MONTEREY COUNTY PLANNING COMMISSION

Meeting: July 8, 2009 Time: A.M	**Agenda Item No.:**
Project Description: Combined Development Permit consisting of 1) a Coastal Administrative Permit for the demolition of an existing 2,092 square foot single family dwelling with an attached 400 square foot garage, construction of a new 2,615 square foot single family dwelling with a 715 square foot attached garage, and grading of approximately 640 cubic yards of cut and fill; 2) a Coastal Development Permit to allow development within 50 feet of a Coastal Bluff; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 4) a Coastal Development Permit to allow development on slope greater than 30 percent; and 5) Design Approval.	
Project Location: 243 Highway 1, Carmel Highlands	**APN:** 241-182-015-000
Planning File Number: PLN070388	**Owner:** Joan Murray
Planning Area: Carmel Area Land Use Plan	**Flagged and staked:** Yes
Zoning Designation: LDR/1-D(CZ) [Low Density Residential, 1 acre per unit, with Design Control Overlay (Coastal Zone)]	
CEQA Action: Mitigated Negative Declaration, per CEQA Guidelines Section 15070(b)	
Department: RMA - Planning Department	

RECOMMENDATION:
Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to:

1) Adopt the Mitigated Negative Declaration (**Exhibit F**) and associated Mitigation Monitoring and Reporting Program (**Exhibit C**); and
2) Approve PLN070388, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

PROJECT OVERVIEW:
The applicant proposes to demolish an existing single family dwelling with an attached garage, and construct a new single family dwelling with an attached garage. The project site is located along Highway 1, in the area of Wildcat Cove, Carmel Highlands. See **Exhibit B** for a more detailed discussion of the project.

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

RMA - Public Works Department
Environmental Health Division
√ Water Resources Agency
√ Carmel Highlands Fire Protection District
California Coastal Commission
California Department of Transportation, District 5

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by the Carmel Highlands FPD and the Water Resources Agency have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review. The Carmel Highlands LUAC unanimously recommended approval, at a public meeting

held on January 5, 2009 **(Exhibit E)**. Public comment at the meeting was all in favor of the project.

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

Joseph Sidor
(831) 755-5262, SidorJ@co.monterey.ca.us
June 30, 2009

cc: Front Counter Copy; Planning Commission Members (10); County Counsel; Carmel Highlands Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; California Coastal Commission; California Department of Transportation, District 5; Laura Lawrence, Planning Services Manager; Joseph Sidor, Project Planner; Carol Allen, Senior Secretary; Joan Murray, Owner; Wallace Cunningham, Inc., Agent; Planning File PLN070388

Attachments:
- Exhibit A — Project Data Sheet
- Exhibit B — Project Discussion
- Exhibit C — Draft Resolution, including:
  1. Conditions of Approval and Mitigation Monitoring and Reporting Program
  2. Site Plan, Floor Plan and Elevations
- Exhibit D — Vicinity Map
- Exhibit E — Advisory Committee Minutes
- Exhibit F — Mitigated Negative Declaration
- Exhibit G — Technical Reports
  - Historic Report
  - Biotic Survey
  - Biotic Survey (Supplemental)
  - Geotechnical Report
  - Refraction Seismic Investigation
  - Geotechnical Letter (Supplemental)
- Exhibit H — Comments on Mitigated Negative Declaration

This report was reviewed by Laura Lawrence, Planning Services Manager.

EXHIBIT A
PROJECT DATA SHEET

PLN070388 – Murray Residence

Planning Commission
July 8, 2009

EXHIBIT A

Project Information for PLN070388

Project Title: MURRAY JAMES G III & MERIWETHE

Location:	243 HWY 1 CARMEL	**Primary APN:**	241-182-015-000
Applicable Plan:	Carmel Land Use Plan	**Coastal Zone:**	Yes
Permit Type:	Combined Development Permit	**Zoning:**	LDR/1-D (CZ)
Environmental Status:	MND	**Plan Designation:**	RESIDENTIAL
Advisory Committee:	Carmel/Carmel Highlands	**Final Action Deadline (884):**	6/28/2009

Project Site Data:

Lot Size:	31,565	**Coverage Allowed:**	15%
		Coverage Proposed:	14.7%
Existing Structures (sf):	3,200	**Height Allowed:**	30
Proposed Structures (sf):	3,330	**Height Proposed:**	22.5
Total Sq. Ft.:	3,330	**FAR Allowed:**	N/A
		FAR Proposed:	N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat:	No	**Erosion Hazard Zone:**	N/A
Biological Report #:	LIB090020	**Soils Report #:**	LIB090019
Forest Management Rpt. #:	N/A		
Archaeological Sensitivity Zone:	HIGH	**Geologic Hazard Zone:**	VI - VERY HIGH
Archaeological Report #:	LIB090017	**Geologic Report #:**	LIB090018
Fire Hazard Zone:	HIGH	**Traffic Report #:**	N/A

Other Information:

Water Source:	PUBLIC	**Sewage Disposal (method):**	SEPTIC
Water Dist/Co:	CAL AM	**Sewer District Name:**	N/A
Fire District:	CARMEL HIGHLANDS FPD	**Grading (cubic yds.):**	620.0
Tree Removal:	N/A		

EXHIBIT B
PROJECT DISCUSSION

PLN070388 – Murray Residence

Planning Commission
July 8, 2009

EXHIBIT B
PROJECT DISCUSSION

The applicant proposes to demolish an existing 3,200 square foot single family dwelling with an attached garage, and construct a new 2,615 square foot single family dwelling with a 715 square foot attached garage. The project site is located along Highway 1, in the area of Wildcat Cove. Applicable issues requiring further discussion follow:

Ordinance 5086: The project, as proposed, is consistent with the parameters of Ordinance 5086, as modified and extended by Ordinance Nos. 5093 and 5116 through October 1, 2009. With some exceptions, the interim ordinance limits new development in a defined Carmel Highlands study area, pending completion of an Onsite Wastewater Management Plan for the designated area. Applications for new uses that do not have the potential to generate additional wastewater may continue to be processed. Based on staff review of the proposed demolition and rebuild of an existing residence, the project will not increase wastewater/septic requirements and is allowable.

Variance - Consistency: The project involves the demolition of an existing structure which does not meet the development standards of the Monterey County Zoning Ordinance (Title 20), Section 20.14.060 (Site Development Standards), with regard to setbacks for a parcel zoned Low Density Residential (LDR). The minimum front setback is 30 feet for LDR zoning. Due to topographical limitations on the parcel, enforcement of a 30-foot setback would deprive the property of privileges enjoyed by other properties in the vicinity and under an identical zone classification. Therefore, the Board of Zoning Adjustment granted the property a variance on October 11, 1960, to allow a reduction in the front yard setback (Resolution No. BZ_119). An enlargement of the variance area was granted by the Zoning Administrator on August 18, 1983 (Resolution No. ZA-5576). These variances remain in effect for the subject property, and resulted in the construction of the existing residence almost completely within the front yard setback (a coverage area of almost 2,426 square feet). In addition, a portion of the existing residence was allowed to be constructed over the property line and within the Highway 1 right-of-way. According to County documentation, Caltrans raised no objections to this encroachment provided no cuts were made into the highway embankment slope. The proposed project would eliminate any encroachment into the Highway 1 right-of-way, and would reduce the amount of structural coverage within the front setback by approximately 929 square feet (see attached Plan Comparisons). This reduction is accomplished by using available areas on the southern side of the parcel, including approximately 300 square feet of area with slope greater than 30%.

Development on 30 Percent Slope - Consistency: The project includes a Coastal Development Permit to allow development on slope greater than 30% within an area of approximately 300 square feet. Excavation within this area will be limited, and used primarily for foundation footings. The actual area disturbed during construction will be less than 300 square feet. The topography of the parcel significantly limits the available building area. Based on the plans provided, there is no feasible alternative which would allow development to occur on slopes of less than 30%. Also, for the reasons cited above supporting the granting of previous variances, the proposed development better achieves the goals and objectives of the Monterey County Local Coastal Program than other development alternatives. By shifting the proposed development to the south, approximately 837 interior square feet of the new residence will meet the site development standards, the new residence will be located completely within the property lines, and encroachment within the front setback will be reduced by approximately 929 square feet.

CEQA Review: The Monterey County Planning Department prepared an Initial Study pursuant to CEQA and a Mitigated Negative Declaration (SCH#2009051009) was filed with the County Clerk on May 1, 2009, noticed for public review and circulated to the State Clearinghouse from May 4 to June 2, 2009. The Initial Study identified potentially significant effects relative to biological resources and cultural resources. A Mitigation Monitoring and Reporting Program (MMRP) that includes five mitigation measures has been prepared, and is designed to ensure compliance during project implementation and to reduce the potential impacts of the project. The following summarizes the recommended mitigation measures:

Biological Resources: The property does not contain any mapped environmentally sensitive habitat areas; however, the parcel is adjacent to the Pacific Ocean and has approximately 200 linear feet of ocean front. The proposed building site is located on a steep slope approximately 100 ft above the water. The use of a similar building footprint for the new residence will minimize potential impacts to the natural features of the site or adjacent ocean. The expansion area of the house footprint will be into a garden area with extensive rock wall terracing, and no remaining natural biological features. However, the construction process has the potential to impact the ocean habitat and its sensitive species unless precautions are taken. Mitigations 1 (Condition No. 29), 2 (Condition No. 30), and 3 (Condition No. 31) address the potential impacts to wildlife habitat associated with project demolition and construction. The biological reports prepared for the project identified the potential for construction-related impacts to the rocky inter-tidal area or ocean with dust, dirt, trash, liquids, water, construction materials etc., created during the construction process. In order to reduce these potential impacts to a level of less than significant, the applicant shall be required to construct a barrier below the building site to prevent debris from entering the inter-tidal area or ocean. In addition, the applicant shall be required to control run-off from the site during the construction process. These measures shall be inspected weekly and reported to the RMA-Planning Department on a monthly basis to ensure effectiveness. Mitigation 4 (Condition No. 32) shall prevent the applicant from using unnatural lighting in Wildcat Cove.

Cultural Resources (Pre-Historic):
The project site is in an area identified in County records as having a high archaeological sensitivity. In addition, the project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource. An archaeological survey prepared for the project concluded that the project area may contain potentially significant pre-historic cultural resources due to the proximity of the known archaeological resource. The report recommends that due to the project's proximity to this known archaeological resource, monitoring of construction activities is required to reduce potential project impacts to a less than significant level. Mitigation 5 (Condition No. 33) shall require an archaeological monitor on-site during all phases of demolition and construction involving earth-disturbing activities.

EXHIBIT C
DRAFT RESOLUTION

PLN070388 – Murray Residence

Planning Commission
July 8, 2009

EXHIBIT C
DRAFT RESOLUTION

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:
MURRAY (PLN070388)
RESOLUTION NO.
Resolution by the Monterey County Planning Commission:

1) Adopting the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program; and
2) Approving a Combined Development Permit consisting of a Coastal Administrative Permit for the demolition of an existing 2,092 square foot single family dwelling with an attached 400 square foot garage, construction of a new 2,615 square foot single family dwelling with a 715 square foot attached garage, and grading of approximately 640 cubic yards of cut and fill; a Coastal Development Permit to allow development within 50 feet of a Coastal Bluff; a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; a Coastal Development Permit to allow development on slope greater than 30 percent; and Design Approval.

(PLN070388, MURRAY, 243 Highway 1, CARMEL HIGHLANDS, CARMEL AREA LAND USE PLAN, APN: 241-182-015-000)

The Murray application (PLN070388) came on for public hearing before the Monterey County Planning Commission on July 8, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the Monterey County General Plan,
- Carmel Area Land Use Plan,
- Coastal Implementation Plan (Part 4),
- Monterey County Zoning Ordinance (Title 20)

- Ordinance 5093

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

b) The property is located at 243 Highway 1, Carmel Highlands (Assessor's Parcel Number 241-182-015-000), Carmel Area Land Use Plan. The parcel is zoned Low Density Residential, one unit per acre, with a Design Control District overlay, Coastal Zone ("LDR/1-D (CZ)"), which allows the demolition and construction of single family dwellings as a principal use allowed with the approval of a discretionary permit. Therefore, the project is an allowed land use for this site.

c) Ordinance 5086: The project, as proposed, is consistent with the parameters of Ordinance 5086, as modified and extended by Ordinance Nos. 5093 and 5116 through October 1, 2009. With some exceptions, the interim ordinance limits new development in a defined Carmel Highlands study area, pending completion of an Onsite Wastewater Management Plan for the designated area. Applications for new uses that do not have the potential to generate additional wastewater may continue to be processed. Based on staff review of the proposed demolition and rebuild of an existing residence, the project will not increase wastewater/septic requirements and is allowable.

d) The project planner conducted site inspections on July 31, 2007, December 12, 2008, and June 23, 2009, to verify that the project on the subject parcel conforms to the plans and ordinances listed above.

e) Variance: The project involves the demolition of an existing structure which does not meet the development standards of the Monterey County Zoning Ordinance (Title 20), Section 20.14.060 (Site Development Standards), with regard to setbacks for a parcel zoned Low Density Residential (LDR). The minimum front setback is 30 feet for LDR zoning. Due to topographical limitations on the parcel, enforcement of a 30-foot setback would deprive the property of privileges enjoyed by other properties in the vicinity and under an identical zone classification. Therefore, the Board of Zoning Adjustment granted the property a variance on October 11, 1960, to allow a reduction in the front yard setback (Resolution No. BZ_119). An enlargement of the variance area was granted by the Zoning Administrator on August 18, 1983 (Resolution No. ZA-5576). These variances remain in effect for the subject property, and resulted in the construction of the existing residence almost completely within the front yard setback (a coverage area of almost 2,426 square feet). In addition, a portion of the existing residence was allowed to be constructed over the property line and within the Highway 1 right-of-way. According to County documentation, Caltrans raised no objections to this encroachment provided no cuts were made into the highway embankment slope. The proposed project would eliminate any encroachment into the Highway 1 right-of-way, and would reduce the amount of structural coverage within the front setback by approximately 929 square feet. This reduction is accomplished by using available areas on the southern side of the parcel, including approximately 300 square feet of area with slope greater than 30% (see Finding No. 7).

f) Visual Resources: Staff conducted site visits on July 31, 2007, December 12, 2008, and June 23, 2009 to assess the potential viewshed impacts of the project and ensure consistency with applicable LUP policies. The existing and proposed residences are not visible from public viewing areas; however, they are visible from Highway 1 in the area immediately above the property. The existing topography, fence, and trees screen the site from most public views. The proposed residence will be approximately six inches lower than the existing residence. Condition No. 17 will require the applicant to verify the height of the finished structure to ensure consistency with the approved plans. The project, as proposed, is consistent with the applicable policies of the LUP.

g) Cultural Resources: The project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource. County records also identify the project site is within an area of high sensitivity for prehistoric cultural resources; therefore, the applicant submitted an archaeological report (LIB090017) for the project site. The report concluded that the project area may contain potentially significant pre-historic cultural resources due to the proximity of the known archaeological resource. The report recommends that due to the project's proximity to this known archaeological resource, monitoring of construction activities is required to reduce potential project impacts to a less than significant level. With County required Conditions of Approval and Mitigations, impacts to prehistoric cultural resources would be mitigated to less than significant (see Finding 5).

h) The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because it involves development requiring CEQA review, and it involves a Design Approval subject to review by the Planning Commission. The Carmel Highlands LUAC unanimously recommended approval, with conditions, at a public meeting held on January 5, 2009. In addition, seven neighbors attended the LUAC meeting and expressed support for the project.

i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN070388.

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

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

b) Staff identified potential impacts to Biological Resources, Archaeological Resources, Soil/Slope Stability, and Historic Resources. Technical reports/letters by outside archaeological, biological, historic, and engineering consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
   - Preliminary Cultural Resources Reconnaissance (LIB090017) prepared by Susan Morley, Pacific Grove, California, August 7, 2008.
   - Historic Review (LIB090021) prepared by Kent L. Seavey, Pacific Grove, California, August 12, 2008.
   - Geotechnical Report (LIB090019) prepared by Grice Engineering Inc., Salinas, California, August 2008.
   - Refraction Seismic Investigation (LIB090018) prepared by Gasch & Associates, Rancho Cordova, California, August 25, 2008.
   - Geotechnical Letter prepared by Grice Engineering Inc., Salinas, California, June 28, 2009.
   - Biotic Survey (LIB090020) prepared by Botanical Consulting Services, Carmel, California, August 31, 2008.
   - Biotic Survey - Supplemental (LIB090217) prepared by Botanical Consulting Services, Carmel, California, April 10, 2009.

c) Staff conducted site inspections on July 31, 2007, December 12, 2008, and June 23, 2009 to verify that the site is suitable for this use.

d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN070388.

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

EVIDENCE: a) The project was reviewed by RMA - Planning Department, Carmel Highlands Fire Protection District, Parks Department, Public Works Department, Environmental Health Division, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

b) Necessary public facilities are available. The property is and will be served by a public water system (CAL - AM) and an existing septic system. The Environmental Health Division reviewed the project and did not impose any conditions for project approval.

c) Preceding findings and supporting evidence for PLN070388.

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

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

b) Staff conducted site inspections on July 31, 2007, December 12, 2008, and June 23, 2009 and researched County records to assess if any violation exists on the subject property.

c) There are no known violations on the subject parcel.

d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN070388.

5. **FINDING:** **CEQA (Mitigated Negative Declaration)** - On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

EVIDENCE: a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.

b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN070388).

c) The Draft Mitigated Negative Declaration (MND) for PLN070388 was prepared in accordance with CEQA and circulated for public review from May 4 to June 2, 2009 (SCH#2009051009). Issues that were analyzed in the Draft MND include aesthetic resources, biological resources, cultural resources, hydrology and water quality, and land use and planning.

d) The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN070388).

e) To mitigate/reduce the potential physical impacts of the project, the following mitigation measures have been incorporated:
Biological Resources - Mitigation 1 (Condition No. 29), Mitigation 2 (Condition No. 30), and Mitigation 3 (Condition No. 31) address the potential impacts to wildlife habitat associated with project demolition and construction. The biological reports prepared for the project identified the potential for construction-related impacts to the rocky inter-tidal area or ocean with dust, dirt, trash, liquids, water, construction materials etc., created during the construction process. In order to reduce these potential impacts to a level of less than significant, the applicant shall be required to construct a barrier below the building

site to prevent debris from entering the inter-tidal area or ocean. In addition, the applicant shall be required to control run-off from the site during the construction process. These measures shall be inspected weekly and reported to the RMA-Planning Department on a monthly basis to ensure effectiveness. Mitigation 4 (Condition No. 32) shall prevent the applicant from using unnatural lighting in Wildcat Cove that could potentially disrupt marine birds and/or mammals.
Cultural Resources - The archaeological report prepared for the site concluded the project area may contain potentially significant pre-historic cultural resources. In order to reduce the potential impacts to less than significant, Mitigation 5 (Condition No. 33) shall require an archaeological monitor on-site during all phases of demolition and construction involving earth-disturbing activities.

f) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference as **Exhibit 1**. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval (Condition 6).

g) Evidence that has been received and considered includes: the application, technical studies/reports (see Finding 2/Site Suitability), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN070388) and are hereby incorporated herein by reference.

h) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources. For purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. State Department of Fish and Game reviewed the MND to comment and recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee of $1,993.00 plus a fee of $50.00 payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD). See Condition No. 5.

i) The County has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration. The County received comments from the California Coastal Commission regarding the completeness of the geotechnical report and the potential viewshed impacts. Based on discussions with the geotechnical engineer for the project, staff confirmed and clarified the geotechnical and seismic conclusions, and

the applicant submitted a supplemental letter addressing the concern of the Coastal Commission about potential site erosion. Condition Nos. 8 and 9 will require the applicant to provide certification that the development was constructed in accordance with the project geologic and geotechnical reports. Condition No. 26 will require the applicant to submit a drainage plan to be reviewed and approved by the Water Resources Agency. Regarding the potential visual impacts, the proposed residence will be approximately six inches lower than the existing residence. Condition No. 17 will require the applicant to verify the height of the finished structure to ensure consistency with the approved plans. The photo-simulations provided in the plans are approximations only. Staff review of the staking and flagging indicated that the project, as proposed, is consistent with the applicable policies of the LUP. In addition, the applicant's design minimizes the overall structural visibility compared to more traditional designs. The proposed design also shifts the mass of the structure south by approximately 26 feet, which will decrease the visibility of the residence within the public viewshed. The proposed design also decreases the net square footage within the front setback by approximately 929 square feet, and removes the structure from the Highway 1 right-of-way. Condition No. 19 will require the applicant to use materials and colors that will blend with the surrounding environment.

j) The County received "No Comment" or standard response letters from the Monterey Bay Unified Air Pollution Control District, the Association of Monterey Bay Area Governments, and the Native American Heritage Commission.

k) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

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

EVIDENCE: a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.146.130 of the Monterey County Coastal Implementation Plan can be demonstrated.

b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3, Public Access Map, in the Carmel Area Land Use Plan). No public access points or trails are located on the parcel. Moreover, Figure 3 identifies this area as inappropriate for beach access.

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

d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN070388.

e) The project planner conducted site inspections on July 31, 2007,

December 12, 2008, and June 23, 2009.

7. **FINDING:** **DEVELOPMENT ON SLOPE** – The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and Carmel Area Land Use Plan and the Monterey County Zoning Ordinance (Title 20) than other development alternatives, and there is no feasible alternative which would allow development to occur on slopes of less than 30%.

EVIDENCE: a) In accordance with the applicable policies of the Carmel Area Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met.

b) The project includes application for development on slopes exceeding 30%. Policy 2.7.4.1 of the Carmel Area Land Use Plan states that "All development shall be sited and designed to conform to site topography and to minimize grading and other site preparation activities." The area of 30% slope disturbed during construction will be less than 300 square feet. The topography of the parcel significantly limits the available building area. Based on the site limitations and plans provided, there is no feasible alternative which would allow development to occur on slopes of less than 30%.

c) Staff has reviewed the project plans and visited the site to analyze possible development alternatives. The parcel, approximately .7 of an acre (31,565 square feet), consists of topography that steeply slopes from Highway 1 on the east boundary to the Pacific Ocean on the West boundary. Approximately 50% of the parcel has slopes in excess of 30%, limiting the majority area of less than 30% slope to that portion of the parcel within the 30-foot front setback. The proposed single family dwelling was carefully designed to avoid slopes in excess of 30% as much as possible, adhere to the site development standards, and blend with the surrounding topography and environment. If the proposed single family dwelling was redesigned to avoid development on slopes of 30%, the structure would be more inconsistent with setback requirements. By shifting the proposed development to the south end of the parcel, approximately 837 interior square feet of the new residence will meet the site development standards, the new residence will be located completely within the property lines, and encroachment of structural coverage within the front setback will be reduced by approximately 929 square feet. Therefore, the proposed development better achieves the goals, policies, and objectives of the Monterey County Local Coastal Program than other development alternatives.

d) The Planning Commission shall require such conditions and changes in the development as it may deem necessary to assure compliance with Section 20.64.230.E.2 of the Monterey County Zoning Ordinance (Condition Nos. 7, 8, 9, and 10).

e) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN070388.

f) The project planner conducted site inspections on July 31, 2007, December 12, 2008, and June 23, 2009.

g) The subject project minimizes development on slopes exceeding 30% in

accordance with the applicable goals and policies of the applicable area plan and zoning codes.

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

EVIDENCE: a) Board of Supervisors: Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20). An appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.

b) California Coastal Commission: Sections 20.86.080.A.1, A.2, and A.3 of the Monterey County Zoning Ordinance (Title 20). The project is subject to appeal by/to the California Coastal Commission because development between the sea and the first through public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance; or development within 300 feet of the top of the seaward face of any coastal bluff; and development involving a conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

A. Adopt the Mitigated Negative Declaration;

B. Approve a Combined Development Permit consisting of a Coastal Administrative Permit for the demolition of an existing 2,092 square foot single family dwelling with an attached 400 square foot garage, construction of a new 2,615 square foot single family dwelling with a 715 square foot attached garage, and grading of approximately 640 cubic yards of cut and fill; a Coastal Development Permit to allow development within 50 feet of a Coastal Bluff; a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; a Coastal Development Permit to allow development on slope greater than 30 percent; and Design Approval, in general conformance with the attached sketch **(Exhibit 2)** and subject to the conditions **(Exhibit 1),** both exhibits being attached hereto and incorporated herein by reference; and

C. Adopt the Mitigation Monitoring and Reporting Program (**Exhibit 1**).

PASSED AND ADOPTED this 8th day of July, 2009.

_____

MIKE NOVO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

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

NOTES

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

   Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

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

2. This permit expires 4 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION - EXHIBIT 1 Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: MURRAY File No.: PLN070388 APN: 241-182-015-000 Approved by: Planning Commission Date: July 8, 2009

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

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
		RMA – PLANNING DEPARTMENT				
1.		**PD001 - SPECIFIC USES ONLY** This Combined Development Permit (PLN070388) allows the demolition of an existing 2,092 square foot single family dwelling with an attached 400 square foot garage, construction of a new 2,615 square foot single family dwelling with a 715 square foot attached garage, and grading of approximately 640 cubic yards of cut and fill, development within 50 feet of a Coastal Bluff, development within 750 feet of a known archaeological resource, development on slope greater than 30 percent, and Design Approval. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or	Adhere to conditions and uses specified in the permit.	Owner / Applicant	Ongoing unless otherwise stated.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. **(RMA - Planning Department)**				
2.		**PD002 – NOTICE - PERMIT APPROVAL** The applicant shall record a notice which states: "A permit (Resolution PLN070388) was approved by the Planning Commission for Assessor's Parcel Number 241-182-015-000, located at 243 Highway 1, Carmel Highlands, on May 27, 2009. The permit was granted subject to thirty-three (33) conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. **(RMA - Planning Department)**	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commence -ment of use.	
3.		**PD003(B) – CULTURAL RESOURCES – POSITIVE ARCHAEOLOGICAL REPORT** If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken: There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and If the coroner determines the remains to be Native	The applicant shall submit the contracts with a Registered Professional Archeologist and a Registered Professional Anthropologist to the Director of the RMA – Planning Department for approval.	Owner / Applicant per Archae-ologist	Prior to the issuance of grading or building permits or approval of Sub. Improve-ment Plans, whichever occurs	

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

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4.		**PD004 - INDEMNIFICATION AGREEMENT** The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. **(RMA - Planning Department)**	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	
5.		**PD005 - FISH AND GAME FEE-NEG DEC/EIR** Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the	The applicant shall submit a check, payable to the *County of Monterey,* to the Director of the RMA - Planning Department.	Owner / Applicant	Within 5 working days of project	

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		County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. **(RMA - Planning Department)**			approval.	
			If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the *County of Monterey,* to the Director of the RMA - Planning Department.	Owner / Applicant	Prior to the start of use or the issuance of building or grading permits.	
6.		**PD006 - MITIGATION MONITORING PROGRAM** The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. **(RMA - Planning Department)**	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner / Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
7.		**PD007 - GRADING-WINTER RESTRICTION** No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. **(RMA – Planning Department and Building Services Department)**	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner / Applicant	Ongoing	
8.		**PD008 - GEOLOGIC CERTIFICATION** Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic/seismic report. **(RMA - Planning Department and Building Services Department)**	Submit certification by the geologic consultant to the RMA - Planning Department showing project's compliance with the geologic/seismic report.	Owner / Applicant / Geologic Consultant	Prior to final inspection.	

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9.		**PD009 - GEOTECHNICAL CERTIFICATION** Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. **(RMA – Planning Department and Building Services Department)**	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner / Applicant / Geo-technical Consultant	Prior to final inspection.	
10.		**PD010 - EROSION CONTROL PLAN AND SCHEDULE** The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. **(RMA - Planning Department and RMA - Building Services Department)**	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to issuance of grading and building permits.	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection.	
11.		**PD011 – TREE AND ROOT PROTECTION** Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection,	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner / Applicant	Prior to issuance of grading and building permits.	
			Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit	Owner / Applicant / Arborist	During con-struction.	

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		approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.**(RMA - Planning Department)**	an interim report prepared by a certified arborist.			
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner / Applicant	Prior to final inspection.	
12.		**PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (SINGLE FAMILY DWELLING ONLY) (NON-STANDARD)** The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(RMA – Planning Department)**	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of building permits.	
			Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to occupancy.	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner / Applicant	Ongoing	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
13.		**PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN** All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. **(RMA – Planning Department)**	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner / Applicant	Prior to the issuance of building permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner / Applicant	Prior to occupancy / ongoing.	
14.		**PD021 - DEED RESTRICTION - FIRE HAZARD** Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "The parcel is located in a high fire hazard area and development may be subject to certain restrictions required as per Section 20.146.080.D.3 of the Coastal Implementation Plan for the Carmel Area and per the standards for development of residential property." **(RMA – Planning Department)**	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner / Applicant	Prior to the issuance of grading or building permits.	
			Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner / Applicant	Prior to occupancy or commencement of use.	
15.		**PD032 - PERMIT TIME/YEAR & DATE** The permit shall be granted for a time period of 4 years, to expire on July 8, 2013. **(RMA – Planning Department)**	None	Owner / Applicant	As stated in the conditions of approval.	
16.		**PD035 - UTILITIES - UNDERGROUND** All new utility and distribution lines shall be placed underground. **(RMA - Planning Department; Public Works)**	Install and maintain utility and distribution lines underground.	Owner / Applicant	Ongoing	

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17.		**PD041 – HEIGHT VERIFICATION** The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. **(RMA – Planning Department and Building Services Department)**	The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection.	Owner / Applicant	Prior to the issuance of grading or building permits.	
			The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA-Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Owner / Applicant / Engineer	Prior to final inspection.	
18.		**PD047 – DEMOLITION/DECONSTRUCTION OF STRUCTURES (MBUAPCD RULE 439)** In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards: 1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process; 2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building; 3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour. All Air District standards shall be enforced by the Air District. **(RMA – Planning Department)**	Applicant shall incorporate a "Demolition/ Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.	Owner / Applicant / Contractor	Prior to issuance of a demolition permit.	
			Contractor shall obtain any required Air District permits and conduct all deconstruction or demolition activities as required by the Air District.	Owner / Applicant / Contractor / Air District	During con-struction	
19.		**PDSP001 – EXTERIOR MATERIALS AND COLORS (NON-STANDARD)** In order to minimize potential glare and visibility of the	Provide written material to the RMA-Planning Department for review and approval verifying the anti-glare and	Owner / Applicant	Prior to the issuance of grading or	

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		development, all materials shall be non-reflective materials or painted in earth tones to blend into the surroundings, and glass surfaces shall be constructed or laminated utilizing anti-glare, non-reflective materials to aid in reducing the visibility of the structure. **(RMA – Planning Department)**	non-reflective quality of the materials utilized in construction.		building permits.	
20.		**PDSP002 – ASBESTOS SURVEY (NON STANDARD CONDITION)** The applicant shall have a Certified Asbestos Consultant conduct an asbestos survey of the single family dwelling to be demolished. A report shall be prepared and submitted to the Monterey Bay Unified Air Pollution Control District for review and approval a minimum of ten (10) working days prior to commencing asbestos removal, or if no asbestos is present, a minimum of ten (10) working days prior to demolition. **(RMA – Planning Department)**	A Certified Asbestos Consultant shall conduct an asbestos survey of the single family dwelling to be demolished. A report shall be submitted to the MBUAPCD for review and approval a minimum of ten (10) working days prior to commencing asbestos removal. If no asbestos is present, a report shall be submitted to the MBUAPCD for review and approval a minimum of ten (10) working days prior to demolition.	Certified Asbestos Consultant / Owner / Applicant	Prior to the issuance of a demolition permit.	
CARMEL HIGHLANDS FIRE PROTECTION DISTRICT						
21.		**FIRE007 - DRIVEWAYS** Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	Prior to final building inspection.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. **(Carmel Highlands Fire Protection District)**				
22.		**FIRE008 - GATES** All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. **(Carmel Highlands Fire Protection District)**	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	Prior to final building inspection.	
23.		**FIRE011 - ADDRESSES FOR BUILDINGS** All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of building permit.	

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		occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. **(Carmel Highlands Fire Protection District)**	Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	Prior to final building inspection.	
24.		**FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)** Manage combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. **(Carmel Highlands Fire Protection District)**	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	Prior to final building inspection.	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
25.		**FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE)** All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. **(Carmel Highlands Fire Protection District)**	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of building permit.	
MONTEREY COUNTY WATER RESOURCES AGENCY						
26.		**WR4 - DRAINAGE PLAN - COASTAL** The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Impervious surface stormwater runoff shall be routed to a non-erodible surface at the base of the bluff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. **(Water Resources Agency)**	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits.	
27.		**WR40 - WATER CONSERVATION MEASURES** The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water re-circulating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads,	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**				
28.		**WR43 - WATER AVAILABILITY CERTIFICATION** The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. **(Water Resources Agency)**	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner / Applicant	Prior to issuance of any building permits.	
		MITIGATION MEASURES				
29.	1.	**MITIGATION 1 – BIOLOGICAL RESOURCES / CONSTRUCTION FENCING** A construction barrier/fence shall be designed and installed on the slope just below the building envelope, to stop all construction materials and waste from entering the ocean. The barrier shall be at least 5 ft in height and shall extend the entire west boundary of the building envelope and at least 10 ft on the north and south boundaries at the west side corners. If during the construction period, the design of the fence proves to be inadequate to protect the ocean, the fence shall be redesigned and corrected immediately. All construction materials shall always be secured and stored properly on the site to prevent blowing or falling into the ocean, even when they are in use. The job site must remain free of all forms of garbage at all times of the day and night. All garbage shall be bagged and hauled away daily, or completely secured. **(RMA-Planning Department)**	Submit evidence of installation of the construction barrier/fence to the RMA - Planning Department for review and approval. Maintain, and improve as necessary, the barrier/fence throughout all phases of demolition and construction.	Owner / Applicant	Prior to issuance of grading and building permits. Ongoing	
30.	2.	**MITIGATION 2 – BIOLOGICAL RESOURCES / CONSTRUCTION AND STORM RUN-OFF COLLECTION** During construction, all runoff from the construction site	Submit evidence of installation of the collection basin to the RMA - Planning Department for review and approval.	Owner / Applicant	Prior to issuance of building permits.	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
		must be collected in a temporary basin on the east side of the site. The collection basin shall be regularly pumped and all waste water removed from the site and properly disposed of. No runoff shall be allow to enter the ocean or run down the common access road or into storm drains. The runoff collection system shall also arrest any movement of silt or soil from the site. **(RMA-Planning Department)**				
31.	3.	**MITIGATION 3 – BIOLOGICAL RESOURCES / SITE INSPECTIONS** A construction monitor, approved by the County, shall inspect the construction fencing, storm runoff collection and job site trash maintenance on a weekly basis during the demolition and construction period to ensure that the mitigation systems are properly installed and maintained, and no impact to the ocean has occurred. Monthly reporting of the systems to the permitting agencies shall be the responsibility of the inspector. **(RMA-Planning Department)**	The applicant shall submit the contract with a construction monitor to the Director of the RMA – Planning Department for review and approval.	Owner / Applicant	Prior to issuance of grading and/or building permits.	
			Submit monthly reports of the construction fencing, storm runoff collection, and job site trash maintenance effectiveness to the RMA-Planning Department for review.	Owner / Applicant / Construction Monitor	Monthly during all phases of the project.	
32.	4.	**MITIGATION 4 – BIOLOGICAL RESOURCES / LANDSCAPE LIGHTS** In order to minimize lighting impacts to biological resources, no landscape lights, including spot lights and security lights, associated with the new structure shall be allowed to illuminate the rocky inter-tidal zone or ocean at night. Any changes or additions to exterior lighting must be approved by the Monterey County RMA-Planning Department. **(RMA-Planning Department)**	The exterior lighting shall be inspected by the RMA-Planning Department for conformance to the approved plans.	Owner / Applicant	Prior to final inspection.	
33.	5.	**MITIGATION 5 – CULTURAL RESOURCES / ARCHAEOLOGICAL SITE MONITORING** An archaeological monitor shall be present during all phases of the project which could potentially alter the soil within the boundaries of the cultural resources site (e.g.; demolition, grading, pad construction, trenching, etc.). The monitor shall have the authority to	The applicant shall submit the contract with a Registered Professional Archeologist to the Director of the RMA – Planning Department for approval.	Owner / Applicant / Archaeolo-gist	Prior to the issuance of a demolition permit.	
			The applicant shall submit evidence of	Owner /	Ongoing	

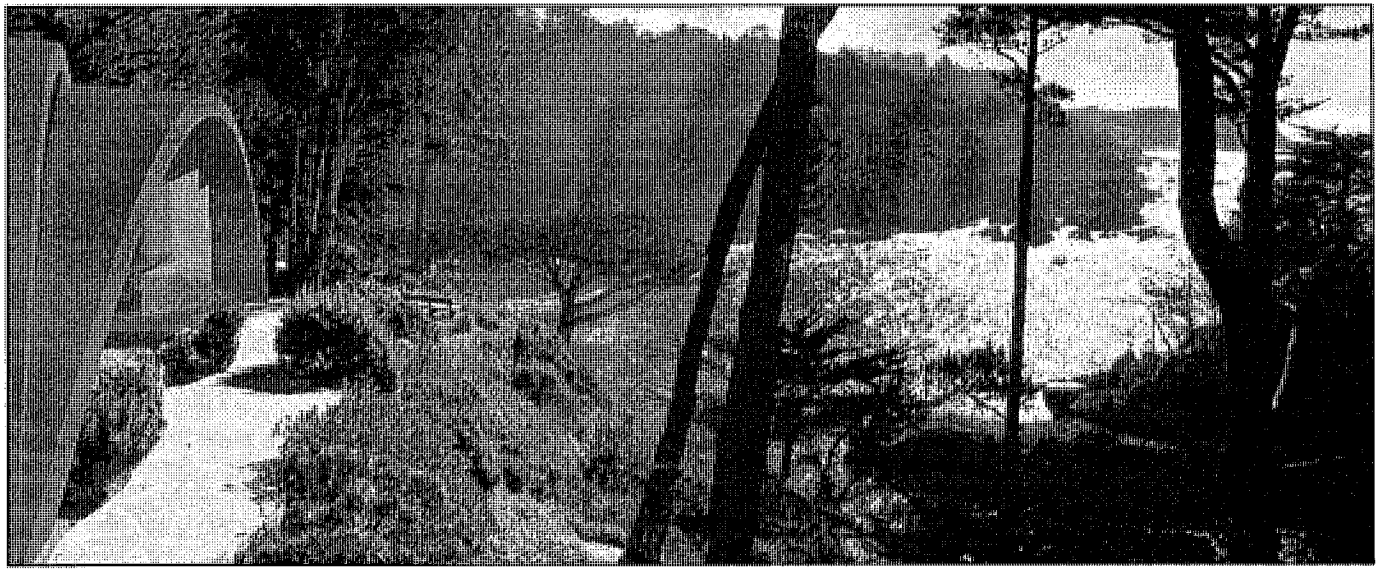
Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
		temporarily halt work in order to examine any potentially significant cultural materials or features. If potentially significant cultural resources are discovered, work shall be halted in the area of the find until it can be evaluated and, if necessary, data recovery is conducted. The applicant shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. The overall goals of the mitigation and monitoring plan are to limit damage to the cultural resources site through avoidance; to oversee the demolition, grading, and construction activities; to ensure compliance with the mitigation and monitoring plan; and to conduct prehistoric cultural data recovery, analysis, reporting, and curation of any materials which are encountered during the project. Prior to issuance of a demolition permit, the applicant shall provide to the RMA-Planning Department a copy of the contractual agreement with a qualified archaeologist for review. The applicant shall also provide evidence of the presence of the archaeologist on-site during demolition of existing structures and new construction, and any measures necessary to be in place and in good order through construction. Photos shall be dated on a weekly basis (or as determined by the monitoring archaeologist) and submitted with a certification from the archaeologist. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring archaeologist, after review and approval by the Planning Department. **(RMA – Planning Department)**	on-site monitoring during all phases of demolition, excavation, and new construction. Photos and archaeologist certification shall be submitted to the RMA – Planning Department.	Applicant per Archaeologist	during all phases of demolition, excavation, and construction.	

END OF CONDITIONS

MURRAY RESIDENCE

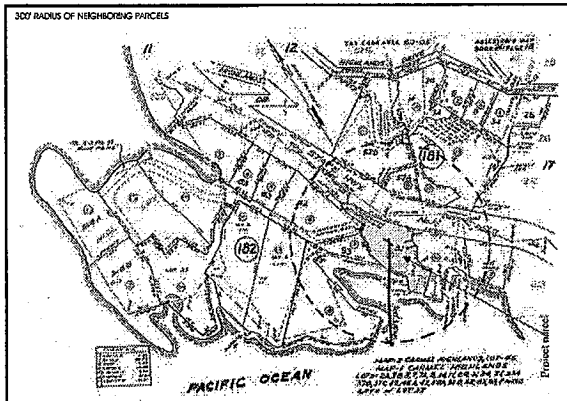
SUBMITTED FOR COASTAL DEVELOPMENT PERMIT

SHEET INDEX



ASSESSOR'S PARCEL MAP

300' RADIUS OF NEIGHBORING PARCELS



SCOPE OF WORK

DEMOLISH EXISTING TWO-LEVEL SINGLE FAMILY RESIDENCE AND CONSTRUCT A NEW, TWO-LEVEL SINGLE FAMILY RESIDENCE, NEW EXTERIOR PERVIOUS HARDSCAPE.

REQUIRED PERMITS AND APPROVALS

- DEVELOPMENT PERMIT
- COASTAL DEVELOPMENT PERMIT
- DESIGN APPROVAL TO ALLOW DEMOLITION AND REBUILD OF SINGLE FAMILY DWELLING
- VARIANCE TO REDUCE THE FRONT YARD SETBACK

CODE COMPLIANCE

THIS PROJECT SHALL COMPLY WITH THE 2007 EDITION OF THE CALIFORNIA BUILDING CODE, TITLE 20 AND THE MONTEREY COUNTY COASTAL IMPLEMENTATION PLAN

PROJECT INFORMATION

PROJECT NAME:
MURRAY RESIDENCE

PROJECT ADDRESS:
243 HWY 1
CARMEL HIGHLANDS, CA 93923

OWNER:
JOAN MURRAY
243 HWY 1
CARMEL HIGHLANDS, CA 93923

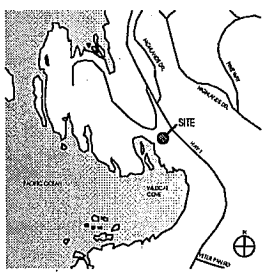
APPLICANT:
WALLACE E. CUNNINGHAM, INC.
1111 W. ARBOR DRIVE
PH: 619.293.7640
FX: 619.293.0624

A.P.N. : 241-182-015-000

COUNTY IDENTIFICATION NUMBER:
PLN070388

COMMUNITY AREA:
LOT 31, CARMEL HIGHLANDS

VICINITY MAP



PROJECT DIRECTORY

ARCHITECT:
GUY WEST
WALLACE E. CUNNINGHAM INC.
1111 W. ARBOR DRIVE
SAN DIEGO, CA 92103
PH: 619-293-7640 /FAX: 619-293-0624

LAND USE FACILITATOR:
ARDEN HANDSHY
P.O. BOX 51758
PACIFIC GROVE, CA 93950
PH: 831-649-6420

SURVEYOR:
JON D. HAGEMEYER
25170 RANDALL WAY
CARMEL, CA 93923
PH: 831-624-6888

SEISMIC CONSULTANT:
GASCH & ASSOCIATES INC.
3174 LOYUNG DR., BUILDING #2
RANCHO CORDOVA, CA 957242 -6576

GEOLOGY:
GRICE ENGINEERING AND GEOLOGY, INC.
HAROLD GRICE
561-A BRUNKEN AVENUE
SALINAS, CA 93901
PH: 831-422-9619

ARCHAEOLOGICAL:
SUSAN MORLEY, M.A.
3069 BOSWICK AVE.
MARINA, CA 93933
PH: 831-645-9162

BIOLIC CONSULTANT:
BOTANICAL CONSULTING SERVICES
JEAN FERRERA
P.O BOX 6506
CARMEL, CA 93921
PH: 831 626 3814

HISTORICAL CONSULTANT:
KENT L. SEAVEY
310 LIGHTHOUSE AVENUE
PACIFIC GROVE, CA 93950
PH: 831-375-8739

PROJECT DATA

ZONE:	LDR/1(CZ) - LOW DENSITY RESIDENTIAL, COASTAL ZONE
EXISTING AND PROPOSED CONSTRUCTION TYPE:	TYPE V - NR
EXISTING AND PROPOSED OCCUPANCY CLASSIFICATION:	R-3
EXISTING AND PROPOSED USE:	SINGLE - FAMILY RESIDENCE
DATE OF EXISTING HOUSE CONSTRUCTION:	1956
EXISTING AND PROPOSED NUMBER OF STORIES:	2
FRONT YARD SETBACK:	30'-0"
SIDE YARD SETBACKS:	20'-0"
REAR YARD SETBACK:	20'-0"
COASTAL BLUFF SETBACK:	NO CHANGE FROM PRIOR VARIANCE
ALLOWABLE BUILDING HEIGHT:	30'-0" ABOVE THE AVERAGE GRADE POINT BETWEEN THE HIGHEST AND LOWEST POINTS OF GRADE WHERE THE BUILDING FOOTPRINT LANDS.
PROPOSED BUILDING HEIGHT:	22'-6"
OFF-STREET PARKING:	2 ENCLOSED, 3 OPEN

BUILDING AREA	CONDITIONED (HEATED)	UNCONDITIONED	ENCLOSED
BASEMENT (CONSTRUCTED AND MAINTAINED COMPLETELY BELOW GROUND)			
MEC./ELEC.:	0	306	306
SUB TOTAL:	0	306	306
FIRST FLOOR			
LIVING:	1,770	0	1,770
GARAGE:	0	715	715
SUB TOTAL:	1,770	715	2,485
SECOND FLOOR			
LIVING:	539	0	539
SUB TOTAL:	539	0	539
TOTAL:	2,309	1,021	3,330

LOT COVERAGE	
NET LOT AREA:	31,565 (±0.7 ACRES)
ALLOWABLE LOT COVERAGE (15%)	4,735 SF
PROPOSED LOT COVERAGE (14.7%)	4,643 SF (Area under roof)
IMPERVIOUS COVERAGE:	NONE

EXHIBIT 2

WALLACE E. CUNNINGHAM, INC.
1111 WEST ARBOR DRIVE
SAN DIEGO, CALIFORNIA 92103-1303
619 • 293 • 7640

SHEET TITLE TITLESHEET ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE NA DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY

SURVEY

scale: 1"=50'-0"

N

C1.0

WALLACE E. CUNNINGHAM, INC.

SHEET TITLE SURVEY

ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

1111 WEST ARBOR DRIVE
SAN DIEGO, CALIFORNIA 92103-1303
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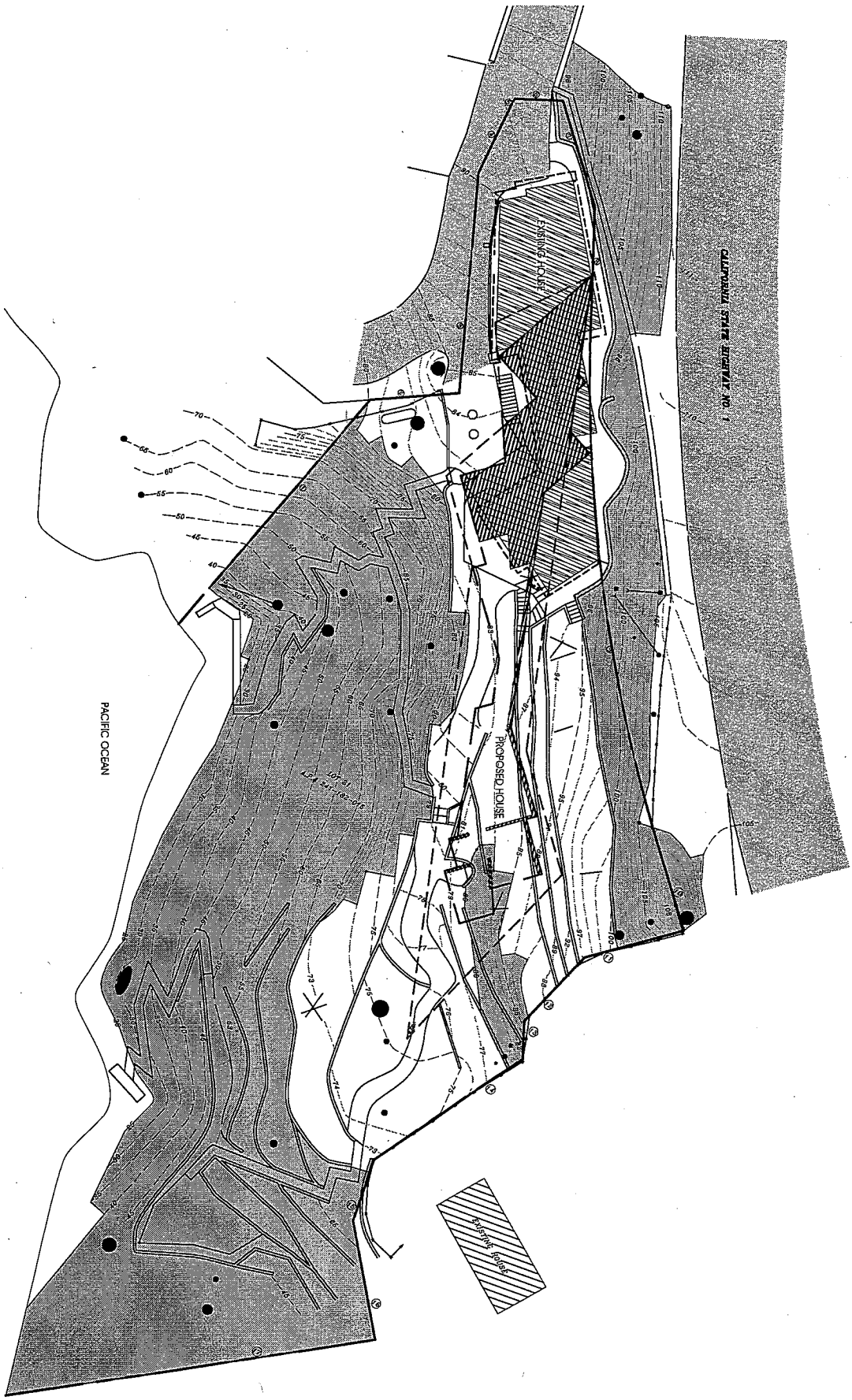
SCALE 1" = 50'-0" DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY

SLOPE ANALYSIS

scale: 1"=40'-0"



C3.0

WALLACE E. CUNNINGHAM, INC.

SHEET TITLE SLOPE ANALYSIS

ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

1111 WEST ARBOR DRIVE
SAN DIEGO, CALIFORNIA 92103-1303
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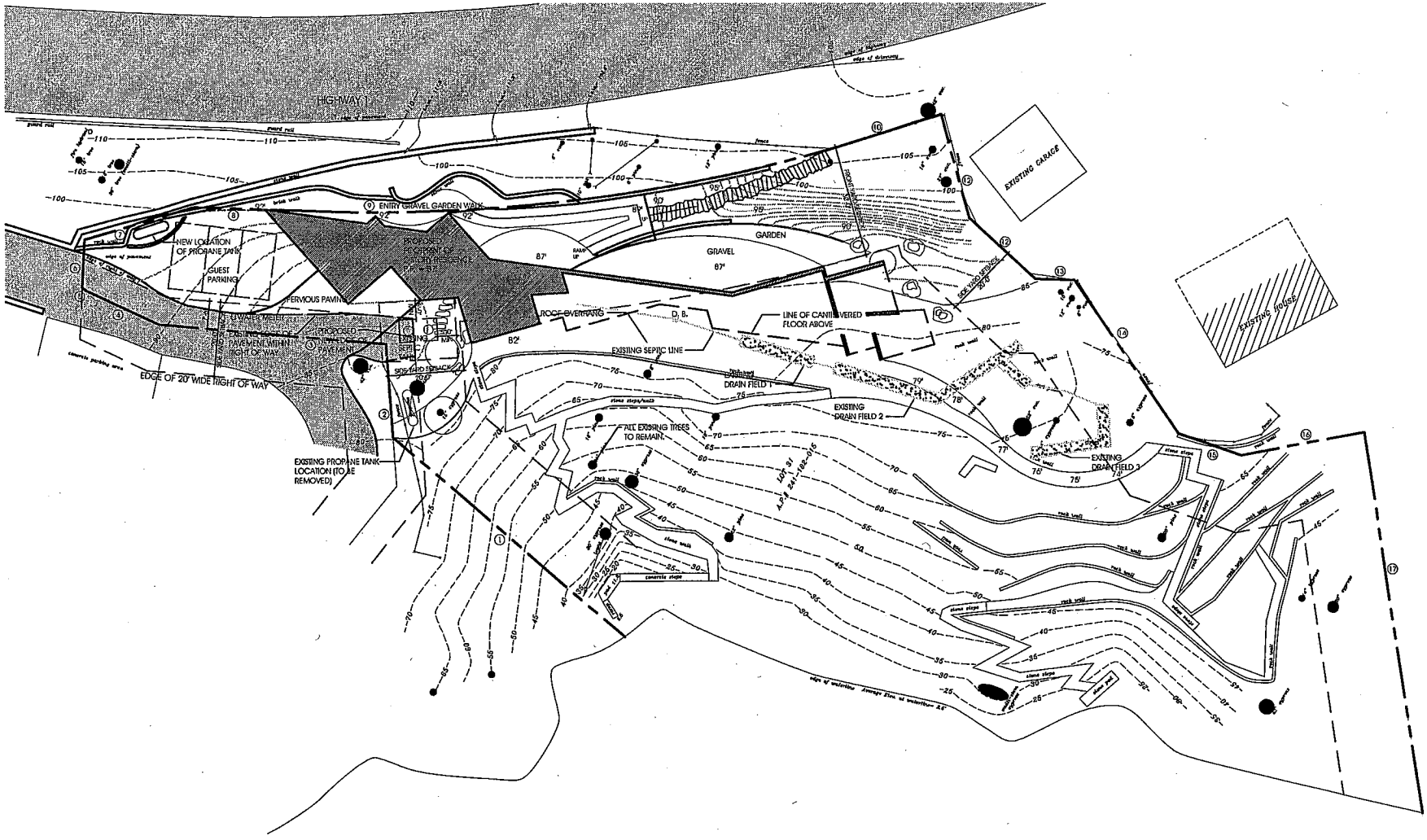
SCALE 1" = 40'-0"

DATE DECEMBER 2, 2008

CLIENT JOAN MURRAY



SITEPLAN

scale: 1"=40'-0"

LEGAL DESCRIPTION

PARCEL I - SITUATED IN RANCHO SAN JOSE Y SUR CHIQUITO, IN THE COUNTRY OF MONTEREY, STATE OF CALIFORNIA, AND BEGINNING AT AN ANGLE POINT ON THE WESTERLY BOUNDARY OF THAT CERTAIN PARCEL DESCRIBED AS PARCEL ONE IN DEED FROM W.E. DOOLITTLE, ET UX, TO JOSEPH R. COSTA, ET UX, DATED DECEMBER 15, 1955, RECORDED DECEMBER 19, 1955, IN BOOK 1668 OFFICIAL RECORDS, AT PAGE 67; RUNNING THENCE ALONG SAID WESTERLY BOUNDARY.

PARCEL II - A NON-EXCLUSIVE RIGHT OF WAY FOR ROAD PURPOSED 12.5 FEET WIDE, LYING NORTHWESTERLY AND WESTERLY OF AND ADJACENT TO COURSES 1, 2 AND 3 OF PARCEL I ABOVE.

PROPERTY LOT DIMENSIONS

1. N 10° 45' E, 68.00'±
2. N 55° 48' E, 24.89'
3. N 24° 57' W, 60.69'
4. N 4° 45' W, 21.25'
5. N 4° 00' E, 1.55'
6. N 62° 40' 30", 13.06'
7. S 46° 31' 44" E, 30.40'
8. N 28° 06' 54" W, 27.94'
9. R= 440', =19° 43' 30", L= 151.48'
10. S 47° 03' E, 22.04'
11. S 45° 09' W, 28.38'
12. S 13° 32' 14" W, 24.11'
13. S 28° 23' 36" E, 10.40'
14. S 26° 13' 49" W, 49.30'
15. S 10° 40' 19" E, 17.60'
16. S 40° 44' 22" E, 33.29'
17. S 51° 30' 30" W, 77.00'±

GRADING TABULATIONS

TOTAL AMOUNT OF SITE TO BE CUT: 620 CUBIC YARDS

GENERAL NOTES:

1) PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE APPLICANT SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH MONTEREY COUNTY.

2) WATER SUPPLY & DISPOSAL METHODS SAME AS CURRENT METHOD, NO INCREASE IN CAPACITY FOR SUPPLY OR DISPOSAL.

3) PROPOSED DEVELOPMENT LOCATED IN AREA OF DISTURBED SOILS WHERE PRIOR DEMOLISHED HOUSE WAS SITED.

LANDSCAPE AND EROSION CONTROL:

1) BARRIERS WILL BE INSTALLED PRIOR TO CONSTRUCTION/ DEMOLITION FOR CONTAINMENT OF DEBRIS.

2) BARRIERS WILL BE INSTALLED PRIOR TO CONSTRUCTION/ DEMOLITION FOR PROTECTION OF EXISTING SENSITIVE VEGETATION.

3) ALL EXISTING TREES TO REMAIN.

4) NO IMPERVIOUS COVERAGE ON-SITE. DRIVEWAY AND WALKWAYS TO BE PERVIOUS MATERIALS.

GRADING NOTES:

1) THIS DRAWING PROVIDES PRELIMINARY LANDSCAPE GRADING FOR COASTAL DEVELOPMENT PERMIT ONLY AND IS NOT FOR CONSTRUCTION.

2) EXISTING GRADES AND SPOT ELEVATIONS ARE BASED ON INFORMATION SHOWN ON A SITE SURVEY AS PROVIDED BY CIVIL ENGINEER. VERIFY EXISTING CONDITIONS IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT AND CIVIL ENGINEER PRIOR TO COMMENCING WORK.

3) PROPOSED GRADING CHANGES SHALL BE AS GRADUAL AS POSSIBLE. FEATHER INTO EXISTING GRADES (MAXIMUM 2:1 SLOPES) (AS PER RECOMMENDATION OF SOILS ENGINEER). EASE TOP AND TOE OF ALL EXISTING SLOPES.

4) PROVIDE POSITIVE SURFACE DRAINAGE IN ALL PAVED AND LANDSCAPE AREAS AWAY FROM ALL BUILDINGS, FOOTINGS, AND FOUNDATIONS (2% MIN.)

5) CROSS SLOPES ON WALKS AND TERRACES TO BE A MINIMUM 1.5% EXCEPT POOL DECK SLOPES SHALL BE 2% MINIMUM.

6) FINISH GRADES SHALL BE 1" BELOW CONCRETE PAVING, HEADERS AND CURBS IN LAWN AREAS, 2" BELOW FINISH FLOOR ELEVATIONS IN AREAS ADJACENT TO FLOOR SLABS. ALL PAVING AND WALKS SHALL BE FLUSH WITH EXISTING ADJACENT PAVING, WHERE APPLICABLE.

WALLACE E. CUNNINGHAM, INC.
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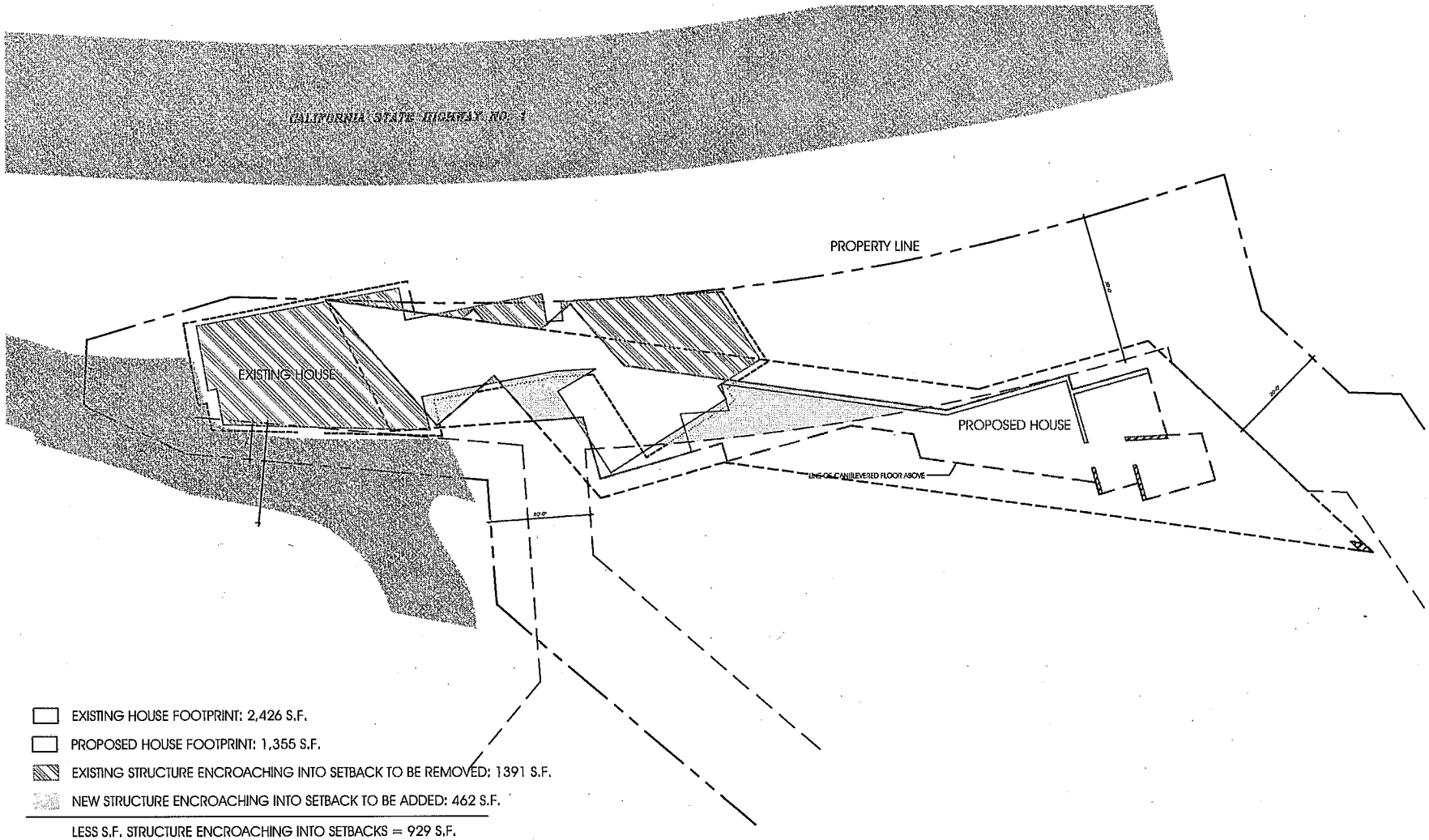
SHEET TITLE SITEPLAN ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE 1" = 40'-0" DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY

A1.0



PLAN COMPARISONS

scale: 1"=30'-0"

N

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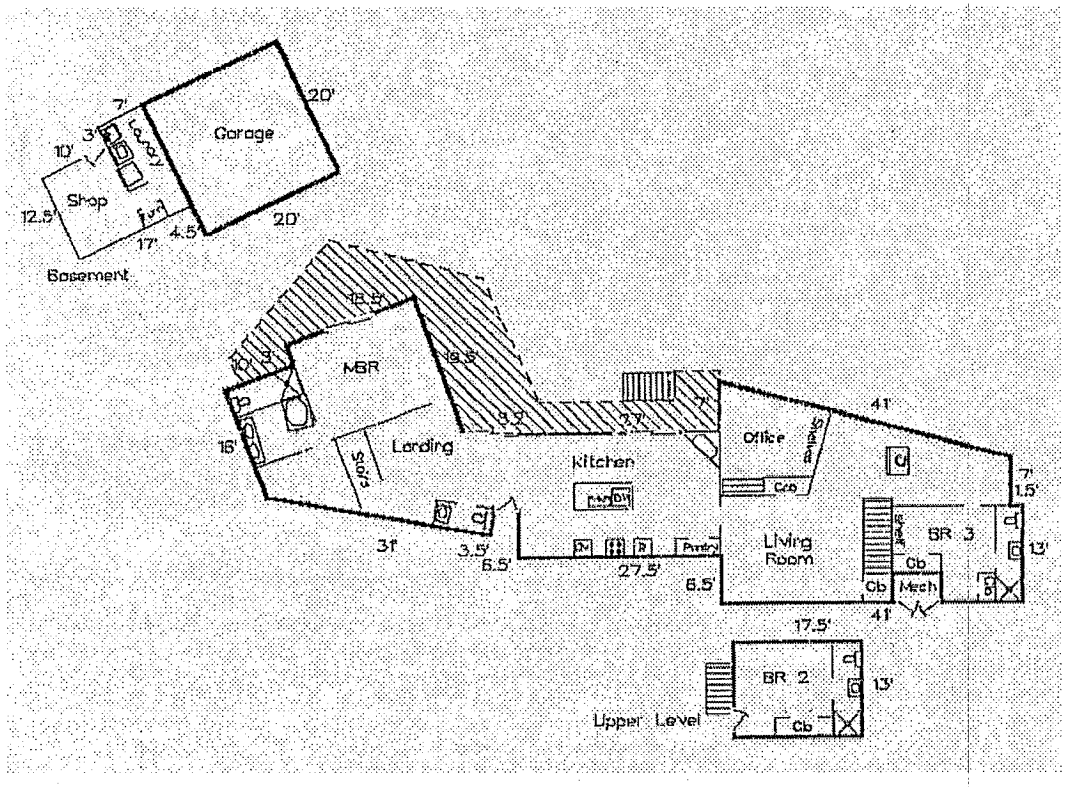
SHEET TITLE PLAN COMPARISONS ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE 1" = 30'-0" DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY



FLOOR AREAS

AREA	NAME OF AREA	SIZE	TOTALS
GLA1	MAIN LIVING AREA	2,290.33	
GLA1	MECH	-26.00	2,264.33
GLA2	UPPER LEVEL	227.5	227.50
BSMT	BASEMENT	233.24	233.24
P / P	DECK	604.60	604.60
GAR	GARAGE	399.70	399.70
TOTAL HABITALE SF:			2,492

ROOM DIMENSIONS

LIVING ROOM	19 X 15.5
KITCHEN	27 X 14
MBR	17 X 15
BR2	12 X 9 Irreg.
BR3	11.5 X 6.5 Irreg.
OFFICE	10.5 X 8 Irreg.

EXISTING FLOOR PLAN - TO BE DEMOLISHED

scale: 1"=25'-0"

N

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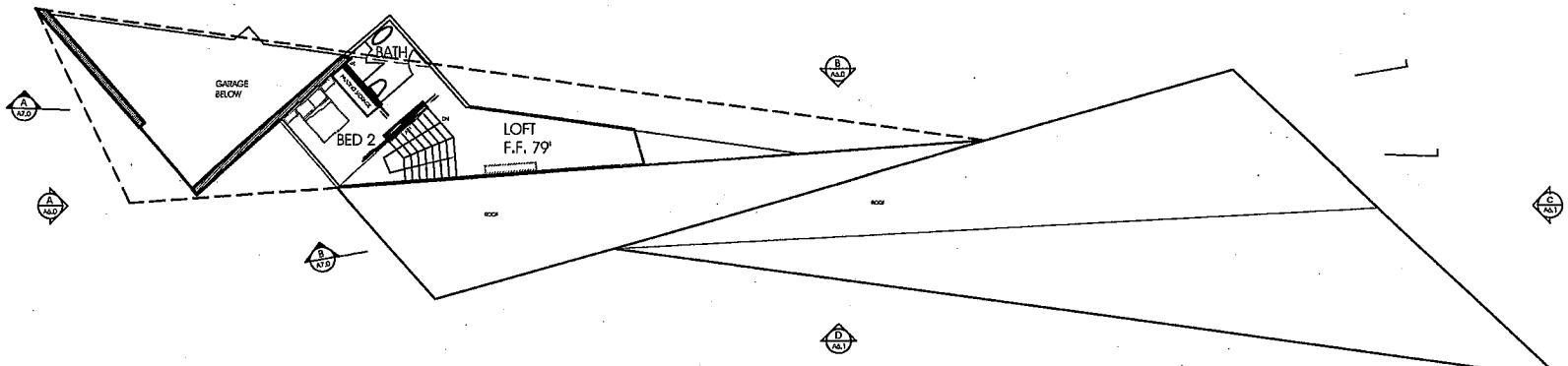
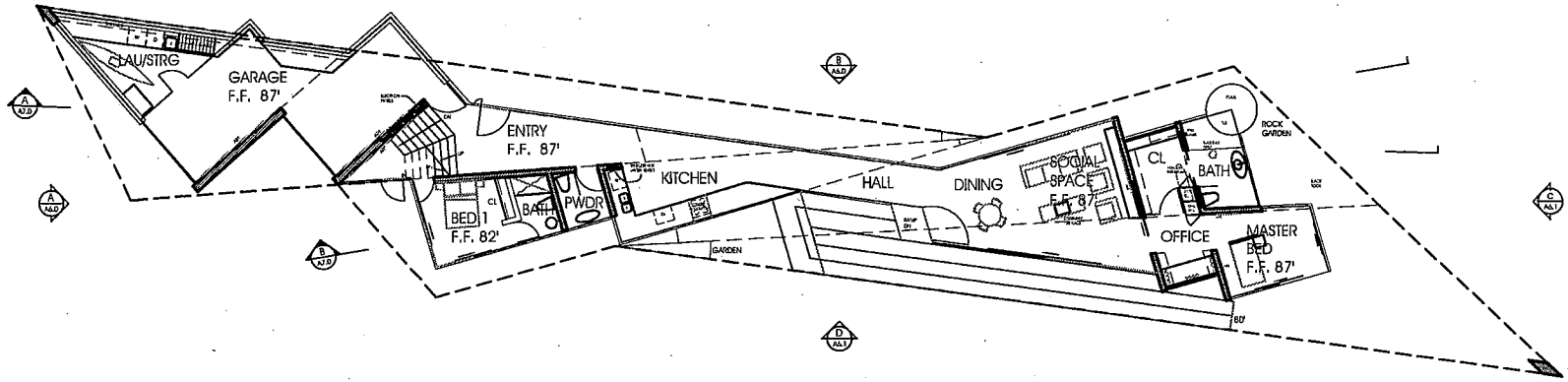
SHEET TITLE EXISTING FLOOR PLAN ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE 1" = 25'-0" DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY



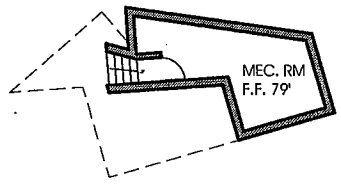
UPPER LEVEL FLOOR PLAN

scale: 1"=25'-0"



MAIN LEVEL FLOOR PLAN

scale: 1"=25'-0"



BASEMENT FLOOR PLAN

scale: 1"=25'-0"

ROOM DIMENSIONS

BASEMENT		DINING	12 X 12 Irreg.
MECH.	24 X 9.5 Irreg.	SOCIAL SPACE	16 X 18 Irreg.
		OFFICE	7.5 X 10 Irreg.
LOWER LEVEL		M. BEDROOM	14 X 11 Irreg.
GARAGE	24 X 20.5 Irreg.	M. CLOSET	7.5 X 11 Irreg.
LAUNDRY/STORAGE	13 X 13 Irreg.	M. BATH	7.5 X 12.5 Irreg.
ENTRY	23 X 8 Irreg.		
BEDROOM 1	10.5 X 12.5 Irreg.	UPPER LEVEL	
BATH 1	5 X 8.5 Irreg.		
POWDER RM	6.25 X 7 Irreg.	LOFT	26 X 7.5 Irreg.
KITCHEN	25 X 11 Irreg.	BEDROOM 2	11 X 12
HALL	18 X 5.25 Irreg.	BATH 2	7.5 X 8.5 Irreg.

N

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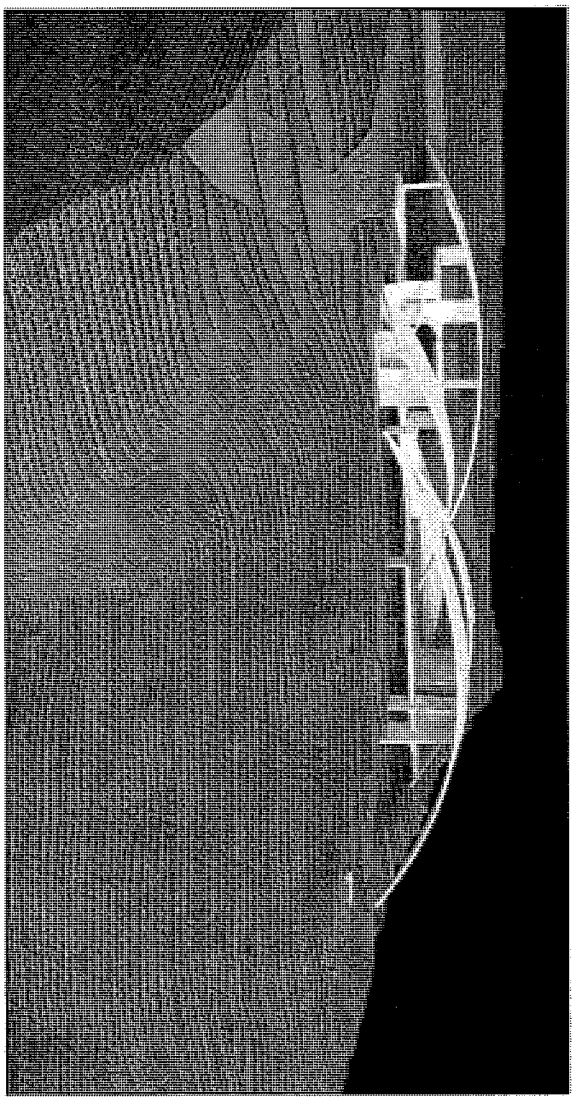
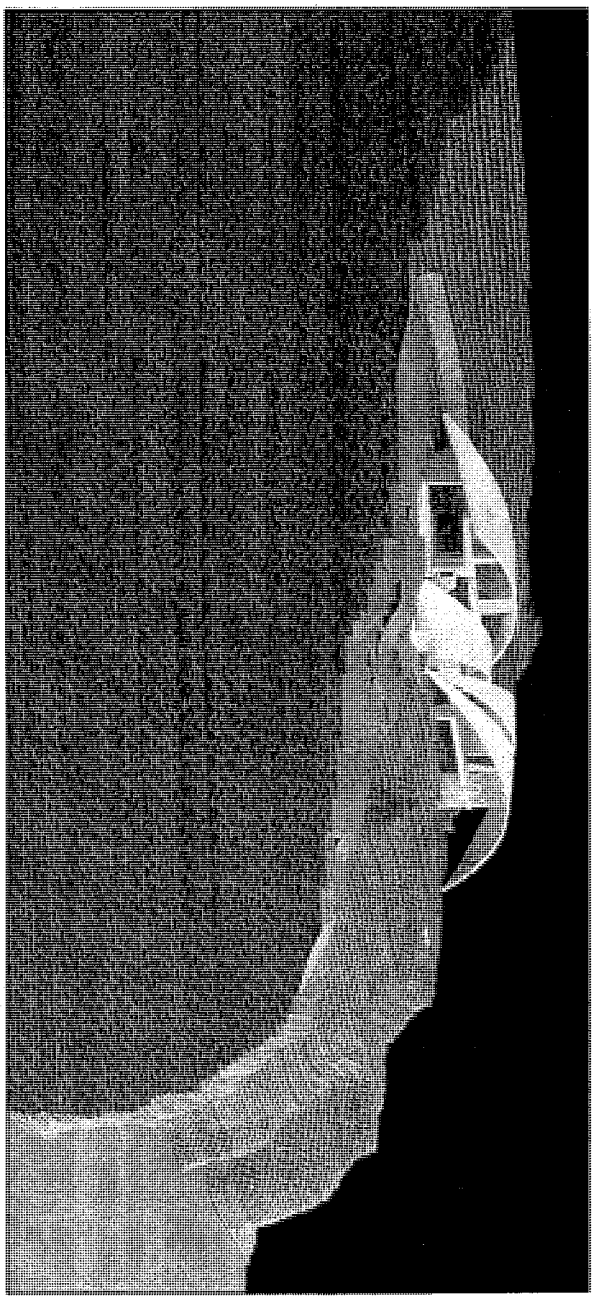
SHEET TITLE FLOOR PLANS ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE 1" = 25'-0" DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY

MODEL PHOTO : SOUTH SIDE



MODEL PHOTO : WEST SIDE



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SAN DIEGO, CALIFORNIA 92103-1303
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SHEET TITLE MODEL PHOTOS

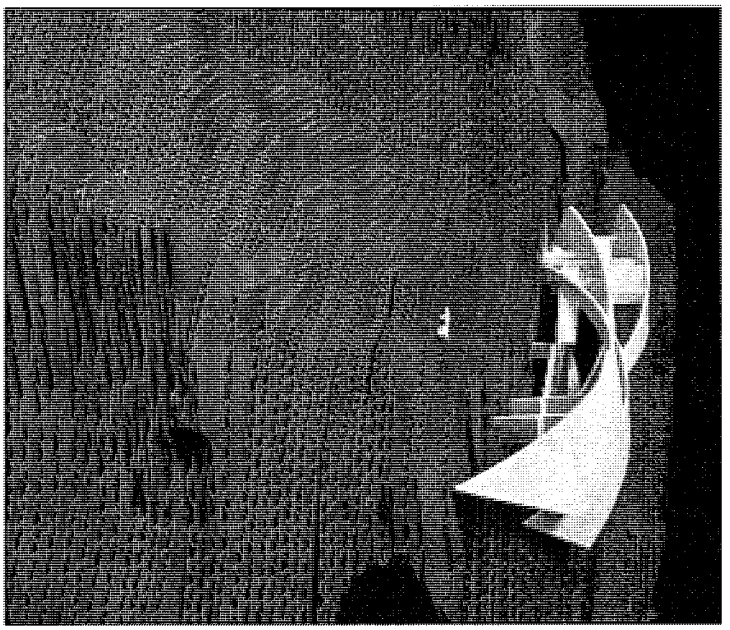
ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE NA

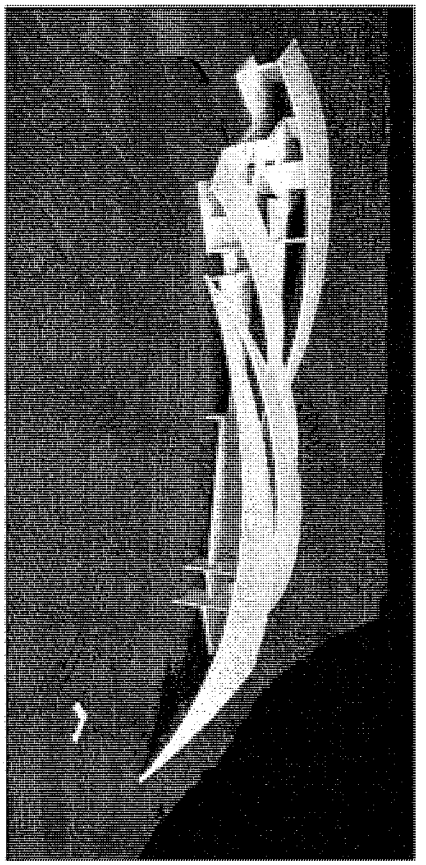
DATE DECEMBER 2, 2008

CLIENT JOAN MURRAY

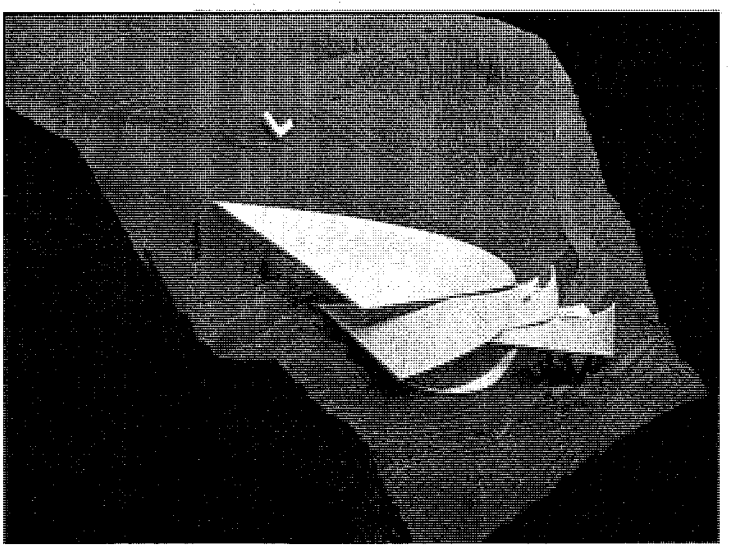
MODEL PHOTO : SOUTH SIDE



MODEL PHOTO : WEST SIDE



MODEL PHOTO : SOUTH SIDE



A4.1

WALLACE E. CUNNINGHAM, INC.

1111 WEST ARBOR DRIVE
SAN DIEGO, CALIFORNIA 92103-1303
619 • 293 • 7640

SHEET TITLE MODEL PHOTOS

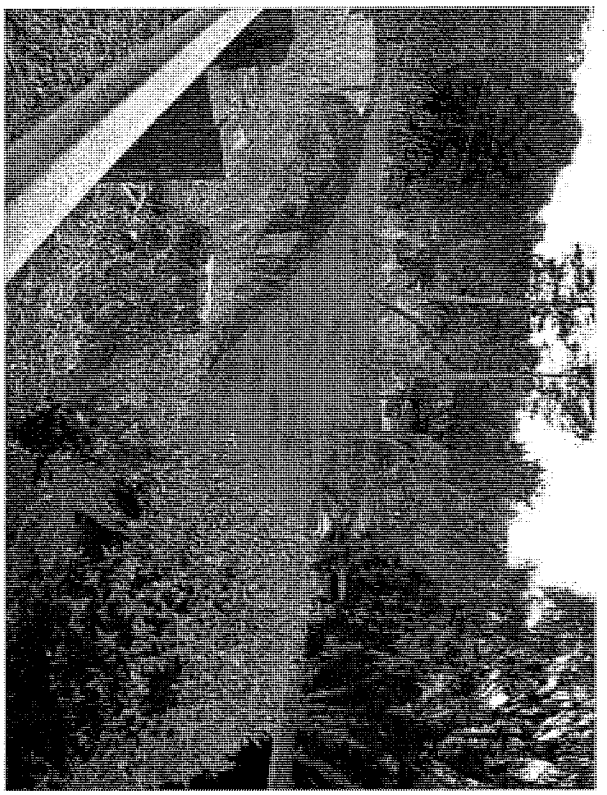
ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE NA

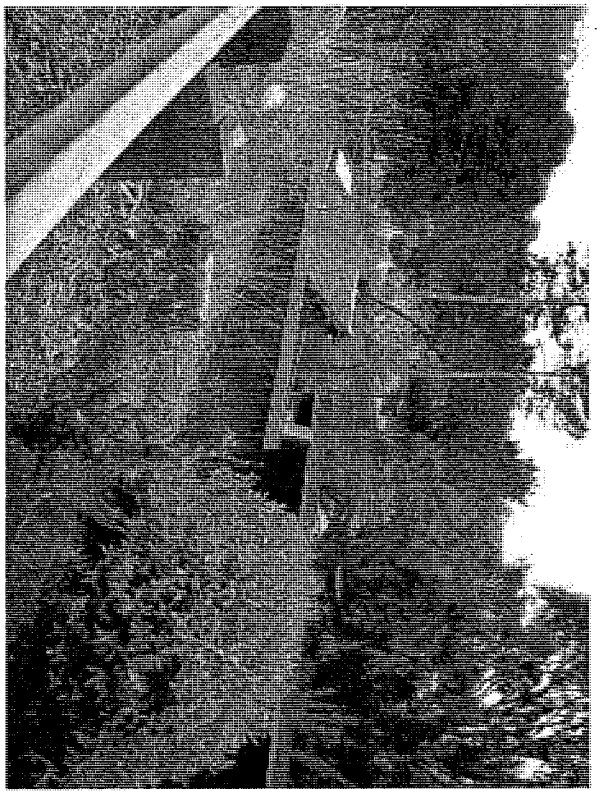
DATE DECEMBER 2, 2008

CLIENT JOAN MURRAY

EXISTING SITE PHOTO - WITH PROPOSED RESIDENCE



EXISTING SITE PHOTO



A5.0

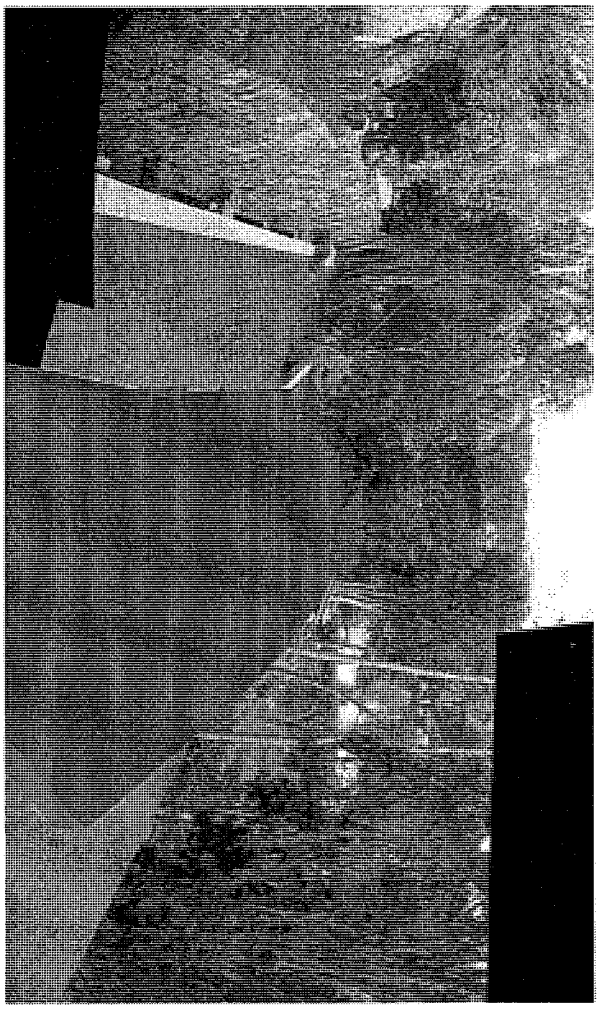
WALLACE E. CUNNINGHAM, INC.

1111 WEST ARBOR DRIVE
SAN DIEGO, CALIFORNIA 92103-1303
619 • 293 • 7640

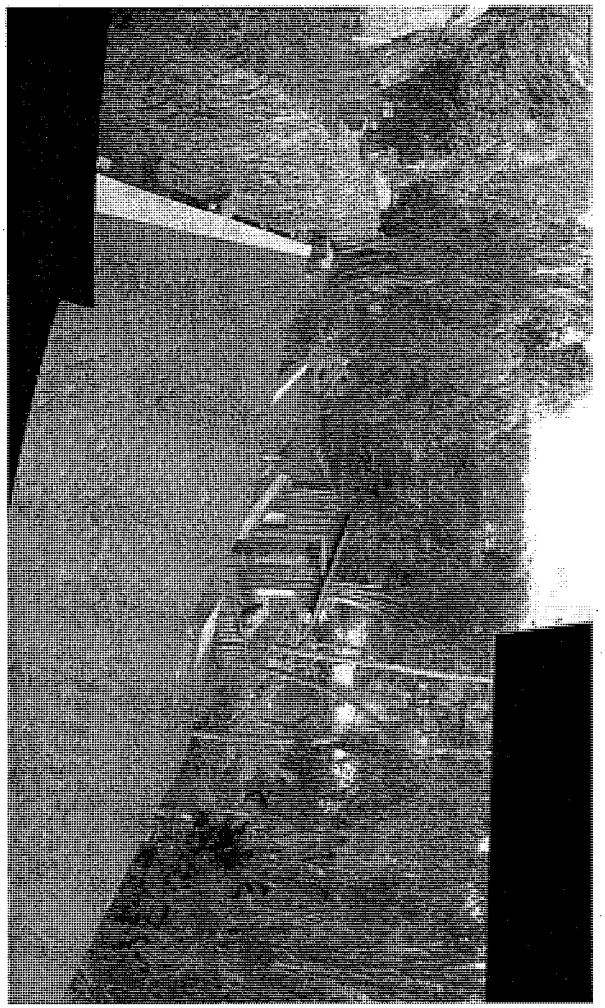
SHEET TITLE PHOTO COMPARISONS ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE NA DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY

EXISTING SITE PHOTO - WITH PROPOSED RESIDENCE



EXISTING SITE PHOTO



A5.1

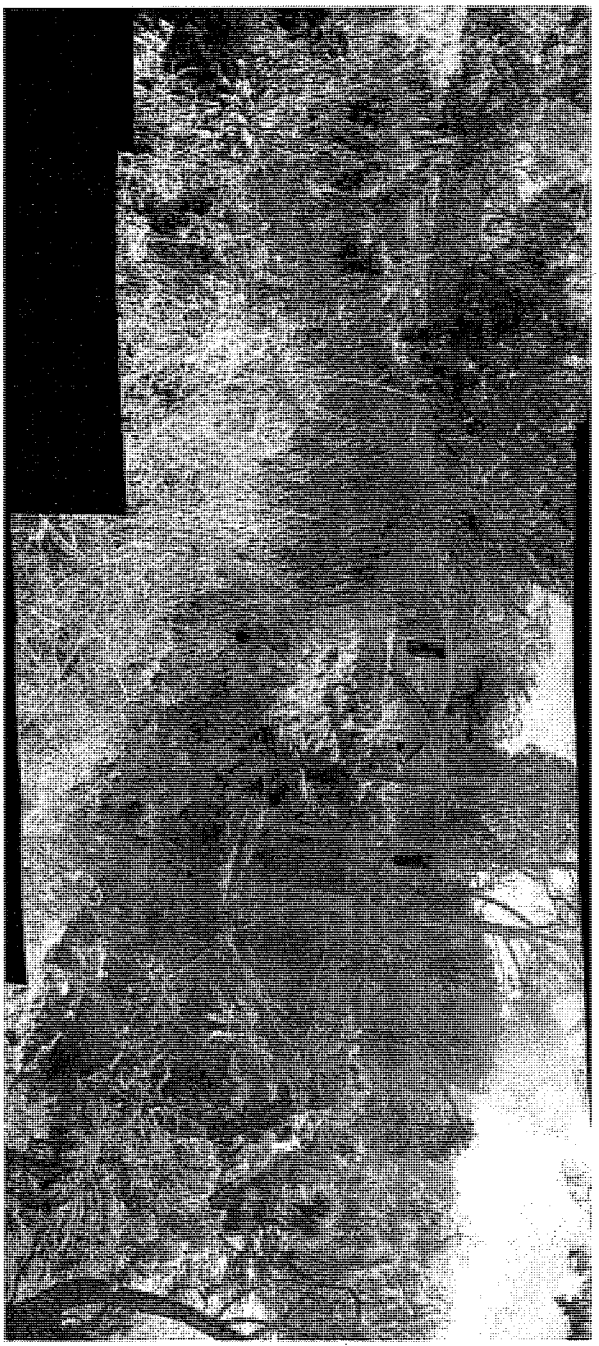
WALLACE E. CUNNINGHAM, INC.

SHEET TITLE PHOTO COMPARISONS ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

1111 WEST ARBOR DRIVE
SAN DIEGO, CALIFORNIA 92103-1303
619 • 293 • 7640

SCALE NA DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY

EXISTING SITE PHOTO - WITH PROPOSED RESIDENCE



EXISTING SITE PHOTO

A5.2

WALLACE E. CUNNINGHAM, INC.

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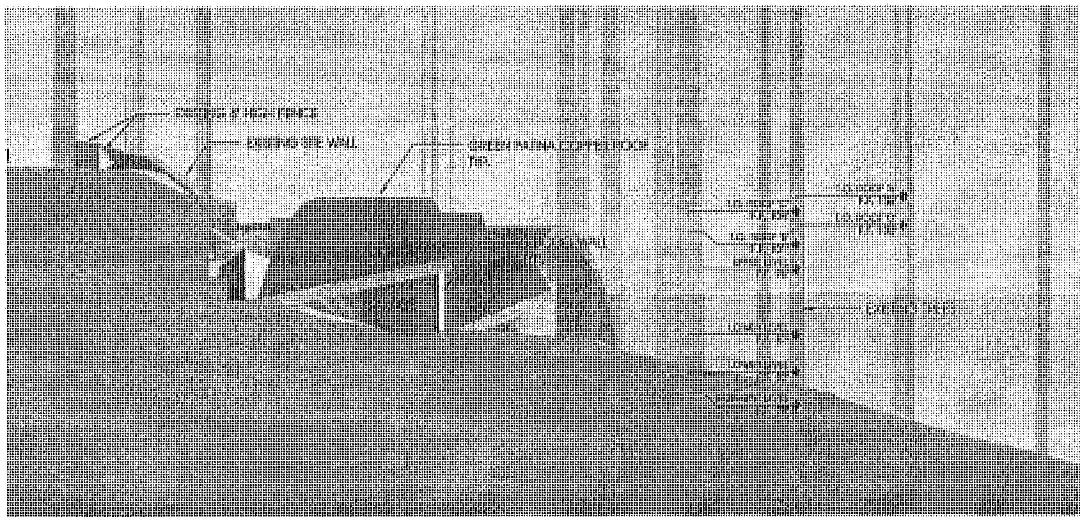
SHEET TITLE PHOTO COMPARISONS ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE NA DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY



ELEVATION A : NORTH

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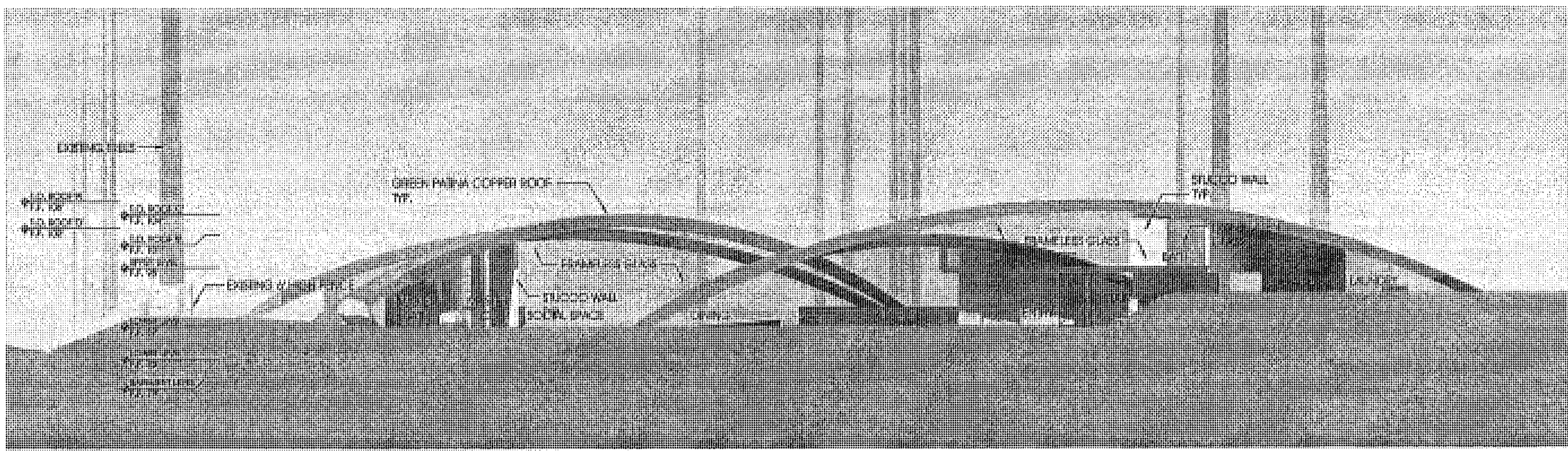


ELEVATION B : EAST

scale: 1"=25'-0"

WALLACE E. CUNNINGHAM, INC.

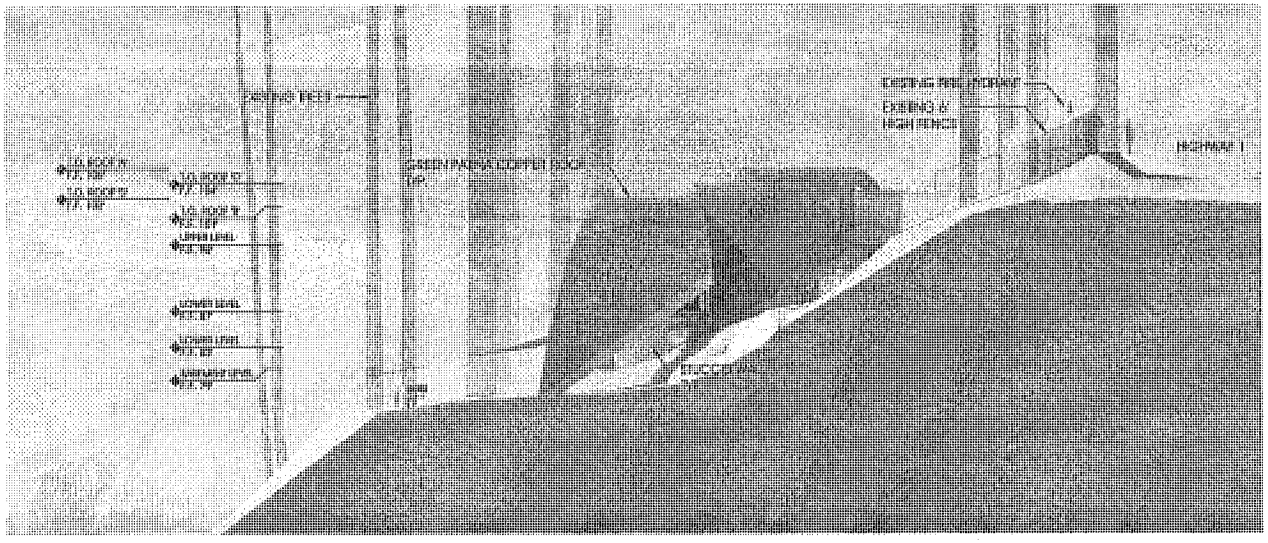
1 1 1 1 W E S T A R B O R D R I V E
S A N D I E G O , C A L I F O R N I A 9 2 1 0 3 - 1 3 0 3
6 1 9 • 2 9 3 • 7 6 4 0

SHEET TITLE ELEVATIONS

ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE 1"=25'-0" DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY

A6.0



ELEVATION C : SOUTH

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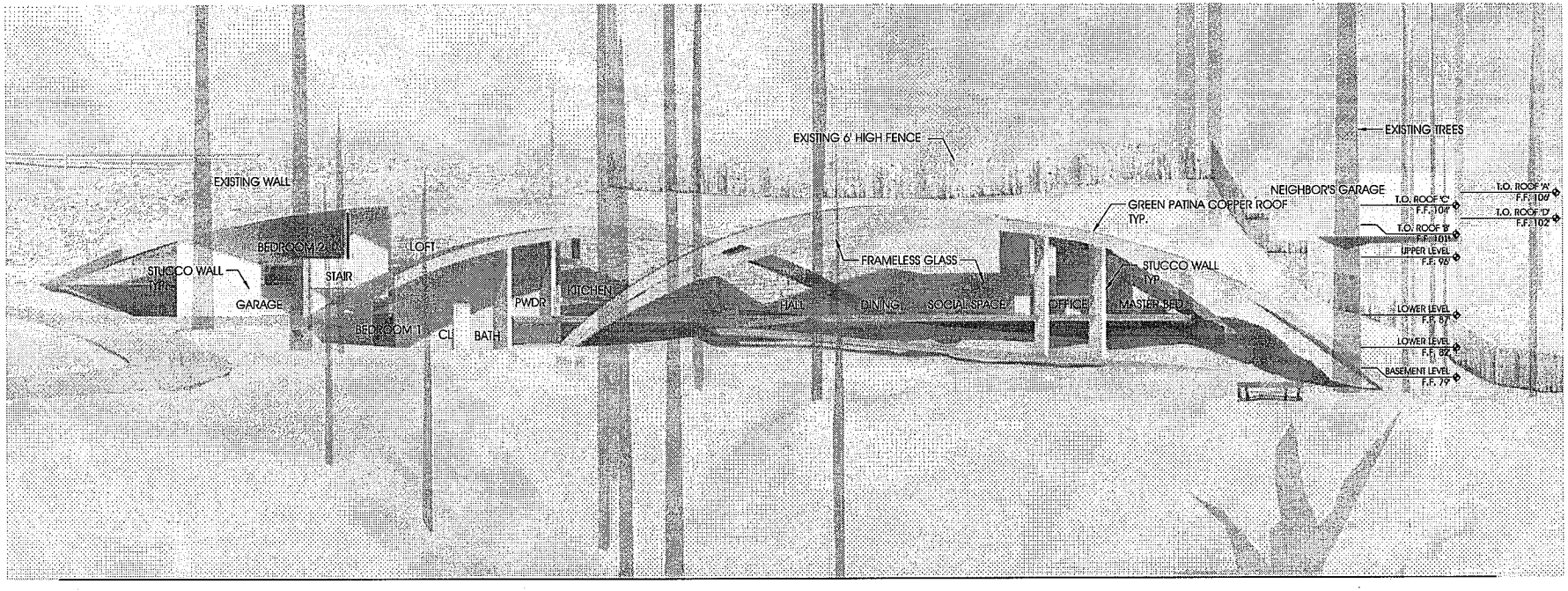

ELEVATION D : WEST

scale: 1"=25'-0"

WALLACE E. CUNNINGHAM, INC.

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SAN DIEGO, CALIFORNIA 92103-1303
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SHEET TITLE ELEVATIONS

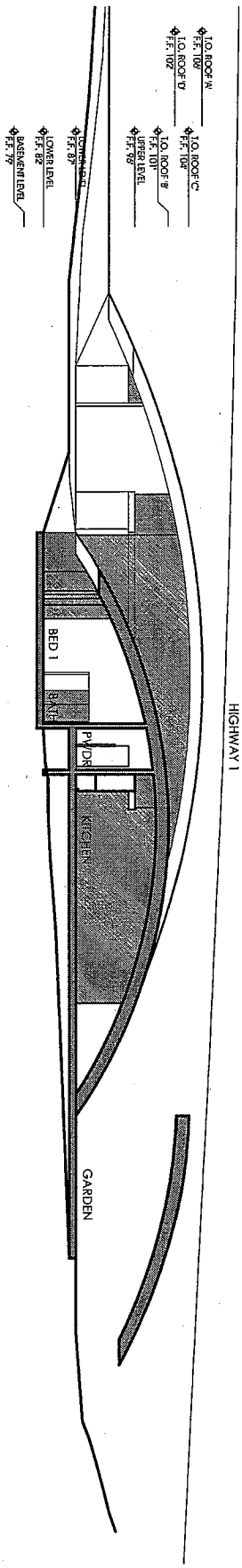
ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE 1"=25'-0"

DATE DECEMBER 2, 2008

CLIENT JOAN MURRAY

A6.1



SECTION B

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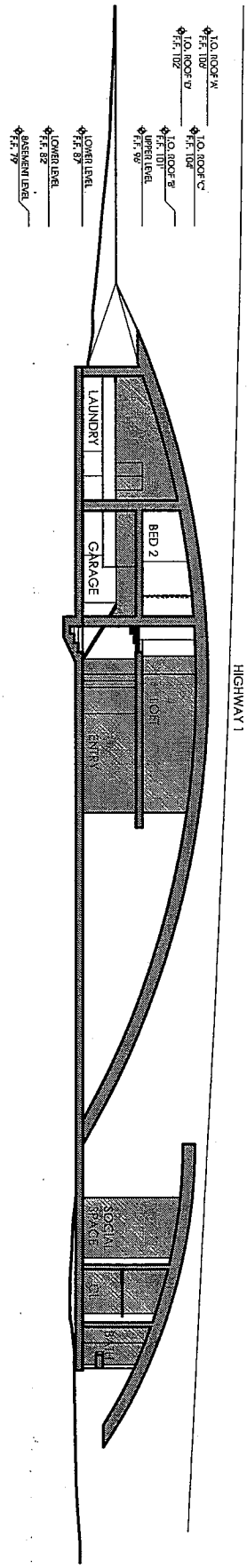

SECTION A

scale: 1"=25'-0"

A7.0

WALLACE E. CUNNINGHAM, INC.

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SAN DIEGO, CALIFORNIA 92103-1303
619 • 293 • 7640

SHEET TITLE SECTIONS

ADDRESS 243 HWY 1, CARMEL HIGHLANDS, CA 93923

SCALE 1"=25'-0" DATE DECEMBER 2, 2008 CLIENT JOAN MURRAY

EXHIBIT D
VICINITY MAP

PLN070388 – Murray Residence

Planning Commission
July 8, 2009

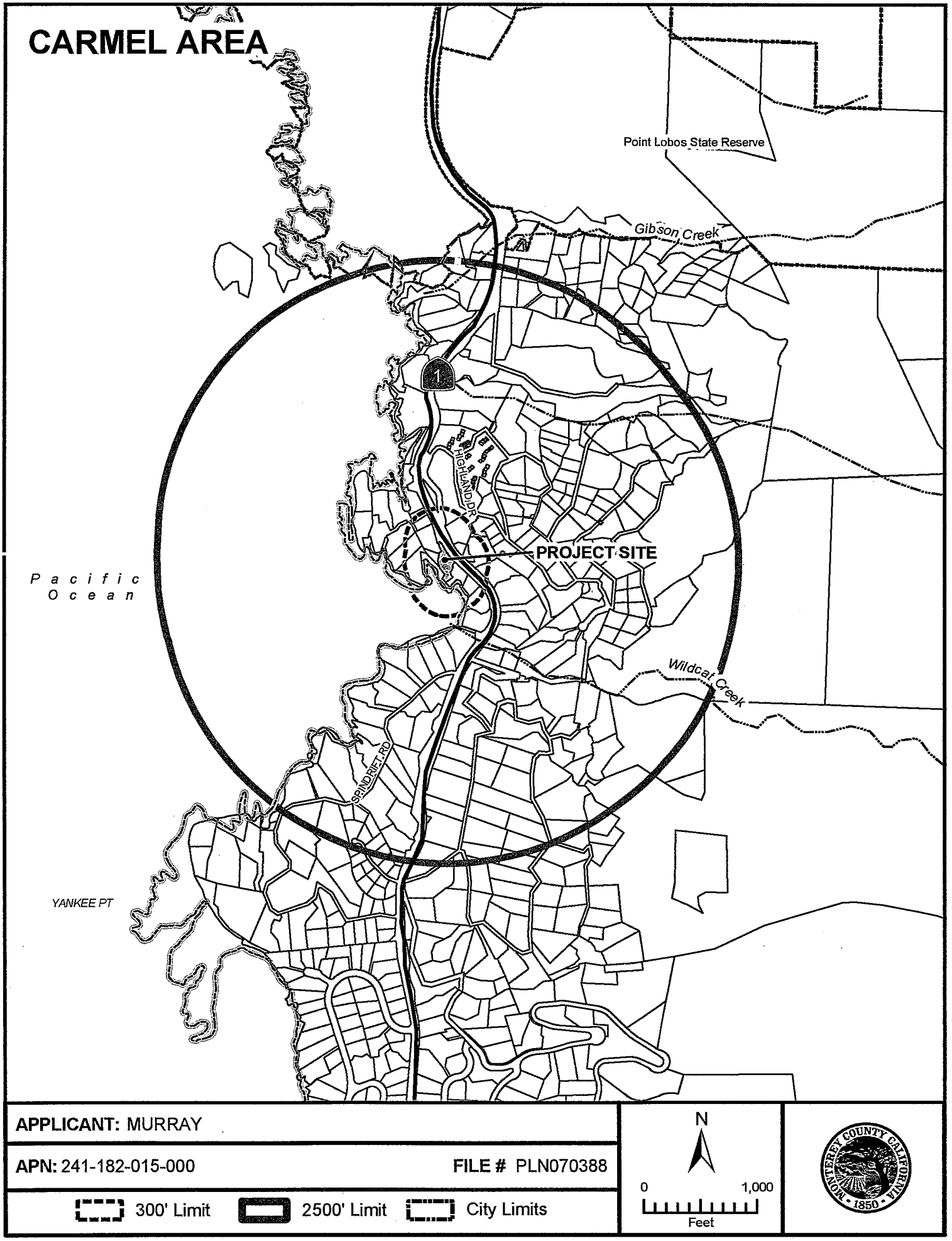

CARMEL AREA
Point Lobos State Reserve
Gibson Creek
1
HIGHLAND DR
PROJECT SITE
Pacific Ocean
Wildcat Creek
SPINDRIFT RD
YANKEE PT
APPLICANT: MURRAY
APN: 241-182-015-000
FILE # PLN070388
300' Limit
2500' Limit
City Limits
N
0
1,000
Feet
MONTEREY COUNTY CALIFORNIA 1850

EXHIBIT E
ADVISORY COMMITTEE MINUTES

PLN070388 – Murray Residence

Planning Commission
July 8, 2009

Action by Land Use Advisory Committee
Project Referral Sheet

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

Advisory Committee: Carmel Unincorporated/Carmel Highlands

Please submit your recommendations for this application by **January 5, 2009**

Project Name: MURRAY JAMES G III & MERIWETHER
File Number: PLN070388
File Type: ZA
Project Planner: JOE SIDOR
Project Location: 243 HWY 1 CARMEL
Project Description: COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) A COASTAL ADMINISTRATIVE PERMIT FOR THE DEMOLITION OF AN EXISTING 3,200 SQUARE FOOT SINGLE FAMILY DWELLING WITH ATTACHED GARAGE AND CONSTRUCTION OF A NEW 2,615 SQUARE FOOT SINGLE FAMILY DWELLING WITH A 715 SQUARE FOOT ATTACHED GARAGE; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 50 FEET OF A COASTAL BLUFF; 3) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 750 FEET OF A KNOWN ARCHAEOLOGICAL RESOURCE; 4) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT ON SLOPE GREATER THAN 30 PERCENT; AND 5) DESIGN APPROVAL. THE PROJECT IS LOCATED AT 243 HIGHWAY 1, CARMEL (ASSESSOR'S PARCEL NUMBER 241-182-015-000) CARMEL HIGHLANDS AREA, COASTAL ZONE.

Was the Owner/Applicant/Representative Present at Meeting? Yes ✓ No _____
Gary Heizel - local rep.

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Richard Stoltz 241 Hwy. 1, Cml.	✓		Gave 100% support for design and project.
Valera W. Lyles 158 A Spindrift Rd.	✓		Letter submitted giving complete support for project Respect for design & architect
B.G. Habibi - Neighbor - end of private road passing	✓		Supports project 100% project.
Heather Chambers 258 Hwy 1, Carmel	✓		Complete support project. Admires design of project.

over →

see back of this page →

Bob Wyland - neighbor, 242 Spindrift Dr.
Completely in support of project.

Terry Tydings, 244 Hwy 1. totally supports
beautiful and innovative design
of new home.

Linda Charles, 158 Hwy. 1. Pleased to support project.

Submitted & Read. 1-5-09
LUAC meeting
B. Rainer, Secty

January 5, 2009

Ladies and Gentlemen:

I live directly across the cove from Joan Murray and wish to offer my unconditional support of her project. I can see her home and the proposed site from every room in my house, save one, and am delighted that her proposal is done with such restraint and respect for nature and the character of the neighborhood. I am also personally acquainted with her architect, Wallace E. Cunningham, and have enormous respect for his design philosophy of appropriateness and suitability. His reputation is impeccable and I view the plans of Ms. Murray to be a distinct asset to the Wild Cat Cove neighborhood. I welcome the enhancement it offers.

Sincerely,

Valera W. Lyles

Valera W. Lyles

158 A Spindrift Road
Carmel Highlands

625-9329

3C

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Lighting plan not detailed. Please have those designs return to LUAC for review		None
Non-Reflective glass suggested for window surfaces		None
No color samples submitted with project other than roof of green copper		None
Please submit colors for stucco walls		

During demolition work care must be taken to prevent any spoils of dirt or materials falling over steep oceanside cliff into water at base of parcel.

ADDITIONAL LUAC COMMENTS

The decrease of encroachment footage into set back near Hwy 1 is an improvement.
Removal of 3 trees, no increase in water use.
Allowable 47 sq. ft. lot coverage (or 15%). total of 1300 sq. ft.
Existing variances run with the land and reasons for these variances still exist, due to steepness of terrain or parcel.
Not rustic in character as called for in Land Use Plan, but sensitive to wooded site and will allow natural character to be maintained.

RECOMMENDATION :

Motion by Meheen - approve as submitted (LUAC Member's Name)

Second by Wald (LUAC Member's Name)

✓ Support Project as proposed with conditions that lighting plan be submitted to LUAC and color chips for walls.

____ Recommend Changes (as noted above)

____ Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 6 (Weber, Berry, Davis, Wald, Meheen, & Rainey)

NOES: None

ABSENT: None

ABSTAIN: Hurst - has not recd. County orientation as new LUAC member.

EXHIBIT F
MITIGATED NEGATIVE DECLARATION

PLN070388 – Murray Residence

Planning Commission
July 8, 2009

FILE COPY

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

Project Title:	Murray
File Number:	PLN070388
Owner:	James G. Murray III and Mimi M. Meriwether
Project Location:	243 Highway 1 Carmel Highlands, Monterey County, California 93923
Primary APN:	241-182-015-000
Project Planner:	Joseph Sidor, Associate Planner
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of: 1) a Coastal Administrative Permit to demolish an existing 2,092 square foot residence with a 400 square foot attached garage and construct a new 2,615 square foot residence with a 715 square foot attached garage, and grading of approximately 620 cubic yards of cut; 2) a Coastal Development Permit to allow development within 50 feet of a coastal bluff; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 4) a Coastal Development Permit to allow development on slopes greater than 30%; and 5) Design Approval.

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

a) That said project will not have the potential to significantly degrade the quality of the environment.

b) That said project will have no significant impact on long-term environmental goals.

c) That said project will have no significant cumulative effect upon the environment.

d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	Monterey County Planning Commission
Responsible Agency:	Resource Management Agency - Planning Department
Review Period Begins:	May 4, 2009
Review Period Ends:	June 3, 2009

Further information, including a copy of the application and Initial Study are available at the Monterey County Resource Management Agency - Planning Department, 168 W. Alisal Street, 2nd Floor, Salinas, CA 93901 (831) 755-5025.

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY
PLANNING DEPARTMENT
168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901
PHONE: (831) 755-5025 FAX: (831) 757-9516

INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	MURRAY
File No.:	PLN070388
Project Location:	243 Highway 1, Carmel Highlands
Name of Property Owner:	Joan Murray
Name of Applicant:	Joan Murray
Assessor's Parcel Number(s):	241-182-015-000
Acreage of Property:	.725 acre (approximately 31,565 square feet)
General Plan Designation:	RESIDENTIAL
Zoning District:	LDR/1-D (CZ) (Low Density Residential, maximum gross density of 1 acre/unit, Design Control Overlay, Coastal Zone)
Lead Agency:	Monterey County Resource Management Agency - Planning Department
Prepared By:	Joseph Sidor
Date Prepared:	April 30, 2009
Contact Person:	Joseph Sidor, Associate Planner SidorJ@co.monterey.ca.us
Phone Number:	(831) 755-5262

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

PLN070388 is a request for a Combined Development Permit consisting of: 1) a Coastal Administrative Permit to demolish an existing 2,092 square foot residence with a 400 square foot attached garage and construct a new 2,615 square foot residence with a 715 square foot attached garage, and grading of approximately 620 cubic yards of cut; 2) a Coastal Development Permit to allow development within 50 feet of a coastal bluff; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 4) a Coastal Development Permit to allow development on slopes greater than 30%; and 5) Design Approval. The property is located at 243 Highway 1, Carmel Highlands, Carmel Area Land Use Plan, Coastal Zone.

B. Environmental Setting, Surrounding Land Uses, and Site Background:

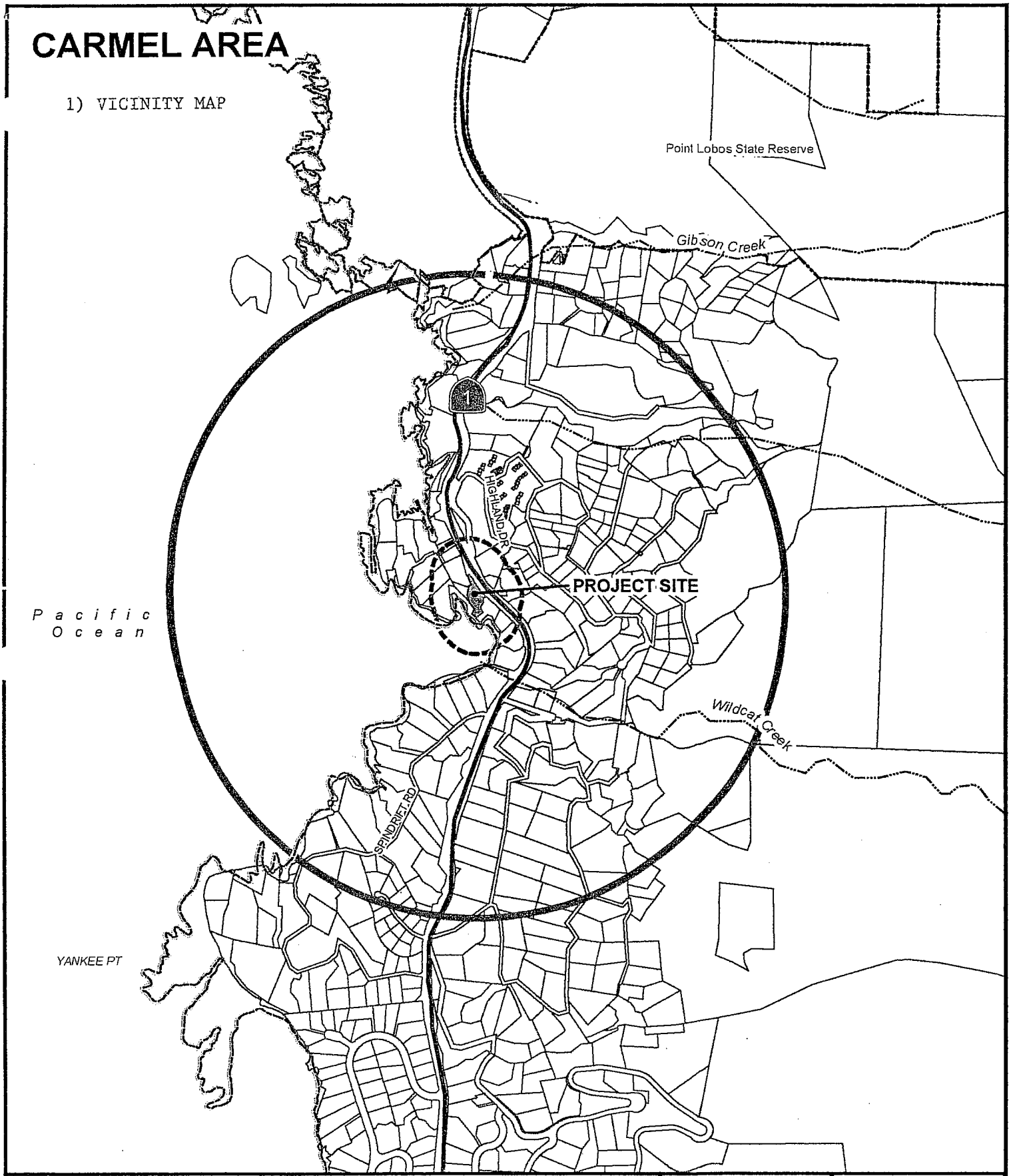
The project site is located at 243 Highway 1 in the Carmel Highlands area of Monterey County. The parcel is located on the west side of and adjacent to Highway 1, approximately three miles south of the city of Carmel-by-the-Sea, and approximately midway between Point Lobos State Reserve and Yankee Point. The site is bordered by the Pacific Ocean (Wildcat Cove) to the west, and residential uses to the east, north, and south. The parcel is a west-facing slope ranging from 0 to 108 feet in elevation. Most of the usable area on the parcel is between 80 to 90 feet in elevation, just below Highway 1. The parcel has approximately 200 feet of ocean front, and the proposed building site is located on a steep slope approximately 100 ft above the water.

Existing development on the property includes a single family dwelling, attached garage, decks, retaining walls, and stone pathways down to the ocean edge. The existing residence is served by a public water system (Cal-Am) and an individual septic system. The project site is in an area identified in County records as having a high archaeological sensitivity, and is in a moderately high seismic hazard zone. The fire hazard is designated "High."

The project, as proposed, will result in the demolition of the existing residence and construction of a new residence on the parcel. The project is consistent with the parameters of Interim Ordinance 5086, as modified and extended by Ordinance Nos. 5093 and 5116 through October 1, 2009. With some exceptions, the interim ordinance limits new development in a defined Carmel Highlands study area, pending completion of an Onsite Wastewater Management Plan for the designated area. Under the interim ordinance, applications for new uses that do not have the potential to generate wastewater may continue to be processed. Based on staff review, the project will not increase wastewater/septic requirements, and the application may be processed.

CARMEL AREA

1) VICINITY MAP



APPLICANT: MURRAY

APN: 241-182-015-000 **FILE #** PLN070388

300' Limit 2500' Limit City Limits

N

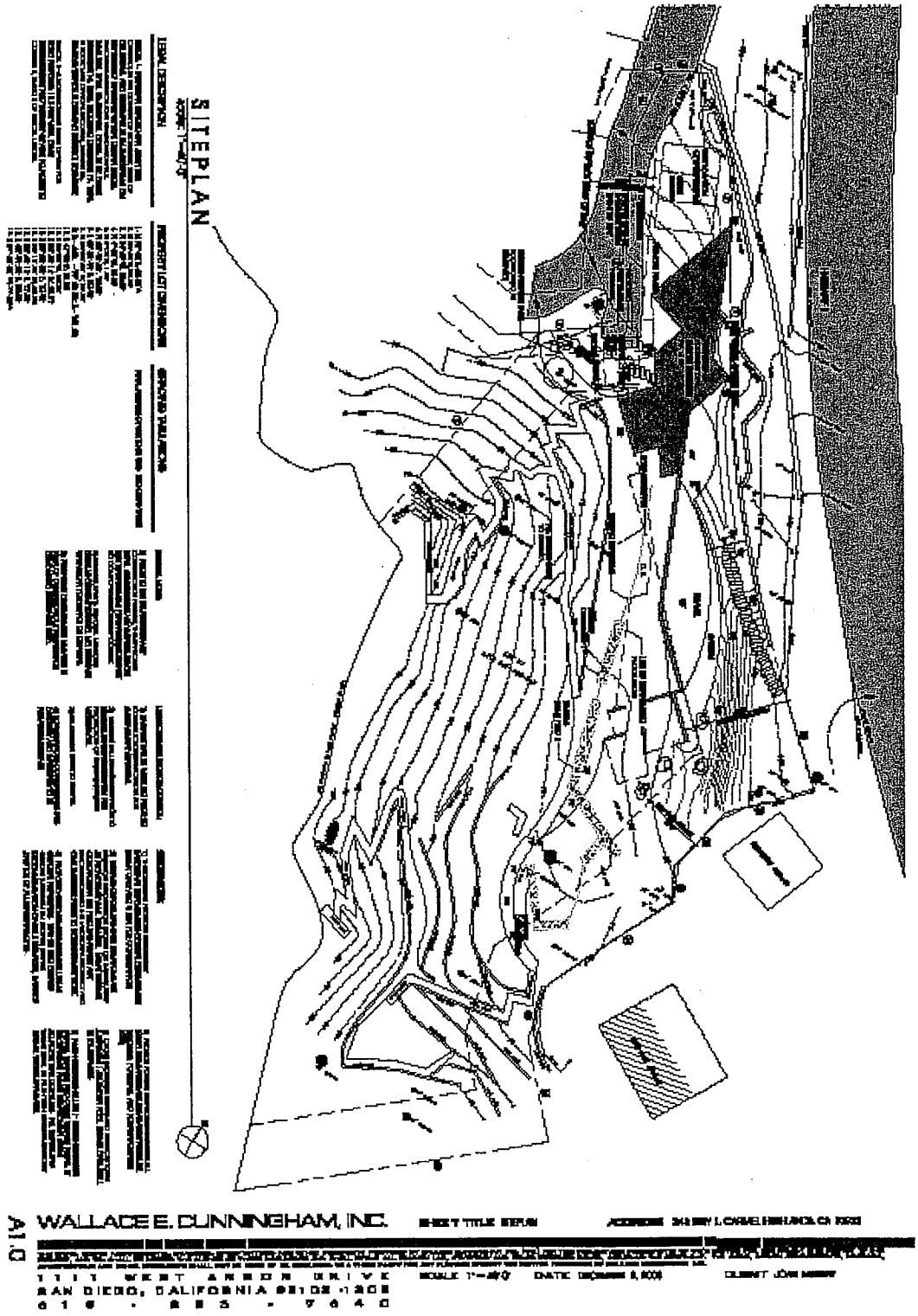
0 1,000

Feet

MONTEREY COUNTY CALIFORNIA 1850

MURRAY INITIAL STUDY
PLN070388

2) Site Plan:


SITEPLAN
WALLACE E. CUNNINGHAM, INC.
111 WEST ANSON DRIVE
SAN DIEGO, CALIFORNIA
619 · 283 · 7040

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

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

General Plan/Area Plan	■	Air Quality Mgmt. Plan	■
Specific Plan	☐	Airport Land Use Plans	☐
Water Quality Control Plan	■	Local Coastal Program-LUP	■

General Plan/Area Plan. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan. Section IV.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 (refer to *Local Coastal Program-LUP* discussion below); or conflicts with any applicable habitat conservation plan or natural community conservation plan. **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 1982 Monterey County General Plan and with the Association of Monterey Bay Area Governments (AMBAG) regional population and employment forecast and, therefore, is consistent with the Regional Water Quality Control Plan. In addition, the project is consistent with the parameters of Interim Ordinance 5086, as modified and extended by Ordinance Nos. 5093 and 5116 through October 1, 2009. 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 a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The environmental document should include a letter from AMBAG that documents its determination that the project is consistent with the AQMP. The proposed project will not increase the population of the area nor generate additional permanent vehicle trips. Therefore, the project will be consistent with the AQMP. **CONSISTENT**

Local Coastal Program-LUP. The proposed project was reviewed for consistency with the Carmel Area Land Use Plan (LUP). Section IV.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. As discussed therein, the proposed project is consistent with the Carmel Area LUP. **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.

■ Aesthetics	☐ Agriculture Resources	■ Air Quality
■ Biological Resources	■ Cultural Resources	☐ Geology/Soils
☐ Hazards/Hazardous Materials	■ Hydrology/Water Quality	■ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic

☐ 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:

1) Aesthetics. See Section VI for detailed analysis.

2) Agricultural Resources. The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance (Source: IX. 1, 2, 3, 4, 6), and the proposed project would not result in conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract. The project will not change the existing residential uses on the property. The project will have no impacts to agricultural resources.

3) Air Quality. See Section VI for detailed analysis.

4) Biological Resources. See Section VI for detailed analysis.

5) Cultural Resources. See Section VI for detailed analysis.

6) Geology and Soils. Geologic and geotechnical reports prepared for the project and subject property, as well as County records, did not identify any on-site faults. Therefore, the risk of direct surface rupture would be minimal and would not expose people or structures to potential substantial adverse effects (Source: IX. 1, 3, 6, 10, 11). The project includes a Coastal Development Permit to allow development within 50 feet of a coastal bluff. Per Carmel LUP Policy 2.7.4.3, a geologic report prepared for the project did not identify any constraints as proposed (Source: IX. 1, 3, 11). Also, per Carmel LUP Policy 2.7.4.1, the proposed development is sited and designed to conform to site topography and to minimize grading. The project, as proposed, includes the removal of approximately 620 cubic yards of cut. In addition, the project would not result in substantial soil erosion or loss of topsoil. The project would not result in structures located on a geologic unit, or soil that is unstable or expansive (Source: IX. 1, 3, 6, 10, 11). The Monterey County Environmental Health Division reviewed the project application and deemed that the project complies with applicable regulations related to the use of septic systems (Source: IX. 1, 3). The project as proposed will have no impacts related to geology and soils.

7) Hazards/Hazardous Materials. The project does not involve the transport, use or disposal of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. There is no storage of large quantities of hazardous materials on site. The project would not involve stationary operations, create hazardous emissions or handle hazardous materials. The site location and scale have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip. Although the site is in a high fire hazard area, the site is located in a residential area and would not be subject to wildland fire hazards (Source: IX. 1, 2, 3, 5, 6). In addition, the project will be conditioned to ensure the use of fire-resistant

materials (Carmel LUP Policy 2.7.4.4 – Fire Hazards). The project would have no impacts regarding hazards or hazardous materials.

8) Hydrology and Water Quality. See Section VI for detailed analysis.

9) Land Use and Planning. See Section VI for detailed analysis.

10) Mineral Resources. No mineral resources have been identified or would be affected by the project (Source: IX. 1, 2, 3, 6). The project would result in no impacts to mineral resources.

11) Noise. The project would not change the existing residential use of the property, would not expose the surrounding properties to noise levels that exceed standards or to substantial vibration from construction activity, and would not substantially increase ambient noise levels (Source: IX. 1, 2, 3, 5, 6). The project site is not located in the vicinity of an airport or private airstrip. The generation of substantial or significant noise over the long-term is not typically associated with a project of this scope. The proposed project would have no noise impacts.

12) Population/Housing The project involves the demolition and reconstruction of an existing residence, and will not increase residential housing in the area. It would not induce population growth in the area, either directly, or indirectly, as no new infrastructure would be extended to the site. The project would not alter the existing location, distribution, or density of human population in the area, nor create a demand for additional housing, or displace people (Source: IX. 1, 3, 5). There would be no impacts to population or housing.

13) Public Services. The project would result in the replacement of one single-family residence, served by existing services and utilities. The project would have no measurable effect on existing public services in that there would be no increase in demand, and it would not require expansion of any services to serve the project. The re-constructed residence will use an existing septic system. County Departments reviewed the project application and have provided recommended Conditions of Approval. None of the County agencies or service providers indicated that this project would result in significant impacts (Source: IX. 1, 5, 6). The proposed project would have no impacts related to public services.

14) Recreation. The project, as proposed, would not result in an increase in the use of existing recreational facilities causing substantial physical deterioration (Source: IX. 1, 5, 6). No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project, based on review of Figure 3 (Public Access Map) of the Carmel Area LUP and staff site visits (Source: IX. 3, 5, 6). The project would not create significant recreational demands. The project is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Monterey County Zoning Ordinance, Section

20.70.050.B.4). The proposed project is in conformity with the public access policies of Chapter 5 of the Carmel Area Land Use Plan (LUP), and Section 20.146.130 of the Monterey County Coastal Implementation Plan for the Carmel Area (Part 4). Figure 3 does not identify the parcel as an area requiring existing or proposed public access. No public access points or trails are located on the parcel. Moreover, Figure 3 identifies this area as inappropriate for beach access. The proposed project would have no impacts related to recreation.

15) Transportation/Traffic. The project does not involve structural development that would generate new permanent traffic or increase the number of vehicle trips (Source: IX. 1). The roadways in the immediate area are not at degraded levels of service during non-peak hours. However, Highway 1 is degraded to a Level of Service D or E during peak hours (primarily increased recreational traffic on weekends and holidays). The contribution of traffic from the proposed project would not cause any roadway or intersection level of service to be degraded during a standard work week (Source: IX. 1, 2, 3, 5, 6). The project as proposed will result in a temporary increase in truck traffic for construction and soil export. The County will apply standard conditions to include the preparation of a construction management plan detailing the timing and routing of truck trips to occur during off-peak hours. The project would not result in a change in air traffic patterns or an increase in traffic levels. It would not substantially increase hazards due to a design feature, nor result in inadequate emergency access or parking capacity (Source: IX. 1, 4, 5, 6). The project also would not conflict with adopted policies, plans, or programs supporting alternative transportation (Source: IX. 1, 2, 3). The proposed project would have no impacts related to transportation or traffic.

16. Utilities and Service Systems. The project does not propose to add any new structures that would require increases to service from existing systems. (Source: IX. 1, 3, 6). Utilities such as electricity, gas, and phone service are already in place, and the proposed project would not generate additional demand nor warrant the expansion of the current infrastructure. The project would have no impacts related to utilities and service systems.

B. DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

■ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature — April 30, 2009 (Date)

Joseph Sidor — *Associate Planner*

V. EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (Source: IX. 1, 3, 5, 6)	☐	☐	☐	■
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX. 1, 3, 5, 6)	☐	☐	☐	■
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: IX. 1, 3, 5, 6)	☐	☐	☐	■
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 1, 5)	☐	☐	■	☐

Discussion/Analysis/Mitigations:

Aesthetics 1(a – c) - No Impact.
The project, as proposed, would not have a substantial adverse effect on a scenic vista, would not change nor substantially degrade the existing visual character of the site and its surroundings, and would not substantially damage scenic resources such as trees, rock outcroppings, or historic buildings within a state scenic highway (Source: IX. 1, 3, 5, 6). Staff conducted site visits on July 31, 2007, and December 12, 2008, to assess the potential viewshed impacts of the project and ensure consistency with applicable LUP policies. The existing and proposed residences are not and will not be visible from public viewing areas (LUP Policy 2.2.3.1). The existing topography, fence, and trees screen the site from public views. Furthermore, the parcel is not within the general viewshed for the Carmel area, as identified on Map A (General Viewshed) of the Carmel Area LUP. The project is consistent with the Visual Resource policies of the Carmel Area LUP, specifically LUP Policies 2.2.3.6 and 2.2.4.9, which requires structures to be subordinate and blended into the environment. Due to site topography, the proposed building area is approximately 15 feet or more below Highway 1 and is not visible from designated scenic roadways (Highway 1) or public viewpoints, would not damage any scenic resources, and would not result in ridgeline development (Source: IX. 1, 3, 5, 6).

Aesthetics 1(d) – Less than Significant.
The project, as proposed, will result in the demolition of the existing residence and construction of a new residence on the parcel. Although there is no change to the existing residential use, the project may increase the amount of potential interior light emitted into the area of Wildcat Cove that may adversely affect views in the area. As a result, a standard project condition requiring the use of non-reflective glass will be imposed to ensure the minimization of off-site light and glare,

and to reduce the potential impacts to less than significant, consistent with LUP Policy 2.2.4.10 (Source: IX. 1, 5).

2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: IX. 1, 2, 3, 6)	☐	☐	☐	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX. 2, 3, 4, 6)	☐	☐	☐	■
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: IX. 1, 6)	☐	☐	☐	■

Discussion/Analysis/Mitigations: See Sections II and IV.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 1, 2, 7)	☐	☐	☐	■
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: IX. 1, 7)	☐	☐	☐	■

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1, 7)	☐	☐	☐	■
d) Result in significant construction-related air quality impacts? (Source: IX. 1, 7)	☐	☐	■	☐
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1, 7)	☐	☐	☐	■
f) Create objectionable odors affecting a substantial number of people? (Source: IX. 1, 7)	☐	☐	☐	■

Discussion/Conclusion/Mitigation:

Air Quality 3(a, b, c, e, and f) - No Impact.
The proposed project site is located in the North Central Coast Air Basin, which is comprised of Monterey, Santa Cruz, and San Benito counties. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is the agency with jurisdiction over the air quality regulation in the subject air basin. In 2008, the MBUAPCD adopted an Air Quality Management Plan, which outlines the steps necessary to reach attainment with the state standards of air quality for criteria pollutants. The project involves the demolition of an existing residence and the construction of a new residence, including approximately 620 cubic yards of cut. The project would not permanently conflict with or obstruct the implementation of Air Quality Management Plan, nor would it violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment (Source: IX. 1, 2, 7). The project would not expose any sensitive receptors to substantial pollutant concentrations, and would not create any objectionable odors affecting a substantial number of people (Source: IX. 1, 7). The generation of substantial or significant odors over the long-term is not typically associated with a project of this scope.

Air Quality 3(d) – Less than Significant.
The project would result in construction-related air quality impacts that are less than significant. The temporary and short-term impacts from project-related construction activities only have the potential to affect local air quality. Emissions may include on-site and off-site generation of fugitive dust from demolition activities and on-site generation of exhaust from construction equipment. During demolition activities, the applicant will be required to implement the County

standard condition to abide by MBUAPCD Rule 439 to reduce and contain demolition dust and debris. In addition, the applicant will be required to obtain any necessary permits from the MBUAPCD prior to demolition activities.

4. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 3, 5, 6, 12, 13)	☐	■	☐	☐
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: IX. 1, 3, 5, 6)	☐	■	☐	☐
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: IX. 1, 3, 5, 12, 13)	☐	☐	☐	■
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: IX. 1, 3, 5, 6, 12, 13)	☐	☐	☐	■
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 2, 3, 4, 5)	☐	☐	☐	■
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: IX. 3, 6)	☐	☐	☐	■

Discussion/Conclusion/Mitigation:

Biological Resources 4(a) and 4(b) – Less Than Significant with Mitigation Incorporated. The property does not contain any mapped environmentally sensitive habitat areas; however, the parcel is adjacent to the Pacific Ocean and the Monterey Bay National Marine Sanctuary. The

use of a similar building footprint for the new residence will minimize potential impacts to the natural features of the site or adjacent ocean, consistent with LUP Policy 2.3.3.2. The expansion area of the house footprint will be into a garden area with extensive rock wall terracing, and no remaining natural biological features. However, the construction process has the potential to impact the ocean habitat and its sensitive species unless precautions are taken. Therefore, the project's construction activities could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community (Source: IX. 1, 3, 5, 6, 12, 13).

Per LUP Policy 2.3.3.5, biological surveys were prepared for the project. The biological reports identified the potential for construction-related impacts that would require mitigation to be reduced to a level of less than significant. The reports did note that the host plants for the Smith's blue butterfly are not present on the parcel; therefore the parcel lacks Smith's blue butterfly habitat. In addition, with the exception of several Monterey pine, no sensitive plant or tree species were found on the parcel. Per LUP Policy 2.3.3.7, development shall be restricted to that needed for the structural improvements.

The parcel has approximately 200 feet of ocean front, and the proposed building site is located on a steep slope approximately 100 ft above the water. Any compromise of the rocky inter-tidal area or ocean with dust, dirt, trash, liquids, water, construction materials etc., created during the construction process, could potentially harm two listed species - the California brown pelican and the south/central steelhead. The following mitigation measures are recommended to avoid any impacts to the inter-tidal area, ocean, and the species.

Mitigation Measure 1:
Construction fencing. A construction barrier/fence shall be designed and installed on the slope just below the building envelope, to stop all construction materials and waste from entering the ocean. The barrier shall be at least 5 ft in height and shall extend the entire west boundary of the building envelope and at least 10 ft on the north and south boundaries at the west side corners. If during the construction period, the design of the fence proves to be inadequate to protect the ocean, the fence shall be redesigned and corrected immediately. All construction materials shall always be secured and stored properly on the site to prevent blowing or falling into the ocean, even when they are in use. The job site must remain free of all forms of garbage at all times of the day and night. All garbage shall be bagged and hauled away daily, or completely secured.

Monitoring Action 1:
Inadvertent impacts to biological resources, primarily the Pacific Ocean, shall be reduced by placing construction fencing on the west, north, and south boundaries prior to the beginning of demolition and construction activities, per the recommendation of the biological survey. Prior to the issuance of a demolition permit, the applicant shall provide proof of fencing to the RMA-Planning Department.

Mitigation Measure 2:
Construction and storm runoff collection. During construction, all runoff from the construction site must be collected in a temporary basin on the east side of the site. The

collection basin shall be regularly pumped and all waste water removed from the site and properly disposed of. No runoff shall be allowed to enter the ocean or run down the common access road or into storm drains. The runoff collection system shall also arrest any movement of silt or soil from the site.

Monitoring Action 2:
The applicant shall install a temporary collection basin, and provide documentation to the RMA-Planning Department. The applicant shall also provide documentation of removal of collected run-off.

Mitigation Measure 3:
Site Inspections. A construction monitor, approved by the County, shall inspect the construction fencing, storm runoff collection, and job site trash maintenance on a weekly basis during the demolition and construction period to ensure that the mitigation systems are properly installed and maintained, and no impact to the ocean has occurred. Monthly reporting of the systems to the permitting agencies shall be the responsibility of the inspector.

Monitoring Action 3:
A construction monitor shall inspect the construction fencing, storm runoff collection, and job site trash maintenance on a weekly basis. The monitor shall have the authority to temporarily halt work in order to correct any of the systems not properly maintained. Prior to issuance of a demolition permit, the applicant shall provide to the RMA-Planning Department a copy of the contractual agreement with a qualified monitor for review. The monitor, on a monthly basis, shall submit evidence of on-site monitoring during all phases of demolition, excavation, and new construction. Reports, with accompanying photos, shall be submitted to the RMA – Planning Department

Mitigation Measure 4:
Landscape Lights. Because illumination can be detrimental to aquatic life, such as sea otters, no landscape lights, including spot lights and security lights, associated with the new structure shall be allowed to illuminate the rocky inter-tidal zone or ocean at night.

Monitoring Action 4:
In order to minimize lighting impacts, all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and all off-site glare is fully controlled. Outside lighting shall be downcast, low wattage and the minimum necessary for safety as determined by the Building Official. Any changes or additions to exterior lighting must be approved by the Monterey County RMA-Planning Department. Prior to the issuance of building or grading permits, the applicant shall submit a lighting plan showing the location, type and wattage of all exterior lights to the Director of Planning for approval. Prior to final or occupancy, the exterior lighting shall be inspected by the Planning Department for conformance to the approved plans.

Biological Resources 4(c), 4(d), 4(e), and 4(f) – No Impact.
The parcel is located in a heavily developed residential area of Carmel Highlands, and is completely landscaped. The landscaping consists of terraced walls and planted shrubs (Source: IX. 1, 5). The proposed site for the new residence does not contain any environmentally sensitive habitat areas as shown on Map B in the Carmel Area LUP (Source: IX. 3). The project, as proposed, will not 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: IX. 1, 3, 5, 12, 13). The project will also not 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: IX. 1, 3, 5, 6, 12, 13). Furthermore, the project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Source: IX. 1, 2, 3, 4, 5). The project involves no tree removal, and the existing landscaping will be maintained. Lastly, the project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan since none are present on the site (Source: IX. 3, 6).

5. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: IX. 1, 3, 6, 9)	☐	☐	☐	■
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: IX. 1, 3, 6, 8)	☐	■	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: IX. 1, 3, 5, 6)	☐	☐	☐	■
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX. 1, 3, 5, 6, 8)	☐	☐	☐	■

Discussion/Conclusion/Mitigation:

Cultural Resources 5(a), 5(c), and 5(d) - No Impact. Based upon the Monterey County GIS System Property Report, the project site does not contain historical resources and would therefore not cause a substantial adverse change in a significant historical resource (Source: IX. 1, 3, 6, 9). According to a historic report prepared for the project, the subject property was originally developed in 1956. Additions have been constructed onto the original residence in 1961, 1964, and 1983. Therefore, the property has lost its physical integrity as constructed in 1956. In addition, no paleontological resources or unique geologic features are identified as associated

with this site (Source: IX. 1, 3, 5, 6). Also, given the location and slope of the project site, it is unlikely to disturb any human remains (Source: IX. 1, 3, 5, 6, 8). The project as proposed will have no impacts related to a historic resource, paleontological resource or a unique geologic feature.

Cultural Resources 5(b) – Less than Significant Impact with Mitigation Incorporated.
The project site is in an area identified in County records as having a high archaeological sensitivity. In addition, the project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource (Source: IX. 1, 3, 6, 8). Pursuant to Section 20.146.090 (Archaeological Resources Development Standards), an archaeological survey was prepared for the project, and concluded that the project area may contain potentially significant pre-historic cultural resources due to the proximity of a known archaeological resource. The report recommends that due to the project's proximity to this known archaeological resource, monitoring of construction activities is required to reduce potential project impacts to a less than significant level (Source: IX. 8).

Mitigation Measure 5: Require the applicant to submit an agreement to contract an archaeologist for archaeological monitoring during earth disturbing activities associated with demolition and new construction on the parcel, such as foundation removals, grading, foundation excavations, etc. The monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features and, if possible, shell suitable for radiocarbon dating should be recovered during monitoring. A minimum of two radiocarbon dates should be obtained as mitigation for incidental project impacts to the archaeological resource.

Monitoring Action 5: Prior to issuance of a Building or Grading Permit, the applicant shall provide the Planning Department with a copy of an agreement specifying that an archaeological monitor will be on-site during earth disturbing activities. The applicant shall provide evidence of the presence of the archaeologist on-site during demolition of existing structures and new construction, and any measures necessary to be in place and in good order through construction. Photos shall be dated on a weekly basis (or as determined by the monitoring archaeologist) and submitted with a certification from the archaeologist.

6. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

6. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1, 3, 6, 10, 11) Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	■
ii) Strong seismic ground shaking? (Source: IX. 1, 3, 10, 11)	☐	☐	☐	■
iii) Seismic-related ground failure, including liquefaction? (Source: IX. 1, 3, 10, 11)	☐	☐	☐	■
iv) Landslides? (Source: IX. 1, 3, 10, 11)	☐	☐	☐	■
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX. 1, 3, 10, 11)	☐	☐	☐	■
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: IX. 1, 3, 6, 10, 11)	☐	☐	☐	■
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: IX. 1, 3, 10, 11)	☐	☐	☐	■
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: IX. 1, 3)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

7. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1, 3, 5)	☐	☐	☐	■

7. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1, 3, 5)	☐	☐	☐	■
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: IX. 1, 3, 5, 6)	☐	☐	☐	■
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: IX. 1, 3, 6)	☐	☐	☐	■
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: IX. 1, 2, 3, 6)	☐	☐	☐	■
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: IX. 1, 3, 6)	☐	☐	☐	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 6)	☐	☐	☐	■
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: IX. 1, 3, 5, 6)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

8. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: IX. 1, 3, 6)	☐	☐	☐	■

8. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1, 3, 6)	☐	☐	☐	■
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: IX. 1, 3, 5, 6)	☐	☐	☐	■
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: IX. 1, 3, 5, 6)	☐	☐	☐	■
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: IX. 1, 6)	☐	☐	☐	■
f) Otherwise substantially degrade water quality? (Source: IX. 1, 3, 5, 6)	☐	☐	■	☐
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: IX. 1, 3, 5, 6)	☐	☐	☐	■
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: IX. 1, 5, 6)	☐	☐	☐	■
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: IX. 1, 5, 6)	☐	☐	☐	■
j) Inundation by seiche, tsunami, or mudflow? (Source: IX. 1,3, 5, 6)	☐	☐	■	☐

Discussion/Conclusion/Mitigation:

Hydrology and Water Quality 8(a-e and g-i) - No Impact.
The proposed project will not violate any water quality standards or waste discharge requirements (Source: IX. 1, 3, 6). The project, as proposed, is also consistent with the parameters of Interim Ordinance 5086, as modified and extended by Ordinance Nos. 5093 and 5116 through October 1, 2009. With some exceptions, the interim ordinance limits new development in a defined Carmel Highlands study area, pending completion of an Onsite Wastewater Management Plan for the designated area. Under the interim ordinance, applications for new uses that do not have the potential to generate additional wastewater may continue to be processed. Based on staff review, the project will not increase wastewater/septic requirements, and the application may be processed. As proposed, the new residence will retain the same number of bedrooms (3.0) and bathrooms (3.5) as the residence to be demolished. Based on fixture replacements, the overall fixture count will be reduced by 1.0, from 24.8 to 23.8.

The parcel currently receives water service from Cal-Am that meets water quality standards. The proposed structural development will be served by an existing septic system. The Monterey County Water Resources Agency (WRA) and Environmental Health Division have reviewed the project application and, as conditioned, deemed that the project complies with applicable ordinances and regulations (Source: IX. 1, 3, 5, 6). The project will not expose people or structures to a significant risk involving flooding (Source: IX. 1, 5, 6). The project will replace a single family residence on approximately the same building area, and will not alter the existing drainage pattern of the site or area, nor create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems (Source: IX. 1, 6). The project would not provide additional sources of polluted runoff or degrade water quality, or place a structure within an area that would impede or redirect flood flows (Source: IX. 1, 5, 6). The project, as proposed, will also not deplete groundwater supplies or interfere with groundwater recharge.

Hydrology and Water Quality 8(f) – Less than Significant.
The water quality of the area shall be protected and maintained by the use of standard conditions and mitigations (see Section VI.4 – Biological Resources above) (LUP Key Policy 2.4.2). Potential sources of pollution from the project shall be controlled and minimized, and spoils from the proposed development shall be contained on-site, and disposed of off-site (LUP Policies 2.4.3.3 and 2.4.4.B.1). In addition, all grading requiring a County permit which would occur on slopes greater than 15 percent shall be restricted by the use of a standard County condition of approval (LUP Policy 2.4.4.C.1), and basins shall be used to control run-off (LUP Policy 2.4.4.C.3).

Hydrology and Water Quality 8(j) – Less than Significant.
The property is bordered on the west by the Pacific Ocean. The potential for inundation by tsunami exists; however, it is considered less than significant given the elevation of the structural development on the parcel (lowest structural point is approximately 80 feet above sea level) (Map D of the Carmel Area LUP) (Source: IX. 1, 3, 5).

9. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: IX. 1, 2, 3, 5, 6)	☐	☐	☐	■
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: IX. 1, 3, 4, 6)	☐	☐	■	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: IX. 1, 2, 3, 6)	☐	☐	☐	■

Discussion/Conclusion/Mitigation:

Land Use and Planning 9(a and c) – No Impact.
The proposed project involves the demolition of an existing single family residence and the construction of a new residence on a legal lot of record; therefore, the project would not physically divide an existing community (Source: IX. 1, 2, 3, 5, 6). The project would not disrupt, divide, or otherwise have a negative impact upon the existing neighborhood or adjacent properties. The project site is designated for Low Density Residential uses. Replacement of one residence on the 31,565 square foot parcel, in the same general location and height of the existing structure is consistent with this designation. The project would not conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site (Source: IX. 1, 2, 3, 6).

Land Use and Planning 9(b) – Less than Significant.
The project involves the demolition of an existing structure which does not meet the development standards of the Monterey County Zoning Ordinance (Title 20), Section 20.14.060 (Site Development Standards), with regard to setbacks for a parcel zoned Low Density Residential (LDR). The minimum front setback is 30 feet for LDR zoning. Due to topographical limitations on the parcel, enforcement of a 30 foot setback would deprive the property of privileges enjoyed by other properties in the vicinity and under an identical zone classification. Therefore, the Board of Zoning Adjustment granted the property a variance on October 11, 1960, to allow a reduction in the front yard setback (Resolution No. BZ_119). An enlargement of the variance area was granted by the Zoning Administrator on August 18, 1983 (Resolution No. ZA-5576). These variances remain in effect for the subject property, and resulted in the construction of the existing residence almost completely within the front yard setback (a coverage area of almost 2,426 square feet). In addition, a portion of the existing residence was allowed to be constructed over the property line and within the Highway 1 right-of-way. According to County documentation, Caltrans raised no objections to this encroachment provided no cuts were made

into the highway embankment slope. The proposed project would eliminate any encroachment into the Highway 1 right-of-way, and would reduce the amount of structural coverage within the front setback by approximately 929 square feet (Source: X. 1 - see attached Plan Comparison). This reduction is accomplished by using available areas on the southern side of the parcel, including approximately 300 square feet of area with slope greater than 30%.

The project includes a Coastal Development Permit to allow development on slope greater than 30% within an area of approximately 300 square feet. Excavation within this area will be limited, and used primarily for foundation footings. The actual area disturbed during construction will be less than 300 square feet. The topography of the parcel significantly limits the available building area (Source: X. 2 - see attached Slope Analysis). Based on the plans provided, there is no feasible alternative which would allow development to occur on slopes of less than 30%. Also, for the reasons cited in the paragraph above, the proposed development better achieves the goals, policies, and objectives of the Monterey County Local Coastal Program than other development alternatives (CIP 20.146.120.A.2). By shifting the proposed development to the south, approximately 837 interior square feet of the new residence will meet the site development standards, the new residence will be located completely within the property lines, and encroachment of structural coverage within the front setback will be reduced by approximately 929 square feet.

10. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX. 1, 3, 6)	☐	☐	☐	■
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: IX. 1, 2, 3, 6)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

11. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX. 1, 2, 3, 5)	☐	☐	☐	■

11. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? (Source: IX. 1, 5)	☐	☐	☐	■
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1, 5)	☐	☐	☐	■
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1, 5)	☐	☐	☐	■
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: IX. 1, 3, 5, 6)	☐	☐	☐	■
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: IX. 1, 3, 5, 6)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

12. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX. 1, 3, 5)	☐	☐	☐	■
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: IX. 1, 5)	☐	☐	☐	■
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: IX. 1, 5)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

13. PUBLIC SERVICES Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source: IX. 1, 5, 6)	☐	☐	☐	■
b) Police protection? (Source: IX. 1, 5, 6)	☐	☐	☐	■
c) Schools? (Source: IX. 1, 5, 6)	☐	☐	☐	■
d) Parks? (Source: IX. 1, 5, 6)	☐	☐	☐	■
e) Other public facilities? (Source: IX. 1, 5, 6)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

14. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX. 1, 5, 6)	☐	☐	☐	■
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: IX. 1, 3, 5, 6)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

15. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1, 2, 3)	☐	☐	☐	■
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: IX. 1, 3, 6)	☐	☐	☐	■
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: IX. 1, 2, 6)	☐	☐	☐	■
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX. 1, 5, 6)	☐	☐	☐	■
e) Result in inadequate emergency access? (Source: IX. 1, 5)	☐	☐	☐	■
f) Result in inadequate parking capacity? (Source: IX. 1, 3, 4, 5)	☐	☐	☐	■
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: IX. 1, 2, 3)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

16. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: IX. 1, 3, 6)	☐	☐	☐	■
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: IX. 1, 6)	☐	☐	☐	■

16. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1, 3, 6)	☐	☐	☐	■
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: IX. 1, 6)	☐	☐	☐	■
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: IX. 1, 6)	☐	☐	☐	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: IX. 1, 6)	☐	☐	☐	■
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: IX. 1, 3, 6)	☐	☐	☐	■

Discussion/Conclusion/Mitigation: See Sections II and IV.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: IX. 1, 3, 5, 6, 7, 8, 9, 12, 13)	☐	■	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?) (Source: IX. 1, 2, 3, 4, 5, 6)	☐	☐	☐	■
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX. 1, 3, 4, 5, 6, 7, 10, 11)	☐	☐	☐	■

Discussion/Conclusion/Mitigation:

(a) Less than Significant with Mitigation Incorporated. Based upon the analysis throughout this Initial Study, the project may have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The biological resources analysis above indicates there could be impacts to special-status plants and animals and sensitive natural communities, including environmentally sensitive habitat (ESHA). The cultural resources analysis above indicates that the site may contain significant archaeological resources as defined by the California Environmental Quality Act (CEQA).

(b) No Impact. The project involves the demolition of an existing single family residence and the construction of a new residence on a parcel zoned for residential use. As a result, impacts relating to air quality, noise, population/housing, public services, recreation, transportation/traffic, and utilities and service systems attributable to the project have been

addressed in the General Plan. Implementation of the project, as proposed, conditioned, and mitigated would not result in an increase of development potential for the project site.

(c) No Impact. The project would not result in significant construction-related impacts, and would not create any long-term impacts on the local area. The temporary and short-term environmental effects from project-related construction activities would not cause substantial adverse effects on human beings, either directly or indirectly.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a "de minimis" (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a "de minimis" effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of "de minimis" effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

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

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN070388 and the attached Initial Study / Mitigated Negative Declaration. The project as proposed may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The project as proposed, conditioned, and mitigated will not have the potential to degrade the environment (Source: IX. 1, 3, 5, 6, 12, 13).

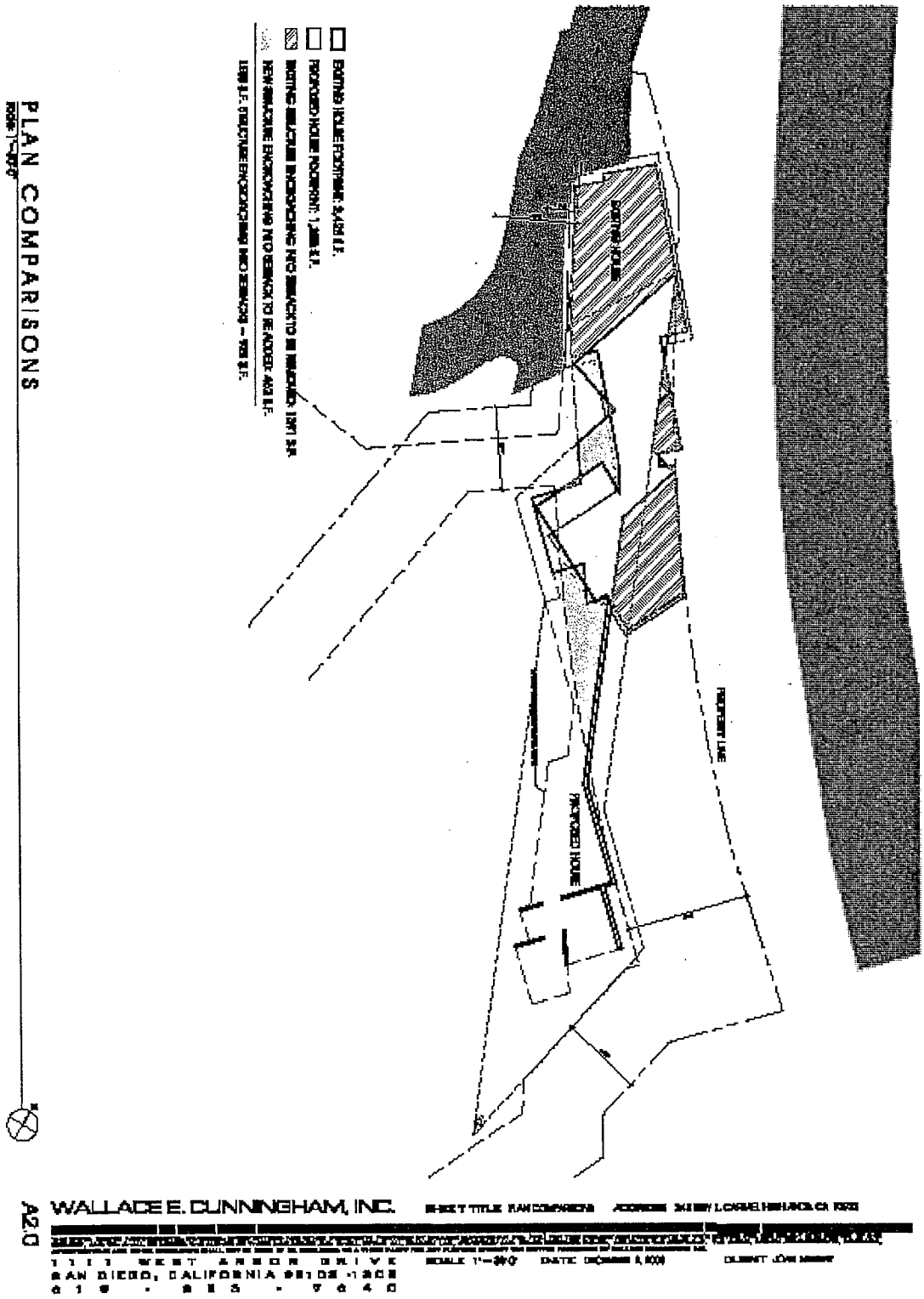
IX. REFERENCES

1. Project Application/Plans for Planning File No. PLN070388
2. Monterey County General Plan
3. Carmel Area Land Use Plan and Coastal Implementation Plan
4. Title 20 of the Monterey County Code (Zoning Ordinance)
5. Site Visits conducted by the project planner on July 31, 2007, and December 12, 2008.
6. Monterey County Planning Department GIS System, Property Report for Selected Parcel – APN 241-182-015-000.
7. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2008.
8. Preliminary Cultural Resources Reconnaissance (LIB090017), prepared by Susan Morley, Pacific Grove, California, August 7, 2008.
9. Historic Review (LIB090021), prepared by Kent L. Seavey, Pacific Grove, California, August 12, 2008.
10. Geotechnical Report (LIB090019), prepared by Grice Engineering, Inc., Salinas, California, August, 2008.
11. Refraction Seismic Investigation (LIB090018), prepared by Gasch & Associates, Rancho Cordova, California, August 25, 2008.
12. Biotic Survey (LIB090020), prepared by Botanical Consulting Services, Carmel, California, August 31, 2008.
13. Biotic Survey - Supplemental (LIB090217), prepared by Botanical Consulting Services, Carmel, California, April 10, 2009.

X. ATTACHMENTS

1. Plan Comparison
2. Slope Analysis

Attachment 1: Plan Comparison



Attachment 2: Slope Analysis

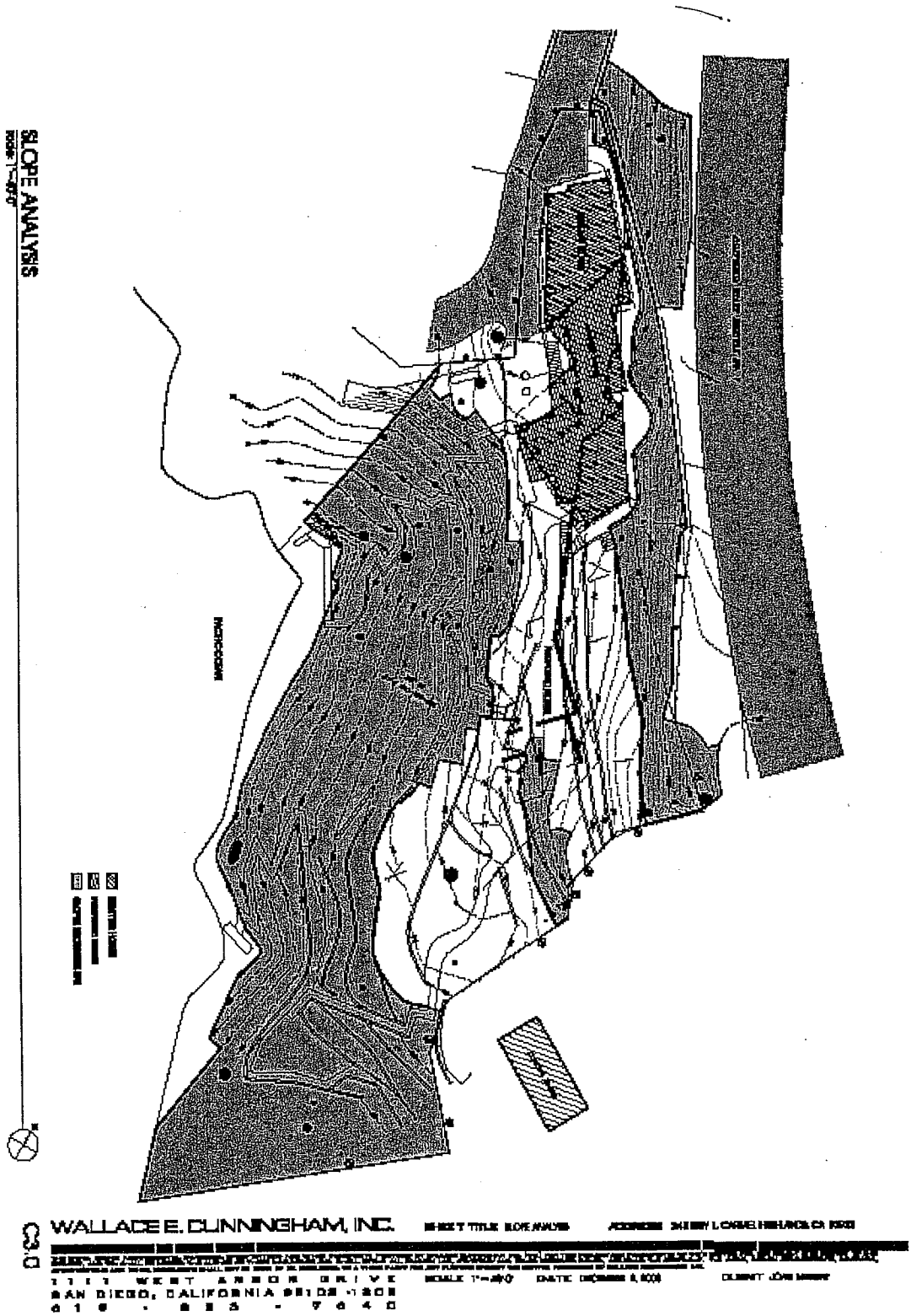


EXHIBIT G
TECHNICAL REPORTS

PLN070388 – Murray Residence

Planning Commission
July 8, 2009

KENT L. SEAVEY

310 LIGHTHOUSE AVENUE
PACIFIC GROVE, CALIFORNIA 93950
(831)375-8739

August 12, 2008

Ms. Joan Murray
243 Highway 1
Carmel, CA 93923

Dear Ms. Murray:

Thank you for the opportunity to prepare a Phase I Historic Review for the residential property located at 243 Highway 1 (APN# 241-182-015) in Carmel Highlands, Monterey County, as required by Monterey County and the California Environmental Quality Act (CEQA).

Monterey County Assessor's records show the subject property being constructed in 1956. The Assessor's records show a series of additions between September of 1961 (MCBP# 4047), and May of 1964 (MCBP# 3999 & 5487). These appear to have been the linear extension of the kitchen area and wooden deck on the west side of the building. A major two-story addition with garage and living space on the ground floor was constructed to the south in 1983 (MCBP# 34073).

A review of Monterey County deeds on file with the Chicago Title Company in Salinas indicated that the parcel was sold by a William E. Dolittle to one Joseph R. Costa in December, 1955 (Monterey County Deeds, Book 1668 at Page 67). Mr. Costa was the original owner of the residence, however, no architect or builder is identified. Mr. Costa does not appear in any Monterey Peninsula business directories for the period, and may have constructed the residence as a vacation home.

The subject property is a one and two-story wood-framed shed-roofed modern residence, irregular in plan resting on a concrete foundation. The exterior wall cladding is a combination of stone veneer, generally below the ground floor plate, vertical board-and-batten wood siding and large areas of plate glass windows.

The wood shingle clad shed roof slopes down toward the west on the original 1956 roof plane and on the 1961-64 addition, with large square projecting rafter-tails. The two-story asymmetrical 1983 addition to the south combines the earlier shed-roofed form, with a gabled roof over the main building block.

There is one metal stovepipe chimney stack present. It is located high in the roof-plane at the NE corner of the 1956 portion of the residence.

Fenestration is irregular, with large plate-glass windows and sliding glass doors along the west facing facade and rear (east) elevation of the 1956 portion of the residence. There are also asymmetrical plate-glass inset windows high in the roof-wall junction of the north side elevation of the 1956 building envelope, and a more contemporary large glass pop-out window at the top on the stair landing of the wooden deck on the SW side of the original building. The 1983 addition to the south employs a number of fixed and sliding-glass window forms, singly and banded in various sizes and shapes.

The subject property is sited just below Highway 1 on a graded slope overlooking a rocky ocean inlet in an informal terraced landscape setting of native trees and plants. It is located in a neighborhood of post WWII one and two-story residences, on large parcels, of varying ages and styles.

The California Environmental Quality Act (CEQA), PRC Sec. 21084.1 requires all properties fifty years of age or older to be reviewed for potential historic significance. Criteria for that significance is addressed in PRC Sec. 5024.1(a). It asks, generally, did any event of importance to the region, state or nation occur on the property ? Did anyone of great importance to the region, state or nation occupy the property during the productive period of their lives ? Does the building represent an important architectural type, period or method of construction, or is it a good example of the work of a noted architect or master-builder ? The criteria also asks if the property is likely to yield information significant to the understanding of the areas history.

The subject property is not included in the California Office of Historic Preservation-maintained "Historic Property Data File for Monterey County" (updated to August of 2008). It is not listed in any Carmel or Monterey County historic resource inventory or survey. It is not listed in the California Register, nor the National Register of Historic Places.

The subject property is an example of a modern shed-roofed residence, influenced in part by the early work of American architects like Charles W. Moore and Robert Venturi. The building's character, particularly with the 1983 addition, is one of an assembly of differing forms creating the appearance of colliding geometric shapes.

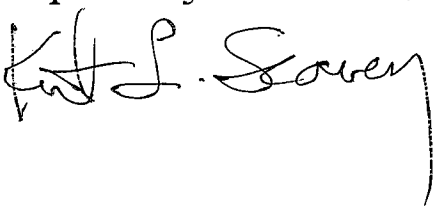
Preferred building materials for this architectural mode consisted of wood with stone or brick veneers and asymmetrically placed window openings. Entries tend to be recessed or otherwise obscured. The entry on the subject property is off the raised deck of the 1960's kitchen addition on the west facing facade. . It is well above a stone retaining wall and planter, accessed by a side approach open wooden staircase with simple wood balusters. The entire building envelope is in a natural wood finish.

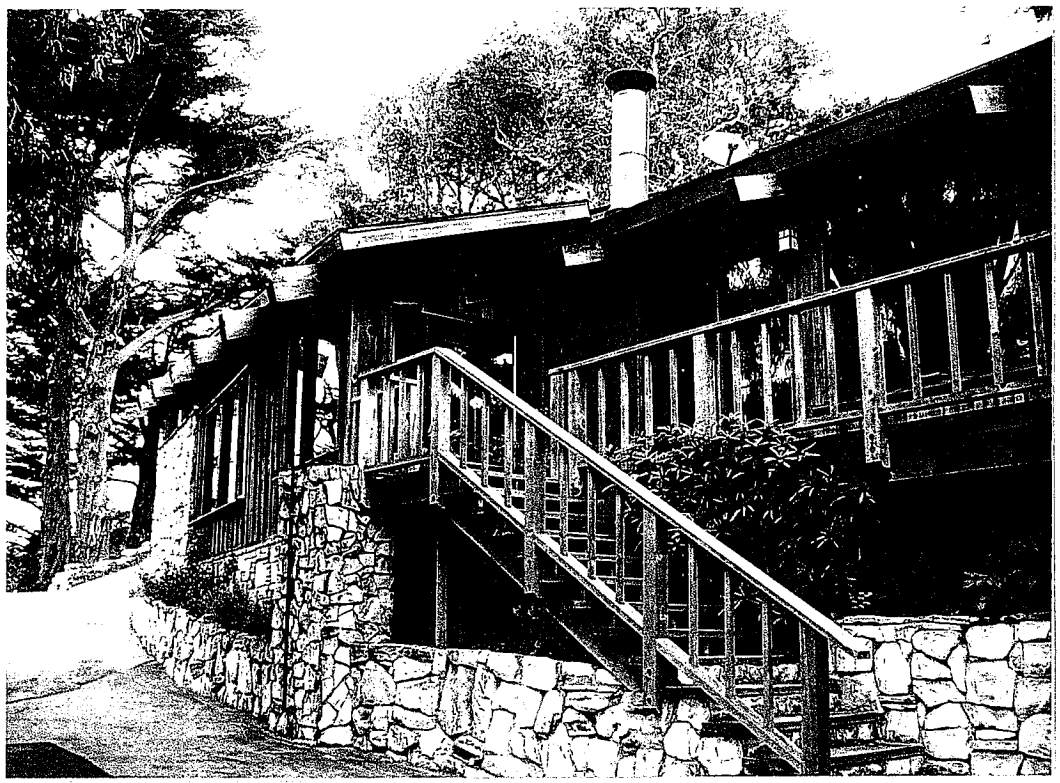
The principal changes to the subject property include the linear extension of the 1956 building envelope with the 1960's kitchen expansion, which included the open decking on the west facing facade. The 1983 addition, to the south, which basically doubled the square footage of the collective building envelope and introduced a complex shed and gabled roof form to the ensemble. At this time some windows in the earlier portion of the residence were modified or reconfigured.

No event of significance to the nation, state or region, nor any important individual has been identified with the existing property. The record is mute on the original owner, Joseph Costa R. Costa, nor has an architect or builder been identified for the 1956 or 1961-64 portions of the building. A Carmel architect, Mr. Mackenzie Patterson designed the 1983 addition.

The residence lacks basic documentation on the original owner and builder, and because of the undocumented alterations and additions to the property between 1961 & 1983, the residence has lost much of its physical integrity as constructed in 1956. The subject property does not meet the necessary criterion for inclusion in the California Register, as defined by CEQA. The County of Monterey has no historic context statement addressing or assessing the relative significance of residential or commercial building design in the county after WWII, therefore the subject property cannot be considered an historic resource as outlined in Chapter 18.25 "Preservation of Historic Resources" at Section 18.25.070 of the Monterey County Preservation of Historic Resources Code.

Respectfully Submitted,





1. Looking north at the west facing facade. Note 1960's deck and kitchen addition to right. July, 2008.

2. Looking SE at the NW facing 1983 two-story addition to the residence. July, 2008.

Botanical Consulting Services

Biotic Survey

243 Highway 1
Carmel, CA 93923
apn: 009-443-003

Written for:
Ms. Joan Murray
Project Owner

Written By:
Jean Ferreira
Botanist

August 31, 2008

pobox 5506, carmel, ca 93921 • p & f: 831-626-3814

Botanical Consulting Services

pobox 5506, carmel, ca 93921 • p & f: 831-626-3814

Project Description

A residence re-construction project is proposed on a 0.7 ac parcel located on the west side of Highway One in Carmel Highlands. The parcel is located approximately three miles south of the City of Carmel in an unincorporated area of Monterey County. It is approximately midway between Point Lobos State Reserve and Yankee Point. The parcel is one of about 10 residential parcels accessed from a private road that drops from the Highway down onto the slopes and rocky headland above Wildcat Cove. The parcel is currently developed with a single family residence, garage, decks and stone pathways to the ocean edge. The proposed project is to remove the northern portion of existing residence and garage and build a new single family residence and garage covering the footprint of the south end of the existing house and extending to the south on an existing garden area.

Survey Methods

Information from the California Department of Fish and Game, RareFind data base was compiled to determine the sensitive biota in the Carmel area prior to the field survey. Aerial photographs, a topographic map and parcel boundary map were used for the mapping portion of the survey results.

On August 20, 2008, the parcel was surveyed to identify native plants and animals on the site, check for the presence of any sensitive plant or animal species, and to determine if the proposed project would impact any sensitive biotic areas. The entire parcel was surveyed by slowly walking over the site to observe all plant species, and using binoculars from all points of the stone pathways to observe animal species.

Findings

The multi-sided parcel is roughly a parallelogram with the east and west boundaries running similar direction as do the north and south boundaries. The east boundary is shared with the Highway One Right-of-Way. The west boundary follows the Pacific Ocean water line at approximately 2.5 ft in elevation within the intertidal zone. Because the parcel land rises steeply above the ocean, little or no land on the parcel is rocky intertidal. Approximately 17% of the parcel is developed with the house and hardscape as seen in the following aerial photograph. The remainder is landscaped.

The parcel is a west-facing slope ranging from 0 to 108 ft in elevation, with the highest point being at the southeast corner. Most of the usable area on the parcel is between 80 and 90 ft in elevation just below the highway. The soil is classified as San Andreas fine sandy loam, a well drained soil over weathered sandstone. Runoff on San Andreas fine sandy loam is rapid and the erosion hazard is high, especially considering the severe slopes.

The plant species list created for the property is in Table 1. Animals observed or commonly found in the Carmel Highlands shoreline zone are listed in Table 2.

Biotic Communities

The native biotic community that existed on the parcel prior to the original house develop-

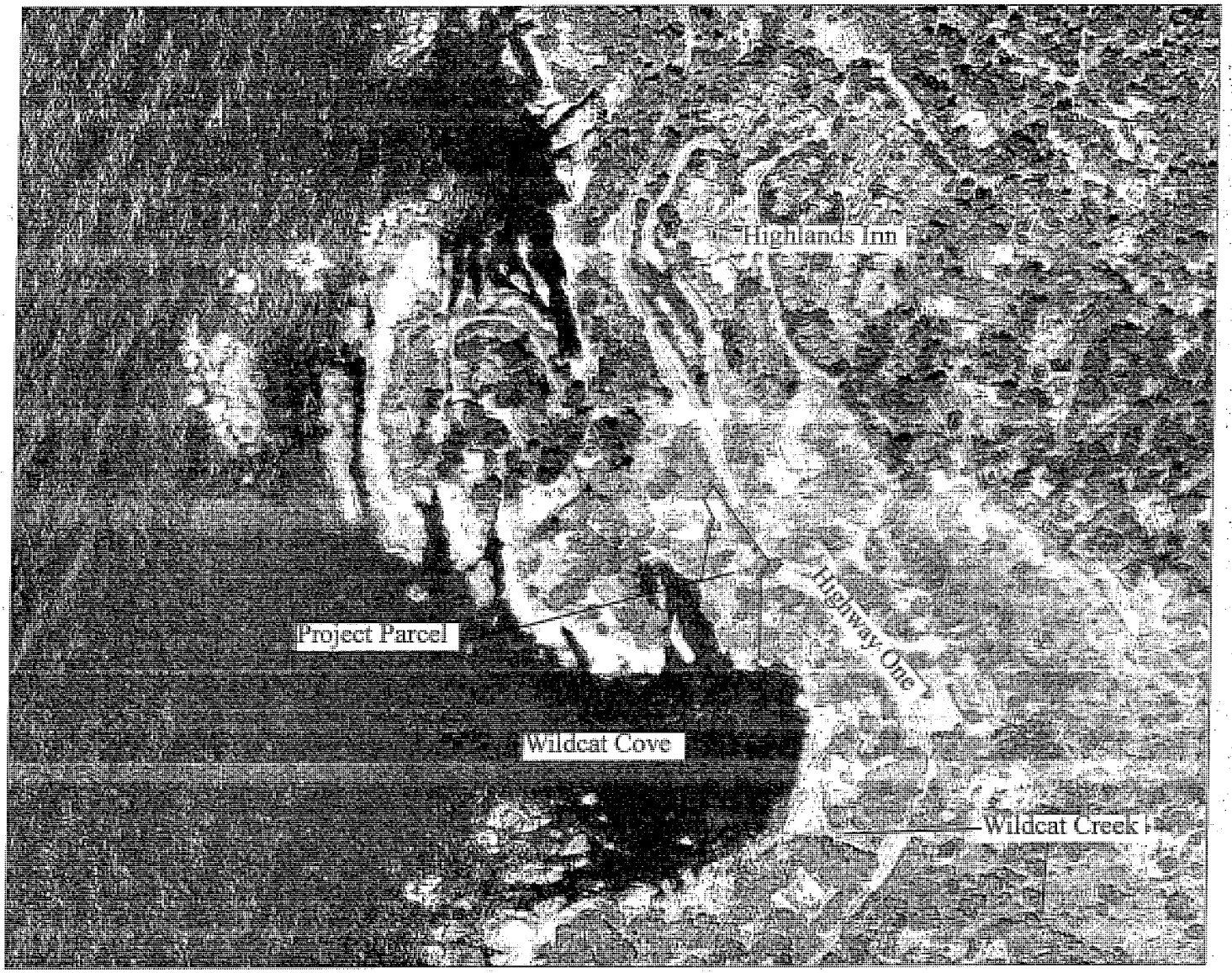


Photo 1. Aerial of 243 Highway One, Carmel, with approximate parcel boundaries shown in red.

ment in the 1950's was most likely a coastal scrub above the rocky shoreline. There are excellent examples of this type of community existing in Point Lobos State Reserve: a mix of mock heather, coffeeberry, buckwheat, giant wildrye, silver lupine, Douglas iris, and seaside daisy with occasional Monterey pine and coast live oak. However, at some time in the past, the parcel was extensively terraced, granite rock walls constructed and the parcel was landscaped. Few of the native species are still present, and only a few individuals of each were seen during the survey. The native plants present are not functioning as a native coastal scrub community due to the vast changes coverage and topography. Plants observed on the parcel are listed in Table 1.

Sensitive Biotic Species

The sensitive biotic species and habitats listed in Department of Fish and Game's Rarefind for the Monterey and Soberanes Point Quadrangles or found in coastal scrub or rocky shoreline areas in the Monterey Bay area were considered during the survey of the parcel. Biota found only in freshwater

Photo 2. Extensive rock walls and landscape plants cover the slopes of the parcel.

areas were eliminated from the search due to the absence of habitat on the parcel. The sensitive species considered most probable to exist in the Carmel Highlands area are listed in Table 3. Both the California brown pelican and the south/central coast steelhead could use the ocean waters just off the parcel. The host plants for the Smith's blue butterfly are not present on the parcel; therefore the parcel lacks Smith's blue butterfly habitat. None of the sensitive plant species listed in Table 3 were found during the survey with the exception of a few Monterey pine trees. It is assumed that they are naturally occurring trees.

California Brown Pelican. The California brown pelican is listed as an Endangered species by both the federal government and the State of California. Contamination of the bird's food supply by pesticides containing chlorinated hydrocarbons, resulted in nesting failures due to thin egg shells. Nesting success has increased over the past 35 years, but the population is still to low to be stable. They breed on the Channel Islands March through May, and are found off the Carmel coast June through November. The brown pelican feed almost entirely on fish, caught by diving, but will occasionally feed on crustaceans and carrion. They usually rest on water or inaccessible rocks, such as those found to the west of the parcel. The picture below was taken from the pathway of the parcel.

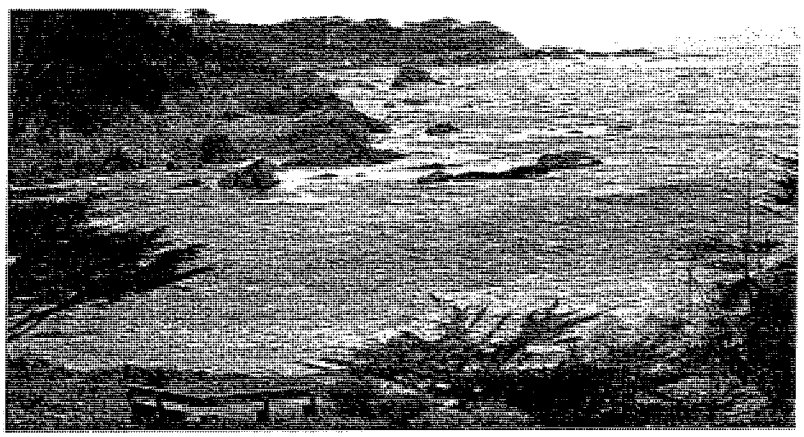


Photo 3. The offshore rocks provide good roosting habitat for the brown pelicans. The bench at the bottom of the photo is on the existing pathway.

Central Steelhead. The central steehead, listed as a threatened species by the federal government, use the Carmel River and its estuary to spawn, and rear young, and the open ocean for the majority of adult life. The Carmel River mouth is up coast from the project site approximately 5 miles.

Monterey Pines. There are a few naturally occurring Monterey pine trees on the property. Monterey pines are not listed by the Federal or State government; however, the Monterey Pine forest community could be considered environmentally sensitive habitat due to the limited distribution and numerous associated sensitive species. However, the pines on the project parcel are not functioning as Monterey Pine forest. In addition, none of the Monterey pines on the site will be disturbed by the new building footprint or construction activities.

Potential Impacts

Use of a similar building footprint will help to minimize any impact to the natural features of the site or adjacent ocean. The expansion area of the house footprint will be into a garden area with extensive rock wall terracing, and no remaining natural biological features. However, the construction process has potential to impact the ocean habitat and its sensitive species unless precautions are taken. The parcel has 200 ft of ocean front, and the proposed building site is located on a steep slope approximately 100 ft above the water. Any compromise of the rocky intertidal or ocean with dust, dirt, trash, liquids, water, construction materials etc., created during the construction process, could potentially harm two listed species: the California brown pelican and the south/central steelhead. Recommendations are listed below to avoid any impact to the intertidal and ocean and the species that live there.

Mitigation Recommendations

1. **Construction fencing.** A construction barrier shall be designed and installed on the slope just below the building envelope, to stop all construction materials and waste from entering the ocean. The barrier shall be at least 5 ft in height and shall extend the entire west boundary of the building envelope and at least 10 ft on the north and south boundaries at the west side corners. If during the construction period, the design of the fence proves to be inadequate to protect the ocean, the fence shall be redesigned and corrected immediately. All construction materials must always be secured and stored properly on the site to prevent blowing or falling into the ocean, even when they are in use. The job site must remain free of all forms of garbage at all times of the day and night. All garbage shall be bagged and hauled away daily, or completely secured.

2. **Construction and storm runoff collection.** During construction, all runoff from the construction site must be collected in a temporary basin on the east side of the site. The collection basin shall be regularly pumped and all waste water removed from the site and properly disposed of. No runoff shall be allow to enter the ocean or run down the common access road or into storm drains. The runoff collection system shall also arrest any movement of silt or soil from the site.

3. **Site Inspections**. A construction monitor, approved by the County, shall weekly inspect the construction fencing, storm runoff collection and job site trash maintenance during the construction period to insure that the mitigation systems are properly installed and maintained, and no impact to

the ocean has occurred. Monthly reporting of the systems to the permitting agencies shall be the responsibility of the inspector.

4. **Landscape Lights**. No landscape lights, including spot lights and security lights, associated with the new structure shall be allowed to illuminate the rocky intertidal zone or ocean at night. Illumination can be detrimental to aquatic life such as sea otters.

If all mitigation recommendations are implemented, the potential for impact to environmentally sensitive habitat or species should be negligible.

Table 1. Plant Observed at 243 Highway One, Carmel Highlands, California. Survey Date: 20 August, 2008.

Species	***Common Name***
Native Plants	
Baccharis pilularis var. consanguinea	Coyote bush
Dudleya farinosa	Bluff lettuce
Elymus condensatus	Giant wildrye
Erigeron glaucus	Seaside daisy
Heteromeles arbutifolia	Toyon
Iris douglasiana	Douglas Iris
Juncus patens	*Spreading rush*
Pinus radiata	Monterey pine
Quercus agrifolia	Coast live oak
Rhus trilobata	Poison oak
Landscape Plants	
Trees:	*Acacia sp.*
	Eucalyptus sp.
	Cupressus macrophylla - Monterey Cypress
	Pine sp.
Shrubs:	*Artemisia 'Powis Castle'*
	Arctostaphylos uva-ursi - Bearberry manzanita
	Callistemon - Bottlebrush
	Ceanothus 'Carmel Creeper'
	Cistus sp. - rockrose
	Correa - Australian fuchsia
	Cotoneaster sp.
	Echium sp. - Pride of Madeira
	Gardenia sp.
	Garrya elliptica - Silk Tassel
	Pittosporum crassifolium
	Pyrocantha
	Salvia greggii - Autumn sage
	Verbena sp.
	Vinca - Periwinkle
	Westringia fruticosa - Coast Rosemary
Perennials:	*Achillea 'Moonshine'*
	Aeonium sp.
	Agave sp.
	Alstromeria sp.
	Allysum sp.
	Aloe sp.
	Armeria - Sea Thrift
	Carex sp.
	Carpobrotus edulis - Ice Plant
	Convolvulus sp. - Bind weed
	Crassula multicava
	Drosanthemum floribundum - Magic Carpet

Erigeron sp. - Santa Barbara daisy
Erharta sp. -
Hedrix sp. - English ivy
Lavendula - Spanish lavender
imonium perezii - Statice
Opuntia sp.
Osteospermum jucundum - African Daisy
Penstemon sp.
Passiflora sp. - Passion vine
Stipa tenussima - Feather grass
Tetragonia tetragonioides - New Zealand Spinach

Table 2. Potential Animal Species List for the 243 Highway One, Carmel Highlands, CA.

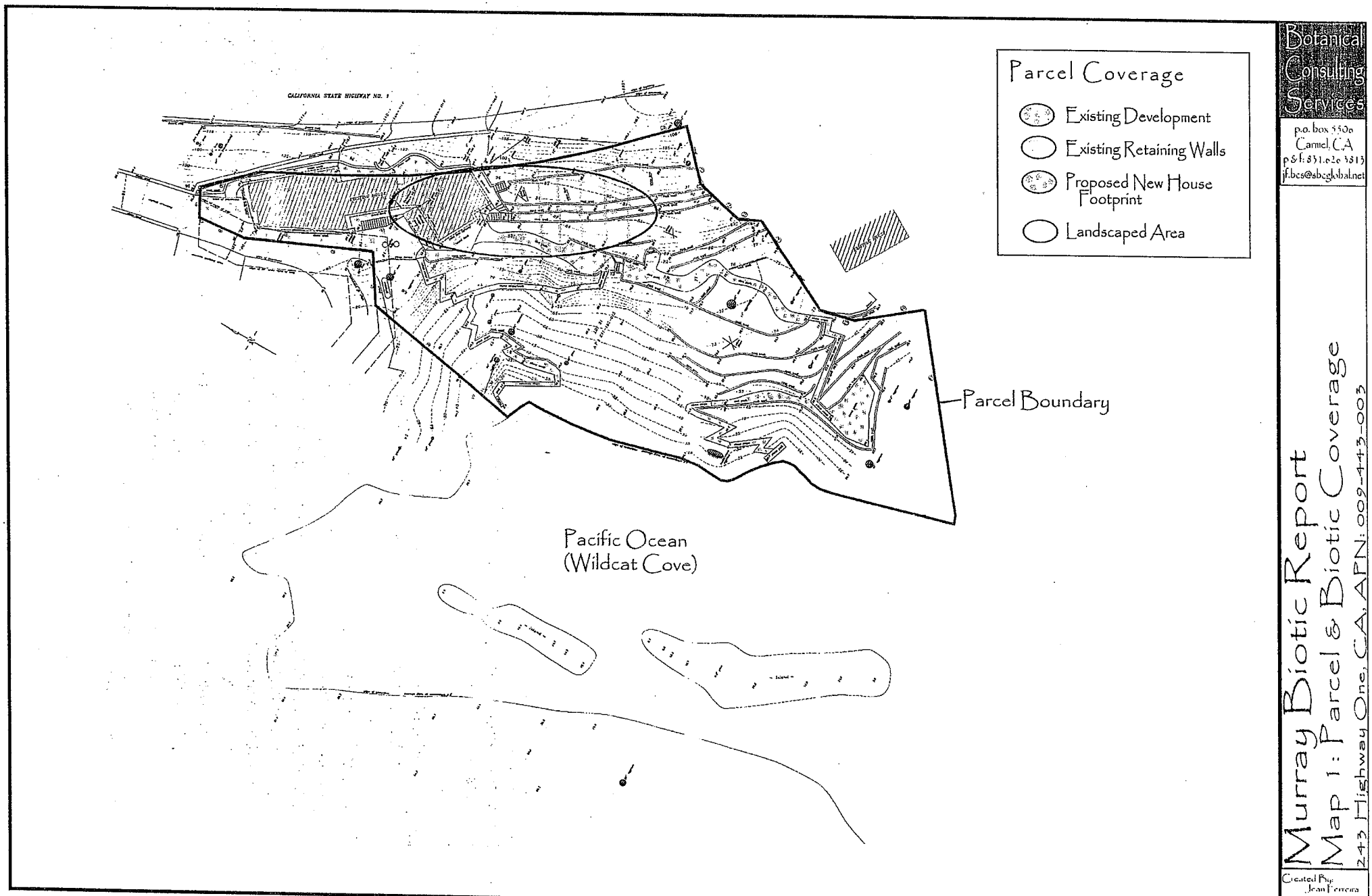
Family	*Species*	*Common Name*
Mammals:		
Canidae	Vulpes fulva	Red Fox
Cervidae	Odocoileus hemionus	Black-tailed Deer
Cricetidae (Mice)	Peromyscus miniculatus	Deer Mouse
	Peromyscus californicus	California Mouse
	Reithrond;ontomys megalotis	Western Harvest Mouse
	Microtus californicus	California Meadow Mouse
	Neotoma fuscipes	Dusky-footed Woodrat
Didlphidae	Didelphis virginiana	Opossum
Filidae	Lynx rufus	Bobcat
Geomyidae	Thomomys bottae	Valley Pocket Gopher
Heteromyidae	Dipodomys heermanni	Kangaroo Rat
Leporidae	Sylvilagus audubonii	Audubon cottontail Rabbit
	S. bachmani	Brush Rabbit
Muridae	Mus musculus	House Mouse
	Ratus morvegicus	Norway Rat
	Ratus rattus	Black Rat
mustelidae	Mustela frenata	Longtail weasel
	Tazidea taxus	Badger
	Spiligale putoris	Spotted Skunk
	Mephitis mephitis	Striped Skunk
Procyonidae	Procyon lotor	Raccoon
Sciuidae	Spermophilus beecheyi	California Ground Squirrel
	Sciurus griseus	Western Gray Squirrel
Soricidae	Sorex trowbridgei	Trowbridge Shrew
	Sorex ornatus	Ornate Shrew
Talpidae	Neurotrichus gibbsi	Shrew Mole
	Scapanus latimanus	Broad-handed Mole
Vespertilionidae	Myotis lucifungus	Little Brown Myotis
	M. yamanensis	Yuma Myotis
	M. volans	Long-eared Myotis
	M. californicus	California myotis
	M. leibii	Small-footed Myotis
	Pipistrellus hesperus	Western Pipistril
	Eptesicus cuscus	Big Brown Bat
	Lasiurus borealis	Red Bat
	L. cinereus	Hoary Bat
	Plecotus townsendi	Western Big-eared Bat
	Antrozous pallidus	Pallid Bat

Family	Species	Common Name
Birds:		
Accipitridae	Accipiter cooperii	Cooper's Hawk
	A. striatus	Sharp-shinned Hawk
	Aquila chrysaetos	Golden Eagle
	Buteo jamaicensis	Red-tailed Hawk
	B. lineatus	Red-shouldered Hawk
	Cathartes aura	Turkey Vulure
	Circus cyaneus	Northern Harrier
	Elanus caeruleus	Black-houldered Kilte
	Falco tinnunculus	Ameriacn Kestrel
Charadriidae	Charadrius vociferus	Killdeer
Columbidae	columba fasciatat	Band-tailed Pigeon
	cumba livia	Rock Dove
	Zenadia maroura	Mourning Dove
Corvidae	Aphelocoma coerulescens	Scrub Jay
	Cyanocitta stelleri	Steller's Jay
	Corvus brachyrhynchos	American Crow
	C. boraz	Raven
Emberizidae	Melospiza meodia	Song Sparrow
	Zonotrichia atricapilla	Golden-crowned Sparrow
	Z. leucophays	White-crowned Sparrow
Fringillidae	Carpodacus mezicanus	House Finch
Hirundindidae	Hirundo pyrrhonota	Cliff Swallow
	H. rustica	Barn Swallow
	Tachycineta bicolor	Tree Swallow
	T. thalassina	Violet-green Swallow
Parulinae	Dendroica coronata	Yellow-rumped Warbler
Phasianidae	Callipepla califorica	California Quail
Sittidae	Sitta pygmaea	Pygmy Nurthatch
Strigidae	Bubo virginianus	Great Horned Owl
	Otus dennicottii	Western Screech Owl
	Tyto alba	Barn Owl
Alcedinidae	Ceryle alcyon	Belted Kingfisher
Troglodytidae	Thryomanes bewickii	Bewick's Wren
	Troglodytes aedon	House Wren
Pelecanidae	Pelecanus occidentalis	Brown Pelican
Phalacrocoracideae	Phalacrocorax auritus	Double-crested Cormorant
	P. penicillatus	Brandt's Cormorant
Ardeidae	Nycticorax nycticoraz	Black-crowned Night-Heron
	Egretta thula	Snowy Egret
	Casmerodius albus	Great Egret
	Ardea herodias	Great Blue heron
Haematopodidae	Haematopus bachmani	Black Oystercatcher

Family	*Species*	*Common Name*
Scolopacidae	Numenius phaeopus	Whimbrel
Laridae	Larus heermanni	Heermann's Gull
	L. delawarensis	Ring-billed gull
	L. californicus	California Gull
	L. philadelphia	Bonaparte's Gull
	L. occidentalis	Western Gull
	Sterna forsteri	Forester's Tern
	S. caspia	Caspian Tern
Reptiles:		
Anguidae	Gerrhonotus multicarinatus	California Alligator Lizard
Boidae	Charina bottae bottae	Pacific Rubbe Boa
Colubridae	Lapropeltis getulus californiae	California Kingsnake
	Thamnophis elegans terrestris	Coast Garter Snake
	Tituotphis melanoleucus catenifer	Pacific Gopher Snake
	Coluber constrictor marmon	Western Yellow-bellied Racer
	Contia tenuis	Sharp-tailed Snake
	Diadophis punctatus vandenberghi	Monterey Ringnecked Snake
Iguanideae	Sceloporus occidentalis occidentalis	Northwestern Fence lizard
	Phrynosoma cornatum	Coast Horned Lizard
Scincidae	Eumeces skiltonianus skitonianus	Skilton Skink

Table 3. Possible Sensitive Species in the Carmel Highlands area. Survey Date: 20 August, 2008.

Species	***Common Name***	***Listing***
Oncorhynchus mykiss irideus	Central CA Steelhead	Fed - Threatened
Euphilotes enoptes smithi	Smith's Blue butterfly	Fed - Endangered
Pelecanus occidentalis californicus	CA Brown Pelican	Fed/State - Endangered
Allium hickmanii	Hickman's onion	
Arctostaphylos hookeri	Hooker's manzanita	
Arctostaphylos edmundsii	Little Sur manzanita	
Cordyllanthus rigidus ssp. littoralis	Seaside bird's-beak	State - Endangered
Cupressus goveniana	Gowen cypress	Fed - Threatened
Delphinium hutchinsoniae	Hutchinson's larkspur	
Fritillaria liliacea	Fragrant fitillary	
Hokelia cuneata ssp. servicea	Kellogg's horkelia	
Pinus radiata	Monterey pine	
Piperia yadonii	Yadon's rein orchid	Fed - Endangered
Rosa pinetorum	pine rose	
Sidalcea malachroides	Maple-leaved checkerbloom	



Botanical Consulting Services
p.o. box 5500
Carmel, CA
p & f: 831.626.3813
jf.bcs@sbcglobal.net

Murray Biotic Report
Map 1: Parcel & Biotic Coverage
243 Highway One, CA, APN: 009-443-003

Created By: Jean Ferrera
Date: Aug 31, 2008

LIB090217
PLN070388

Botanical Consulting Services

pobox 5506, carmel, ca 93921 • p & f: 831-626-3814

Restoration Plans • Biological Surveys • Monitoring & Reporting • Native Landscape Design

April 10, 2009

Mr. Joe Sidor
Monterey County Planning & Building Inspection Department
168 West Alisal Street, Second Floor
Salinas, CA 93901

Re: Biological Survey Report for Joan Murray Project @ 243 Hwy One, Carmel, CA

Dear Mr. Sidor,

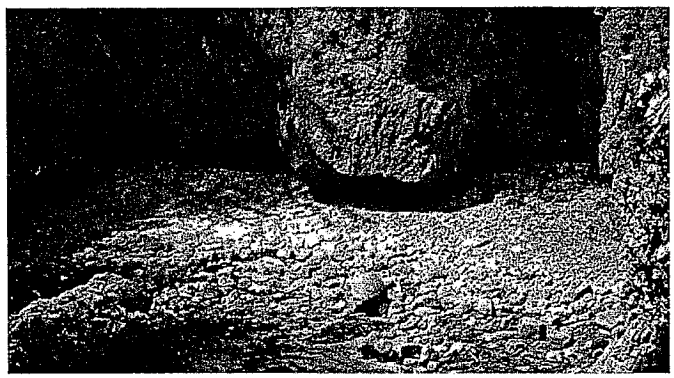
Ms. Joan Murray asked me to respond to two questions that you had regarding the biotiic report I wrote August 31, 2008 for her property at 243 Hwy One on Wildcat Cove.

1. **Does the property support any sensitive species that were not visible last August due to the late season survey?**

I re-surveyed the property during the spring season (April 3, 2009) and did not find any sensitive species. I did find five additional native plant species that were not included on the species list in the report. They are *Galium angustifolium*: narrow-leaved bedstraw, *Solanum douglasii*: Douglas' nightshade, *Stachys bullata*: hedgenettle, *Eriophyllum stachadifolium*: lizardtail, and *Marah fabaceus*: wild cucumber. These five species are all found in coastal scrub, the native plant community that most likely occupied the site prior to the present landscaping.

2. **Is Wildcat Cove a marine mammal haulout site?**

Yes, at low tide, offshore rocks are used as a resting haulout. I did not witness either of the two cobble beaches in the cove (neither off the study parcel) being used at high or low tide. One offshore rock adjacent to the Murray parcel was exposed at the -0.5 tide at 1:00 on Friday, April 3, 2009 and there were 2 harbor seals and an otter basking on the rock.



Construction noise may discourage the mammals from using any haulout spots during construction hours that coincide with low tides.

If you have any further questions, please contact me at jf.bcs@sbcglobal.net or 626-3813.

Sincerely,

Jean Ferreira

LIB 09-0019
PLN070388
SIDOR, JOE

REPORT
to
MS. JOAN MURRAY
243 HIGHWAY No. 1
CARMEL, CALIFORNIA
93923

GEOTECHNICAL REPORT
for the proposed
MURRAY RESIDENCE
243 STATE HIGHWAY ONE
CARMEL HIGHLANDS,
CARMEL, CALIFORNIA
A.P.N. 241-182-015

by

GRICE ENGINEERING, INC.
561-A BRUNKEN AVENUE
SALINAS, CALIFORNIA
AUGUST 2008

GRICE ENGINEERING AND GEOLOGY INC

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

561A Brunken Avenue
Salinas, California 93901

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

File No. 5251-08.07
August 28, 2008

Ms. Joan Murray
243 State Highway One
Carmel, California 93923

Project: Proposed Residence
243 State Highway One,
Carmel Highlands,
Carmel, California
A.P.N. 241-182-015

Subject: Geotechnical Report and Development Recommendations

Dear Ms. Murray:

Pursuant to your request, we have completed our geotechnical investigation and evaluation of the above named site. This work included the geotechnical investigation as well as a geo-seismic profile with accompanying evaluations and it is our opinion that this site is suitable for the proposed development, provided the recommendations made herein are followed.

In general, the near surface soils are disturbed materials as result from landscape activities and construction of the existing structure, hence, site development will need to consider these conditions. As the proposed structure extends to the building area limits and will require extensive grading, the foundations are required to bear on the dense ledgestone found at depth. Complete recommendations are given relative to this and other characteristics within the report with particular characteristics addressed under Special Recommendations.

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

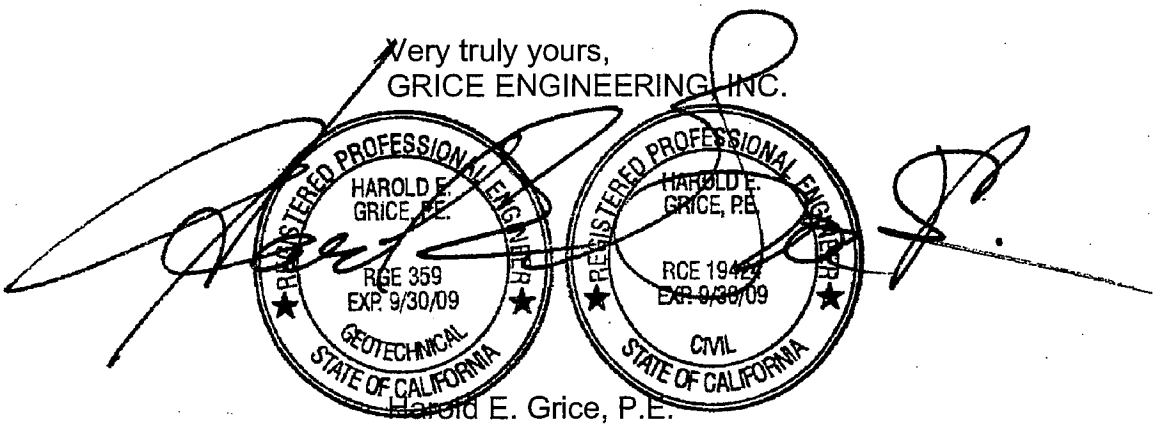
File No. 5251-08.07
August 28, 2008

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

This report and the recommendations herein are made expressly for the design and development of the single family residence referenced above at 243 State Highway One, Carmel Highlands, Carmel, Monterey County, California, and may not be utilized for any other site without written permission of GRICE ENGINEERING, INC.

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

Very truly yours,
GRICE ENGINEERING, INC.



Harold E. Grice, P.E.
R.C.E. 19424, R.G.E. 359

NOTICE TO OWNER

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

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

Inspection of Work

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

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

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

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

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GEOTECHNICAL REPORT
for the proposed
MURRAY RESIDENCE
243 STATE HIGHWAY ONE
CARMEL HIGHLANDS,
CARMEL, CALIFORNIA
A.P.N. 241-182-015

Introduction, Method and Scope of Investigation

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

For this purpose, the site was investigated, and prior information concerning construction and subsurface exploration in this area was examined for soils and materials data. The investigation consisted of a detailed site evaluation, a site inspection; a review of literature made available to GRICE ENGINEERING, INC.: including Site Plans from Wallace E. Cunningham, Inc.; geotechnical drilling and soil sampling; materials evaluation; and analysis of the geotechnical properties of the site soils and the geo-physical study by Gasch and Associates, (copy accompanying under separate cover). This report concludes the results of the investigation and provides recommendations based on that work.

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

Site Description

The project site, 243 State Highway One, is located adjacent to the highway, which runs northwesterly-southeast along the northeastern property line. Access to the highway is on the northwestern corner of the property via a short private right-of-way to the west. The property is located in the Carmel Highlands, an un-incorporated area of westernmost Monterey County, California. Please refer to the Vicinity and Location Maps and the Site Map in Appendix A for details.

The topography of the 0.7 acre site, as shown by the topographic map, contains the disturbed area of the residence with the remainder of the site landscaped with stone walled terraces. Occasional mature eucalyptus and cypress trees surround the periphery of the site.

Currently the single family, single story residence is located towards the northern corner of the site. The attached garage is located on the northwest end and is accessed directly from the street by a short driveway.

As proposed, a replacement structure is to be constructed covering the northwest-southeast central portion of the available area. The new multi-level structure will include a partial basement which will daylight to the southwest. To provide for the relative change between the existing finish floor and the basement floor elevation the underlaying grade will be excavated to suitable foundation conditions.

Field Investigation

Our field investigation consisted of a site inspection, along with drilling and sampling 5 exploratory pits/bores to establish the subsurface soil profile, and obtain sufficient soil specimens to determine the soil characteristics. Drilling was accomplished by hand auger, with the spoil constantly examined, classified, and logged by field method in accordance with the Unified Soil Classification Chart and ASTM D2487[1]. Standard penetration resistance values were obtained through use of a dynamic cone penetrometer.

Site Soil Profile

The site soils are consistent between bores, being generally disturbed soils of various depth. The site is landscaped with terraced walls over tan clayey sand, firm to tan, clayey coarse sand, very firm over dense weathered granite to, at depth, granite ledgestone. Complete soil characteristics and comments are reported on the boring logs at the depths observed. The logs are located in Appendix B.

Groundwater

Groundwater was not encountered with the site boring. Reconnaissance observed water seeping from the bedrock/terrace interface at approximately minus forty feet.

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[1] Adopted 1952 by Corps of Engineers and Bureau of Reclamation. ASTM D2487 was developed as based on the Uniform Soils Classification Chart and System. The methods are equivalent.

SEISMICITY

Seismic History

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

Various maps presently exist, allowing observation on the site of distinctive geologic features. Some maps, such as that by Burkland and Associates (Reference No. 10) developed for Monterey County, are compilations from various sources detailing the locations of studied faults. Faults have inherit variances within their zones, and discoveries of new fault segments or entire faults is ongoing. There is also some difference in exact fault line location from source map to map, making precise location of said faults difficult. Therefore, relative to the information contained within this report, the following is considered to be as accurate as is currently possible from information made available to Grice Engineering Inc..

Regional Faults

Of most concern are active faults which have tectonic movement in the last 11,000 years and as such are called Holocene Faults and potentially active faults. The following are those nearest listed (Reference No. 12).

The most active is the San Andreas Rift System (Pajaro), located approximately 32.2 miles to the northeast. It has the greatest potential for seismic activity with estimated intensities of V-VI Mercalli in this location.

Other fault zones are the Monterey Bay-Tularcitos Fault Zone, the center of which is located approximately 6.8 miles to the northeast, the San Gregorio-Palo Colorado (Sur) Fault Zone, approximately 2.3 miles to the southwest, the Rinconada Fault Zone, approximately 15.6 miles to the northeast, and the Zayante-Vergeles Fault Zone, approximately 28.1 miles to the northeast. These zones are not as liable to rupture as the San Andreas and a seismic event at any of the above fault zones would likely produce earth movements of a lesser intensity at the site.

Liquefaction

The site soils are considered not susceptible to liquefaction as they are un-saturated and compact silt-sand stones.

Differential-Total Settlement and Subsidence

The recommendations given in the Geotechnical Report are such that concerns of settlement are negligible. The expected total settlement is expected to be 1/4 inch and the expected differential settlement less than one half that.

The area is not within a known Subsidence Zone.

Slope Stability

Inspection of the site indicates that no landslides are located above or below the building area and the area is generally not susceptible to slope failure. The shearing strengths are moderate to high as the site is underlaid by weathered basement materials.

Seismic Strength Loss

The site soils are considered resistant to dilatency and the resulting momentary liquefaction as they are unsaturated, weathered bedrock and contain a significant cohesive clay fraction. The relatively short duration of earthquake loading will not provide a significant number of high amplitude stress cycles to alter the strain characteristics. Additionally the clay-silt fraction is not considered quick nor sensitive, as such it will not have the associated loss of strength.

Chemical Reactivity

The area is well developed with structures, generally found on Portland Cement products. Additionally these structures date back to the 1950's or earlier. Much of the concrete used in these structures has remained as cast. The area soils are not known for sulfate reaction with Portland cement products and as such it is not considered a problem in this area.

Expansive Soils

In general the surficial soils are low plasticity silts however a clay horizon was observed between 1 and 3 feet approximately. This clay is of medium to medium high plasticity and will exhibit slight to moderate volume change from moisture variation depending on the situation. Recommendations are given relative to this characteristic under Special Recommendations following.

Surface Rupture and Lateral Spreading

The project site is located to the northeast of the San Gregorio-Palo Colorado (Sur) Fault Zone. The site inspection did not reveal any surface features indicating a fault rupture has occurred at the site. The existing structure, driveways and roads do not reveal any strains which would be attributable to subsurface lateral or vertical displacements resulting from fault slip. Therefore surface rupture from fault activity across the site is considered improbable.

The project site is underlain by relatively strong soils and soft bedrock. These materials are considered resistant to lateral spreading. As such surface rupture from lateral spreading is considered improbable.

Seismicity

It is recommended that all structures be designed and built in accordance with the requirements of the California Building Code's current edition. All buildings should be founded on undisturbed native soils and/or tested and accepted engineering fill to prevent resonance amplification between soils and the structure.

2007 California Building Code Geoseismic Classifications

The California Building Code, 2007 edition (Reference No. 13), provides for seismic design values. These values are to be utilized when evaluating structural elements. The geoseismic character is as listed in the following table.

2006 I.B.C. - 2007 C.B.C. EARTHQUAKE LOADS: SECTION 1613				
LONGITUDE	-121.9376	SOIL PROFILE:	Soft Rock, Blow counts greater than 50 per foot	
LATITUDE	36.4999	SITE CLASS	C	
PERIOD	S	F	Sm	Sd
0.2 sec	Ss = 1.861	Fa = 1.00	Sms = 1.861	Sds = 1.241
1.0 sec	S1 = 0.812	Fv = 1.30	Sm1 = 1.056	Sd1 = 0.704
Seismic Design Category to be assigned by structural or designer				

CONCLUSIONS OF INVESTIGATION

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

Special Recommendations

As observed, the surficial soils are loose and a clayey silty sand (decomposed granite) of moderate to low expansivity is located in the upper three feet in the area of construction. However, the proposed construction will require extensive reshaping of the site and likely most soils excavated to subgrade and therefore all of these unsuitable soils will be removed.

For foundation excavations, the depth of excavation should be to remove such soils with the resulting void filled with concrete typical to the foundation or compacted and accepted base aggregate. For interior floor slabs, these soils should be removed and the resulting void filled with open graded gravel typical to that commonly placed under floor slabs on grade. Other options are available and may be reviewed during construction if necessary.

It is recommended that any portion of development to receive exterior on-grade engineered structures, eg. pavement, etc. The surficial sandy silts may be used as engineered fill.

It is recommended that all foundations bear on bedrock, i.e., dense decomposed granite stone which should be encountered at various depth below natural. However, it is anticipated that much of the footprint will excavate to bedrock for foundation purposes. It is anticipated that the stone will be exposed throughout most of the subgrade and foundation excavations after excavating. In areas where excavation does not expose bedrock, the foundation may bear on caissons and grade beam footings.

Any further site activity, especially grading and foundation excavations, should be under the direction of a qualified Soils Engineer or their Representative. Should the spectrum of development change, this office should be notified so that additional recommendations can be made, if necessary.

Overburden up to ten feet of terrace colluvium may occur between existing surface and dense weathered granite. However, as the granite surface is irregular, this rate should be assumed an average with actually being more or less. Actual depth will be determined during construction.

Foundations and Footings

Geotechnical evaluation indicates that square, round, and continuous spread footings are satisfactory for exposed bedrock areas and caisson/grade beam foundations for areas of deeper soils. The minimum embedment for shallow, spread foundations is 12 inches for single stories and 18 inches for two story structures into acceptable caisson steel key three feet into bedrock. Embedment depths do not take into account the loose upper top soils, disturbed soils or any other unacceptable soils which exist at the site, e.g., any un-engineered fill, landscaping soils, etc.

VERTICAL SOIL PRESSURES[1]		
FOOTING TYPE	DEAD LOAD, kips/ft^2	DEAD + LL, kips/ft^2
Spread & Isolated	2.0	2.6
Caisson (Note 2)	4	4.8
LATERAL SOIL PRESSURES[1]		
TYPE	VALUE, lbs/ft^2	
Active Earth Pressure	32 lbs/ft^{3}xH^2 applied at 0.3H	
Restrained Earth Pressure	45 lbs/ft^{3}xH^2 applied at 0.3H	
Seismic	4 lbs/ft^{3}xH^2 applied at 0.6H	
Friction at Base	0.3 × Dead Load	
Passive Earth Pressure	350 lbs/ft^3 × H^2 [NOTE2]	
Uplift Friction	140 lbs/ft^2 × H	

Notes: LL = Live Load; DL = Dead Load; H = Vertical height of material retained. One-third increase to be allowed for wind and seismic forces.
[1] For depths into acceptable native materials or engineered fill.
[2] Excludes near surface 0.5 feet of *in-situ* soils and for depths into shale

Note 2: End bearing at required depth in acceptable bedrock

Pile and Pier foundation information is not provided as none are required or proposed.

Slabs-on-Grade

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

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

All care and practice required to prevent puncture of the membrane during placement and pouring of covering slabs should be utilized during construction. Unless otherwise required for structural purposes, all slabs should be reinforced with a minimum of No.4, Grade 40, deformed steel reinforcing bar, 24 inches O.C., each way, to prevent separation and displacement in cases of cracking. (NOTE: Should excessive moisture or free water be encountered within the foundation, the under slab should be vented to atmosphere in a manner to allow drainage of the under slab aggregate.)

Slope Ratio and Drainage

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

Surface Drainage

All concentrated roof and area drainage should be released to open areas away from structures, pavements and septic systems in a dispersed manner. A sub-surface dispersal system may NOT be used.

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

Subsurface Drains

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

CLASS 1		
SIEVE SIZES	**PERCENTAGE PASSING**	
	TYPE A	TYPE B
50.0-mm/2 inches	----	100
37.5-mm/1.5 inches	----	95-100
19.0-mm/0.75 inches	100	50-100
12.5-mm/0.5 inches	95-100	-----
9.5-mm/0.415 inches	70-100	15-55
4.75-mm/No. 4	0-55	0-25
2.36-mm/No. 8	0-10	0-5
75.0-µm/N0.200	0-3	0-3

General Site Preparation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LIMITATIONS AND UNIFORMITY OF CONDITIONS

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

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

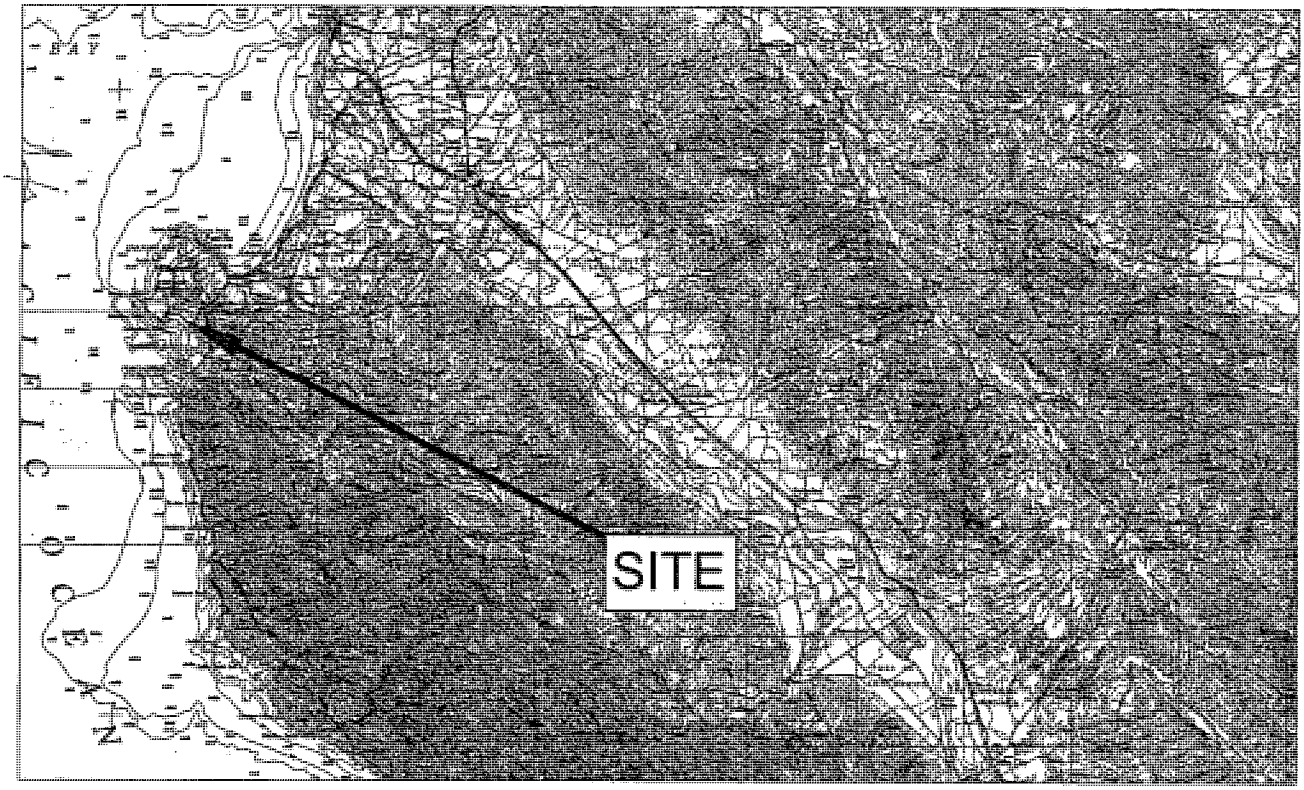
This report is issued with admonishment to the Owner and to his representative(s), that the information contained herein should be made available to the responsible project personnel including the architects, engineers, and contractors for the project. The recommendations contained herein should be incorporated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

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

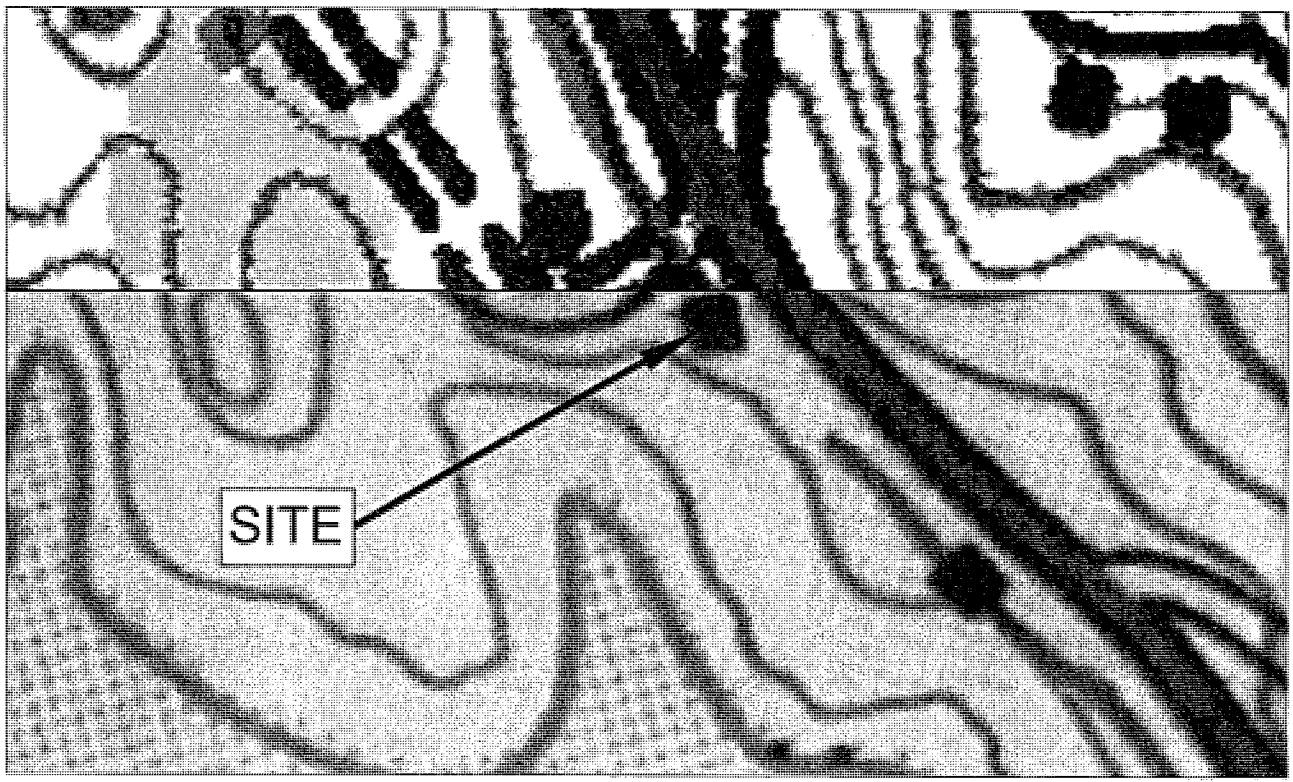
It is our opinion the findings of this report are **valid** as of the **present date**, **however**, changes in the **Codes and Requirements** can occur and change the recommendations given within this report concerning the property. As well changes in the conditions of a property can occur with the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

REVISED 04-25-2008

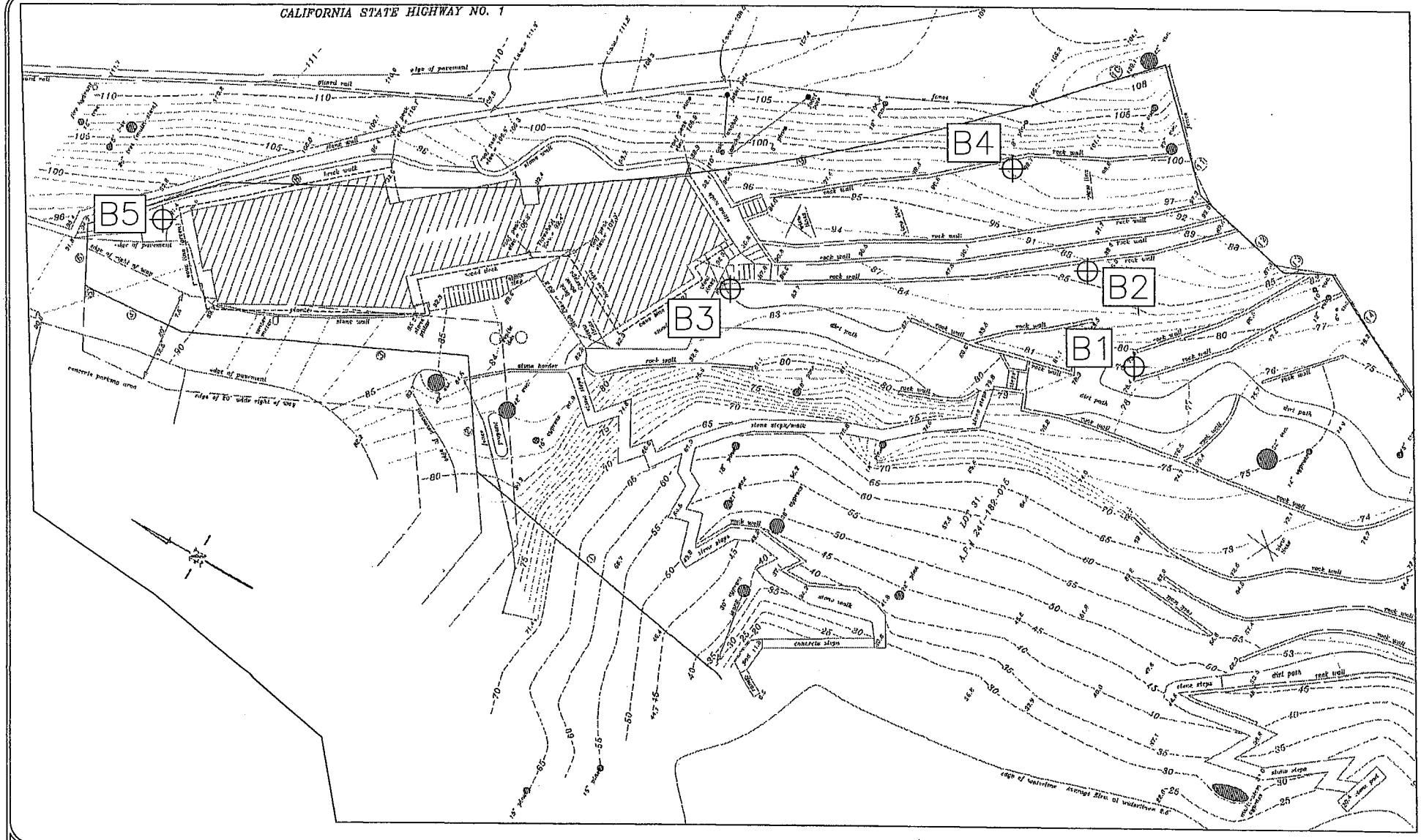
APPENDIX A



Vicinity Map



Location Map



GRICE ENGINEERING INC
ENGINEERING • GEOTECHNICS • HYDROLOGY • SOILS • FOUNDATIONS • EARTH STRUCTURES
561A Brunken Avenue Salinas, California Salinas: (831) 422-9519 Monterey: (831) 375-1198 FAX: (831) 422-1896

SITE PLAN with BORE LOCATIONS
Murray Residence, 243 State Highway One, Carmel, CA A. P. N. 241-182-015

APPENDIX B

Murray Residence; 243 Highway One, Carmel, California

Boring No. 1 August 11, 2008

Depth	Symbol	Sample	Blow Count per 6 inch	Description	Auger Pen.	Density	Moisture	Unconfined	Cohesion	Shear
0.50	SM			(CUTTINGS) Dark brown | SAND very fine to medium; granite base | little: silt | dry; loose.						
0.50										
1.00										
1.50										
2.00				Refusal to hand auger. End of bore at 2.0 feet. No free water observed, bore backfilled with cuttings.						
2.50										
3.00										
3.50										
4.00										
4.50										
5.00										
5.50										
6.00										
6.50										
7.00										
7.50										
8.00										
8.50										
9.00										
9.50										
10.00										

Murray Residence; 243 Highway One, Carmel, California

Boring No. 2 August 11, 2008

Depth	Symbol	Sample	Blow Count per 6 Inch	Description	Auger Pen.	Density	Moisture	Unconfined	Cohesion	Shear
0.50	SM			(CUTTINGS) Dark brown | SAND very fine to medium; granite base | little: silt | dry; loose.						
0.50										
1.00										
1.50	HDRK			cuttings starting to resemble weathered granite						
2.00				Refusal to hand auger, very rough No free water observed, bore backfilled with cuttings.						
2.50										
3.00										
3.50										
4.00										
4.50										
5.00										
5.50										
6.00										
6.50										
7.00										
7.50										
8.00										
8.50										
9.00										
9.50										
10.00										

Murray Residence; 243 Highway One, Carmel, California

Boring No. 3

August 11, 2008

Depth	Symbol	Sample	Blow Count per 6 inch	Description	Auger Pen.	Density	Moisture	Unconfined	Cohesion	Shear
0.50	SM			(CUTTINGS) Dark brown | SAND very fine to medium; granite base | little: silt | dry; loose.						
0.50										
1.00										
1.50										
2.00	SWM			(CUTTINGS) Dark reddish brown | SAND very fine to medium; few: to gravel, 2"; round to subangular; granite base | little: silt | dry; loose-medium dense.						
2.50										
3.00				Refusal, End of bore. No free water encountered, bore backfilled with cuttings.						
3.50										
4.00										
4.50										
5.00										
5.50										
6.00										
6.50										
7.00										
7.50										
8.00										
8.50										
9.00										
9.50										
10.00										

Murray Residence; 243 Highway One, Carmel, California

Boring No. 4 August 11, 2008

Depth	Symbol	Sample	Blow Count per 6 inch	Description	Auger Pen.	Density	Moisture	Unconfined	Cohesion	Shear
0.50	SM			(CUTTINGS) Dark brown | SAND very fine to medium; granite base | little: silt | dry; loose.						
0.50										
1.00										
1.50	HDRK			cuttings starting to resemble weathered granite						
2.00				Refusal to hand auger, very rough No free water encountered, bore backfilled with cuttings.						
2.50										
3.00										
3.50										
4.00										
4.50										
5.00										
5.50										
6.00										
6.50										
7.00										
7.50										
8.00										
8.50										
9.00										
9.50										
10.00										

Murray Residence; 243 Highway One, Carmel, California

Boring No. 5 August 11, 2008

Depth	Symbol	Sample	Blow Count per 6 inch	Description	Auger Pen.	Density	Moisture	Unconfined	Cohesion	Shear
0.50	SM			(CUTTINGS) Dark brown | SAND very fine to medium; granite base | little: silt | dry; loose.						
0.50										
1.00										
1.50										
2.00										
2.50	SM HDRK			(CUTTINGS) Yellowish brown | SAND very fine to medium; granite base; subangular | few-little: silt | moist; dense | looks to be weathered granite						
3.00										
3.50				relative refusal with hand auger End of bore at 3.5 feet. No free water encountered. Bore backfilled with cuttings.						
4.00										
4.50										
5.00										
5.50										
6.00										
6.50										
7.00										
7.50										
8.00										
8.50										
9.00										
9.50										
10.00										

GRICE ENGINEERING INC
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SOIL CLASSIFICATION CHART
conforms to Unified Soils Classification
and ASTM D2487

UNIFIED SOIL CLASSIFICATION & ASTM D2487: INCLUDING IDENTIFICATION AND DESCRIPTION

FIELD IDENTIFICATION PROCEDURES (Excluding particles larger than 3 inches and basing fractions on estimated weights)				GROUP SYMBOLS N.	TYPICAL NAMES
COARSE GRAINED SOILS — More than half of material is larger than No. 200 sieve size is about the smallest particle visible to the naked eye	GRAVELS — More than half of coarse fraction is larger than No. 4 sieve size (For visual classifications, the 1/4" size may be used as equivalent to the No. 4 sieve size.)	CLEAN GRAVELS (Little or no fines)	Wide range in grain size and substantial amounts of all intermediate particle sizes.	GW	Well graded gravels, gravel-sand mixtures, little or no fines.
			Predominatly one size or a range of sizes with some intermediate sizes missing.	GP	Poorly graded gravels, gravel-sand mixtures, little or no fines.
		GRAVELS WITH FINES (Appreciable amount of fines)	Non-plastic fines (for identification procedures see ML below).	GM	Silty gravels, poorly graded gravel-sand-silt mixtures.
			Plastic fines (for identification procedures see CL below).	GC	Clayey gravels, poorly graded gravel-sand-clay mixtures.
	SANDS — More than half of coarse fraction is smaller than No. 4 sieve size	CLEAN SANDS (Little or no fines)	Wide range in grain sizes and substantial amounts of all intermediate particle sizes.	SW	Well graded sands, gravelly sands, little or no fines.
			Predominatly one size or a range of sizes with some intermediate sizes missing.	SP	Poorly graded sands, gravelly sands, little or no fines.
		SANDS WITH FINES (Appreciable amount of fines)	Non-plastic fines (for identification procedures see ML below).	SM	Silty sands, poorly graded sand-silt mixtures.
			Plastic fines (for identification procedures see CL below).	SC	Clayey sands, poorly graded sand-clay mixtures.
FINE GRAINED SOILS — More than half of material is smaller than No. 200 sieve size (The No. 200 sieve size is about the smallest particle visible to the naked eye)	IDENTIFICATION PROCEDURES ON FRACTION SMALLER THAN No. 40 SIEVE SIZE				
	SILTS AND CLAYS — Liquid limit less than 50	DRY STRENGTH (CRUSHING CHARACTERISTICS)	DILATANCY (REACTION TO SHAKING)	TOUGHNESS (CONSISTENCY NEAR PLASTIC LIMIT)	
		None to slight	Quick to slow	None	ML — Inorganic silts and very vine sands, rock flour, silty or clayey fine sands withg slight plasticity.
		Medium to high	None to very slow	Medium	CL — Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.
		Slight to medium	Slow	Slight	DL — Organic silts and organic silt-clays of low plasticity.
	SILTS AND CLAYS — Liquid limit greater than 50	Slight to medium	Slow to none	Slight to medium	MH — Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts.
		High to very high	None	High	CH — Inorganic clays of high plasticity, fat clays.
		Medium to high	None to very slow	Slight to medium	OH — Organic clays of medium to high plasticity.
HIGHLY ORGANIC SOILS		Readily identified by color, odor, spongy feel and frequently by fibrous texture.		P↑	Peat and other highly organic soils.

INFORMATION REQUIRED FOR DESCRIBING SOILS

Give typical name, indicate approximate percentages of sand and gravel, max. size; angularity, surface condition, and hardness of the coarse grains; local or geologic name and other pertinent descriptive information, and symbol in parentheses.

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

EXAMPLE:

Silty Sand, gravelly; about 20% hard, angular gravel particles ½ inch maximum size; rounded and subangular sand grains coarse to fine, about 15 % non-plastic fines with low dry strength, well compacted and moist in place, alluvial sand; (SM).

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

For undisturbed soils add information or structure, stratification, consistency in undisturbed and remolded states, moisture and drainage conditions.

EXAMPLE:

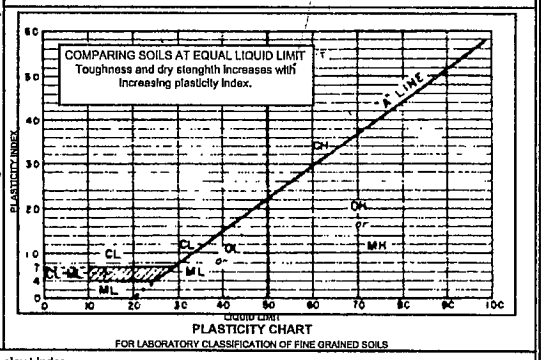
Clayey silt, brown, slightly plastic, small percentage of fine sand, numerous vertical root holes, firm and dry in place, loess; (ML).

LABORATORY CLASSIFICATION CRITERIA

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

Determine percentages of gravel and sand from grain size curve. Depending on percentage of fines (fractin smaller than No. 200 sieve size) coarse grained soils are classified as follows:
- Less than 5% — GW,GP, SW, SP
- More than 12 % — GM, GC, SW, SC
- 5% to 12% — Borderline cases requiring use of dual symbols.

$C_u = \frac{D_{60}}{D_{10}}$ Greater than 4 $C_c = \frac{(D_{30})^2}{(D_{10} \times D_{60})}$ Between one and 3		
Not meeting all gradation requirements for GW		
Atterberg limits below "A" line or PI less than 4	Above "A" line with PI between 4 and 7 are borderline cases requiring use of dual symbols	
Atterberg limits above "A" line or PI greater than 7		
$C_u = \frac{D_{60}}{D_{10}}$ Greater than 6 $C_c = \frac{(D_{30})^2}{(D_{10} \times D_{60})}$ Between one and 3		
Not meeting all gradation requirements for SW		
Atterberg limits below "A" line or PI less than 4	Above "A" line with PI between 4 and 7 are borderline cases requiring use of dual symbols	
Atterberg limits above "A" line or PI greater than 7		



PLASTICITY CHART
FOR LABORATORY CLASSIFICATION OF FINE GRAINED SOILS

N. Boundary classifications: Soils possessing characteristics of two groups are designated by combinations of group symbols. For examle GW-GC, well graded gravel-sand mixture with clay binder.
N. All sieve sizes on this chart are U.S. Standard.

FIELD IDENTIFICATION PROCEDURES FOR FINE GRAINED SOILS OR FRACTIONS

These procedures are to be performed on the minus No. 40 sieve size particles, approximately $\frac{1}{64}$ inches. For field classification purposes, screening is not intended; simply remove by hands the coarse particles that interfere with the test.

DILATANCY (Reaction to shaking)

After removing portions larger than No. 40 sieve size, prepare a pot of moist soil with a volume of about one-half cubic inch. Add enough water if necessary to make the soil soft but not sticky.

Place the pot in the open palm of one hand and shake horizontally, striking vigorously against the other hand several times. A positive reaction consists of the appearance of water on the surface of the pot which changes to a livery consistancy and becomes glossy. When the sample is squeezed between the fingers, the water and gloss disappear from the surface, the pot stiffens and finnally it crackes or crumbles. The rapidity of appearance of water during shaking and of its disappearance during squeezing assist in identifying the character of the fines in a soil.

Very fine clean sands give the quickes and most distinct reactoin whereas a plastic clay has no reaction. Inorganic silts, such as a typical rock flour, show a moderately quick reaction.

DRY STRENGTH (Crushing characteristics)

After removing particles larger than No. 40 sieve size, mold a pat of soil to the consistency of putty, adding water if necessary. Allow the pat to dry completely by oven, sun, or air drying, and then test its strength by breaking and crumbling between the fingers. This strength is a measure of the character and quality of the colloidal fraction contained in the soil. The dry strength increases with increasing plasticity.

High dry strength is characteristic for clays of the CH group. A typical inorganic silt possesses only very slight dry strength. Silty fine sand and silts have about the same slight dry strength, but can be distinguished by the feel when powdering the dried specimen. Fine sand feels gritty whereas a typical silt has the smooth feel of flour.

TOUGHNESS (Consistency near plastic limit)

After removing particles larger that the No. 40 sieve size, a specimen of soil about one-half inch cube in size is molded to the consistency of putty. If too dry, water must be added and if sticky, the specimen should be spread out in a thin layer and allowed to lose some moisture by evaporation. Then the specimen is rolled out by hand on a smooth surface of between the palms into a thread about one-eight inch in diameter . The thread is then folded and rerolled repeatedly. Durning this manipulation the moisture content is gradually reduced and the specimen stiffens, finally loses its plasticity, and crumbles when the plastic limit is reached.

After the thread crumbles, the pieces should be lumped together and a slight kneading action continued until the lump crumbles.

The tougher the thread near the plastic limit and the stiffer the lump when it finally crumbles, the more potent is the colloidal clay fraction in the soil. Weakness of the thread at the plastic limit and quick loss of coherence of the lump below the plastic limit indicate either inorganic clay of low plasticity, or materials such as kaolin-type clays and organic clays which occure below the A-line.

Highly organic clays have a very weak and spongy feel at the plastic limit.

ADOPTED BY: CORPS OF ENGINEERS AND BUREAU OF RECLAMATION-JANUARY 1962

103-D-347

APPENDIX C

EROSION CONTROL PLANNING

General Description

1. Design the project to fit the topographic and hydrologic features of the site. It is important to minimize grading of or near steep slopes. Disturbing native vegetation and natural soil structure allows runoff velocity and transport of sediments to increase.

2. Maintain runoff rates at or below pre-development levels. Runoff from post-development impervious structures should be retained on-site. The preferred method is to filter it back into the soil by means of percolation trenches intended for storm runoff only. Storm runoff should never be directed to septic tank system leachfields.

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

3. During construction, never store cut and fill material where it may wash into streams or drainage ways. Keep all culverts and drainage facilities free of silt and debris. Keep emergency erosion control materials such as straw mulch, plastic sheeting, and sandbags on-site and install these at the end of each day as necessary.

4. Re-vegetate and protect exposed soils by October 15. Use appropriate grass/legume seed mixes and/or straw mulch for temporary cover. Plan permanent vegetation to include native and drought tolerant plants. Seeding and re-vegetation may require special soil preparation, fertilizing, irrigation, and mulching.

RECOMMENDED EARTHWORK GRADING SPECIFICATIONS

E:1 General Description:

1.1 This item shall consist of all clearing and grubbing; preparation of land to be filled; excavation and fill of the land; spreading, compaction and control of the fill; and all subsidiary work necessary to complete the graded area to conform with the lines, grades and slopes as shown on the approved plans.

1.2 The Contractor shall provide all equipment and labor necessary to complete the work as specified herein, as shown on the approved plans as stated in the project specifications.

E:2 Tests:

2.1 The standard test used to define maximum densities of all compaction work shall be the A.S.T.M. D-1557, Moisture Density of Soils, using a 10-pound ram and 18-inch drop. All densities shall be expressed as a relative density in terms of the maximum density obtained in the laboratory by the foregoing standard procedure.

2.2 In-place density shall be determined by Test Methods A.S.T.M. D-1556, Density of Soil In-Place by Sand Cone Method and D-2922, Density of Soil In-Place by Nuclear Method.

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

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

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

E:4 Materials:

4.1 The material for engineered fill shall be approved by the Soils Engineer before commencement of grading operations. Any imported material must be approved for use before being brought to the site. The material used shall be free from vegetable matter and other deleterious materials.

4.2 Imported materials for engineered fill shall consist of non-expansive soil with maximum aggregate size of 4 inches, a PI less than 15 and/or a Cu greater than 4 and shall be approved by the Engineer.

E:5 Placing, Spreading and Compacting Fill Material:

5.1 The selected fill material shall be placed in layers which, when compacted, shall not exceed 6 inches in thickness. Each layer shall be spread evenly and shall be thoroughly mixed during the spreading to ensure uniformity of material in each layer. Fill shall be placed such that cross fall does not exceed 1 foot in 20 unless otherwise directed.

5.2 All fills on slopes greater than 1 vertical to 6 horizontal shall be keyed into the adjacent soil.

5.3 When fill material includes rock or concrete rubble, no irreducible material larger than 4 inches in greatest dimension will be allowed except under the direction of the Soils Engineer.

5.4 The moisture content of the fill material shall be maintained in a suitable range to permit efficient compaction. The Soils Engineer may require adding moisture, aerating, or blending of wet and dry soils.

5.5 Each layer shall be compacted to a relative density of not less than 90% relative density or as specified in the soils report and on the accepted plans. Compaction shall be continuous over the entire area of each layer.

5.6 Field density test shall be made by the Soils Engineer of each compacted layer. At least one test shall be made for each 500 cubic yards or fraction thereof, placed with a minimum of two tests per layer in isolated areas. Where a sheeps'-foot roller is used, the soil may be disturbed to a depth of several inches. Density tests shall be taken in compacted materials below the disturbed surface. When these tests indicate that the density of any layer of fill or portion thereof, is below the required density, that particular layer or portion shall be reworked until the required density has been obtained.

5.7 All earth moving and work operations shall be controlled to prevent water from running into excavated areas. All such water shall be promptly removed and the site kept dry.

E:6 Seasonal Limits:

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

E:7 Unusual Conditions:

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

SPECIFICATIONS FOR ROCK UNDER FLOOR SLABS

Definition

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

Material

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

Grading

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

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

Placing

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

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Base Map Courtesy of: USGS

Site Location Map

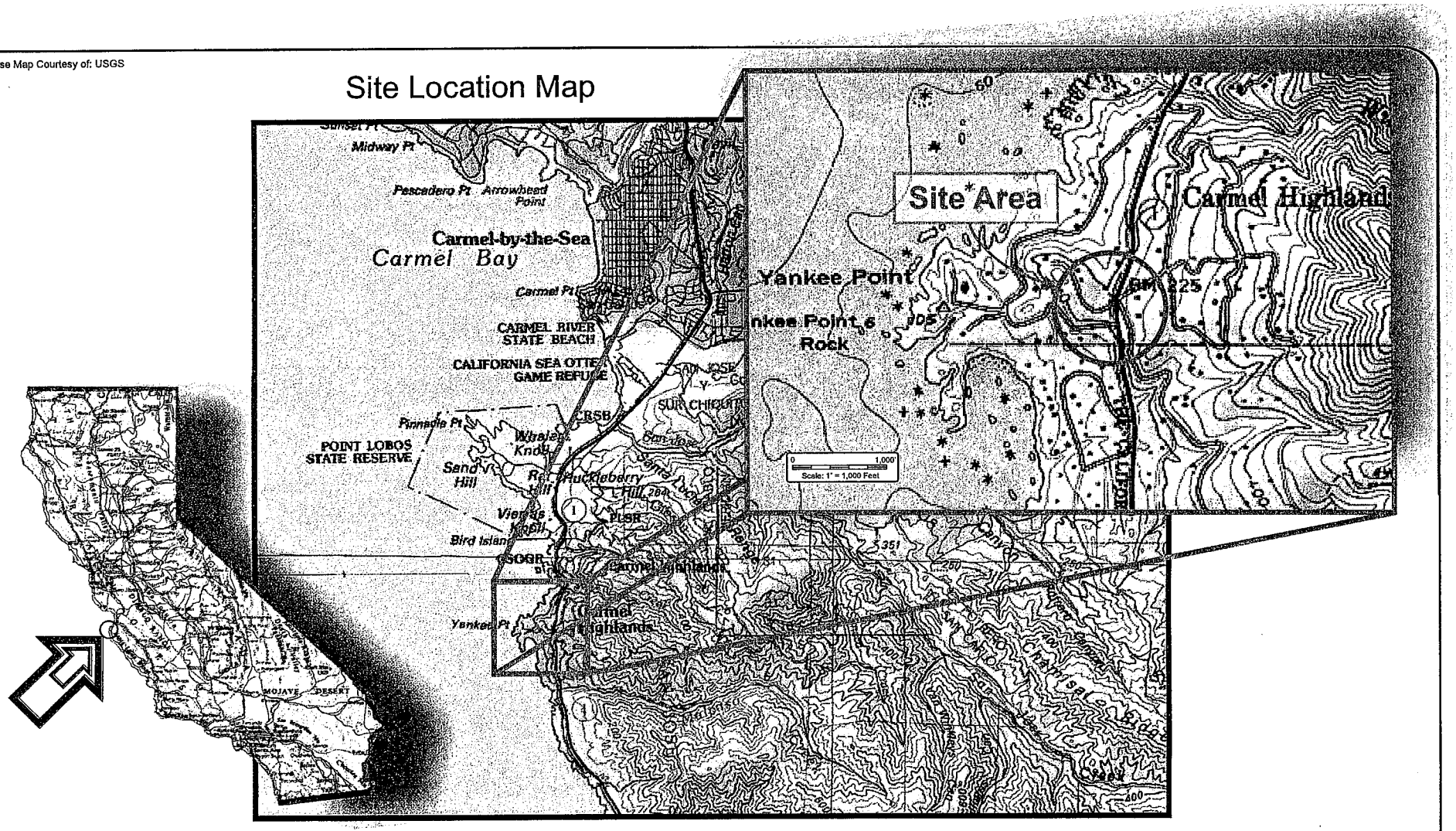


Figure 1

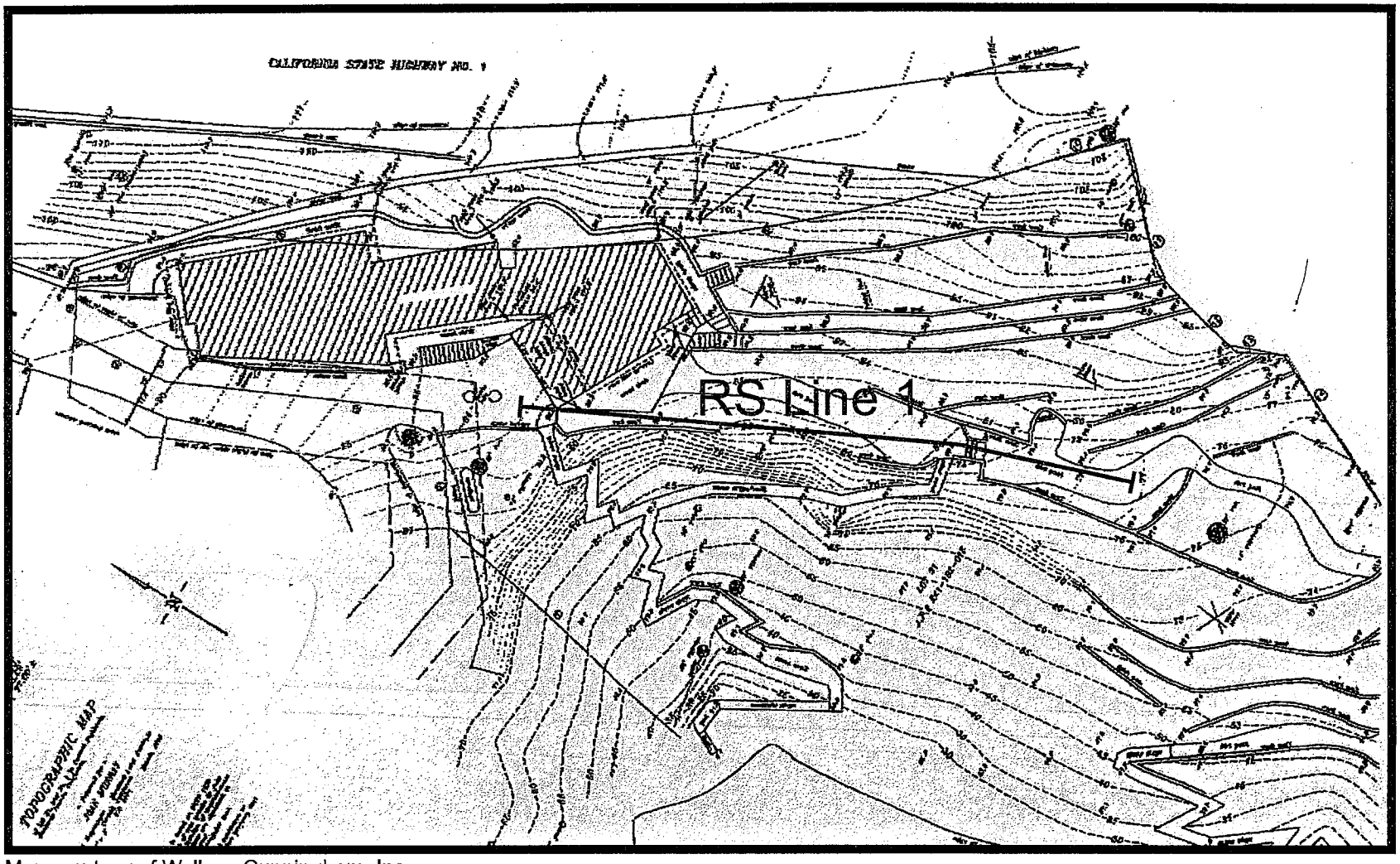
CONSULTANTS IN GEOPHYSICS AND GEOLOGY FOR THE ENGINEERING, GROUNDWATER, ENVIRONMENTAL and MINING INDUSTRIES.
GASCH & ASSOCIATES
3174 Luyung Drive, Building #2
Rancho Cordova, California 95742 U.S.A.
(916) 635-8906 • FAX (916) 635-8907
www.geogasch.com

J. Murray Residential Site:
Refraction Seismic Investigation

Prepared for: Grice Engineering & Geology

Project Number: 2008-17.01 *Date:* August, 2008

Refraction Seismic Line Location Map



Map courtesy of Wallace Cunningham, Inc.

Figure 2

Scale: 1" = 35'

North

CONSULTANTS IN GEOPHYSICS AND GEOLOGY FOR THE ENGINEERING, GEOTECHNICAL ENVIRONMENTAL and LEGAL PROFESSIONS.
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J. Murray Residential Site:
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Prepared for: **Grice Engineering & Geology, Inc.**

Project Number: 2008-17.01 Date: August, 2008

Seismic Velocity Section - RS Line 1

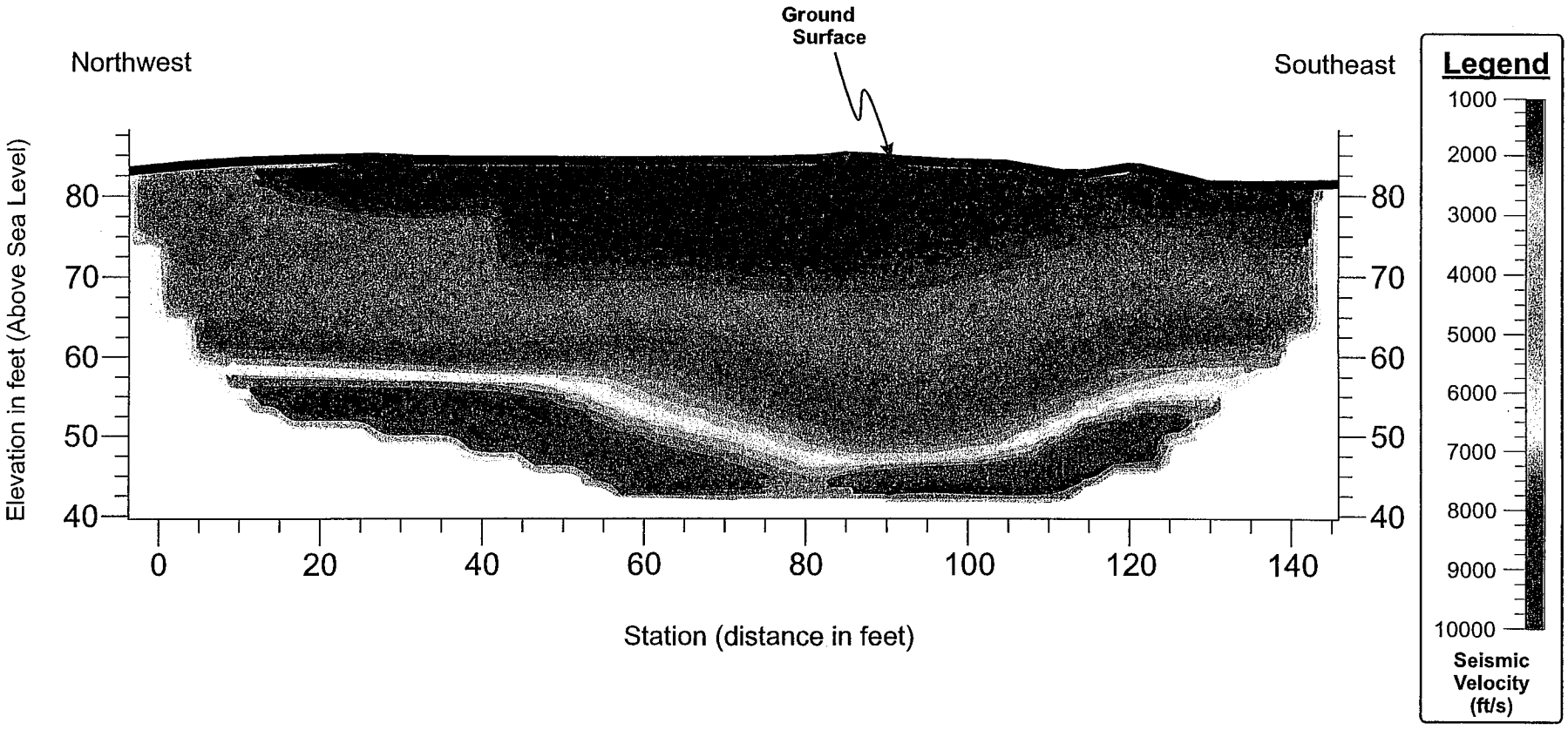

Figure 3

Scale: 1" = 20'
Geophone Station Interval = 10 feet
Energy Source-Point Interval = 20 feet

CONSULTANTS IN GEOPHYSICS AND GEOLOGY FOR THE ENGINEERING, GEOTECHNICAL ENVIRONMENTAL and LEGAL PROFESSIONS.
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J. Murray Residential Site:
Refraction Seismic Investigation

Prepared for: **Grice Engineering & Geology, Inc.**

Project Number: 2008-17.01 Date: August, 2008

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PLN070388
SIDOR, JOE

August 25, 2008

Mr. Harold Grice
Grice Engineering & Geology, Inc.
561-A Brunken Street
Salinas, California 93901

Re: Refraction Seismic Investigation at the Joan Murray Residential Site, Located at 243 Highway 1, Carmel Highlands, Monterey County, California.
APN 241-182-015
G&A Project No. 2008-17.01

Dear Mr. Grice:

At your request and authorization, Gasch & Associates (G&A) has completed a refraction seismic investigation to help evaluate the characteristics of the sub-surface materials at the Joan Murray residential site in Carmel Highlands, California (Figure 1).

Purpose

The purpose of this investigation was to determine the depth to competent, higher velocity sub-surface material at the building site, if higher velocity material is present. The refraction seismic (RS) method was used to measure the rock velocities on site, as seismic primary-wave velocity values can be used to quantify competency in areas of hard rock.

Method, Instrumentation and Software

The RS method measures the velocity at which a seismic wave propagates through a soil or rock medium. In this case, the primary (p-wave) or compressional seismic wave was measured. Higher seismic p-wave velocities indicate material of higher density, thus quantifying the competency, or strength of the soil or rock medium.

G&A's seismic data acquisition system is a distributed, 24-bit digital instrument with data output on electronic media for subsequent processing. Digital grade geophones were used and the energy source was a hand held impact tool. All data were processed in house, on our data reduction and plotting workstation.

Our processing software uses a nonlinear forward modeling optimization technique called adaptive simulated annealing. This technology derives sophisticated velocity models, especially in areas characterized by strong lateral velocity gradients and extreme variations in topography or complex near-surface structure.

A color-coded seismic velocity cross-section of the subsurface material has been generated for each RS line, where cool colors (blues) indicate lower seismic velocities and warm colors (reds) indicate higher velocities. Color scaling of these geo-seismic cross sections is based on the range of seismic velocity values calculated. The axes on each cross-section have been scaled 1:1, vertical to horizontal, and color scaling of the seismic velocity cross-sections has been normalized.

Data Acquisition Parameters

RS line 1 was acquired with 12 active geophone stations, spaced at 10-foot intervals. The energy source points were located between every other geophone as well as points off the ends of the line, giving a total line length of 140 feet with 8 data records. The approximate location and length is shown on Figure 2.

The locations of the RS lines was determined by Mr. Harold Grice of Grice Engineering. Elevation surveying of the two lines was done with a hand level and rod, relative to the exiting ground surface, at the time of the survey. This RS data was acquired on August 14, 2008.

Seismic Velocities

Generally, seismic p-wave velocities below 2,000 feet per second (ft/s) indicate native soil, fill material or highly weathered and/or decomposed rock, while velocities in excess of 10,000 ft/s indicate fresh (essentially non-weathered) rock. Seismic velocities between these two values typically indicate rock with varying degrees of weathering and/or fracturing. In environments where water table is within the measurable depth of the RS line, moderate velocities may indicate saturated sediment below the water table which characteristically displays seismic velocities near or slightly above 5,000 ft/s.

Extremes in seismic velocities may range from less than 1,500 ft/s to over 20,000 ft/s. Very low seismic velocities usually indicate poorly compacted material, either natural or man-made. Extremely high velocities are rare in the near-surface, and only possible in certain types of rock.

Findings

The results of the refraction seismic investigation are summarized by Figure 3. The model created through the inversion process has low error, and provide a moderately high degree of lateral definition of seismic velocity structures.

Examination of this RS section provides a visual depiction of the variation in seismic velocities beneath the RS line. Five seismic velocity zones are readily identifiable, and are present to varying extent on each line:

Zone 1 – Very Low Velocity

On each line, a zone of excavatible, low-velocity material (dark blue to light blue/green – 1,000 ft/s to 2,500 ft/s) is found at ground surface, extending to varying depths. Generally, this zone is found to be from 2 to 18 feet in thickness. These low velocity areas typically are native soils and/or highly weather rock.

Zone 2 – Low Velocity

Underlying Zone 1, seismic velocities increase to moderate levels (light blue-green to yellow-green - 2,500 ft/s to 5,000 ft/s). This zone probably indicates the presence of moderately to highly fractured and/or weathered rock and/or well compacted soils. On this RS line, it appears to be a transitional zone to the underlying moderate velocity materials and ranges from 10 to 15 feet thick.

Zone 3 – Moderate Velocity

At greater depth, underlying Zone 2, seismic velocities increase to moderate values (yellow-green to red, 5,000 ft/s to 6,500+ ft/s). Typically, Zone 3 represents slightly to marginally fractured and/or weathered rock. This zone was found at 30 to 35 feet below ground surface.

Zone 4 – High Velocity

This zone Indicates marginal to non-rippable conditions for a CAT D10R. Zone 4 consists of high seismic velocity material (red to reddish-purple, 6,500 ft/s to 8,500 ft/s). This zone is typically due to the presence of relatively fresh, unweathered rock.

Zone 5 – Very High Velocity

These very high seismic velocities are found at greater depth (purple – velocities greater than 8,500+ ft/s). This, in all probability, represents "fresh" rock which can very strong depending on site specific conditions. This RS Line measured maximum velocities in excess of 10,000 ft/second at the maximum depth of exploration between stations 15 to 60 and 70 to 125.

Summary

This refraction seismic investigation revealed a moderately high degree of variation in the calculated seismic velocities of the subsurface materials, with maximum seismic velocity values greater than 10,000 ft/s. Low velocity material was also encountered in the near surface material which suggests highly weathered rock or native soils. The velocity gradient on the RS Line, shows a section of weathered material at surface which grades to moderate velocity material (5,000 ft/s to 6,500 ft/s) at a depth of 25 to 35 feet bgs across the line.

In general, the top 2 to 10 feet of material exhibited velocities ranging from 1,000 to 2,500 ft/s, common levels in soils and heavily weathered rock. Conversely, the deepest portions of the seismic sections revealed velocities in excess of 10,000 ft/s, which suggested "fresh" or slightly weathered rock. This refraction seismic investigation revealed a moderately high degree of variation in the seismic velocities of the subsurface materials.

Five velocity zones have been identified which characterize the seismic velocity distributions, and their probable indications as to site conditions. As noted in the above discussion, the subsurface material grade from surface to material of high to very high velocity values.

We trust that this is the information you require; however, should you have comments or questions, please contact our Rancho Cordova office at your convenience. Thank you for this opportunity to be of service.

Sincerely,

GASCH & ASSOCIATES

Kent L. Gasch
Professional Geophysicist No. 1061
Geologist

Jerrie W. Gasch
Professional Geophysicist No. 516
Professional Geologist No. 1203
Certified Engineering Geologist No. 450

GRICE ENGINEERING AND GEOLOGY INC

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

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File No. 5251-08.07
Site Drainage
June 28, 2009

Ms. Joan Murray
243 State Highway One
Carmel, California 93923

Project: Proposed Residence
243 State Highway One.
Carmel Highlands,
Monterey County, California
A.P.N. 241-182-015

Subject: Site Drainage

Dear Ms. Murray

Mr. Joe Sidor of the Monterey County Planning Department requested clarification of the site drainage. Due to the restrictions of the site, the shallow nature and erodability of the surface topsoils, on site storm water disposal is not recommended. It is recommended the site drainage from roof and hardscape be collected and carried to an established drainage way and discharged there with suitable energy dissipation devices.

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

Very truly yours,
GRICE ENGINEERING, INC.

Harold E. Grice, P.E.
R.C.E. 19424
R.G.E. 359

REGISTERED PROFESSIONAL ENGINEER
HAROLD E. GRICE, P.E.
RGE 359
EXP. 9/30/09
GEOTECHNICAL
STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
HAROLD E. GRICE, P.E.
RCE 19424
EXP. 9/30/09
CIVIL
STATE OF CALIFORNIA

EXHIBIT H
COMMENTS ON MITIGATED NEGATIVE DECLARATION

PLN070388 – Murray Residence

Planning Commission
July 8, 2009

Sidor, Joe x5262

From: Katie Morange [kmorange@coastal.ca.gov]
Sent: Tuesday, May 05, 2009 12:03 PM
To: Sidor, Joe x5262
Subject: Murray/Meriwether (PLN070388)

Hi Joe,

I received the project referral (including the geotech report, plans, etc.) and just received the Mitigated Neg Dec for this project, and have some comments for you. First, the geotech report does not include the full requirements of Carmel Area CIP Section 20.146.080.B.1.i, namely it does not include any discussion of potential erodability of the site and, specifically for blufftop development, the historic, current, and foreseeable cliff erosion. It is therefore unclear if the development has been sited and designed to minimize risk from bluff/cliff failure. Second, the MND states that the existing and proposed residence would not be visible from any public viewing areas. However, the photosimulations that were included in the large scale plan set indicate that the proposed structure is immediately adjacent to the Highway 1 guardrail and appears that it would be visible from the highway, and could potentially block blue water views of Wildcat Cove beyond what is already obscured by the existing residence. Please provide additional evidence or clarification to illustrate the visibility of the structure from the highway. Coastal Commission staff is concerned that the project may not conform to the key Carmel Area LUP visual resources policy of "minimum visibility." Also, it is important to note that LUP Map A is illustrative only, and must be ground truthed.

I wanted to get these comments to you now, and we may have additional ones in the future.

Thanks,
Katie

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