any allowed structure in the Protected Area, the owner shall notify the Planning and Building Inspection Department and the California Department of Fish and Game and obtain their concurrence regarding the location of any fencing or walkways. **(Planning and Building Inspection)**
8. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. **(Planning and Building Inspection)**
9. A drainage plan shall be prepared by a registered civil engineer or architect to address on-site and off-site impacts, and necessary improvements shall be constructed in accordance with approved plans. **(Water Resources Agency)**

10. Prior to issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property in the form of an approved water release form. **(Water Resources Agency)**

Prior to Final Inspection:

11. Prior to final inspection, the applicant shall provide to the Director of Planning and Building Inspection Department proof that all necessary agreements and/or permits have been obtained from the California Department of Fish and Game in compliance with the requirements of the California Endangered Species Act. **(Planning and Building Inspection)**

Continuous Permit Conditions:

12. All landscaped areas and replanted trees shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(Planning and Building Inspection)**

Conditions from the Mitigated Negative Declaration

13. **(Mitigation Measure 1)** In order to mitigate adverse impacts to the public views from 17-Mile Drive because of tree removal at the proposed 7th, 8th, and 11th fairways, the applicant shall relocate or replace each tree proposed for removal in accordance with the ratios and locations as outlined in the June 6, 2002 recommendations letter submitted by Stephen R. Staub, consulting forester and attached as Exhibit "J" in the Initial Study and Exhibit "K" in the staff report. These recommendations state that replacement planting at fairways 7, 8, and 11 will be done in areas west of the tree removal at a 3:1 ratio for Monterey pines and 3:1 for Monterey Cypresses that are not to be relocated.

MONITORING ACTIONS

Prior to final inspection, the applicant shall provide the Director of Planning and Building Inspection Department written certification by a qualified arborist that replacement planting has been performed in accordance with Mitigation Measure 1. Relocated and planted trees shall be included in the reports required under Mitigation Measure 3 of this Initial Study. If any relocated tree fails to establish within a reporting period, the applicant shall immediately replace that tree at a 3:1 ratio. If any newly planted tree fails to establish within a reporting period, the applicant shall immediately replant that tree at a 1:1 ratio.

14. **(Mitigation Measure 2)** In order to maintain inhalable particulate matter (PM10) levels that are safe to sensitive receptors, such as nearby residential uses, applicant shall implement the following measures to ensure that construction activities create minimum adverse air quality impacts:
 - a) Post the project at two locations with a publicly visible sign during construction operations that specifies the telephone number and person to contact for complaints and/or injuries on dust generation and other air quality problems resulting from project construction.
 - b) All unpaved construction areas shall be sprinkled with water (at least twice per day) during grading activities.
 - c) Seed and landscape exposed areas immediately following grading operations. If immediate seeding and landscaping cannot be accomplished, apply non-toxic tackifier, or other suitable cover (such as jute netting, erosion control fabric, mulch, etc.) to exposed areas until seeded or landscaped.
 - d) Trucks hauling dirt and debris must be covered.
 - e) Immediately sweep up spilled dirt or debris onto paved surfaces.
 - f) Cover on-site stockpiles of excavated materials.

- g) Vacuum (e.g. road sweeper/vacuum) construction-related soils on paved roads whenever soils are visible.

MONITORING ACTIONS:

Prior to issuance of grading or building permits, the applicant shall provide the Director of Planning and Building Inspection photographs and locations of the posting per item a) above.

Prior to issuance of grading or building permits, the applicant shall provide the Director of Planning and Building Inspection written certification regarding how items b)-g) above will be implemented during construction.

During construction, the contractor shall keep a daily log of each activity performed including dates and photographs, as necessary. Monthly reports shall be submitted to and approved by the Director of Planning and Building Inspection. Failure to submit a report shall cause all work to be stopped until the report is received and approved by the Planning and Building Inspection Department

15. **(Mitigation Measure 3)** In order to mitigate potential adverse impacts to sensitive plants and habitats by the proposed project, the applicant shall contract the services of a qualified biologist to fully implement the Habitat Restoration and Monitoring Plan prepared by Zander Associates dated February 15, 2002, hereby incorporated by reference to this mitigation measure and contained in file No. PLN010276.

MONITORING ACTIONS

Prior to issuance of grading or building permits, the applicant shall submit to the Director of Planning and Building Inspection for approval, a final Habitat Restoration and Monitoring Plan as reviewed and approved by the California Department of Fish and Game. In addition, the applicant shall submit to the Director of Planning and Building Inspection Department, a copy of the contract to implement the approved Habitat Restoration and Monitoring Plan. Said contract shall specify the goals, implementation methods, performance criteria, and monitoring and reporting as described in the February 15, 2002 Habitat Restoration and Monitoring Plan prepared by Zander Associates.

Two months following final inspection, the applicant shall submit to the Director of Planning and Building Inspection Department a report that includes an “as-built” or baseline restoration map certified by a qualified biologist, the initial steps of the restoration program and the standards established in conformance with the performance criteria of the Habitat Restoration and Monitoring Plan.

No later than December 31 of 2003, 2004, and 2006, the applicant shall submit to the Director of Planning and Building Inspection Department and to the Department of Fish and Game, reports documenting the results of monitoring for the corresponding year. The reports shall include extent and progress of restoration, effectiveness of the non-native eradication and native revegetation efforts, golf management and maintenance programs.

No later than December 31 of 2005 and 2007, the applicant shall submit to the Director of Planning and Building Inspection Department and to the Department of Fish and Game, reports documenting the results of monitoring for the corresponding year. The reports shall include extent and progress of restoration, effectiveness of the non-native eradication and native revegetation efforts, golf management and maintenance programs. In addition, these reports shall include an evaluation of restoration success and performance with respect to performance standards and criteria, any remedial or contingency measures necessary or recommended.

16. **(Mitigation Measure 4)** The applicant shall retain a qualified biologist to conduct pre-construction surveys to confirm locations of previously mapped coastal dunes milk vetch, Pacific Grove clover and wetlands, in order to establish “off limits” areas for construction activities.

MONITORING ACTION

Prior to issuance of grading or building permits, the *applicant* shall provide the Director of Planning and Building Inspection Department written and visual (photographs) evidence as certified by the qualified biologist, that “off limits” areas have been identified and are clearly visible to construction crews.

17. **(Mitigation Measure 5)** In order to avoid any potential adverse impacts to existing wetland from construction grading and the resulting modification of drainage patterns, the applicant shall reflect in the final grading plans and specifications and implement the following grading restrictions at the specified locations:
- a) Existing #5, proposed # 16 holes. Fill (2,475 cubic yards) shall only be allowed between the base of the slope below the green extending 250 feet back toward the tee. Any drains installed between the existing #5 tee and the fill-only boundary to capture groundwater should terminate at the edge of play and should re-infiltrate the captured water.
 - b) Between existing #5, and #14, proposed # 16 fairways and the #5 fairway and #6 tee-box. A wetland exists in the northeast area and shall be avoided. The wetland is supported by groundwater discharge. There shall be no cutting below the existing grade within 200 feet upslope in order not to expose groundwater or alter flow rates towards the wetland.
 - c) Existing #10, proposed #6 fairway downslope of wetlands. Grading within the existing #10 fairway before the base of slope in front of the green shall be limited so as not to expose shallow groundwater which may occur anywhere there is a clayey horizon within 2.5 feet on the surface.
 - d) Area upslope of wetland, south of existing #12, and east of existing #12. No excavating below 0.5 feet above the elevation of the upslope boundary of the wetland shall be allowed.
 - e) New turf areas north of existing #12, proposed new #8 and #9. Excavating below 0.5 feet is prohibited.
 - f) No grading shall occur below seasonal high groundwater levels that may result in additional wetland conditions.

MONITORING ACTIONS

Prior to issuance of building or grading permits the applicant shall:

- submit to the Director of Planning and Building Inspection Department grading plans approved by Hydro Science showing the specifications of Mitigation Measure 4 a);
- submit to the Director of Planning and Building Inspection Department grading plans approved by Hydro Science showing the boundaries of grading operations allowed at the location specified in Mitigation Measure 4 b);
- submit to the Director of Planning and Building Inspection Department grading plans approved by Hydro Science showing the specifications of Mitigation Measures 4 c), d), e), and f)

18. **(Mitigation Measure 6)** In order to mitigate adverse impacts from tree removal, the applicant shall implement the forest Management Plan prepared by Stephen R. Staub dated September, 2001 as updated on June 6, 2002.

MONITORING ACTIONS

Prior to issuance of Building or Grading permits, the applicant shall submit to the Director of Planning and Building Inspection Department copy of the contract to implement the September, 2001 Forest Management Plan as updated on June 6, 2002. The contract shall include replacement planting ratios of 4:1 for Monterey Pines and 3:1 for Coast Live Oaks, and a map showing the locations of trees to be planted.

19. **(Mitigation Measure 7)** In order to assure that grading activities do not impact cultural or archaeological resources, the applicant shall contract with a Registered Professional Archaeologist to monitor all earth disturbance work adjacent to identified cultural and/or archaeological resources on the project site.

MONITORING ACTIONS

Prior to issuance of grading or building permits, the applicant shall submit the contract with a Registered

Professional Archaeologist to the Director of Planning and Building Inspection for approval. The contract shall contain professionally acceptable archaeological standards for investigation as provided in *Preliminary Archaeological Reconnaissance for the Shore Course of the Monterey Peninsula Country Club, Pebble Beach, Monterey County California*, Archaeological Consulting, July 10, 2000

During construction, if human remains or intact cultural features or soils are discovered during excavation, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated for significance by the monitor, and appropriate mitigation measures formulated and implemented. If materials suitable for radiocarbon dating are discovered during monitoring, at least two radiocarbon samples will be recovered for dating. If artifacts or other cultural materials are recovered during monitoring, they should be catalogued and curated at a suitable facility in the public domain.

- 20. **(Mitigation Measure 8)** In order to minimize potential adverse noise impacts to sensitive receptors, construction activities shall be restricted between the hours of 8:00 a.m. and 6:00 p.m.
- 21. **(Mitigation Measure 9)** In order to avoid potential adverse impacts to Highway 68 peak-hour traffic from sand transport operations, all trucking of sand shall occur between 9:00 AM and 4:00 PM.
- 22. **(Mitigation Measure 10)** Prior to issuance of grading or building permits, the applicant shall submit to the Director of Planning and Building Inspection Department for approval, a Traffic Management Plan prepared by a registered traffic engineer. The plan must include details such as, but not limited to, truck trip schedule, daily log, truck idling standards and queuing areas, and a reporting schedule.

MONITORING ACTION

The applicant shall submit to the Director of Planning and Building Inspection Department monthly reports that include the daily truck trip log. Failure to submit the report shall cause all work to stop until the report has been reviewed and approved by the Director of Planning and Building Inspection.

- 23. **(Mitigation Measure 11)** The project shall be completed before the commencement of work for the Del Monte Forest Preservation & Development Plan. Failure to complete the project by this date shall require the applicant to submit a new traffic study and implement additional mitigation measures as required to bring potential adverse impacts to traffic to a less than significant level.

PASSED AND ADOPTED this 28th day of August, 2002 by the following vote:

AYES: Errea, Sanchez, Hawkins, Pitt-Derdivanis, Parsons, Hernandez, Wilmot
 NOES: Engell, Diehl, Brennan
 ABSENT: None

Original Signed By:

DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

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

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 and Building Inspection Department office in Marina.

2. The construction or use authorized by this permit must start within two years of the date of approval of this permit unless extended by the Director of Planning and Building Inspection pursuant to Section 20.140.100 of the Coastal Implementation Plan.