

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 MITIGATED NEGATIVE DECLARATION

I. BACKGROUND INFORMATION

Project Title: Steiny

File No.: PLN060638

Project Location: 11 and 25 West Carmel Valley Road, Carmel Valley

Name of Property Owner: Douglas Steiny

Name of Applicant: Lombardo and Gilles

Assessor's Parcel Number(s): 187-433-017-000 & 187-433-018-000

Acreage of Property: 1.57 acres

General Plan Designation: Light Commercial

Zoning District: LC-D-S-RAZ (Light Commercial, Design Control, Site Plan Review, Residential Allocation Zoning)

Lead Agency: Monterey County Resource Management Agency – Planning Department

Prepared By: PMC for Lead Agency

Date Prepared: December , 2007

Contact Person: David Mack, Project Planner

Phone Number/Email: (831) 755-5096; mackd@co.monterey.ca.us

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Background:

A Use Permit and Negative Declaration (PC94215) was previously approved/adopted for the subject property in 1994, which included the demolition of an existing single family dwelling and accessory structure, the construction of a 16,402 square foot fitness facility, a swimming pool, and the removal of 10 protected coast live oak trees. Preliminary grading has occurred onsite and the demolition of the existing single family dwelling has been completed. However, the new property owner has decided not to proceed with the previously approved project and has submitted a new land use application for a mixed-use commercial and residential project.

B. Project Description:

The Steiny General Development Plan project consists of the following:

- 1) the construction of two one-story commercial retail buildings (5,135 square feet for Building A and 2,365 square feet for Building B) with attached walking decks (1,558 square feet for Building A and 289 square feet for Building B); and
- 2) the construction of 4 two-story mixed use buildings (Buildings C thru F) consisting of a total of 4,028 square feet of lease space, 748 square feet of covered parking (carports), 184 square feet of residential storage, 4,000 square feet of residential living space (four residential units), and 368 square feet of covered decks and stairs.

Other improvements consist of the construction of segmented retaining walls on the northern and eastern portion of the property, paving of a driveway off of Del Fino Place, paving of 52 parking spaces, resurfacing of an existing pedestrian walkway, the installation of a 32 square foot double faced sign located at the southwest corner of the lot, and a trash enclosure. The proposed sewage disposal system for the project includes three 1,500 gallon septic tanks, one 1,500 gallon pump chamber and 200 linear feet (4,000 square feet) of leach line. Water would be provided by California-American Water Company. Projected water demand from the residential and commercial uses would be 0.806 acre feet per year. The preliminary drainage plan consists of the installation of two underground storm water detention facilities with numerous storm drain lines. Proposed construction would not be phased in order to minimize the length of construction activities.

The proposed improvements would require the removal of 24 trees: 18 protected coast live oaks, two non-protected sycamores, two non-protected pines, one non-protected blue oak (less than 5 inches in diameter) and one non-protected walnut. Additional vegetation removal includes the clearing of grasses, French broom, English ivy, periwinkle and cotoneaster.

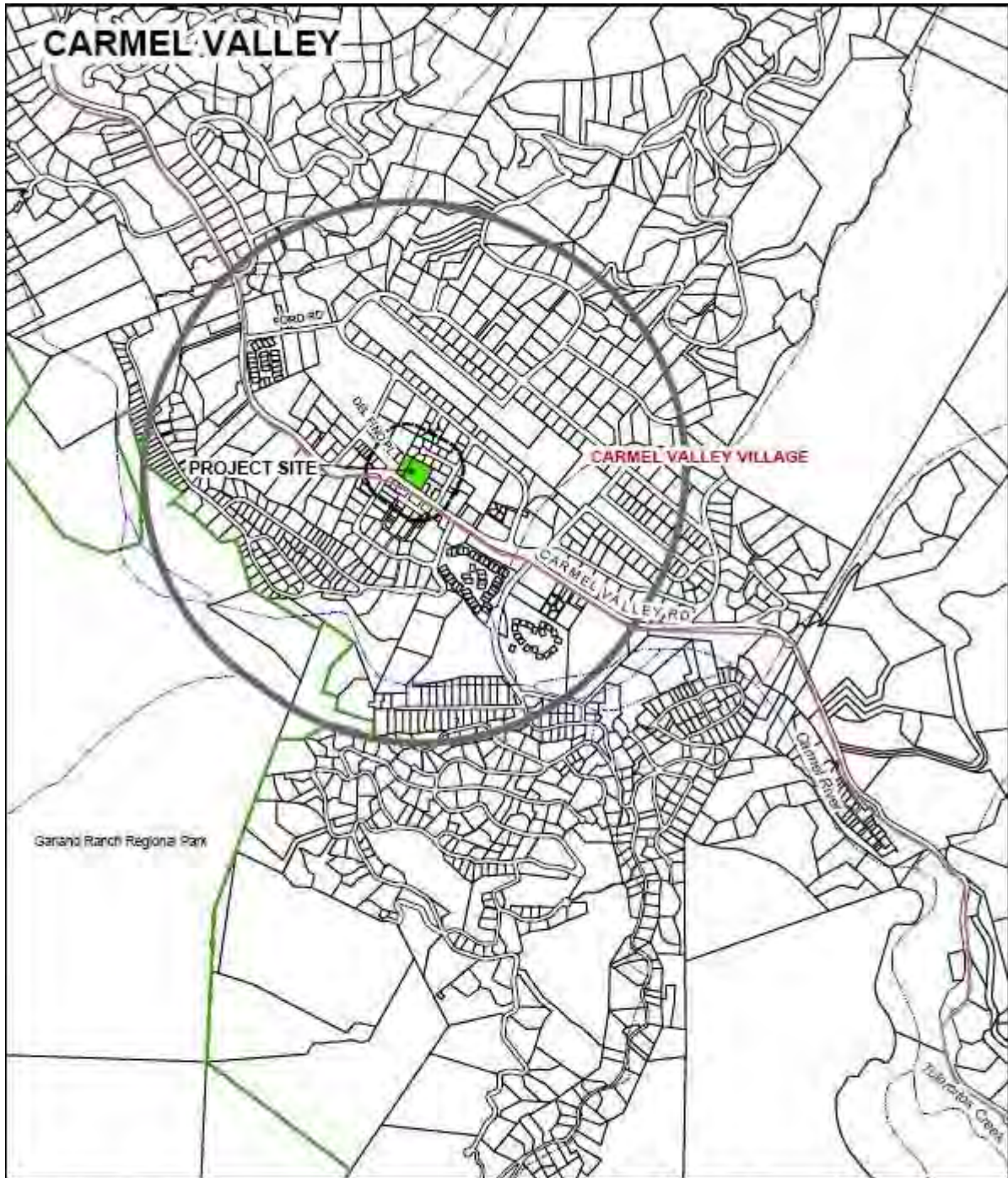
Hours of operation for the commercial facilities would be on a daily basis, between the hours of 7:00 a.m. to 10:00 p.m. No specific tenants have been chosen at this time. However, future tenants would be required to meet the light commercial criteria of the Title 21 Zoning Ordinance

(21.18.050). Employee parking and parking for the residential units would be provided onsite. The residential units would each have a single covered carport.

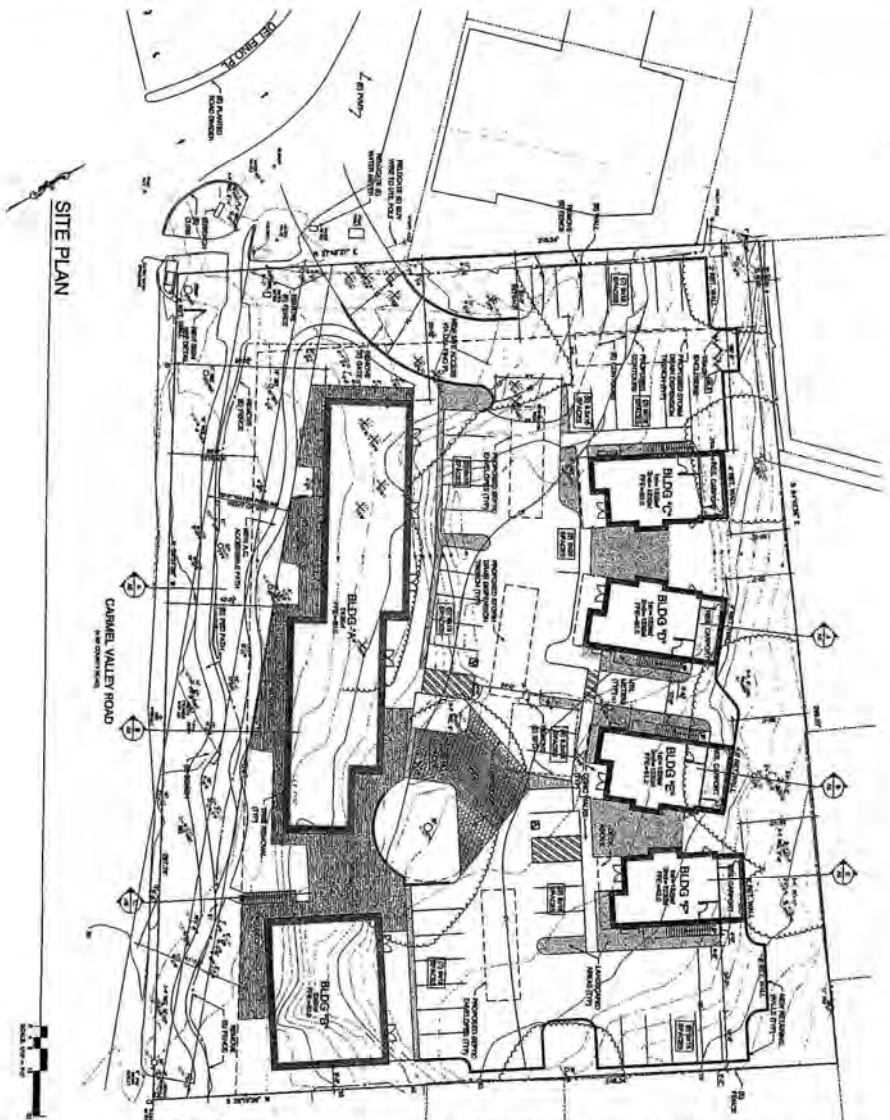
C. Environmental Setting and Surrounding Land Uses:

The subject property consists of two parcels totaling 1.57 acres, located at 11 and 25 West Carmel Valley Road in the Carmel Valley Village, within the Carmel Valley Master Plan. The property is moderately sloped and covered with natural vegetation; native grasses, brush and trees. The property has been previously graded with the northern portion of the lot excavated several feet and extensive fills located within proposed locations of Buildings A and B. A dirt road provides access to the property from Del Fino Place. A walking path is located on the southernmost edge of the property and provides pedestrian access along Carmel Valley Road to Del Fino Place.

The surrounding land uses include light commercial properties to the south, east and west of the subject parcels and residential properties to the north. The project site and majority of surrounding properties are designated as Light Commercial (LC) under the Carmel Valley Master Plan and Title 21 Zoning Ordinance. Most of the surrounding properties have already been developed. The Vicinity Map and Site Plan are shown on pages 4 and 5.



APPLICANT: STEINY			
APN: 187-433-017-000 & 187-433-018-000	FILE # PLN060638		
300' Limit	2500' Limit	City Limits	

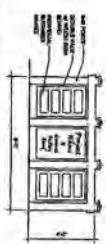


SITE PLAN

CARME VALLEY ROAD



1 SIGN DETAIL
SCALE 3/4" = 1'-0"



SITE PLAN

A1.0



VICINITY MAP

SHEET INDEX
 A1.1 SIGN DETAIL
 A1.2 SIGN DETAIL
 A1.3 SIGN DETAIL
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PROJECT INFORMATION

PROJECT NAME: THE PAUL DAVIS PARTNERSHIP
 PROJECT ADDRESS: 11000 CAMINO DEL RIO, CARME VALLEY, CALIFORNIA
 CLIENT: THE PAUL DAVIS PARTNERSHIP
 ARCHITECT: STEINBERG PARTNERS ARCHITECTS
 DATE: 11/15/07
 SCALE: AS SHOWN
 SHEET NO.: A1.0
 TOTAL SHEETS: 100

THE PAUL DAVIS PARTNERSHIP
 ARCHITECTS & PLANNERS
 11000 CAMINO DEL RIO, SUITE 100
 CARME VALLEY, CALIFORNIA 92008
 TEL: 858.481.1100
 FAX: 858.481.1101
 WWW.PAULDAVISPARTNERSHIP.COM

MIXED-USE COMMERCIAL CENTER
 11000 CAMINO DEL RIO
 CARME VALLEY, CALIFORNIA

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

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

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

Monterey County General Plan/Carmel Valley Master Plan

The project was reviewed for consistency with the Monterey County General Plan, Greater Monterey Peninsula Area Plan, and Carmel Valley Master Plan. Section VI.9 (Land Use and Planning) discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project or conflicts with any applicable habitat conservation plan or natural community conservation plan. The project is consistent with the General Plan, Area Plan and Master Plan policies, as explained below in section IV.A. The Carmel Valley Master Plan (Reference #4) designates the site with a “Light Commercial” (LC) land use designation. The proposed project is consistent with allowable uses under this designation. **CONSISTENT**

Water Quality Control Plan

The Regional Water Quality Control Board incorporates the County’s General Plan in its preparation of regional water quality plans. The project is consistent with the General Plan and with AMBAG’S regional population and employment forecast and, therefore, is consistent with the Regional Water Quality Control Plan. Section VI.8 (Hydrology and Water Quality) below discusses whether the proposed project violates any water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes substantially with groundwater recharge, substantially alters the existing drainage pattern of the site or area or creates or contributes runoff water that would exceed the capacity of existing or planned stormwater drainage. **CONSISTENT**

Air Quality Management Plan (AQMP)

Consistency with the AQMP is an indication of a project’s cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District’s adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact.

Consistency of indirect emissions associated with commercial projects, which are intended to meet the needs of the population forecasted in the AQMP, is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the AQMP. Consistency of direct emissions would

be based on elements of the project: stationary sources subject to Air District permit authority would be evaluated to determine compliance with Air District rules and regulations; sources not subject to permit authority would be evaluated to determine if the emissions are forecast in the AQMP emission inventory.

The project consists of a small-scale mixed-use commercial and residential development within Carmel Valley Village. The project would not significantly increase the population to a point that would exceed the relevant forecast and would not exceed emissions that are forecast in the AQMP emission inventory. Therefore, the project would be consistent with the population and emissions forecasts in the AQMP. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

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

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

- Check here if this finding is not applicable

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

EVIDENCE: Based upon the planner's project analysis, many of the above topics on the checklist do not apply. Less than significant impacts or potentially significant impacts are identified for **aesthetics, air quality, biological resources, geology/soils, hazards/hazardous materials, hydrology/water quality, noise, transportation/traffic, and utilities/service systems**. The project will have no quantifiable adverse environmental effect on the categories not checked above, as follows:

Agricultural Resources: According to the Monterey County Geographic Information System, the project site is not zoned for agricultural use and is not under a Williamson Act Contract. The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance. Proposed development would not result in conversion of prime agricultural lands to non-agricultural uses. Therefore, the proposed project would not result in impacts to agricultural resources. (Source: 1, 2, 3, 4, 7, 8)

Cultural Resources: The subject parcel is located within an area of high archaeological sensitivity as identified by the Monterey County Geographic Information System. A Preliminary Cultural Resources Reconnaissance was prepared by Archaeological Consulting (September 26, 1994) for the project site. According to the report, the project area does not contain surface evidence of potentially significant archaeological resources. Further, the project will not affect historic resources, paleontological resources, unique geologic features or human remains. A standard ongoing condition of approval would require that land disturbance be halted in the event that cultural resources are found. Therefore, the project would not result in impacts to cultural resources. (Source: 1, 8, 9)

Land Use/Planning: The project site is designated Light Commercial (LC) and is predominantly surrounded by commercial uses. The project will not physically divide an established community, conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect, or conflict with any applicable habitat or natural community conservation plan. The project, as designed, conditioned, and mitigated, would be consistent with the Monterey County General Plan, Greater Monterey Peninsula Area Plan, Carmel Valley Master Plan and Title 21 Zoning Ordinance with regard to policy and regulatory conformance. Therefore, the project would not result in land use impacts. (Source: 1, 2, 3, 4, 5, 7, 8)

Mineral Resources: According to the Monterey County Geographic Information System, no mineral resources have been identified at or near the project site. Therefore, the project would not result in the loss of availability of a known mineral resource or a locally important mineral resource recovery site. (Source: 1, 2, 3, 4, 8)

Population/Housing: The proposed project's small-scale commercial and residential use is intended to serve the local Carmel Valley Village and will not substantially induce growth and will not displace housing or people. (Source: 1, 7)

Public Services: The proposed project's small-scale commercial and residential use will not create the need for new or expanded public services or facilities. Standard school impact fees will be assessed during the building permit process. The proposed project's commercial and residential use and compatibility with surrounding land uses signify that any potential impact to public services will be insignificant, given that adequate public services exist to properly serve the area, as

evidenced by the County's interdepartmental review of the project. Therefore, the project would not result in impacts on fire protection, police protection, schools, parks, and other public facilities. (Source: 1, 2, 3, 4)

Recreation: The property is zoned Light Commercial. No recreational uses exist on the property. The project will not increase the use of existing neighborhood and regional parks or other public recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated. The project does not include public recreational facilities, nor require the construction or expansion of public recreational facilities that might have an adverse physical effect on the environment. (Source: 1, 2, 3, 4)

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

David Mack

Date

Project Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer

should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

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

- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 2, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 2, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 2, 3, 4, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 2, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

1(c), (d): Less Than Significant Impact. The proposed project has the potential to degrade the existing visual character of the site and create new sources of light and/or glare. The project would be located within an exiting commercially-developed area known as Carmel Valley Village. In order to determine project-related impacts, the applicant staked and flagged the proposed structure locations and building heights. County staff conducted a visual reconnaissance of the project site in order to determine project-related impacts with regards to visual resources.

According to the applicant's General Development Plan prepared for the project, in order to maintain the visual character of the area, the project would be designed to be consistent with the Carmel Valley Master Plan and Village Criteria, which is intended to ensure that new development is not detrimental to the visual character of the Carmel Valley Village. The project also proposes to retain the majority of trees fronting along Carmel Valley Road, which would provide a visual buffer for the proposed commercial structures. Further, trees located in the northern portion of the property, between the commercial/residential mixed-use structures and the existing residences along that property line, would also be retained, which would create a visual screen between the neighboring residences and the new development.

According to County staff's visual reconnaissance, the proposed building locations and heights would be minimally visible from the public viewshed due to existing topography and vegetation. The project has been designed so that structures and road/driveway/parking improvements would be effectively screened by existing topography and vegetation. In addition, the project has been designed to utilize exterior materials and colors that will help blend the structures into the surrounding natural landscape. The Ranch Style architecture and use of wood would be

consistent with the Carmel Valley Village Design Criteria and Carmel Valley Master Plan Village Policies 28.1.24, 28.1.23 and 28.1.20A. Specifically, Policy 5 and 6 of the Carmel Valley Village Design Criteria require new structures to utilize natural materials and colors that harmonize with the surrounding rural character of the village and that the architectural theme should be rural and rustic. Carmel Valley Master Plan Village Policies require that the village consist of a concentrated commercial core having adjacent moderate-density residential uses as a transition to the more rural peripheral area. Also, the village should follow a rural architectural theme in order to encourage visual coherence. Further, as a standard condition of approval, all exterior lighting would be required to be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Therefore, visual impacts resulting from project development would be considered less than significant.

1(a), (b): No Impact. The project would be located within an existing commercially-developed area of Carmel Valley Village and would not obscure views of a scenic vista or be located within a state scenic highway. Therefore, the project would not have a substantial adverse effect on scenic vista. Further, the project would not damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

2. AGRICULTURAL RESOURCES

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 2, 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 2, 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1, 2, 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

3. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

3(d), (e): Less Than Significant Impact. The project has the potential to result in temporary construction-related air quality impacts. The rear portion of the project site is neighbored by single family residences, which are considered sensitive receptors. Temporary impacts to these sensitive receptors would be associated with the operation of heavy equipment, grading, and construction truck trips.

Project-related construction and grading activities would be required to comply with the Monterey Bay Unified Air Pollution Control District (MBUAPCD) Guidelines addressing dust control, truck idling, etc. Implementation of these standard air pollution control measures would maintain any temporary increases in PM-10 at insignificant levels. Since the project proposes limited site disturbance, construction and grading activities would operate below the 2.2 acres per day threshold established by the CEQA Air Quality Guidelines “Criteria for Determining Construction Impacts.” Furthermore, construction-related air quality impacts would be controlled by implementing Monterey County standard conditions for erosion control that require watering, erosion control, and dust control. Therefore, these impacts are considered less than significant.

3(a), (b), (c), (f): No Impact. The project would not conflict with or obstruct implementation of the Monterey Bay Unified Air Pollution Control District’s *Air Quality Management Plan for the Steiny Initial Study*

Monterey Bay Region, nor would it violate any air quality standards, result in a cumulatively considerable net increase of any criteria pollutant, or create objectionable odors.

The MBUAPCD's 2004 Air Quality Management Plan for the Monterey Bay Region (AQMP) addresses state air quality standards. Population-generating projects that are within the AQMP population forecasts are considered consistent with the plan. The project would result in an increase in population that is within the current AQMP population forecast for Monterey County.

Applicable air quality criteria for evaluation of the project's impacts are federal air pollutant standards established by the U.S. Environmental Protection Agency (EPA) and reported as National Ambient Air Quality Standards (NAAQS), and the California Ambient Air Quality Standards (CAAQS), which are equal to or more stringent than the federal standards. The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. The CARB has established 14 air basins statewide. The project site is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the MBUAPCD. The CARB has established air quality standards and is responsible for the control of mobile emission sources, while the MBUAPCD is responsible for enforcing standards and regulating stationary sources. At present, Monterey County is in attainment for all federal air quality standards and state standards for Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), and fine particulate matter (PM_{2.5}). Monterey County is in non-attainment for PM₁₀ and is designated as non-attainment-transitional for the state 1 hour ozone standard. Data is not available concerning the state 8 hour ozone standard.

The proposed project would generate minimal air emissions through new regional vehicle trips, but would not exceed MBUAPCD thresholds for potential significance. The project would not result in stationary emissions. Further, the proposed project would not create objectionable odors due to the small-scale residential and commercial use. Therefore, the project would result in no impacts related to these air quality issues.

4. BIOLOGICAL RESOURCES		Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:	Potentially Significant Impact			
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 2, 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 2, 3, 4, 7, 8)	<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
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 2, 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 2, 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 2, 3, 4, 7, 8, 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 2, 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

4(e): Less Than Significant With Mitigation Incorporated. The proposed project has the potential to conflict with local policies or ordinances protecting biological resources, such as the Monterey County Tree Preservation Ordinance, through siting and grading for the proposed structures and driveway and parking improvements.

According to the Forest Management Plan prepared for the project by Staub Forestry & Environmental Consulting (January 31, 2007), five of the six buildings and half of the sixth are located in previously cleared, treeless areas. Site plans for the project have been revised to enhance protection of retained trees near proposed construction, especially along the northern property line where no trees were to be retained under the previous Use Permit. No other feasible sites on the property have lower tree density that would reduce proposed tree removal for the project.

Eighteen coast live oaks (11 that are from 6 inches to 12 inches in diameter; 7 that are from 13 inches to 22 inches in diameter), 1 small blue oak, 2 small western sycamores, a planted walnut, and two planted, non-native pines are proposed for removal. According to the Forester, the increase from 10 protected oak trees per the previous Use Permit to 18 protected oak trees for this project is entirely attributable to growth of trees that were considered less than 6 inches in diameter (non-protected) back in 1994.

Retained trees onsite include 56 oaks, 3 western sycamores, and 2 American elms. The health and general condition of the retained trees is comparable to better than the trees proposed for removal. Retained trees include the largest oaks on the parcel, including 3 landmark size oaks. According to the Forester, the proposed tree removal represents the minimum necessary given site constraints and project redesigns by the applicant (as recommended by the Forester) which decreased total tree removals and minimized impacts to healthy trees.

The following mitigation measures, as recommended by the forestry consultant and County staff, would reduce potential forest resource impacts to a less than significant level:

Mitigation Measure #1: *In order to mitigate impacts to forest resources within the project site, the applicant shall arrange for a tree replacement plan to be prepared and implemented by a County-approved forester or arborist. The tree replacement plan shall include replacement of all protected trees proposed for removal (native trees 6 inches in diameter or greater) unless it is shown to be a hardship or detrimental to the long term health of the remaining habitat. Replacement of Coast live oaks shall be at a ratio of 1:1. The forester or arborist shall specify recommended planting areas and numbers by species.*

Mitigation Monitoring Action #1: *Prior to the issuance of a grading or building permit, the tree replacement plan shall be submitted to the Planning Department for review and approval. The tree replacement plan shall follow the recommendations made in the Forest Management Plan prepared for the site by Staub Forestry and Environmental Consulting, dated January 31, 2007. Prior to final building inspection/occupancy, the tree replacement plan shall be implemented and shall be subject to the approval of the Planning Department.*

Mitigation Measure #2: *In order to minimize impacts to forest resources within the project site, the applicant shall arrange for all retained trees located in proximity to the proposed development to be adequately protected from grading and construction activities. Protective fencing and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of demolition and excavation operations.*

Mitigation Monitoring Action #2: *Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which states that the protection follows the recommendations made in the Forest Management Plan prepared for the site by Staub Forestry and Environmental Consulting, dated January 31, 2007. Prior to final building inspection/occupancy, a letter from a County-approved forester or arborist shall be submitted to the Planning Department which states that construction and grading operations did not impact the retained trees. Any impacts shall require additional mitigation in accordance with a revised forest management plan and a revised tree replacement plan and shall be subject to the approval of the Planning Department.*

Mitigation Measure #3: *In order to monitor the success of tree replanting, the applicant shall arrange for monitoring inspections to be done by a County-approved forester or arborist. Success of tree replanting shall be assessed on the basis of percent survival of Coast live oaks.*

Success shall be defined as 100 percent. If the 100 percent success rate has not been achieved, the trees that have perished shall be replanted and follow up monitoring shall occur three months after replanting and a year thereafter.

Mitigation Monitoring Action #3: *Monitoring Inspections shall occur once within the 3 months following completion of the development and one year thereafter. A report on each inspection shall be submitted to the Planning Department for review and approval.*

4(a), (b), (c), (d), (f): No Impact. According to the Monterey County Geographic Information System and County staff’s site visit, no species identified as a candidate, sensitive, or special status species exist on the project site and therefore, will not be impacted by the project. Further, because the project site has no riparian habitat or federally protected wetlands, the movement of any native resident or migratory fish or wildlife species will not be affected. There is no adopted Habitat Conservation Plan or other approved local, regional, or state habitat conservation plan affecting the subject property. Therefore, the project would not conflict with the provisions of an approved local, regional, state or federal habitat conservation plan.

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1, 8, 9)	<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: 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

6. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1, 2, 3, 4, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 1, 2, 3, 4, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1, 2, 3, 4, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source: 1, 2, 3, 4, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1, 2, 3, 4, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 2, 3, 4, 8, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1, 2, 3, 4, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 2, 3, 4, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

6(a)(ii): Less Than Significant Impact. The proposed project would expose people and/or structures to seismic hazards. The project site lies in an area identified by the Monterey County Geographic Information System as an area of moderate earthquake potential. According to the Geotechnical Soils-Foundation & Geoseismic Report prepared by Grice Engineering and Geology, Inc. (December 20, 2006), the proposed project is located approximately 26.3 miles southwest of the San Andreas Rift System, 0.6 miles northeast of the Monterey Bay-Tularcitos Fault Zone, 12.0 miles northeast of the San Gregorio-Palo Colorado Fault Zone, and 8.9 miles southwest of the Rinconada Fault Zone. As such, the proposed site will experience seismic

activity of various magnitudes originating from one or more of the numerous faults in the region in the design life span. The project site has a 10% probability of “very strong” levels of ground shaking (VIII on the Modified Mercalli Intensity Scale) over the next 50 years. While there is the potential for seismic hazards, development of the project site would be required to be in conformance with the Uniform Building Code, which contains regulations to protect structures within active or potentially active seismic areas. Therefore, seismic hazard impacts would be considered less than significant.

6(b): Less Than Significant Impact. The project site lies in an area identified by the Monterey County Geographic Information System as an area of moderate erosion susceptibility. The project has the potential to result in soil erosion due to estimated grading of approximately 1,650 cubic yards. According to the Preliminary Erosion Control Plan prepared for the project, the project has been designed to minimize soil erosion impacts through establishment of Best Management Practices (BMPs) for onsite erosion and runoff control. Further, construction and grading activities would be required to implement Monterey County standard conditions for erosion control such as watering, erosion control, and dust control pursuant to Chapter 16.12, Monterey County Erosion Control Ordinance, as part of grading and building permit approval. Therefore, soil erosion impacts would be considered less than significant.

6(c): Less Than Significant With Mitigation Incorporated. The project site lies in an area identified by the Monterey County Geographic Information System as an area of low liquefaction potential and low landslide risk. According to the Geotechnical Soils-Foundation & Geoseismic Report prepared by Grice Engineering and Geology, Inc. (December 20, 2006), in general, the undisturbed, in-situ, native soils are suitable for foundation purposes. However, loose native and fill soils are located in the area of development and the depth to sound soils varies across the site. Due to the loose nature of the top soils at the project site, the Report includes special recommendations for grading and foundation support. These special recommendations have been incorporated as mitigation as described below.

The following mitigation measure, as recommended by the geotechnical consultant and County staff, will reduce potential geology/soils impacts to a less than significant level:

Mitigation Measure #4: *In order to minimize geotechnical impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Report prepared by Grice Engineering and Geology, Inc. (December 20, 2006). Specifically, loose soils shall be processed as engineered fill or that the structures be supported in the firmer soils found at depth. Support of on grade structures, such as the interior floor slab, shall also be addressed in a similar manner.*

Mitigation Monitoring Action #4: *Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Report. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #4.*

6(a)(i), (iii), (iv), (d), (e): No Impact. The proposed project would not be located within 600 feet of a known earthquake fault or located on expansive soils. Therefore, the proposed project would not expose people or structures to potential substantial adverse effects involving the rupture of a known earthquake fault, seismic-related ground failure, such as liquefaction, or landslides. The project application was referred to the Monterey County Division of Environmental Health for review regarding septic suitability for the proposed project. According to Environmental Health, the project would be limited to a maximum of 600 gallons per day of wastewater. This value is based on issuance of a previous septic permit for the original fitness facility project. According to the applicant's General Development Plan, the proposed project has been designed to conform to the 600 gallons per day limitation. Based on Environmental Health review and comments as well as the Geotechnical Report prepared for the project, the site soils would be capable of adequately supporting septic tanks and the onsite disposal of wastewater. A condition of approval would require the installation of an engineered septic system at the time of initial construction. Therefore, the project would not be impacted by soils incapable of adequately supporting septic systems.

7. HAZARDS AND HAZARDOUS MATERIALS	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

7(a), (b): Less Than Significant Impact. Some potential hazards are expected during project construction including the transport, use, and exposure to small amounts of flammable materials and reactive chemicals, heat stress, chemical exposures, hazards from energized electrical equipment, biological hazards, moving equipment, and noise and vibration and risks during excavations. Construction firms and workers are protected by worker safety regulations of the California Occupational Safety and Health Administration (OSHA) and Best Management Practices are required to be implemented to ensure safety during all phases of project development. Operational impacts from the generation of hazards are expected to be minimal based on the proposed light commercial use and surrounding existing commercial uses. Therefore, these impacts would be considered less than significant.

7(h): Less Than Significant Impact. The proposed project has the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires. This is primarily due to undisturbed grassland, oak woodland habitat, and steep terrain that is located within the vicinity of the project site. The Carmel Valley Fire Protection Department reviewed the project application and placed conditions of approval to ensure the development would be consistent with all applicable fire regulations. Therefore, the project’s potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires would be considered less than significant.

7(c), (d), (e), (f), (g): No Impact. The project is not located within a quarter mile of a school and therefore, would not emit or handle hazardous materials in proximity to a school. The project is not located near any airports or within emergency response or evacuation plans. Therefore, the project would not be affected by airport hazards or impede an emergency response/evacuation plan. No known hazards or hazardous materials exist on or within the vicinity of the project site that would create a significant hazard to the public or the environment.

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 1, 2, 3, 4, 13, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1, 2, 3, 4, 13, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 2, 3, 4, 13, 15)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1, 2, 3, 4, 13, 15)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1, 2, 3, 4, 7, 8, 13, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1, 2, 3, 4, 7, 8, 13, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1, 2, 3, 4, 7, 8, 13, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 2, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

8(e), (f): Less Than Significant With Mitigation Incorporated. The proposed project has the potential to contribute runoff water and will potentially provide an additional source of polluted runoff which may degrade water quality. The project proposes to construct new commercial and residential structures, paved parking areas, and access road improvements. This development will increase the impervious surface area onsite and will contribute runoff water.

The project was reviewed by the Water Resources Agency for stormwater drainage suitability. According to the Water Resources Agency, the Monterey County Master Drainage Plan Carmel Valley Watersheds prepared by Monterey County Surveyors, Inc. and Koretsky King Associates, Inc., dated June 1973, includes recommendations for stormwater facilities within the project area. Specifically, in order to eliminate pollution of the open ditch within the project site, a new 24-inch corrugated metal pipe should be installed and the existing ditch filled in. According to the preliminary drainage plan prepared by Whitson Engineers, dated April 26, 2007 for the project site, onsite stormwater detention facilities would be sized to limit 100-year post-development runoff to the 10-year pre-development runoff rate. Further, the plan includes installation of a 24-inch stormdrain line under the proposed access road.

The following mitigation measure, as recommended by Water Resources Agency staff, would ensure adequate stormwater drainage facilities onsite and would reduce potential hydrology impacts to a less than significant level:

Mitigation Measure #5: *In order to ensure adequate stormwater drainage facilities and minimize hydrology impacts, the applicant shall provide a drainage plan prepared by a registered civil engineer addressing onsite and offsite impacts. The plan shall include stormwater detention facilities sized to limit 100-year post-development runoff to the 10-year pre-development rate. Drainage improvements under the proposed access road shall be designed in accordance with the recommendations in the Monterey County Master Drainage Plan Carmel Valley Watersheds.*

Mitigation Monitoring Action #5: *Prior to issuance of grading or building permits, the applicant shall submit 3 copies of the drainage plan, supporting calculations, and construction details to the Water Resources Agency for review and approval. Prior to final building occupancy, the applicant shall submit a letter prepared by a civil engineer which certifies that improvements were constructed in accordance with approved plans.*

8(a), (b), (c), (d), (g), (h), (i), (j): No Impact. The proposed project would be located on a previously-developed parcel outside of a flood hazard zone. The limited scale of development and site disturbance would not alter the drainage pattern for the watershed area. The Division of Environmental Health and Water Resources Agency reviewed the project and have indicated that the site is hydrologically suitable for the proposed development. Therefore, the project would not violate water quality standards nor have an effect on water quantity. It would not affect the existing drainage pattern for that watershed area nor will it expose people or structures to flood hazards.

9. LAND USE AND PLANNING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Physically divide an established community? (Source: 1, 2, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1, 2, 3, 4, 5, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 2, 3, 4, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

10. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1, 2, 3, 4, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

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

Discussion/Conclusion/Mitigation:

11(d): Less Than Significant Impact. The proposed project may cause a temporary or periodic increase in ambient noise levels within the project vicinity due to demolition, construction and grading operations as well as ongoing light commercial and residential uses. Potential sensitive receptors include single family residences located adjacent to the rear property line.

Development activities include operation of graders, backhoes, caterpillars and trucks, which will cause localized noise levels to temporarily increase above existing ambient levels. All development activities would be required to adhere to the County's Noise Control Ordinance (Chapter 10.60 of the Monterey County Code). In addition, Carmel Valley Master Plan Policy 22.2.4.1 states that noise-generating construction activities should be restricted to the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, where such noise would impact existing development. In order to maintain policy consistency and as a condition of approval, project construction activities would be required to adhere to this time restriction. The project has been designed to minimize noise through siting of the main commercial buildings, which would be located furthest away from the residential uses to the north and paring the proposed mixed uses,

which include residential uses, near that property line. Further, the project would retain the existing trees near the northern property line, which would act as a natural sound barrier between the existing sensitive receptors and the proposed project. Therefore, the project would have a less than significant impact on ambient noise levels within the project vicinity.

11(a), (b), (c), (e), (f): No Impact. The project would be located on a commercially-zoned property buffered by mature coast live oaks and surrounded by light commercial uses. Therefore, the project is not expected to adversely affect current noise levels. The proposed light commercial and residential use is consistent with acceptable uses in the area and would not violate any County noise standards and would not have a significant adverse affect on sensitive receptors.

12. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

13. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

14. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

15. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: 1, 2, 3, 4, 10)	☐	■	☐	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1, 2, 3, 4, 10)	☐	■	☐	☐
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: 1)	☐	☐	☐	■
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 7, 10)	☐	■	☐	☐
e) Result in inadequate emergency access? (Source: 1, 7, 10)	☐	☐	☐	■
f) Result in inadequate parking capacity? (Source: 1, 5, 7, 10)	☐	☐	☐	■
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1, 2, 3, 4)	☐	☐	☐	■

Discussion/Conclusion/Mitigation:

15(a), (b), (d): Less Than Significant With Mitigation Incorporated. The proposed project has the potential to impact the existing traffic load and capacity of the street system. The project also has the potential to increase hazards due to design features. A Traffic Impact Analysis was prepared by Higgins Associates (February 21, 2007) for the project. The analysis evaluated existing traffic conditions, existing plus project conditions, existing plus project plus approved plus pending project conditions, cumulative conditions (year 2025 traffic forecasts, as well as project trips), and project access.

According to the Traffic Impact Analysis, the existing traffic condition of the intersection of Carmel Valley Road/Laureles Grade operates at a Level of Service (LOS) D during the AM peak hour and a LOS F during the PM peak hour. At this point, the unacceptable and forced flow traffic conditions warrant a traffic signal and a grade separation at this location. The existing traffic conditions for both Carmel Valley Road/Pilot Road and Carmel Valley Road/Del Fino

Road intersections operate at a LOS A during both the AM and PM peak hour. This free flow traffic condition does not require any improvements as existing. Left turn channelization warrants were also studied for Carmel Valley Road/Pilot Road and Carmel Valley Road/Del Fino Road for both AM and PM peak period. Left turn channelization warrants are currently met for eastbound Carmel Valley Road for each intersection, therefore, left turn pockets are recommended on the eastbound approach of each intersection.

The proposed project would generate 551 trips per day with 17 trips generated during the AM peak hour and 50 trips generated during the PM peak hour. Not all trips calculated would be new trips. Approximately 138 trips would be captured from existing traffic off of Carmel Valley Road. Of those trips approximately 3 would be during the AM peak hour and 12 would be during the PM peak hour. The evaluation of the proposed project's trip generation coupled with the existing LOS for the intersection of Carmel Valley Road/Laureles Grade, demonstrated that the intersection continues to operate at an unacceptable LOS D during the AM peak hour and LOS F during the PM peak hour. Therefore, as a condition of approval, the applicant would be required to pay the Carmel Valley Master Plan Traffic Mitigation fee pursuant to the Board of Supervisors Resolution No. 95-140, adopted September 12, 1995 (fees are updated annually based on CCI).

The existing LOS in addition to the project's trip generation for the intersections of Carmel Valley Road/Pilot Road and Carmel Valley Road/Del Fino Place would remain at a LOS A during the AM peak hour and a LOS B during the PM peak hour. As a result, no capacity related mitigations are required. However, the existing plus project condition for left turns for the Carmel Valley Road/Pilot Road and Carmel Valley Road/Del Fino Road would meet the warrant of left turn channelization. Therefore, it is recommended by the traffic consultant that the applicant contribute a pro-rata fee towards the improvements at both intersections.

The project would be accessed via a driveway to Del Fino Place, a two-lane local street that provides access to commercial development. Turning movements to and from the driveway would be limited to right turn movements only due to a raised median in Del Fino Place that extends from Carmel Valley Road past the location of the driveway to the project site. According to the traffic consultant, it is recommended that the County consider removing the raised median in order to allow left turn movements into and out of the project driveway. Traffic operations would be adequate if the median were left in place, however, traffic accessing the project site would be required to use non-direct routes to access the project site, which would add additional traffic to Carmel Valley Road and Pilot Drive.

The following mitigation measures, as recommended by the traffic consultant and Monterey County Department of Public Works staff, would reduce traffic and hazardous design feature impacts to a less than significant level:

Mitigation Measure #6: *In order to minimize traffic impacts resulting from the project, the applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study to the County of Monterey for future transportation improvements within Monterey County.*

Mitigation Monitoring Action #6: *Prior to the issuance of building permits, the applicant shall submit payment of the TAMC fees to the Public Works Department for review and approval.*

Mitigation Measure #7: *In order to minimize traffic impacts resulting from the project, the applicant shall contribute to the County of Monterey a pro-rata share of the cost of left turn channelization at the intersections of Pilot Road at Carmel Valley Road and Del Fino Place at Carmel Valley Road. The applicant's traffic engineer shall calculate the amount of the pro-rata share, subject to the review and approval of the Department of Public Works.*

Mitigation Monitoring Action #7: *Prior to the issuance of building permits, the applicant shall submit payment of the pro-rata share of the cost of left turn channelization to the Public Works Department for review and approval.*

Mitigation Measure #8: *In order to minimize hazardous design feature impacts, access to and from the site shall be restricted to right turns in and out. The applicant shall submit a driveway plan which incorporates measures such as signage, striping, and physical restraints in order to ensure that only right turns in and right turns out are allowed.*

Mitigation Monitoring Action #8: *Prior to the issuance of building permits, the applicant shall submit a driveway plan to the Department of Public Works for review and approval.*

Mitigation Measure #9: *In order to minimize hazardous design feature impacts, the applicant shall obtain an encroachment permit from the Department of Public Works and construct the approved driveway connection to Del Fino Place.*

Mitigation Monitoring Action #9: *Prior to the issuance of building permits, an encroachment permit shall be obtained from the Monterey County Public Works Department. Prior to final building inspection, the driveway connection shall be constructed and cleared by Public Works.*

15(c), (e), (f), (g): No Impact. The proposed project is not located near any airports and will not change air traffic patterns. The project's proposed access design and off-street parking spaces has been reviewed by the Department of Public Works and the Carmel Valley Fire Protection District. These agencies have indicated that the project would be suitable from a parking and safety aspect and would not result in inadequate emergency access or parking capacity. The project is located within easy access of alternative modes of transportation such as bus services. Therefore, the project would not conflict with policies, plans or programs supporting alternative transportation.

16. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

16(b), (d): Less Than Significant With Mitigation Incorporated. The proposed project has the potential to impact water supplies and wastewater treatment due to proposed commercial and residential uses.

Under the previous Use Permit for the project site, a Monterey Peninsula Water Management District (MPWMD) Water Permit was issued, which allowed a total water use of 1.219 acre feet per year for a fitness facility and swimming pool. The project proposes 2 commercial buildings and 4 mixed-use commercial/residential buildings with a total projected water use of 0.806 acre feet per year. Water would be provided by California-American Water Company.

The project was reviewed by the MPWMD, Water Resources Agency and Division of Environmental Health for water and wastewater suitability. The MPWMD has indicated that due

to the proposed project's change in use, the previous MPWMD Water Permit would need to be canceled and a new Water Permit issued for the proposed project. Further, the County would be credited with 1.219 acre feet of water under the Monterey County Paralta Water Account. The MPWMD also indicated that prior to issuing a new Water Permit, the Water Resources Agency would need to authorize water for the proposed project via a new Water Release and Water Permit Application form. The projected water use for the project would be less than the water use that was approved under the previous Use Permit. Based on the Water Resources Agency's review and comments on the project, there has been no indication from the Agency that they would not authorize water for the proposed project.

The project application was referred to the Division of Environmental Health for review regarding septic suitability for the proposed project. According to Environmental Health, the project would be limited to a maximum of 600 gallons per day of wastewater. This value is based on issuance of a previous septic permit for the original fitness facility project. According to the applicant's General Development Plan, the proposed project has been designed to conform to the 600 gallons per day limitation. Environmental Health determined that in order for the project to meet this limitation, it would need to be restricted to a maximum of 2 residents per each of the 4 residential units (8 residents total) and a maximum of 8 employees for the commercial use. This would result in 480 gallons per day for the residential use (8 residents x 60 gallons per day) and 120 gallons per day for the commercial use (8 employees x 15 gallons per day). According to the Division of Environmental Health, in order to ensure that the project would not impact wastewater treatment and water supplies, the project would be required to deed restrict the property to allow specified water/wastewater uses only.

The following mitigation measures, as recommended by Environmental Health staff, would ensure adequate water/wastewater use and would reduce potential water/wastewater impacts to a less than significant level:

Mitigation Measure #10: *In order to ensure adequate commercial water use and minimize water/wastewater impacts, the applicant shall record a deed notification with the Monterey County Recorder which states: "Commercial uses on this property must be subject to the following:*

- *All retail space shall be limited to a total of eight employees at any given time;*
- *Only uses with minimal water consumption will be allowed (standard bathroom fixtures for employees only, no additional fixtures for retail use); and*
- *No food facilities are allowed."*

Mitigation Monitoring Action #10: *Prior to issuance of grading or building permits, the applicant shall submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval. Prior to final building occupancy, the applicant shall submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval.*

Mitigation Measure #11: *In order to ensure adequate residential water use and minimize water/wastewater impacts, the applicant shall record a deed notification with the Monterey*

County Recorder which states: “Residential uses on this property must be subject to the following:

- *Individual laundry facilities are prohibited (approved central laundry only); and*
- *Only two tenants shall be allowed per each on bedroom single family units.”*

Mitigation Monitoring Action #11: *Prior to issuance of grading or building permits, the applicant shall submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval. Prior to final building occupancy, the applicant shall submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval.*

Mitigation Measure #12: *In order to ensure adequate wastewater flow and minimize water/wastewater impacts, the applicant shall record a deed notification with the Monterey County Recorder which states: “Wastewater produced on the entire parcel shall not exceed 600 gallons per day.”*

Mitigation Monitoring Action #12: *Prior to issuance of grading or building permits, the applicant shall submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval. Prior to final building occupancy, the applicant shall submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval.*

16(c): Less Than Significant With Mitigation Incorporated. See Mitigation Measure and Monitoring Action #5, contained in Section VI.8 – Hydrology and Water Quality, regarding adequate stormwater drainage facilities.

16(a), (e), (f), (g): No Impact. The proposed project’s small-scale commercial and residential use would not exceed wastewater treatment provider requirements. Similarly, the amount of solid waste generated by the proposed project would not significantly impact the area’s solid waste facilities. Therefore, the proposed project would not result in impacts related to these utilities and service systems issues.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

(a) Less than Significant Impact. Based upon the analysis throughout this Initial Study, the proposed project would not 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. See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

(b) Less than Significant Impact. The project would involve a mixed-use commercial and residential development on a site that is planned for Light Commercial uses in the Monterey County General Plan. Implementation of the proposed project would result in minor incremental reductions in air quality in the project vicinity, and minor increases in traffic congestion. The

incremental air quality, transportation/traffic, public services, and utilities impacts of the project, when considered in combination with the effects of past projects, current projects, and probable future projects in the planning area, would result in less than significant impacts.

(c) Less than Significant Impact. Conditions of approval would ensure consistency with relevant General Plan health and safety policies. All potential impact areas are deemed less than significant with County imposed conditions of approval.

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 **would** be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN060638 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application, Plans and Materials in File No. PLN060638
2. Monterey County General Plan (1982)
3. Greater Monterey Peninsula Area Plan
4. Carmel Valley Master Plan
5. Title 21 of the Monterey County Code (Zoning Ordinance)
6. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2004
7. Site Visit Conducted by the County Project Planner on October 25, 2006
8. Resource Management Agency - Planning Department's Geographic Information System
9. Preliminary Cultural Resources Reconnaissance of Assessor's Parcel Number 187-433-017-000 and -018, Carmel Valley, Monterey County prepared by Archaeological Consulting, dated September 26, 1994 (Library File No. LIB070082)
10. Traffic Impact Analysis for Steiny Village Mixed-Use Commercial Center, Carmel Valley prepared by Higgins Associates, dated February 21, 2007 (Library File No. LIB070083)
11. Geotechnical Soils-Foundation & Geoseismic Report for Mixed-Use Buildings 27 Carmel Valley Road, Carmel Valley prepared by Grice Engineering and Geology, Inc., dated December 20, 2006 (Library File No. LIB070080)
12. Forest Management Plan for Mixed Use Commercial Center, 11 West Carmel Valley Road prepared by Staub Forestry & Environmental Consulting, dated January 31, 2007 (Library File No. LIB070081)
13. Preliminary Drainage Plan prepared by Whitson Engineers, dated April 26, 2007
14. General Development Plan for the Steiny Village Mixed Use Commercial Center, 11 West Carmel Valley Road, Carmel Valley, CA, dated February 2007 (Library File No. LIB070079)
15. Water Resources Agency, the Monterey County Master Drainage Plan Carmel Valley Watersheds prepared by Monterey County Surveyors, Inc. and Koretsky King Associates, Inc., dated June 1973