

MONTEREY COUNTY PLANNING COMMISSION

Meeting: December 09, 2009 Time: 1:30 P.M.		Agenda Item No.: 7	
Project Description: CEQA Addendum to a Mitigated Negative Declaration for an Administrative Permit to allow the construction of a driveway connecting to the north side of the intersection of Corral de Tierra Road and Highway 68 in a VS (Visual Sensitivity) Zone; grading (734 cubic yards of cut and 1,698 cubic yards of fill); and Design Approval.			
Project Location: 681 Monterey-Salinas Highway, Salinas		APN: 161-251-010-000, 161-251-011-000, 161-251-012-000 and 030-011-014-000	
Planning File Number: PLN040308		Owner: Cypress Community Church County of Monterey, and Bureau of Land Management Agent: Jim Coulter, Cypress Community Church	
Planning Area: Toro Area Plan		Flagged and staked: No	
Zoning Designation: PQP/B8-VS(20')” Public/Quasi-Public, Building Site 8, Visual Sensitivity District, and “PQP-D-S” Public/Quasi-Public, Design Control and Site Plan Overlay Districts			
CEQA Action: Addendum to Mitigated Negative Declaration (SCH2005-0030), prepared pursuant to Article 11, Section 15164			
Department: RMA - Planning Department			

RECOMMENDATION:

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

- 1) Consider an Addendum to an Mitigated Negative Declaration (**Exhibit E**);
- 2) Approve the implementation of mitigation measure 15-1 requiring the driveway connection to Highway 68 (PLN040308) based on the findings and evidence and subject to the conditions of approval (**Exhibit C**).

PROJECT OVERVIEW:

On January 12, 2005 the Planning Commission approved an Administrative Permit for the construction of a driveway connecting to the north side of the intersection of Corral de Tierra Road and Highway 68 in a Visual Sensitivity District and Design Approval District (PLN040308). A traffic mitigation measure required that the applicant submit plans for a signal and striping plan for the Cypress Community Church driveway at the Corral de Tierra/Highway 68 intersection for review and approval by Public Works and Caltrans. At the time of project approval Caltrans had no improvement plans for the intersection but there was a long-range traffic improvement plan for the Highway 68 corridor. The approved project plans conceptually showed the new driveway extending into the Caltrans right of way connecting to Highway 68, but no details of the improvement plans were available. The intersection improvement plans for the Caltrans right of way were not included in the CEQA analysis as the plans had not been designed for improvements to the Highway 68 corridor. Staff has prepared an Addendum to the Cypress Church Mitigated Negative Declaration for the intersection improvements in the Caltrans right of way that were not included in the Cypress Community Church CEQA review, in accordance with Article 11, Section 15164 of the California Environmental Quality Act.

See Discussion Exhibit B.

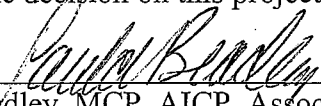
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

An Addendum prepared in accordance with CEQA Guidelines Article 11, Section 15164 (**Exhibit E**) for the Cypress Community Church Mitigated Negative Declaration, dated July 30, 2004, is attached as Exhibit E and is available for review at the RMA – Planning Department.

OTHER AGENCY INVOLVEMENT: The RMA - Department of Public Works and Caltrans reviewed this project. No additions or modifications to the existing Condition Compliance and/or Mitigation Monitoring and Reporting Plan have been deemed necessary (PLN040308).

The project was not referred to the Toro Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project is an Addendum to a previous Mitigated Negative Declaration and there are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects. The intersection right of way improvements are considered minor technical changes.

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



Paula Bradley, MCP, AICP, Associate Planner
(831) 755-5158, bradley@co.monterey.ca.us
November 30, 2009

cc: Front Counter Copy; Planning Commission; Public Works Department; Taven Kinison Brown, Planning Services Manager; Paula Bradley, Project Planner; Carol Allen, Senior Secretary; Cypress Community Church, Owner; Bureau of Land Management, Owner; Jim Coulter, Cypress Community Church, Applicant; Tony Lombardo, Lombardo & Gilles; Mike Weaver, Planning File PLN040308

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Driveway Improvement Plans
Exhibit D Vicinity Map and Assessor's Parcel Maps
Exhibit E Addendum dated 12/09/09 and Mitigated Negative Declaration dated 7/30/04
Exhibit F Planning Resolution No. 05004
Exhibit G EA/FONSI CA-190-07-55 dated 8/24/07

This report was reviewed by Taven Kinison Brown, Planning Services Manager



Exhibit A
Project Information for (File PLN090379)

Project Title: CYPRESS COMMUNITY CHURCH	Primary APN: 161-051-011-000
Location: 681 MONTEREY-SALINAS HIGHWAY	Coastal Zone: NO
Applicable Plan: TORO AREA PLAN	Zoning: PQP/B-8-VS (20') and PQP-D-S
Permit Type: CEQA ADDENDUM	Plan Designation: PUBLIC QUASI-PUBLIC
Environmental Status: MND ADDENDUM	Final Action Deadline:
Advisory Committee: TORO	

Project Site Data:

Lot Size: 5, 11.16, 100+ acres	Coverage Allowed: 25%
Existing Structures (sf): YES	Coverage Proposed: N/A
Proposed Structures (sf): N/A	Height Allowed: 30'
Total Square Feet:	Height Proposed: N/A
	FAR Allowed: N/A
	FAR Proposed: N/A

Resource Zones and Reports

Environmentally Sensitive Habitat: YES	Erosion Hazard Zone:
Botanical Report #: LIB050626	Soils/Geo. Report #: NO
Forest Mgt. Report #: NO	Geologic Hazard Zone: IV, UNDETERMINED
Archaeological Sensitivity Zone: HIGH	Geologic Report #: NO
Archaeological Report #: LIB060516	Traffic Report #: NO
Fire Hazard Zone: HIGH	

Other Information:

Water Source: WELL	Sewage Disposal (method): SEPTIC
Water District/Company: N/A	Sewer District Name: N/A
Fire District: SALINAS RURAL	Grading (cubic yds): 2,432 CY
Tree Removal (Count/Type): 3	

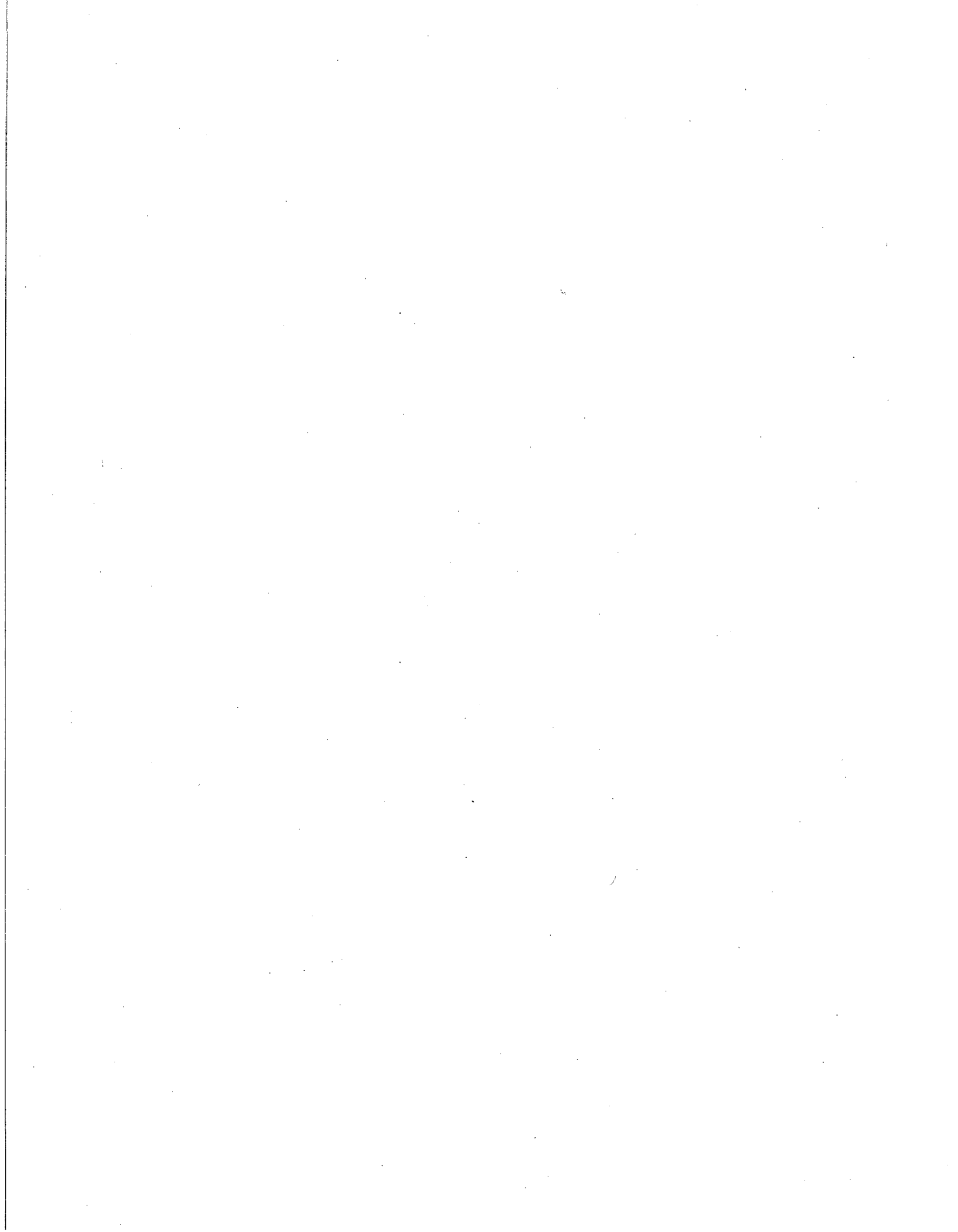


EXHIBIT B DISCUSSION

Background

On January 12, 2005 the Planning Commission approved an Administrative Permit for the construction of a driveway connecting to the north side of the intersection of Corral de Tierra Road and Highway 68 in a Visual Sensitivity District and Design Approval District (PLN040308). A Mitigated Negative Declaration was adopted for the project which included Mitigation Measures for potential impacts to aesthetics and one for traffic impacts. Traffic mitigation measure 15-1 required that the applicant submit plans for signal and striping plan revisions for the Corral de Tierra/Highway 68 intersection.

Mitigation Measure 15-1 (required prior to final inspection):

TRAFFIC - 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). All signal and striping improvements required by Caltrans to the Cypress Church driveway and Corral de Tierra/Highway 68 intersection shall be implemented. (Planning and Building Inspection Department, Caltrans, and Public Works Department.)

The plans were required by Caltrans so that an encroachment permit could be issued for work within the State right of way. The church was also required to implement the signal and striping plan for the intersection improvements. During the review of the proposed signal and striping improvements Caltrans required widening on the south side of SR 68 to provide for an eastbound left turn bay. The scope of this work was not anticipated and therefore not included in the description of the project boundaries in the original CEQA analysis.

The County expected Caltrans, as the lead agency for CEQA on all state highways, to supplement project CEQA documentation if improvements which they required within their right of way, exceeded the scope of the original project CEQA document. In July 2009 Caltrans advised the County that their policy is to rely solely on County CEQA documentation for development permits. Since the original CEQA project description did not include any work on the south side of SR68, project work was halted until an addendum to the existing mitigated negative declaration is approved. The California Department of Fish and Game was petitioned in February 2009 to list the California Tiger Salamander (CTS) as an endangered species, so consultation was undertaken to determine if habitat exists on the south side of SR68 within the boundaries of the proposed pavement widening. This consultation confirmed that no habitat exists and therefore no negative impact to CTS is expected. No other environmental impacts have been identified within the expanded project boundary as noted in the attached CEQA Addendum.

The project is located on the north side of Highway 68 and Corral de Tierra Road. The church, concerned for the safety of their members and staff, desired a traffic signal at their driveway and Highway 68. In order to have a signalized intersection at their driveway, Caltrans required the church to realign the existing driveway with the planned highway improvements at the Corral de Tierra Road intersection. The project and CEQA analysis involved three parcels owned by Cypress Community Church, the County, and the Bureau of Land Management (BLM). The BLM completed an Environmental Assessment (EA) – Findings of No Significant Impacts (FONSI) for the project in 2001 and 2007. The 2007 EA/FONSI was completed for the

applicant's right-of-way application on the BLM lands (PLN040308, Condition No. 12). The 2007 FONSI is consistent with the project Mitigated Negative Declaration. Mitigation and monitoring measures for California Tiger Salamander (CTS) and Congdon's tarplant to ensure there would be no significant impacts to CTS which became Federally listed in August 2004 (after the Mitigated Negative Declaration was completed for the project). The 2007 EA (CA-190-07-55) included mitigation and monitoring for CTS and Congdon's tarplant. Mitigation and monitoring for three years for presence of CTS on the new driveway was required including relocating, recording and reporting if any were found. For Congdon's tarplant construction was restricted and the existing conservation easement was expanded. The approved project plans, dated 12/19/03, showed the driveway project to the property line and extending into the Caltrans right of way connecting to Highway 68.

All other project work on private property, BLM lands and the County right of way was completed in accordance with the permit and Mitigated Negative Declaration. The church completed condition compliance and mitigation measures and monitoring except for obtaining a final grading inspection which is pending completion of the right-of-way improvements (MM15-1). The church constructed the driveway to the fenced property line and the intersection traffic signal was installed. The revised plans dated 7/09/09, were approved by Caltrans, and incorporated into the overall intersection improvements. Paving the driveway within the right-of-way to connect to the Highway 68 pavement and paving for the road widening for the eastbound left turn bay within the right of way is pending action on the CEQA Addendum.

Conclusion

The Addendum to the Mitigated Negative Declaration addresses proposed improvements within the Caltrans right-of-way in a paved and unpaved shoulder of the highway with almost no vegetation. There is no change to the project description, potential environmental effects and the intersection right of way improvements are considered a minor technical change.

**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:

**CYPRESS COMMUNITY CHURCH (PLN040308)
RESOLUTION NO.**

Resolution by the Monterey County Planning
Commission:

- 1) Consider an Addendum to an Mitigated Negative Declaration (**Exhibit E**);
- 2) Approve the implementation of mitigation measure 15-1 requiring the driveway connection to Highway 68 (PLN040308) based on the findings and evidence (**Exhibit C**).

(PLN040308, Cypress Community Church, County of Monterey and Bureau of Land Management, 681 Monterey-Salinas Highway, Salinas, Toro Area Plan (APN: 161-251-010-000, 161-251-011-000, 161-251-012-000 And 131-011-024-000.

The Cypress Community Church application (PLN040308) came on for public hearing before the Monterey County Planning Commission on December 9, 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 (implementation of MM 15-1 of PLN040308) has been reviewed for consistency with the text, policies, and regulations in:

- the Monterey County General Plan,
- Toro Area Plan,
- Toro Area Plan Inventory and Analysis,
- Monterey County Zoning Ordinance (Title 21)

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 681 Monterey-Salinas Highway, Salinas (Assessor's Parcel Number 161-251-010-000, 161-251-011-000, 161-251-012-000 and 030-011-014-000, Toro Area Plan. The parcels are zoned PQP/B8-VS(20') and PQP-D-S (BLM) which allow the

construction of a driveway. Therefore, the project is an allowed land use for this site.

- c) The project planner conducted a site inspection on 9/23/05, 11/13/06, 8/06/07, and 11/05/09 to verify that the project on the subject parcel conforms to the plans listed above.
- d) The project was not referred to the Toro Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project is an Addendum to previous Mitigated Negative Declaration and there are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects and the intersection right of way improvements are considered minor technical changes.
- e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN040308.

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 and Public Works. There has been no indication from these departments/agencies that the site is not suitable for the proposed development.
 - b) Staff conducted a site inspection on 9/23/05, 11/13/06, 8/06/07, 11/05/09 to verify that the site is suitable for this use.
 - c) 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 PLN040308.

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 the RMA-Public Works Department). No conditions were recommended 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) Preceding findings and supporting evidence for PLN040308.

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

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any

violations existing on subject property.

- b) Staff conducted a site inspection on 9/23/05, 11/13/06, 8/06/07, 11/05/09 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 PLN040308.

5. **FINDING:**

CEQA (Addendum): - An Addendum to a previously certified Mitigated Negative Declaration was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect minor technical changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted MND.

EVIDENCE:

- a) A Mitigated Negative Declaration for Cypress Community Church (SCH2003-0030) was adopted by the Planning Commission on January 12, 2005.
- b) An Addendum to the Cypress Community Church project Mitigated Negative Declaration was prepared pursuant to Code of Regulations, Title 14, Section 15164 (CEQA Guidelines). One traffic mitigation measure (15-1) required that the applicant submit plans for a signal and striping plan for the Cypress Church driveway at the Corral de Tierra/Highway 68 intersection for review and approval by Public Works and Caltrans.
- c) The Addendum attached as Exhibit E with the Mitigated Negative Declaration dated 7/30/06, to the Planning Commission reflects the County's independent judgment and analysis.
- d) Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project that would require major revisions to the prior Mitigated Negative Declaration. The proposed improvements are within the Caltrans right-of-way in paved and unpaved shoulder areas of the existing highway with almost no vegetation.
- e) The BLM completed an Environmental Assessment (EA) – Findings of No Significant Impacts (FONSI) for the project in 2001 and 2007. The 2007 EA/FONSI was completed for the applicant's right-of-way application on the BLM lands (PLN040308, Condition No. 12). The 2007 FONSI is consistent with the project Mitigated Negative Declaration. Mitigation and monitoring measures for California Tiger Salamander (CTS) and Congdon's tarplant were required to ensure there would be no significant impacts to CTS, which became Federally listed in August 2004 (after the Mitigated Negative Declaration was completed for the project). The 2007 EA (CA-190-07-55) included mitigation and monitoring for CTS and Congdon's tarplant.
- f) The California Department of Fish and Game was petitioned in February 2009 to list the California Tiger Salamander (CTS) as an endangered species, so consultation was undertaken to determine if habitat exists on the south side of State Highway 68 within the boundaries of the proposed pavement widening. This consultation confirmed that no habitat exists and therefore no negative impact to CTS is expected. The project biologist conducted a biological

assessment for the project and attended the site visit 6/17/09 with the DFG biologist project staff and engineers

- g) Staff has obtained concurrence from the State Department of Fish and Game biologist that there is no potential wildlife habitat for California Tiger Salamander (CTS). The DFG biologist was on site October 14, 2009 to discuss the joint safety improvement project under development by the County and Caltrans and to observe if there was potential CTS habitat within the right of way.
- h) There are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects or a substantial increase in the severity of environmental impacts not already analyzed in the Mitigated Negative Declaration. The intersection right of way improvements are considered minor technical changes or addition.
- i) Pursuant to Section 15162 of the CEQA Guidelines, there is no new information of substantial importance that was not known at the time the Mitigated Negative Declaration was adopted. The proposed improvements are within the Caltrans right-of-way in a paved and unpaved shoulder of the highway with almost no vegetation. The traffic mitigation measure required that the applicant submit plans for a signal and striping plan for the Cypress Church driveway at the Corral de Tierra/Highway 68 intersection for review and approval by Public Works and Caltrans. At the time of project approval Caltrans had no improvement plans for the intersection but had a long-range traffic improvement plan for Highway 68 corridor. Staff has obtained concurrence from the State Department of Fish and Game biologist that there is no potential wildlife habitat for California Tiger Salamander (CTS).

- 6 **FINDING:** **APPEALABILITY** - The decision on this Addendum may be appealed to the Board of Supervisors.
- EVIDENCE:** a) Section 21.80.40D Monterey County Zoning Ordinance Board of Supervisors).

DECISION

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

- A. Consider and Addendum to an Mitigated Negative Declaration (**Exhibit E**); and
- B. Approve the implementation of mitigation measure 15-1 requiring the driveway connection to Highway 68 (PLN040308) based on the findings and evidence (**Exhibit C and C1**).

PASSED AND ADOPTED this 9th day of December, 2009 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:

ABSTAIN:

_____, Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

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.

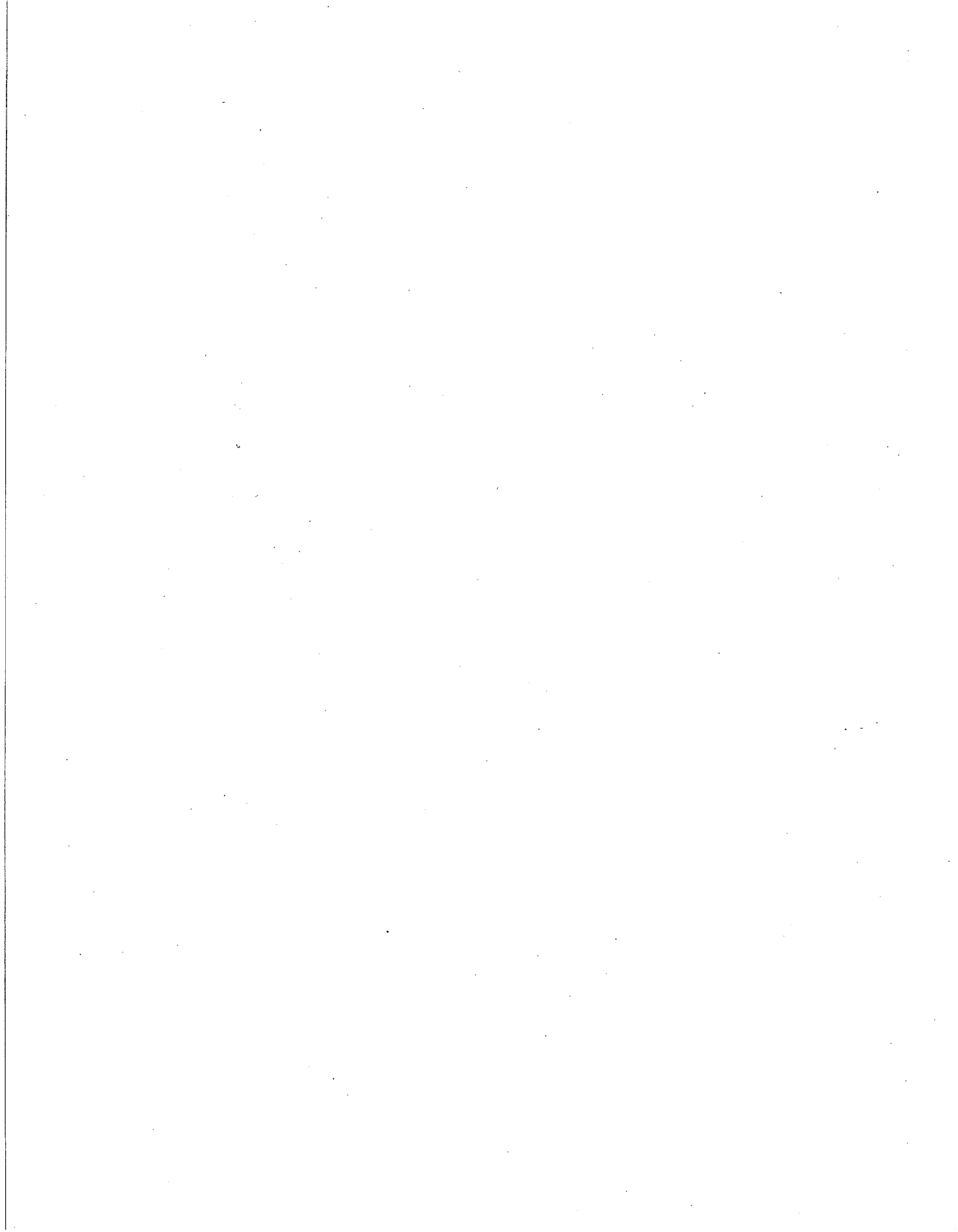
NOTES

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.



Sheet No.	INDEX OF SHEETS
1	Title Sheet and Location Map
2	Typical Cross Sections
3	Layout
4-8	Construction Details
9-10	Water Pollution Control Plan
11-12	Drainage Profiles and Details
13-14	Utility Plans
15	Pavement Delineation and Sign Plan (Omitted)
16-19	Signal and Lighting Plans (Omitted)
20-21	Signal and Lighting Plans (Omitted)
22-23	Signal and Lighting Plans (Omitted)

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

PROJECT PLANS FOR CONSTRUCTION ON STATE HIGHWAY

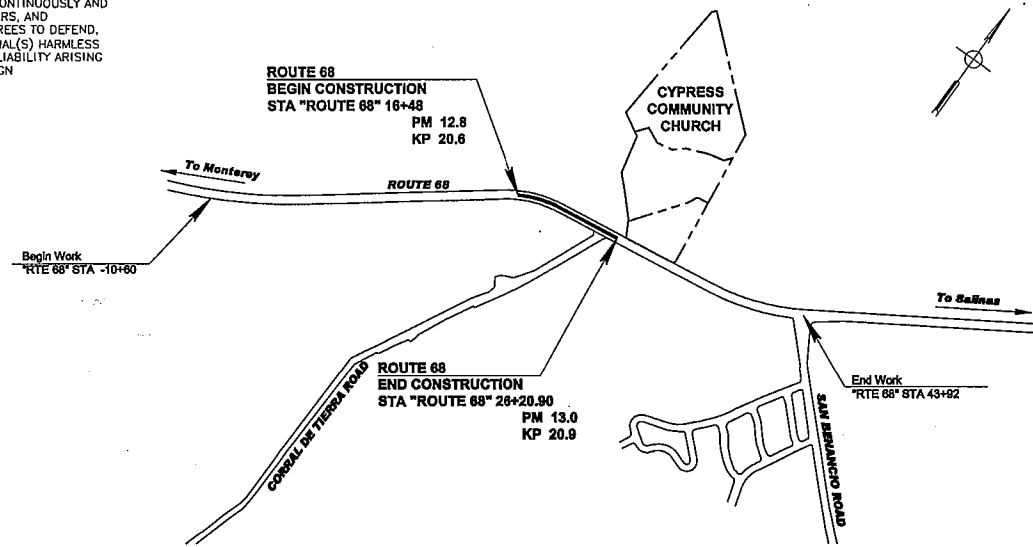
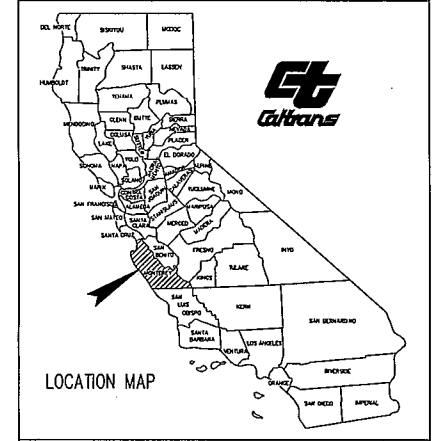
IN MONTEREY COUNTY, ON ROUTE 68
FROM CORRAL DE TIERRA ROAD
TO 0.17 MILES (0.27 KILOMETERS) WEST

To be supplemented by Standard Plans dated May, 2006

1. THESE PLANS ARE FOR USE IN CONJUNCTION WITH THE CALTRANS STANDARD SPECIFICATIONS, DATED JULY 1999, CALTRANS STANDARD PLANS, DATED MAY 2006, AND THE PROVISIONS REQUIRED BY THE MONTEREY COUNTY ENCROACHMENT PERMIT.

2. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL(S) HARMLESS FROM ANY AND ALL LIABILITY, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL(S).

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	Mon	68	12.8/13.0	1	23



Scale: 1" = 500'

PROJECT ENGINEER: KENNETH M. WHITSON, REGISTRATION NO. 28766
 Approved as to impact on State facilities and conformance with applicable State Standards and practices and that technical oversight was performed as described in the California Department of Transportation A&E Consultant Service Manual

The Contractor shall possess the Class (or Classes) of license as specified in the "Notice to Contractors".

Kenneth M. Whitson
 Project Engineer Date
 Registered Civil Engineer

Plans Approval Date
 CYPRESS COMMUNITY CHURCH
 681 MONTEREY-SALINAS HWY.
 SALINAS, CALIFORNIA 93840
 WHITSON ENGINEERS
 9819 BLUE LARKSPUR LAKE, SUITE 105
 MONTEREY, CALIFORNIA 93840
 Contract No.

STATE OF CALIFORNIA	DEPARTMENT OF TRANSPORTATION	PROJECT DEVELOPMENT
Caltrans		
PROJECT ENGINEER	DESIGNED BY	CHECKED BY
	DATE	DATE
	REVISED BY	REVISED BY
	DATE	DATE
	REVISION	REVISION
	NO.	NO.
	DATE	DATE
	BY	BY
	DATE	DATE
	REVISION	REVISION
	NO.	NO.
	DATE	DATE

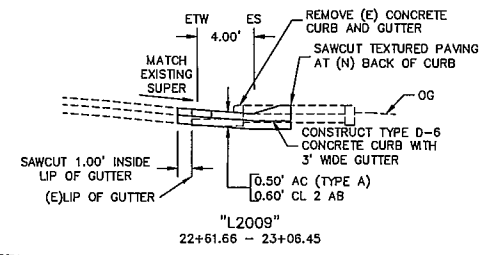
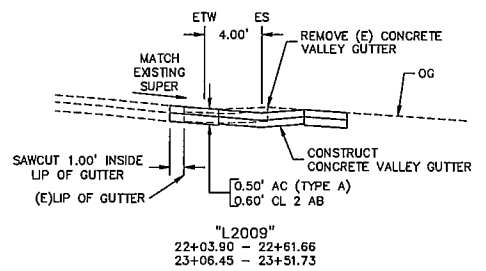
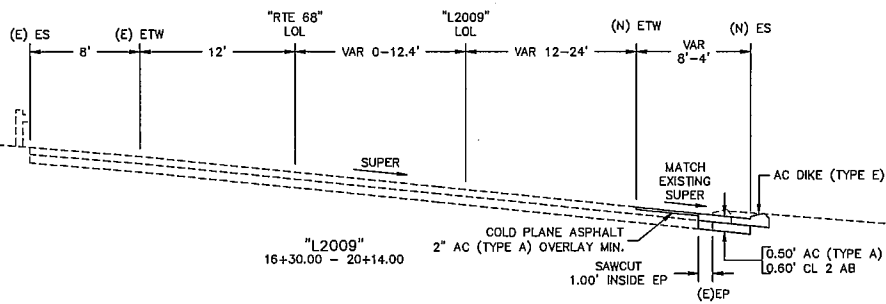
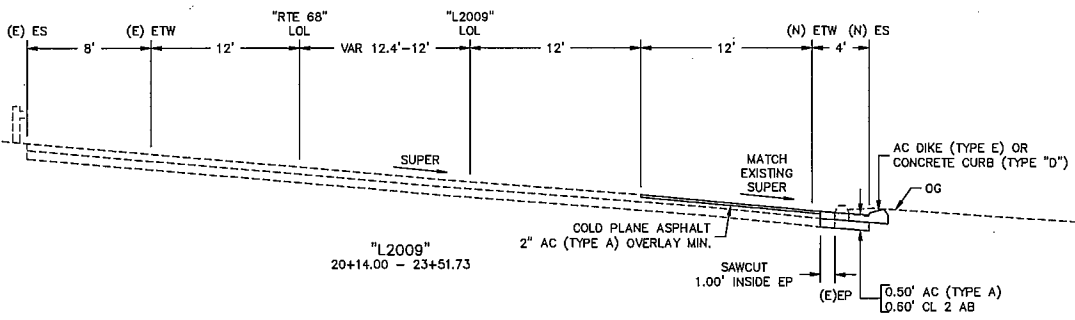
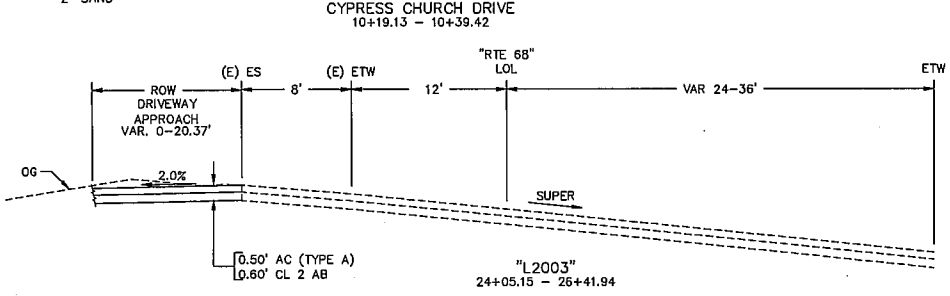
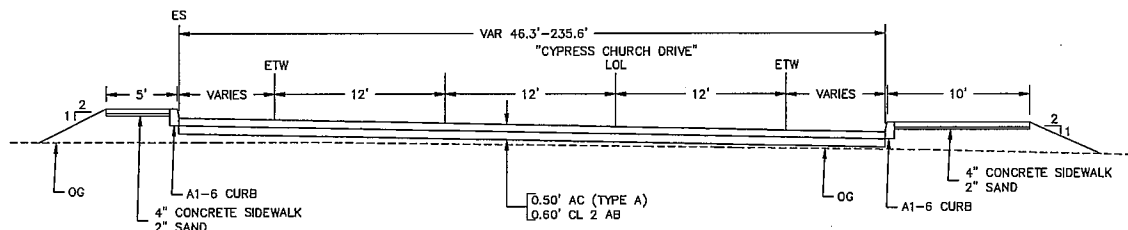
DIST	COUNTY	ROUTE	PBSI MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	Mon	68	12.8/13.0	2	23

Kenneth M. Whitson
REGISTERED CIVIL ENGINEER

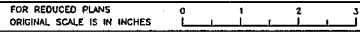
PLANS APPROVAL DATE _____

The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

REGISTERED PROFESSIONAL ENGINEER
K.M. WHITSON
No. 25766
Exp. 12/31/08
CIVIL
STATE OF CALIFORNIA



TYPICAL CROSS SECTIONS
1" = 4"



CU EA

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Et Carrans PROJECT DEVELOPMENT
 PROJECT ENGINEER
 CALCULATED/DESIGNED BY
 CHECKED BY
 CLL
 DATE REVISION
 DATE REVISION
 DATE REVISION
 MHW 2/07
 MHW 2/07
 MHW 2/07
 NDM 7/08

- NOTE:
1. FOR COMPLETE R/W DATA, SEE R/W RECORD MAPS AT DISTRICT OFFICE.
 2. STATION/OFFSETS ON THIS SHEET REFERENCE LINE "L2009" UNLESS OTHERWISE NOTED.

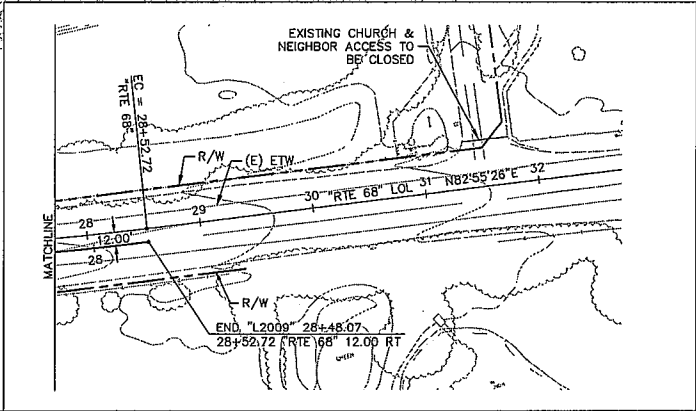
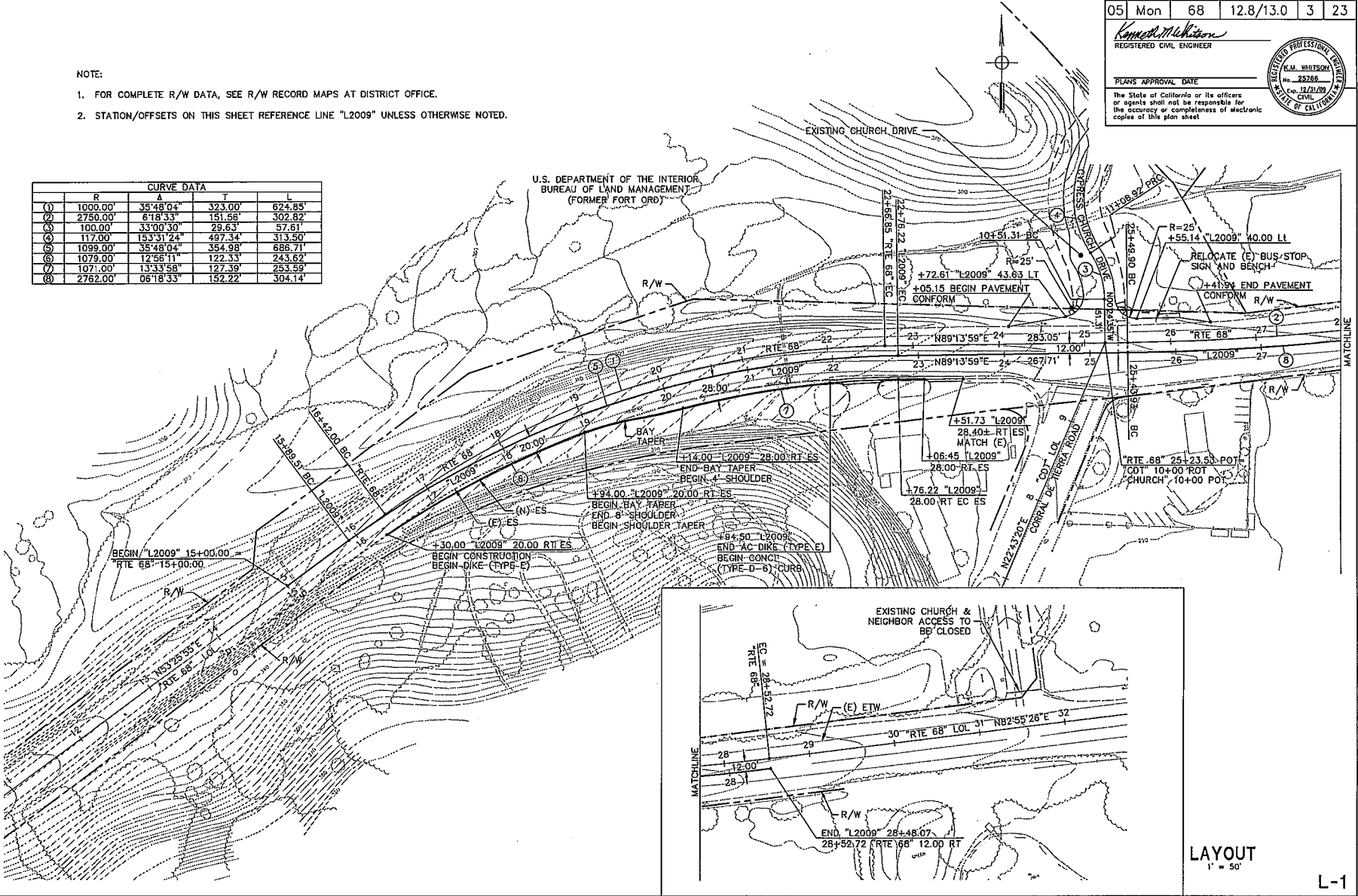
	R	A	T	L
①	1000.00'	38°48'04"	323.00'	624.85'
②	2750.00'	6°18'53"	151.56'	302.82'
③	100.00'	33°00'30"	28.63'	57.61'
④	117.00'	15°31'24"	497.34'	313.50'
⑤	1099.00'	35°48'04"	354.98'	686.71'
⑥	1079.00'	12°56'11"	122.33'	243.62'
⑦	1071.00'	13°33'58"	127.39'	253.59'
⑧	2762.00'	06°18'33"	152.22'	304.14'

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	Mon	68	12.8/13.0	3	23

Kenneth M. Whitson
 REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

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FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES

0 1 2 3

LAYOUT
 1" = 50'

L-1

07/09/08

CU EA

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	Mon	68	12.8/13.0	4	23

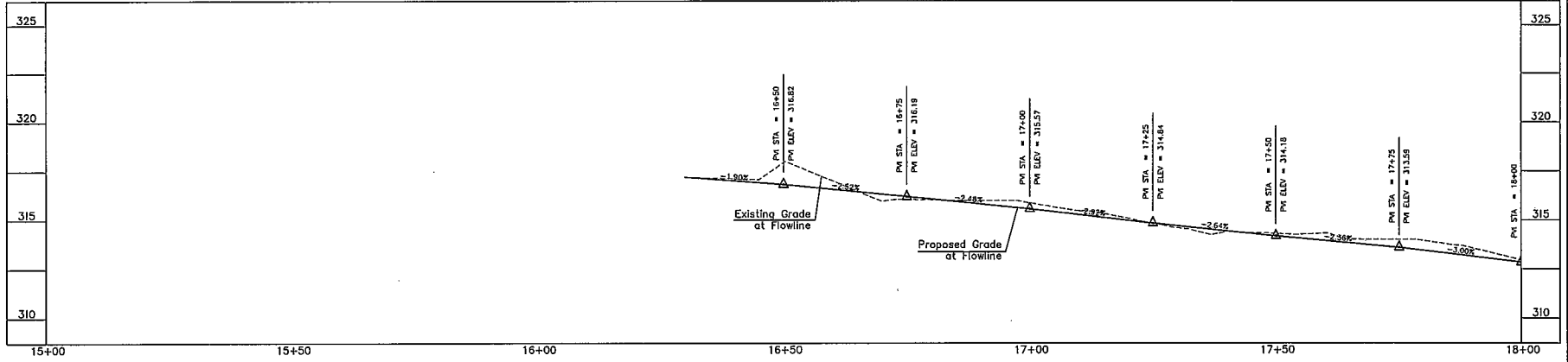
Kenneth M. Whitson
 REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE: 12/21/09

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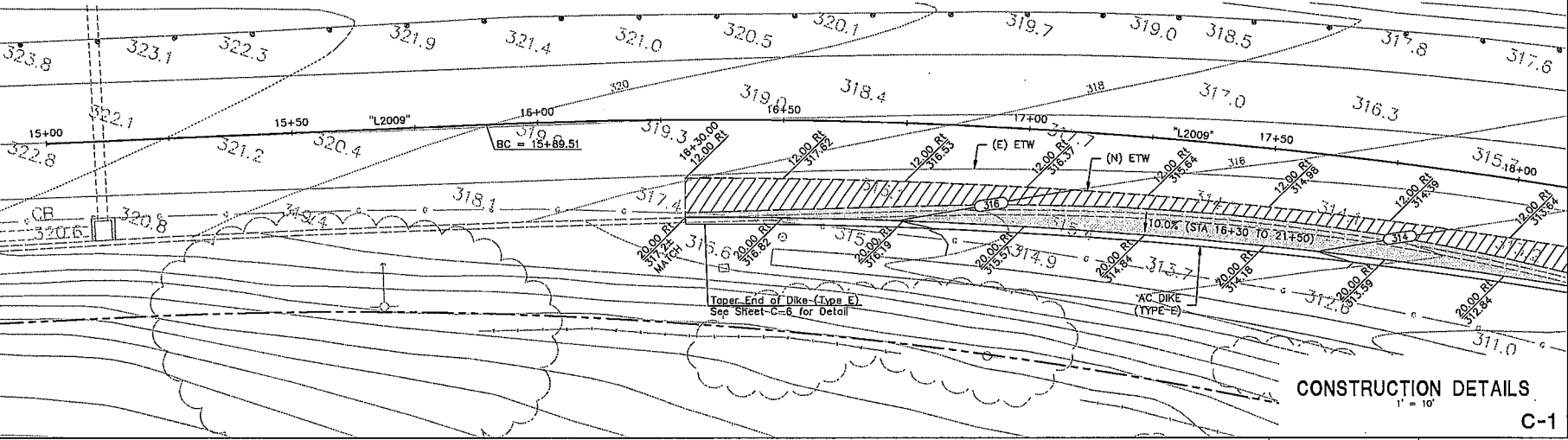
REGISTERED PROFESSIONAL ENGINEER
 K.M. WHITSON
 No. 25768
 Exp. 12/21/09
 CIVIL
 STATE OF CALIFORNIA

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Et Corsons
 PROJECT DEVELOPMENT
 PROJECT ENGINEER
 CALCULATED/DESIGNED BY: []
 CHECKED BY: []
 DATE: []
 REVISED BY: []
 DATE REVISED: 7/09



EP/FLOWLINE PROFILE
 VERTICAL 1"=2.5', HORIZONTAL 1"=10'

COLD PLANE ASPHALT PLUS 2" AC OVERLAY
 AC (TYPE A)



CONSTRUCTION DETAILS
 1" = 10'

FOR REDUCED PLANS
 ORIGINAL SCALE IS IN INCHES

80/09/07
 C-1

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Et Corbett PROJECT DEVELOPMENT
 PROJECT ENGINEER
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 CHECKED BY: []
 CL: []
 DATE: []
 REVISOR: []
 DATE: []
 NDA: []
 7/09

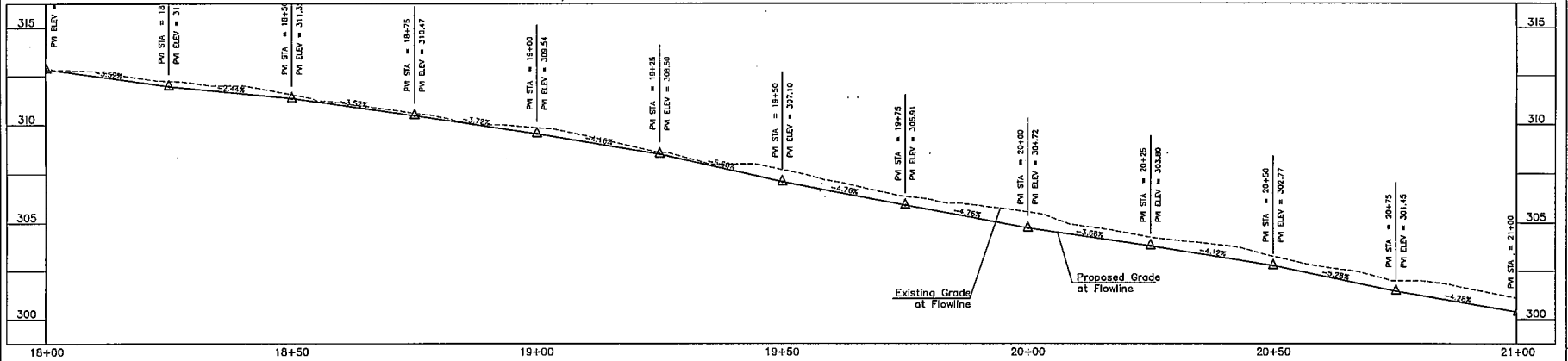
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05	Mon	68	12.8/13.0	5	23

Kenneth M. Whitson
 REGISTERED CIVIL ENGINEER

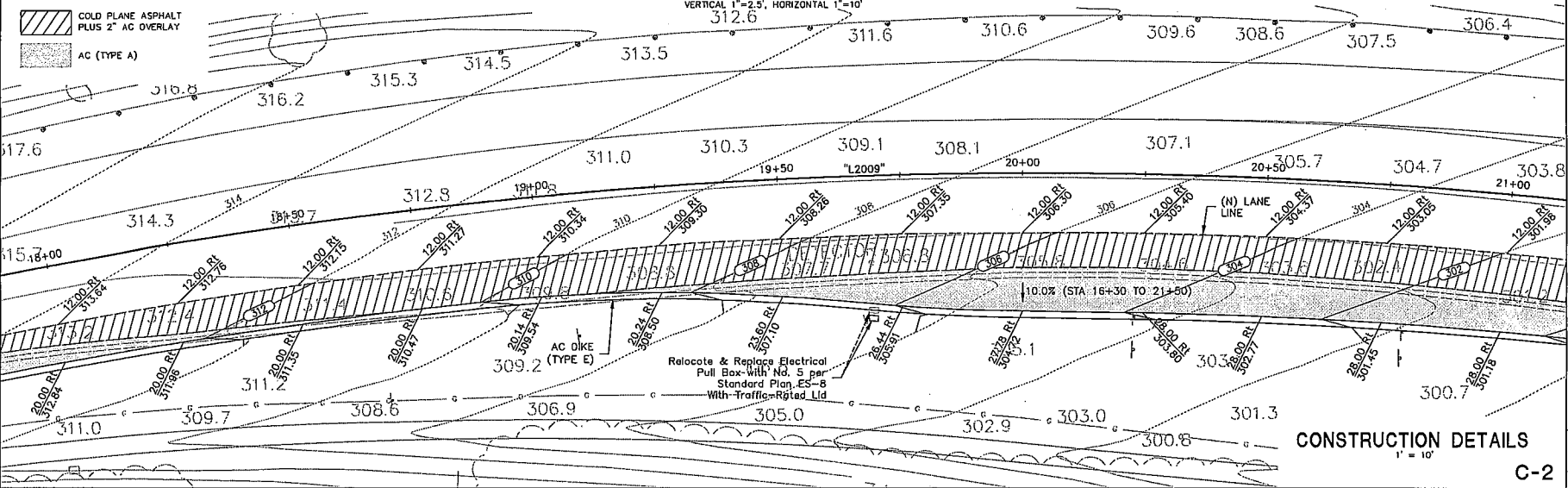
PROFESSIONAL ENGINEER
 S. M. WHITSON
 No. 25768
 Exp. 12/31/08
 CIVIL
 STATE OF CALIFORNIA

PLANS APPROVAL DATE: []

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EP/FLOWLINE PROFILE
 VERTICAL 1"=2.5', HORIZONTAL 1"=10'



CONSTRUCTION DETAILS
 1" = 10'

C-2

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES

CU EA

LAST REVISION 07/09/09

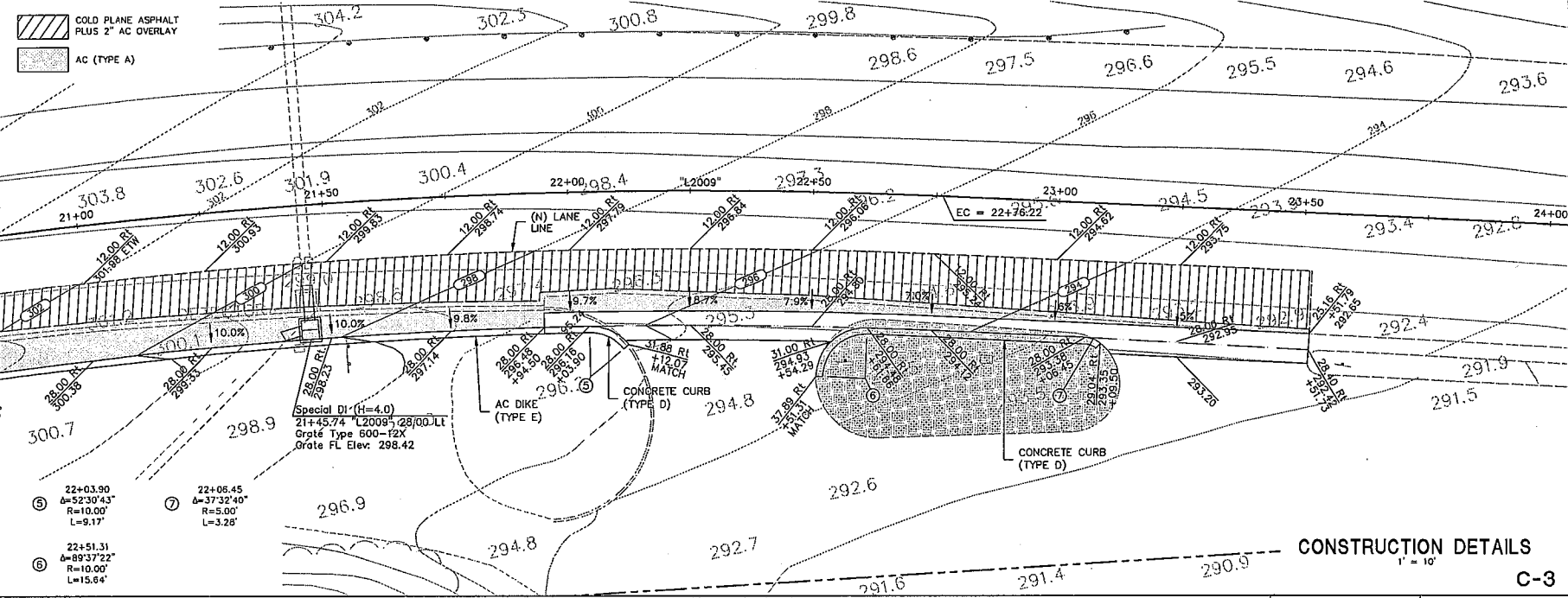
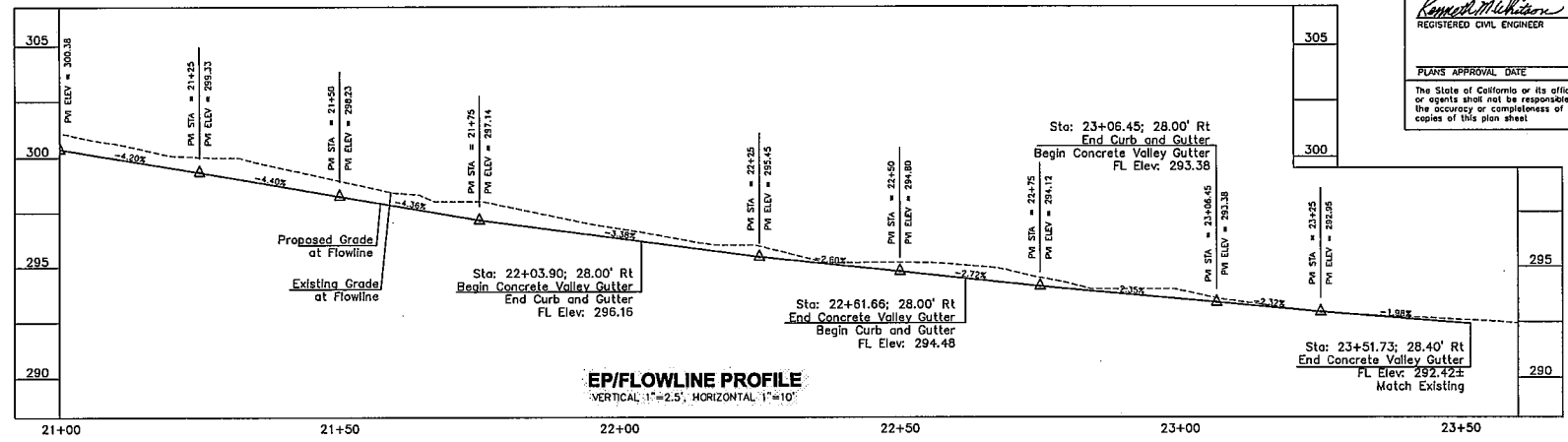
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Et Caltrans
 PROJECT DEVELOPMENT
 PROJECT ENGINEER
 CALCULATED/DESIGNED BY
 CHECKED BY
 CLL
 DATE
 REVISIONS BY
 DATE
 NDK
 7/09

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	Mon	68	12.8/13.0	6	23

Kenneth McKittrick
 REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

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CONSTRUCTION DETAILS
 1" = 10'

C-3

FOR REDUCED PLANS
 ORIGINAL SCALE IS IN INCHES

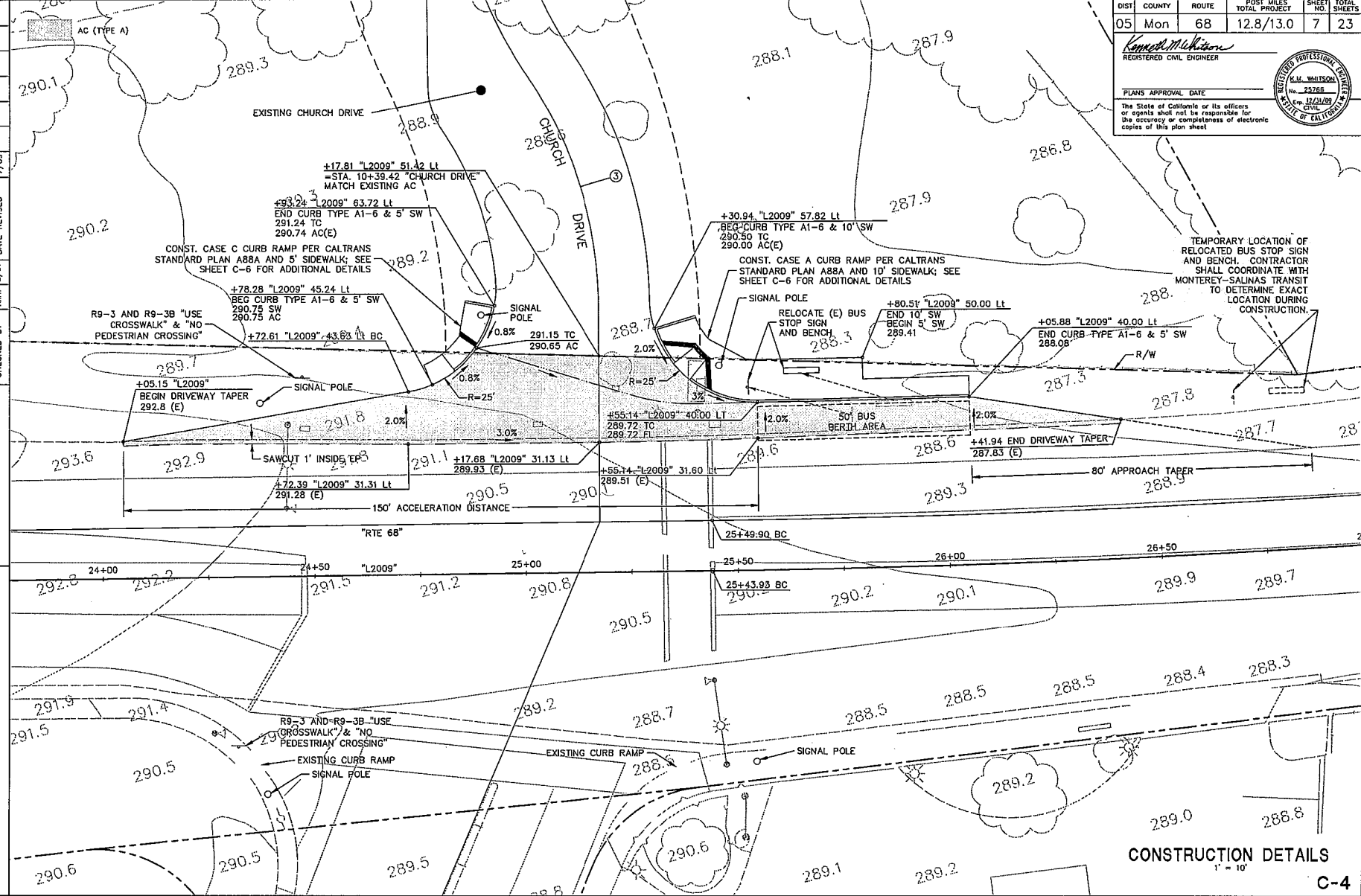
CU EA

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
Et Caltrans
 PROJECT DEVELOPMENT

PROJECT ENGINEER
 CALCULATED/DESIGNED BY
 CHECKED BY
 CLL
 DATE
 REVISOR
 DATE REVISOR

NDM
 7/09

7/09



DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	Mon	68	12.8/13.0	7	23

Kenneth M. Whitson
 REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE: _____

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CONSTRUCTION DETAILS
 1" = 10'
C-4

FOR REDUCED PLANS
 ORIGINAL SCALE IS IN INCHES

07/09/08

CU EA

STATE OF CALIFORNIA -- DEPARTMENT OF TRANSPORTATION
Caltrans
 PROJECT DEVELOPMENT

PROJECT ENGINEER	DESIGNED BY	CHECKED BY	DATE	REVISOR
			2/07	

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	Mon	68	12.8/13.0	15	23

Kenneth M. Whitsom
 REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE: _____

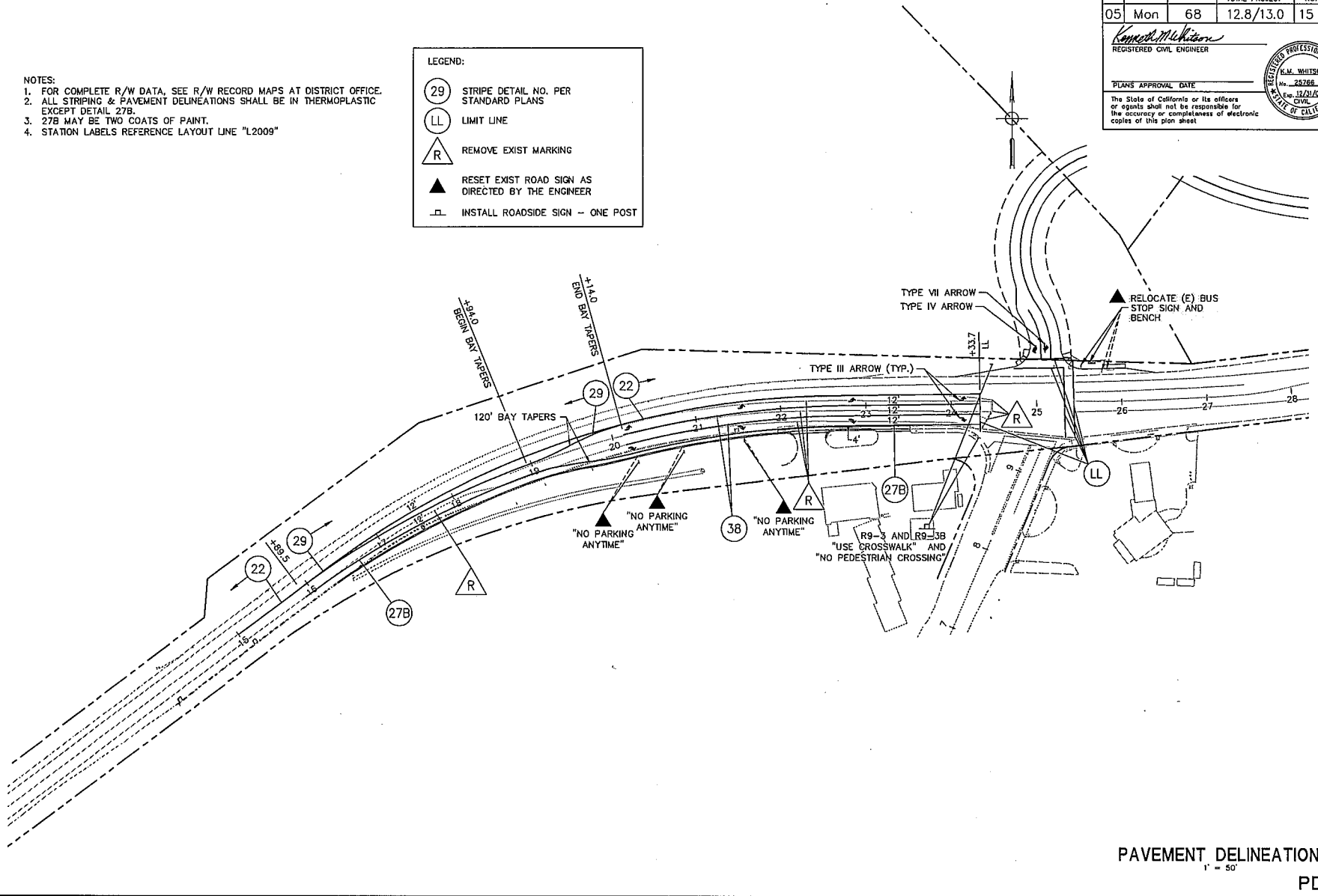
The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

REGISTERED PROFESSIONAL ENGINEER
 K.M. WHITSON
 No. 25786
 Exp. 12/31/09
 CIVIL
 STATE OF CALIFORNIA

- NOTES:
1. FOR COMPLETE R/W DATA, SEE R/W RECORD MAPS AT DISTRICT OFFICE.
 2. ALL STRIPING & PAVEMENT DELINEATIONS SHALL BE IN THERMOPLASTIC EXCEPT DETAIL 27B.
 3. 27B MAY BE TWO COATS OF PAINT.
 4. STATION LABELS REFERENCE LAYOUT LINE "L2009"

LEGEND:

- (29) STRIPE DETAIL NO. PER STANDARD PLANS
- (LL) LIMIT LINE
- (R) REMOVE EXIST MARKING
- ▲ RESET EXIST ROAD SIGN AS DIRECTED BY THE ENGINEER
- ▣ INSTALL ROADSIDE SIGN - ONE POST



PAVEMENT DELINEATION
 1" = 50'
 PD-1

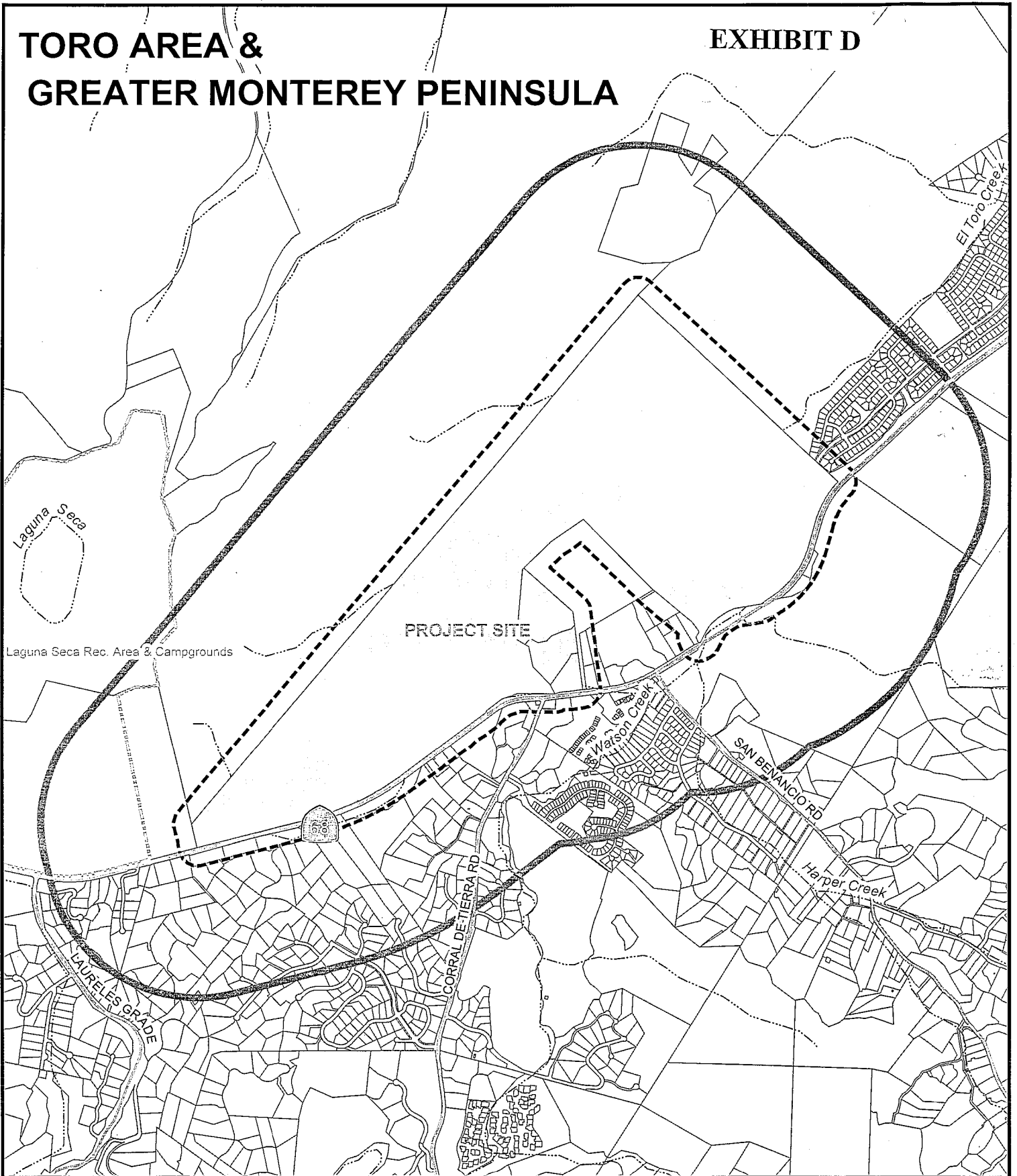
FOR REDUCED PLANS
 ORIGINAL SCALE IS IN INCHES

CU EA

07/09/09

TORO AREA & GREATER MONTEREY PENINSULA




EXHIBIT D

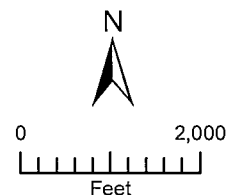


APPLICANT: CYPRESS COMMUNITY CHURCH

APN: 161-251-010-000M

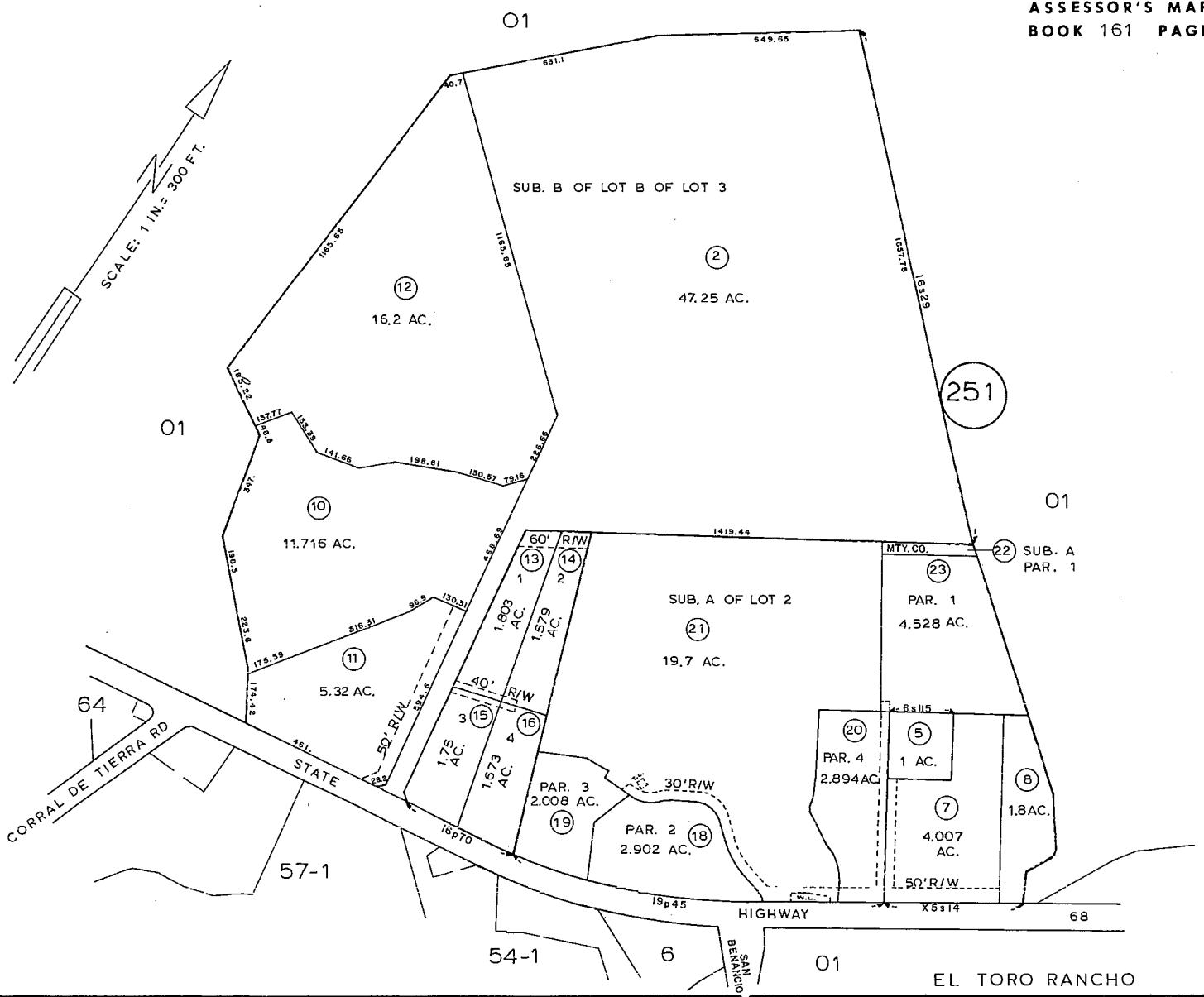
FILE # PLN090379

--- 300' Limit  2500' Limit  City Limits  Water



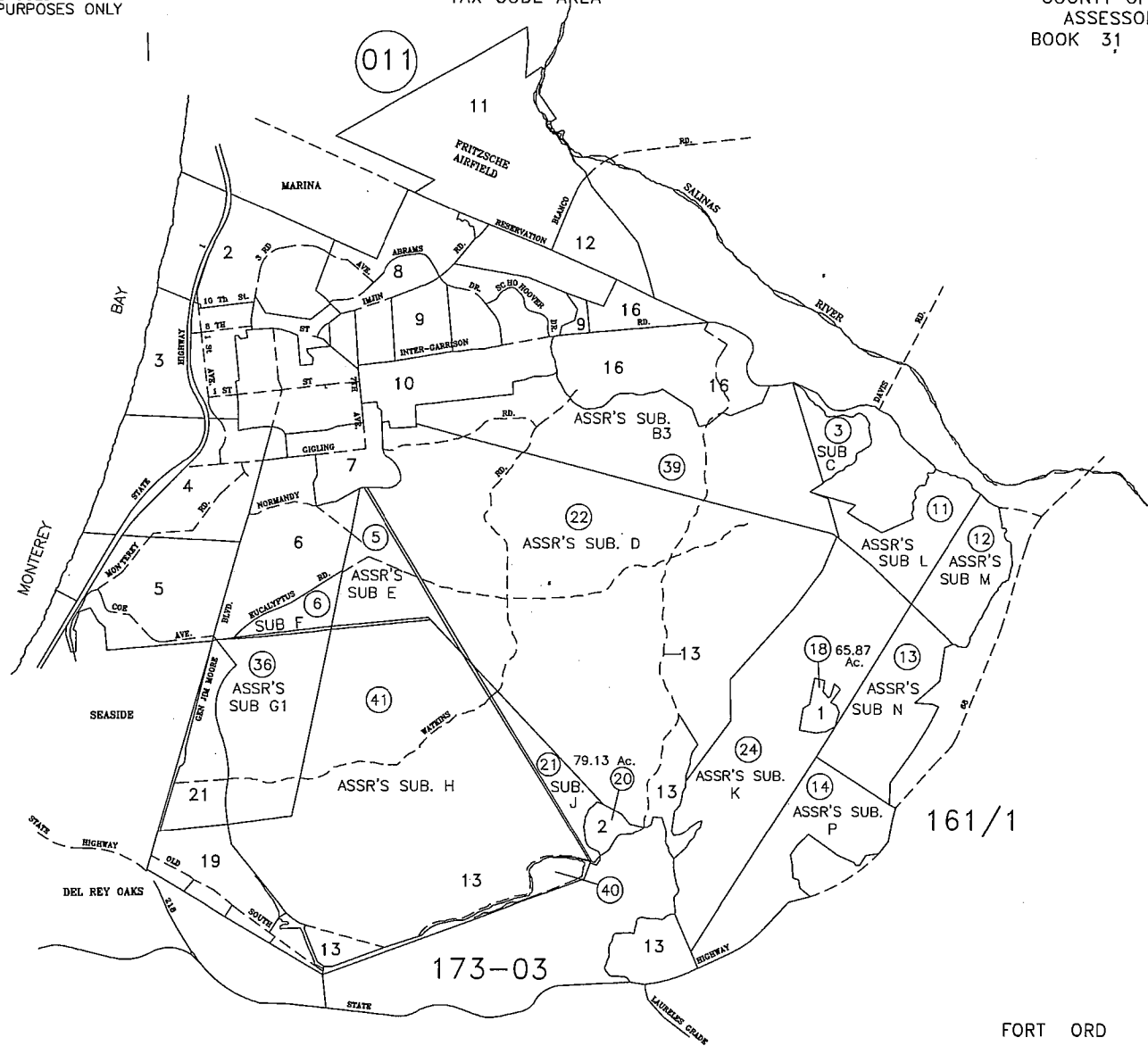
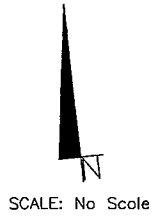
PLANNER: BRADLEY

TAX RATE AREA



THIS MAP IS INTENDED TO BE USED FOR
PROPERTY TAX ASSESSMENT PURPOSES ONLY

TAX CODE AREA



FORT ORD

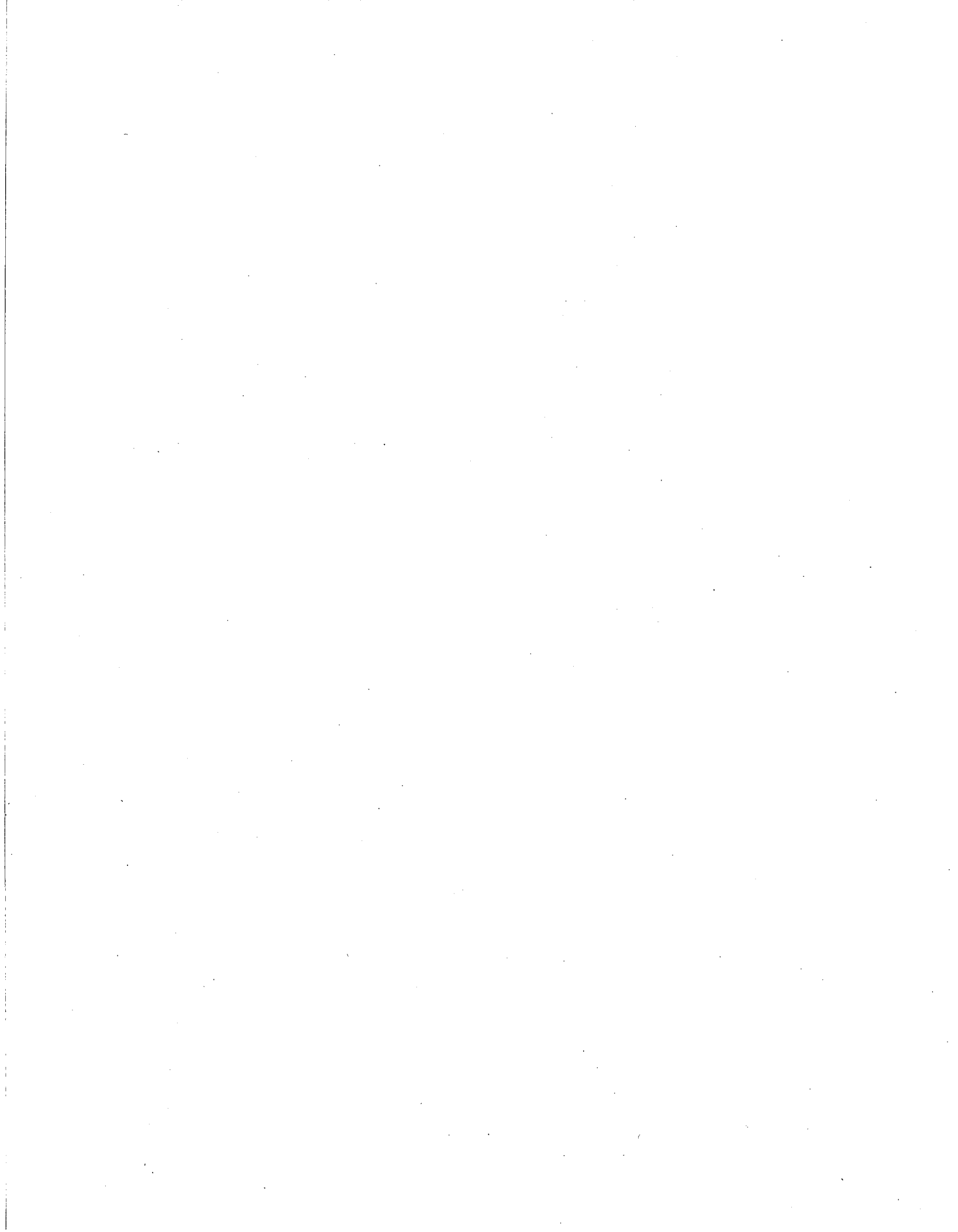


EXHIBIT E

Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

Cypress Community Church Planning File No. PLN090379 (formerly PLN040308) Administrative Permit and Design Approval

1. Introduction

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes and additions to the project analyzed in the Cypress Community Church Mitigated Negative Declaration dated July 30, 2004 (SCH2005-0030) adopted by Planning Commission January 12, 2005 (Resolution No. 05004). None of the conditions described in Section 15162 call for preparation of a subsequent Mitigated Negative Declaration, as described below and in the staff report prepared for the December 9, 2009 Planning Commission hearing.

The approval of the Administrative Permit and Design Approval (Planning File No. PLN040308) included the adoption of Cypress Community Church Mitigated Negative Declaration, dated July 30, 2004 (SCH2005-0030) by the Planning Commission January 12, 2005 (Resolution No. 05004) prepared for the project. The Administrative Permit allowed the construction of a new driveway on the north side of the intersection of Corral de Tierra Road and Highway 68 in a VS (Visual Sensitivity) Zone; grading (734 cubic yards of cut and 1,698 cubic yards of fill); and Design Approval. The potential environmental impacts of such actions were addressed in the Mitigated Negative Declaration.

2. Scope and Purpose of this Addendum

Only minor technical changes are required to the environmental document. None of the conditions described in CEQA Guidelines Section 15162, which would require preparation of a major revisions to the previous Mitigated Negative Declaration have occurred. The project has not substantially changed since the original approval (Resolution No. 05004) such that new significant environmental effects or a substantial increase in the severity of previously identified significant effects would occur (Planning File No. PLN040308 and PLN090379). The approved project involved the construction of a driveway connecting to the north side of the intersection of Corral de Tierra Road and Highway 68 in a VS (Visual Sensitivity) Zone; grading (734 cubic yards of cut and 1,698 cubic yards of fill) realigned with the Caltrans planned long-range highway improvements. The purpose of this addendum is to identify minor technical changes for the proposed driveway and intersection improvements in the Caltrans right-of-way. The approved project plans, dated 12/19/03, depicted the driveway project to the property line and extending into the Caltrans right of way connecting to Highway 68.

The traffic mitigation measure (15-1) required that the applicant submit plans for signal and striping plan revisions for the modified the Corral de Tierra/Highway 68 intersection. The plans were required by Caltrans so that an encroachment permit could be issued for work within the State right of way. The church was also required to implement the signal and striping plan for the intersection improvements. During the review of the proposed signal and striping improvements Caltrans required widening on the south side of SR 68 to provide for an eastbound left turn bay. The scope of this work was not anticipated and therefore not included in the description of the project boundaries in the original CEQA analysis.

The proposed improvements are within the Caltrans right-of-way in paved and unpaved shoulder areas of the highway with almost no vegetation. The County expected Caltrans, as the lead agency for CEQA on all state highways, to supplement project CEQA documentation if improvements which they required within their right of way, exceeded the scope of the original project CEQA document. In July 2009 Caltrans advised the County that their policy is to rely solely on County CEQA documentation for development permits. Since the original CEQA project description did not include any work on the south side of SR68, project work was halted until an addendum to the existing mitigated negative declaration is approved.

The BLM completed an Environmental Assessment (EA) – Findings of No Significant Impacts (FONSI) for the project in 2001 and 2007. The 2007 EA/FONSI was completed for the applicant's right-of-way application on the BLM lands (PLN040308, Condition No. 12). The 2007 FONSI is consistent with the project Mitigated Negative Declaration. Mitigation and monitoring measures for California Tiger Salamander (CTS) and Congdon's tarplant were required to ensure there would be no significant impacts to CTS, which became Federally listed in August 2004 (after the Mitigated Negative Declaration was completed for the project). The 2007 EA (CA-190-07-55) included mitigation and monitoring for CTS and Congdon's tarplant.

The California Department of Fish and Game was petitioned in February 2009 to list the California Tiger Salamander (CTS) as an endangered species, so consultation was undertaken to determine if habitat exists on the south side of SR68 within the boundaries of the proposed pavement widening. This consultation confirmed that no habitat exists and therefore no negative impact to CTS is expected. Staff obtained concurrence from the State Department of Fish and Game (DFG) biologist that there is no potential wildlife habitat for including for the California Tiger Salamander (CTS), listed as a Federally threatened species, and is a candidate considered for listing in 2010 by the State, in the right of way at the intersection area. There are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects or a substantial increase in the severity of environmental impacts not already analyzed in the Mitigated Negative Declaration. There is no change to the project description and the intersection right of way improvements are considered minor technical changes.

MND Topics

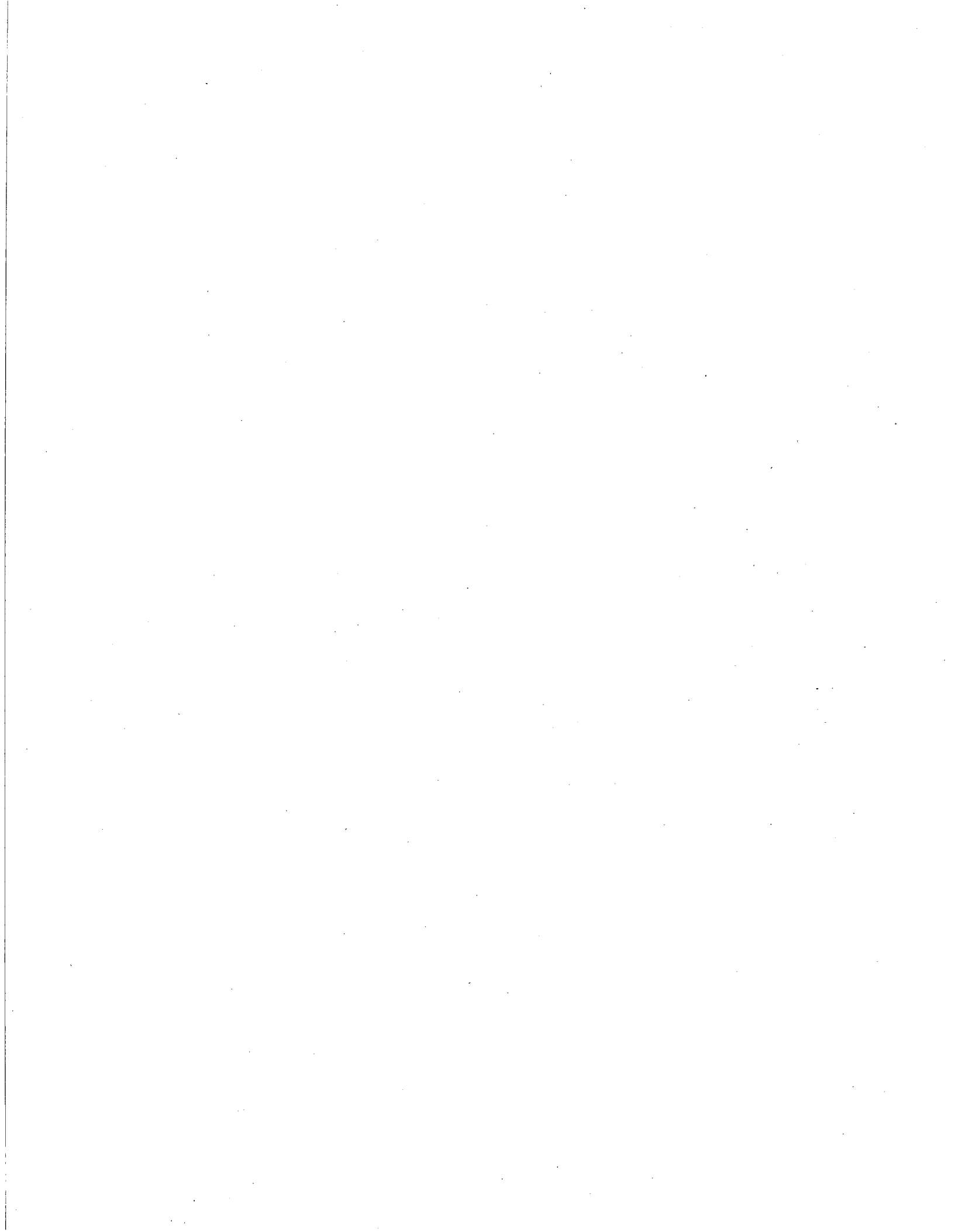
The approval of the Administrative Permit allowed the construction of a driveway connecting to the north side of the intersection of Corral de Tierra Road and Highway 68 in a VS (Visual Sensitivity) Zone; grading (734 cubic yards of cut and 1,698 cubic yards of fill); and Design Approval. The MND addressed the environmental impacts to aesthetics and traffic impacts to State Highway 68; and recommended mitigation measures which were incorporated as conditions of approval of the Administrative Permit including one mitigation measure for traffic impacts as follows:

- MND Mitigation Measure 15-1 required that the applicant submit plans for a signal and striping plan for the Cypress Church driveway at the Corral de Tierra/Highway 68 intersection for review and approval by Public Works and Caltrans and to implement the intersection improvement plans.

3. Conclusion

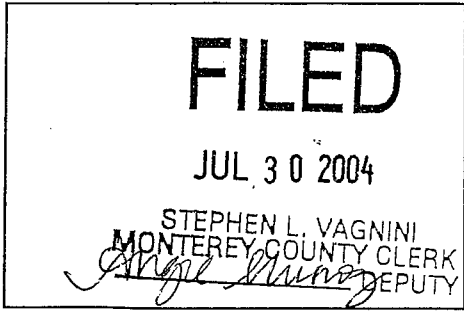
Only minor technical changes are required to the environmental document. None of the conditions described in CEQA Guidelines Section 15162, which would require preparation of a major revision of the previous Mitigated Negative Declaration. The approved project has not substantially changed since the original approval (Resolution No. 05004) such that new significant environmental effects or a substantial increase in the severity of previously identified significant effects would occur. No changes have caused the identification of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts not identified in the MND, or effects substantially more severe than shown in the MND.

No changes have caused the identification of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts not identified in the MND, nor effects substantially more severe than shown in the MND. With the minor technical clarifications contained in the Addendum, the intersection improvement plans and the project is consistent with the adopted MND.



County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION



Project Title: CYPRESS COMMUNITY CHURCH
File Number: PLN040308
Owner: CYPRESS COMMUNITY CHURCH
PO BOX 3170
MONTEREY CA 93942

Project Location: 681 MONTEREY SALINAS HWY
Primary APN: 161-251-011-000-M
Project Planner: *Patrick Kelly*
Permit Type: Administrative Permit

Project Description: ADMINISTRATIVE PERMIT FOR THE CONSTRUCTION OF A DRIVEWAY CONNECTING TO THE NORTH SIDE OF THE INTERSECTION OF CORRAL DE TIERRA ROAD AND HIGHWAY 68 IN A VS (VISUAL SENSITIVITY) ZONE. THE PROPERTY IS LOCATED AT 681 MONTEREY-SALINAS HIGHWAY, SALINAS (ASSESSORS PARCEL NUMBER 161-251-010, -011, -021), TORO AREA.

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

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

Decision Making Body (check one):

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

Responsible Agency: County of Monterey
Review Period Begins: 07/30/2004
Review Period Ends: 08/25/2004

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, Monterey County Courthouse, 240 Church St., Salinas, CA (831) 755-5025

POSTED 30 DAYS

Date Printed: 07/29/2004

MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT

2620 1st Avenue, Marina, CA 93933

PHONE: (831) 833-7500 FAX: (831) 384-3261



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Cypress Community Church Administrative Permit

File No.: PLN040308

Project Location: 681 Monterey-Salinas Hwy

Name of Property Owner: Cypress Church

Name of Applicant: Same as owner

Assessor's Parcel Number(s): APN 161-251-010, -011, -021

Acreage of Property: 40

General Plan Designation: Public/Quasi-Public and Low Density Residential (5AC/U)

Zoning District: PQP-D-S and PQP/B-8-VS(20') Public/Quasi-Public D-S = Design approval and Site Plan Review VS = (Visual Sensitivity) B-8 = (Water Restriction)

Lead Agency: Monterey County Planning and Building Inspection Dept.

Prepared By: Patrick Kelly, AICP, Senior Planner

Date Prepared:

Contact Person: Preparer

Phone Number: (831) 883-7560

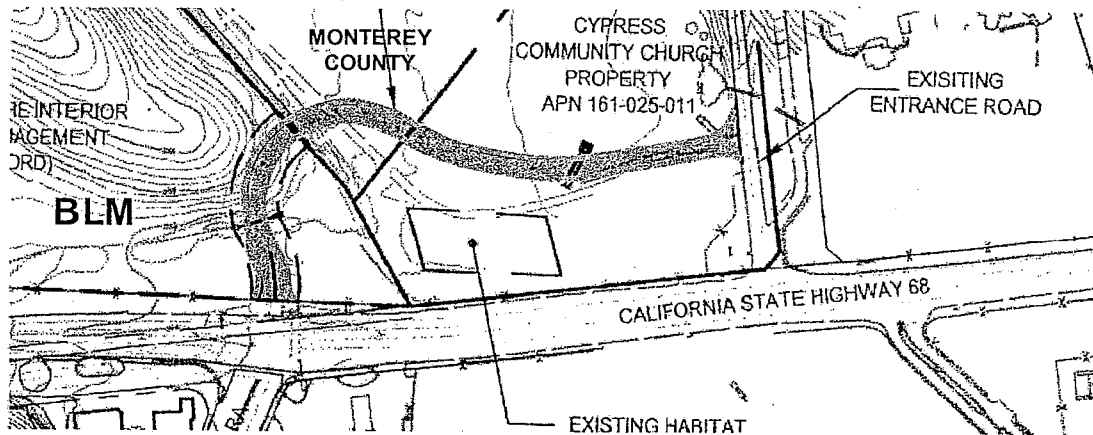
II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

The project is a new driveway for Cypress Community Church at the northern portion of Highway 68 and Corral de Tierra intersection, in order to improve traffic safety. Access and egress will be controlled by existing and new traffic signal equipment, as required by Caltrans. Project implementation will consist of 734 cubic yards of total cut and 1,698 cubic yards of total fill. Project construction will involve earthmoving and paving equipment and last approximately two months. The proposed driveway will connect to the existing driveway serving the church and some single-family residences to the east of the church site. A site plan showing the proposed driveway is attached to this study.

The Planning Department is the lead agency for this project because the project requires an Administrative Permit for development in a VS (Visual Sensitivity) district.

The proposed driveway traverses three parcels under separate ownerships, as shown below:



The church has secured an easement through the BLM (Bureau of Land Management) parcel for the project. An Environmental Assessment (EA) was prepared in August of 2001 by BLM to study and mitigate potential environmental impacts for this segment of the driveway alignment (Source 3). Environmental resources studied in the EA included biological resources, cultural resources and water quality. The findings of the EA for each topic area are summarized below:

Biological Resource Impacts: Occurrences of Congdon's tarplant, a special-status species listed as "sensitive" by BLM, were identified within the project area. A conservation easement for the tarplant was established within the Cypress Church property to compensate for loss of this plant in the project area.

Cultural Resources: The project area was studied by BLM for the presence of cultural resources. No resources were found.

Water Quality: The project is within the floodplain of Toro Creek and bisects two ephemeral drainages. A Streambed Alteration Agreement was secured from the Department of Fish and Game, which permits three oversize culverts to be installed to accommodate flow through the drainage (Source 4). A small quantity of riparian vegetation will be trimmed to accommodate the driveway.

A Finding of No Significant Impact (FONSI) was adopted by the BLM for the project because all identified impacts had been mitigated.

The County of Monterey must issue a grading permit for the project, which will permit the earthwork and paving for the entire driveway. This study will address potential environmental impacts of the project not addressed and mitigated by the EA, such as traffic impacts and visual resources.

B. Environmental Setting and Surrounding Land Uses:

Aesthetics

The project occurs along Highway 68, a State Scenic Highway. Such designations recognize the need to blend roadways into the landscape and preserve the critical viewshed. According to the Toro Area Plan, the Toro area is visually characterized by rugged terrain, pastoral meadows and hillsides, and contains scenic intermixtures of vegetation and landform. The project, however, is not located within an area of visual sensitivity identified in the area plan. A mixture of trees and shrubs cover the area immediately adjacent to the existing roadway intersection, and seasonal grasses dominate the remainder of the driveway route to its connection with the existing driveway. Most of the proposed driveway route is partially screened by an existing row of trees. Topography along the driveway route is generally flat and level with the Highway 68 roadbed, with the exception of the toe of a small hill where the driveway begins to curve east from the highway intersection.

Biological Resources

According to the biological report prepared for the project, the majority of the site consists of annual invasive grass species (Source 6). A marginal central coast willow riparian habitat is present within the driveway connection area to Highway 68. No wetlands were identified. Ten individuals of Congdon's tarplant were identified in the project site. This plant is included on the California Native Plant Society list 1B and is typically provided management consideration during the environmental review process. A conservation easement for the tarplant has been established on the Cypress Church property. No other special-status plant species were documented or observed on the project site. No special status wildlife were documented or observed on site. There is potential that nesting migratory birds or raptors to be present on-site.

Cultural Resources

The project is located within a high archaeological sensitivity zone. The project area was studied by BLM for the presence of cultural resources (Source 7). No resources were found. The project site was also studied at the time Cypress Church was proposed for construction. This study also concluded no cultural resources were present on the property (Source 8).

Hydrology / Water Quality

Toro Creek is a perennial stream flowing through the coastal mountains along State Route 68 before tributarying into to the Salinas River (Source 6). An unnamed seasonal drainage tributaries to Toro Creek near the intersection of State Route 68 and Corral de Tierra Road, and will be affected by the project.

Land Use / Planning

All parcels traversed by the driveway are zoned PQP (Public/Quasi Public). BLM is the responsible agency for assessing biological impacts within its lands through the NEPA Environmental Assessment process. An EA was prepared for the granting of an easement for the proposed driveway over the BLM portion of the project. The easement was granted by BLM on November 20, 2001 (Source 5).

The driveway also traverses property owned by Monterey County. This property was acquired by the county for future highway right-of-way use, and an access easement over a small portion of the property will be required for the driveway.

The remainder of the property is owned by Cypress Community Church, and remains undeveloped.

Transportation / Traffic (Access / Regional setting) – Source 9

Highway 68 is a two-lane rural highway connecting State Route 1 in Monterey and Highway 101 in Salinas. The speed limit on Highway 68 along the study area is 55 miles per hour. The highway serves as a commute route between Salinas and the Monterey Peninsula, provides access to the low-density developments along it and functions as a scenic tourist route to the Monterey Peninsula.

Corral de Tierra Road is located to the west of San Benancio Road. It is a two-lane local rural road with a speed limit of 35 miles per hour. The Highway 68/Corral de Tierra Road intersection is a "T" intersection with eastbound, westbound and northbound approaches. The signal at this intersection is connected to the San Benancio Road signal.

Cypress Church driveway is located approximately 700 feet east of the Highway 68/Corral de Tierra intersection. The driveway is used by both the Cypress Community Church and a few single-family homes located adjacent to the church. The church is located at the end of the driveway and the residences are located to close to the entrance of the driveway.

The Highway 68/Corral de Tierra intersection currently operates at LOS C during the AM peak hour and LOS D and F during the PM peak hour.

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

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

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

General Plan / Area Plan The proposal was reviewed for consistency with the General Plan and Toro Area Plan. Section IV.A. (Land Use and Planning) below, discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project or conflicts with any applicable habitat conservation plan or natural community conservation plan. The driveway proposal is consistent with the land use categories and densities of these plans.

Air Quality Management Plan Consistency of a project with regional population and employment forecasts will result in consistency of the project with the Air Quality Management Plan (AQMP). The Monterey Bay Unified Air Pollution Control District (MBUAPCD) incorporates the Association of Monterey Bay Area Government population forecasts in its preparation of regional air quality plans, making this project consistent with the applicable Air Quality Plan. The AQMP addresses the attainment and maintenance of State and Federal ambient air quality standards within the North Central Coast Air Basin (NCCAB). The proposed project will not substantially increase the population of the area nor generate substantial additional vehicle trips. Therefore, the project will be consistent with the AQMP.

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 construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

Because the project is a realignment of an existing access driveway and involves no structures or increase in use intensity, many of the above topics on the checklist do not apply. Less than significant or potentially significant impacts are identified for:

Aesthetics

Transportation / Traffic

Mitigation measures are provided as warranted. The project will have no quantifiable adverse environmental effect on the categories not checked above, as follows:

Agricultural Resources The project site is not located in an area designated and zoned for farmlands, and does not consist of prime agricultural land and is not under a Williamson Act contract (Source 2).

Air Quality The project will not result in an increase in vehicle trips, but involves only a realignment of existing driveway access. Because there will be no increase in vehicles as a result of the project, no impacts to air quality will result.

Biology As discussed above, ten individuals of Congdon's tarplant were identified in the project site. This plant is included on the California Native Plant Society list 1B and is typically provided management consideration during the environmental review process. A conservation easement for the tarplant has been established on the Cypress Church property as a condition of approval for the granting of the BLM easement, therefore, impacts to this plant have been fully mitigated as part of a prior entitlement. No riparian willows will be removed for the project; only trimmed. No other sensitive plant species have

been identified in the project area.

While there is potential for nesting migratory birds to be present in the project area, there will be no impacts in this case as the work is proposed to be completed during the months of October and September, by which time any fledgling birds will have left the nest.

- Cultural Resources** As discussed above, no cultural resources have been identified on the project site.
- Geology and Soils** Minor hillside cuts are necessary to accommodate the driveway, which will temporarily result in bare soil areas. These areas are required by the BLM easement grant to be planted with native vegetation compatible with surrounding native vegetation. The county erosion control ordinance also requires slope plantings to control erosion. Additional mitigation is therefore not necessary. Finally, the project does not involve any new structures, only paving for a driveway, therefore, there are no potential geological hazards as a result of the project.
- Hazards / Hazardous Materials** The project will not transport, use, or dispose of hazardous materials either during project construction or operation. No known hazardous materials exist on the project site. Further, the project is a traffic safety project designed to reduce the potential for vehicle collisions at the existing church driveway. (Source 1).
- Hydrology / Water Quality** As discussed above, the unnamed seasonal drainage tributary to Toro Creek near the intersection of State Route 68 and Corral de Tierra Road will be affected by the project. A Streambed Alteration Agreement was secured from the Department of Fish and Game, which permits three oversize culverts to be installed to accommodate flow through the drainage. Impacts have therefore been mitigated, and no additional mitigation is required.
- Land Use / Planning** The project is consistent with the Monterey County General Plan, Toro Area Plan, and Zoning Ordinance with regard to access, natural resource protection and aesthetics. The project will not physically divide an established community or conflict with any applicable land use plan, policy or regulation. The applicants have secured an access easement over the BLM portion of the project and have secured Streambed Alteration Agreement from DFG to allow construction over the existing drainage. An easement over county right of way property, as well as encroachment permit from Caltrans for the Highway 68 connection will also be required.
- Mineral Resources** No mineral resources have been identified or will be affected by this project (Source: 1, 2).

- Noise** No additional vehicle trips will result from the project (Source 9). The driveway connection will not be located in the vicinity of any sensitive noise receptors.
- Population / Housing** The project will not significantly alter the location, distribution, or density of human population in the area, or create a demand for additional housing (Source: 1).
- Public Services** The Salinas Rural FPD has reviewed the project and has not indicated any potential impacts to fire services in the area as a result of the subdivision. Because no significant population increase will result from the project, no significant impacts to sheriff services will result.
- Recreation** No parks, trail easements, or other recreational opportunities will be adversely impacted by the proposed project (Source 1, 2). The project will not create demands sufficient to justify construction of new facilities. (Source: 1, 2)
- Utilities / Service Systems** Utilities and service systems will not be affected by the project, as no increase in use intensity will result from the project.

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.



Patrick Kelly, AICP, Senior Planner

July 28, 2004

Date

V. *EVALUATION OF ENVIRONMENTAL IMPACTS*

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously

prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

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

Discussion/Conclusion/Mitigation:

A. The project site is not a component of a scenic vista.

B - D. The project will result in the removal of existing shrubby trees and vegetation abutting the north end of the "T" intersection of Highway 68 and Corral de Tierra Road. This area is not designated as being within the critical viewshed by the Toro Area Plan, and is therefore not considered to have significant scenic value. Further, existing views of the vegetation at the connection area are degraded by existing traffic signal equipment, poles and street paving. The visual character of the immediate project site will be changed from a vegetated area to a paved area, however, because the existing vegetation is not a component of a scenic vista and does not have high scenic value, the change will not result in a substantial degradation of the visual character of the site. Further, the road grade will remain essentially level with the existing highway roadbed, and will therefore be visually inconspicuous. The portion of the driveway paralleling the highway will be partially screened from view by an existing row of trees.

Minor hillside cuts are necessary to accommodate the driveway, which will temporarily result in bare soil areas. These areas are required by the BLM easement grant to be planted with native vegetation compatible with surrounding native vegetation. As additional assurance of this treatment, these requirements are included below as mitigation measures. A mitigation measure is also included requiring any driveway lighting to be subject to a lighting plan.

MM 1-1 The boundaries of the right-of-way shall be demarcated by temporary fences during construction. Within 60 days of project completion the temporary fences shall be replaced with permanent fences, subject to review and approval by the Planning

Director for visual compatibility with the project setting.

MM 1-2 Soils disturbed during construction shall be re-vegetated with plants native to Fort Ord. Revegetation and/or landscaping efforts shall be maintained by the applicant to assure success of the revegetation or landscaping and to remove any invasive non-native species. Landscaping with species not native to Fort Ord shall not be permitted. The plant palette shall be selected from the approved list of species maintained by the authorized BLM officer.

MM 1-3 All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of grading permits.

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: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

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: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

5. CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above

6. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

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: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion, Section IV.

8. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

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

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

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

Discussion/Conclusion/Mitigation: See discussion in Section IV

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

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

12. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV.

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

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

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: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

According to the traffic report prepared for the project, the addition of a north leg due to the proposed Church access modification will only marginally affect the overall delay of the Highway 68 / Corral de Tierra intersection (2.2 second decrease during the AM peak hours and 2.7 second increase during the PM peak hour). The intersection will continue to operate at LOS C during the AM and LOS D during the PM peak hours. No significant traffic impacts will occur, provided the following mitigation measure is included:

MM 15-1 All signal and striping improvements required by Caltrans to the Cypress Church driveway and Corral de Tierra / Highway 68 intersection shall be implemented.

16. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1, 2, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1, 2, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

For purposes of implementing Section 735.5 of Title 14, California Code of Regulations: If based on the record as a whole, the Planner determines that implementation of the project described herein, will result in changes to resources A-G listed below, then a **Fish and Game Document Filing Fee** must be assessed. Based upon analysis using the criteria A-G, and information contained in the record, state conclusions with evidence below.

- A) Riparian land, rivers, streams, water courses, and wetlands under state and federal jurisdiction.
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- C) Rare and unique plant life and ecological communities dependent on plant life, and;
- D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- E) All species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted thereunder.
- F) All marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- G) All air and water resources the degradation of which will individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water.

De Minimis Fee Exemption: For purposes of implementing Section 735.5 of the California Code of Regulations: A *De Minimis Exemption* may be granted to the **Environmental Document Fee** if there is substantial evidence, based on the record as a whole, that there **will** be changes to the above named resources V. A-G caused by implementation of the project. Using the above criteria, state conclusions with evidence below, and follow Planning and Building Inspection Department Procedures for filing a *de minimis* exemption.

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

Evidence: The project will result in the modification of an existing riparian corridor, as well as removal of native vegetation and grading in a previously undeveloped area.

IX. REFERENCES

1. Project Application File
2. General Plan and Toro Area Plan
3. Environmental Assessment and Finding of no Significant Impact, No. CA-190-2000-009, September 4, 2001, BLM
4. Streambed Alteration Agreement, Notification Number R3-1600-2003-5220-3, Department of Fish and Game, October 7, 2003
5. Reservation of Conservation Easement, Bureau of Land Management, November 7, 2001
6. Draft Biological Assessment of the proposed Cypress Church Access Road Project, Josh Harwayne, Denise Duffy & Associates, Inc., January 30, 2004
7. June 28, 2004 memorandum from Erik Zaborsky, BLM to Paola Horvath regarding Cultural Resources on the project site
8. Cypress Community Church Archaeological Reconnaissance, Archaeological Resource Services, November 6, 1978
9. Modified Church Access Study for Cypress Community Church, Higgins Associates, July 8, 2004

X. ATTACHMENTS

- A. Project Plan / Vicinity Map
- B. Aerial Photograph

ATTACHMENT A

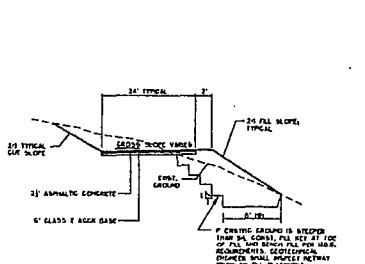
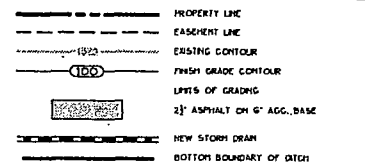
GENERAL NOTES

- CONTRACTOR AGREES THAT IN ACCORDANCE WITH THE GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR SHALL BE REQUIRED TO MAINTAIN, MOVE AND COMPLETE RESPONSIBILITY FOR JOB CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR PLANNING ASPECTS TO DEFINE, PROVIDE AND HOLD DESIGN PROFESSIONALS HARMLESS FROM ANY AND ALL LIABILITY, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONALS.
- ALL WORK SHALL BE IN CONFORMANCE WITH:
 - THE LATEST EDITION OF STANDARD SPECIFICATIONS: STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION (CALTRANS)
 - LATEST EDITION OF STANDARD SPECIFICATIONS: COUNTY OF MONTEREY, CALIFORNIA
 - MONTEREY COUNTY GRADING ORDINANCE #2535.
 - GRADING CONTROL ORDINANCE #2506.
- CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH ANY CURRENTLY APPLICABLE STATE LAW OF ANY JURISDICTION, COUNTY LAW OR ORDINANCE REGARDING THE PROJECT OR THE CONTRACTOR IS UNLESS TO THE CONTRARY STATED BY THE CONTRACTOR. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SURFACE, SAFETY DEVICES AND CONTROL OF TRAFFIC WITHIN THE CONSTRUCTION AREA.
- TOPOGRAPHY SHOWN WAS PROVIDED BY AERIO-GEODETIC SURVEYS DATED MARCH 2003. REVISIONS FROM AIR PHOTO CALTRANS MODIFICATION ELEM. SHEET
- THE POSITION OF THIS GRADING PLAN IS TO BE CLEAR OF THE USER'S EXISTING OVERHEAD TO THE INTERSECTION OF HWY. 168 AND CORRAL DE TIERRA ROAD.
- THE PERMITTEE OR HIS AGENT SHALL NOTIFY THE GRADING OFFICIAL TWENTY-FOUR (24) HOURS PRIOR TO START OF ANY GRADING WORK. THE PERMITTEE OR HIS AGENT SHALL ALSO CALL THE GRADING OFFICIAL FOR FINAL INSPECTION WITHIN THE PROJECT IS COMPLETED. THE GRADING BOND, IF APPLICABLE, IS RELEASED UPON SATISFACTORY COMPLETION OF THE PROJECT.
- NO TREES HAVE BEEN PROPOSED FOR REMOVAL.

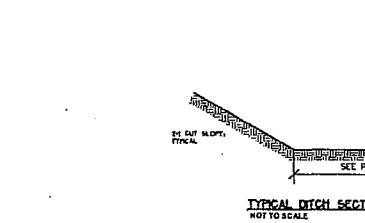
EROSION CONTROL NOTES

- ALL SURFACES EXPOSED OR EXPOSED TO BE EXPOSED DURING GRADING ACTIVITIES SHALL BE PREPARED AND MAINTAINED THROUGHOUT THE LENGTH OF THE ENTIRE PROJECT TO PROTECT AGAINST EROSION.
- GRADE GRADING SHALL BEGIN WITHIN 30 DAYS OF VEGETATION REMOVAL OR THE AREA SHALL BE PLANTED TO CONTROL EROSION.
- THE FOLLOWING PRECAUTIONS SHALL APPLY BETWEEN OCTOBER 15 AND APRIL 31:
 - DISBURSED SURFACES NOT PREPARED BY THE PERMITEE OPERATIONS MUST BE PROTECTED BY APPLYING STRAW MULCH AT 3000 LBS. PER ACRE AND TUXED IN TO PREVENT MOVEMENT DURING WINTER FLOOD.
 - IF SUBJECT FROM THE SITE SHALL BE OBTAINED OR FILTERED BY DENSE VEGETATED FILTER STRIPS AND/OR CHECK DAMS TO PREVENT THE ESCAPE OF SEDIMENT FROM THE SITE. THESE DAMAGE CONTROLS MUST BE MAINTAINED BY THE CONTRACTOR AS NECESSARY TO ACHIEVE THEIR PURPOSE THROUGHOUT THE LIFE OF THE PROJECT.
 - EROSION CONTROL, PREPARED SHALL BE IN PLACE AT THE END OF EACH DAY'S WORK.
 - THE GRADING OPERATIONS SHALL STOP OPERATIONS DURING PERIODS OF PRECIPITATION IF THE OPERATOR THAT EROSION PROBLEMS ARE NOT BEING CONTROLLED ADEQUATELY.
 - GRASS AND PASTURE SHALL BE PLANTED WITH A 5000 LBS. OF CALIFORNIA MONOC - 10LBS. BALE WILD RICE - 10LBS. DEERWEED - 10LBS. PURPLE NEEDLE GRASS - 10LBS. (10,000 LBS PER ACRE) AND COVERED WITH STRAW.
- AT ALL TIMES DURING CONSTRUCTION AND UNTIL FINAL COMPLETION, THE CONTRACTOR, WHEN HE OR HIS SUBCONTRACTORS ARE OPERATING EQUIPMENT ON THE SITE, SHALL PREVENT THE FORMATION OF AN AEROSOL DUST PLUME BY WATERING WETTING THE SITE OF THE WORK IN SUCH A MANNER THAT WILL COVER MOST PARALLEL TO THE FRESHLY SURFACE OF THE WORK, THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY DAMAGE DONE BY DUST FROM HIS OR HIS SUBCONTRACTORS.

LEGEND



TYPICAL DRIVEWAY SECTION
NOT TO SCALE

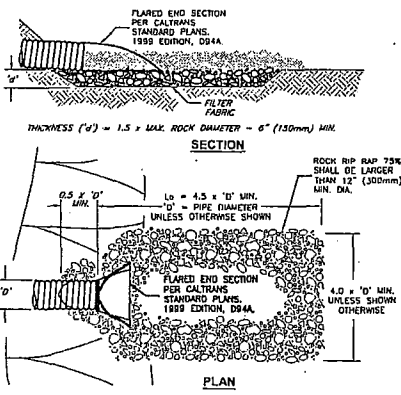


TYPICAL DITCH SECTION
NOT TO SCALE

GRADING AND DRAINAGE NOTES

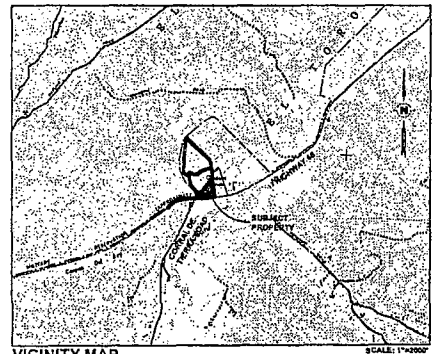
- ALL GRADING SHALL CONFORM WITH THE MONTEREY COUNTY GRADING ORDINANCE #2535 AND EROSION CONTROL ORDINANCE #2506.
- EXISTING ELEVATIONS 1254 OF CUR AND 1006 OF PAV. ONET POINT = 464.075
- ON-SITE GRADING AND EARTHWORK SHALL BE OBSERVED AND TESTED BY THE SOILS ENGINEER DESIGNATED BY THE OWNER. ALL GRADING AND EARTHWORK SHALL BE DONE TO THE SATISFACTION OF THE SOILS ENGINEER. SOILS ENGINEER SHALL VERIFY RESULTS OF REQUIRED PRODS TO THE PLACEMENT OF ANY FILL. CONTRACTOR IS TO MAINTAIN CONTRACTOR'S CONSTRUCTION TEST RESULTS AND FINAL GRADING REPORTS PRIOR TO SCHEDULING ANY INSPECTIONS.
- ALL FILL SHALL BE COMPACTED TO A MINIMUM OF 95% RELATIVE COMPACTION BASED ON ASTM TEST D1557 EXCEPT THAT THE UPPER 6 INCHES OF ALL SUBGRADE, AGES, PAVEMENT SECTIONS, AND OTHER AREAS TO BE COMPACTED SHALL BE COMPACTED TO A MINIMUM OF 98% RELATIVE COMPACTION.
- THE GRADING SURFACE SHALL BE PREPARED BY REMOVING WEATHERED NONCOMPACTIBLE FILL, TOPSOIL, AND OTHER UNSUITABLE MATERIALS, EXCEPTING TO PROVIDE A SOIL WITH THE NEW PAV. AND WHEAT STRIPS ARE DEEPER THAN 18\"/>

SITE ADDRESS + CITY CIVIL ENGINEER
 CYPRESS COMMUNITY CHURCH
 641 MONTEREY SALINAS HWY.
 SALINAS, CA 95060
 APN: 161-029-011
 CYPRESS COMMUNITY CHURCH
 641 MONTEREY SALINAS HWY.
 SALINAS, CA 95060
 169-118-44-9225

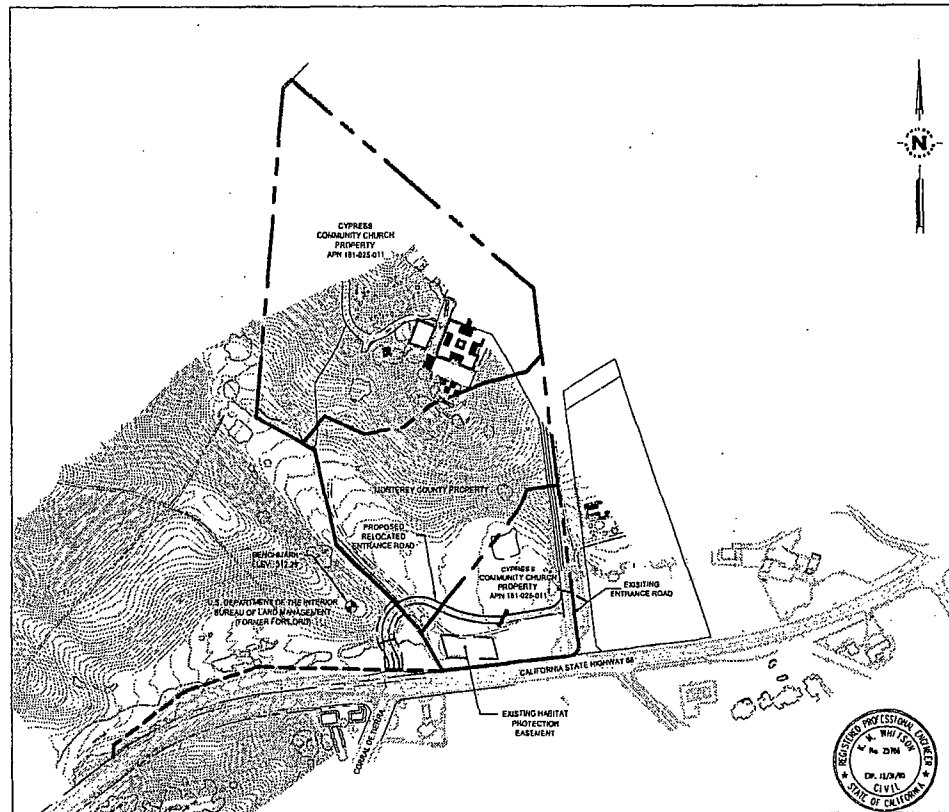


- NOTES:
- Lo = LENGTH OF ARROW. DISTANCE 'Lo' SHALL BE OF SUFFICIENT LENGTH TO DISSIPATE ENERGY.
 - APPROX SHALL BE SET AT A ZERO GRADE AND ALIGNED STRAIGHT.

ROCK RIP RAP EROSION PROTECTION
NOT TO SCALE



VICINITY MAP
SCALE: 1"=100'



OVERALL SITE PLAN
SCALE: 1"=100'

PERMIT REVIEW SET
NOT FOR CONSTRUCTION

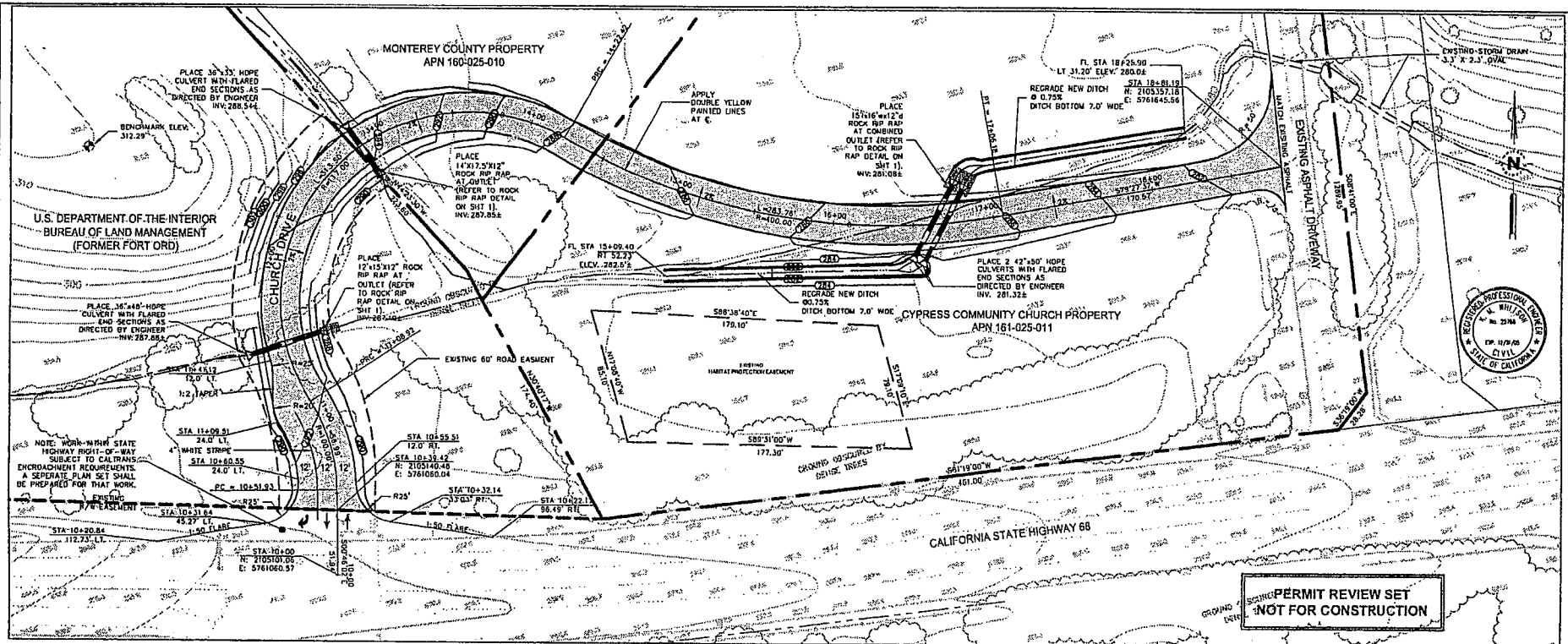
WHITSON ENGINEERS
 9699 Blue Lakeside Lane • Suite 105 • Monterey, CA 93940
 831-849-5225 • Fax 831-374-5866

DATE: DEC. 16, 2003
 SCALE: AS SHOWN
 DRAWN BY: SLL

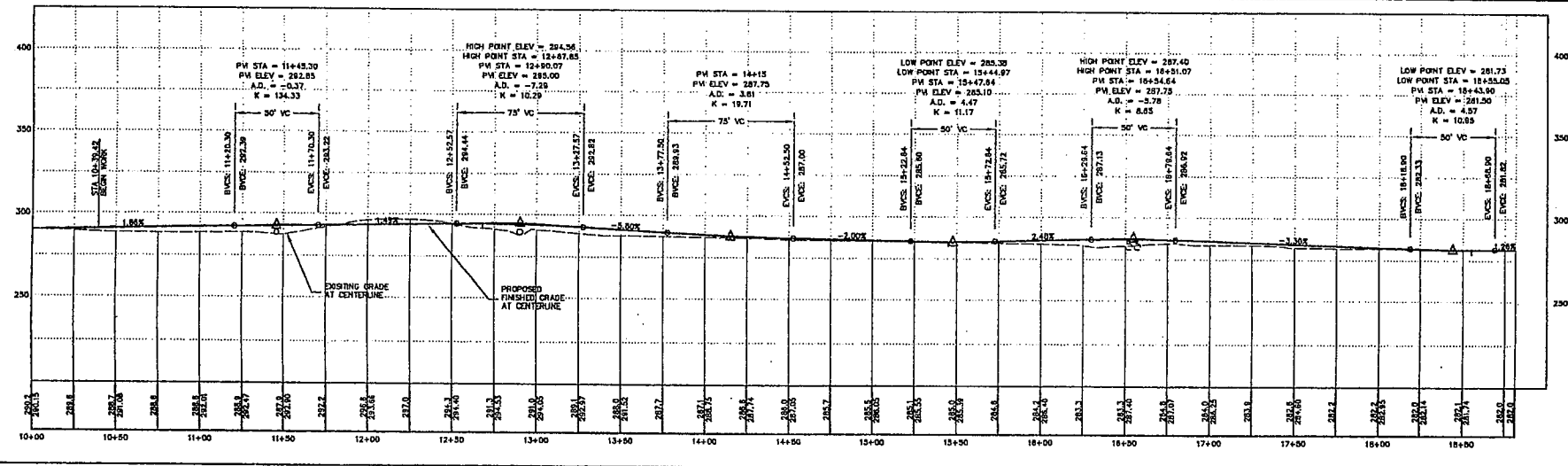
CYPRESS COMMUNITY CHURCH
 MONTEREY COUNTY, CALIFORNIA
 DRIVEWAY GRADING AND DRAINAGE PLAN

EXCISEMENTS:
 CIVIL ENGINEER:
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SHEET
1
 OF



PERMIT REVIEW SET
NOT FOR CONSTRUCTION

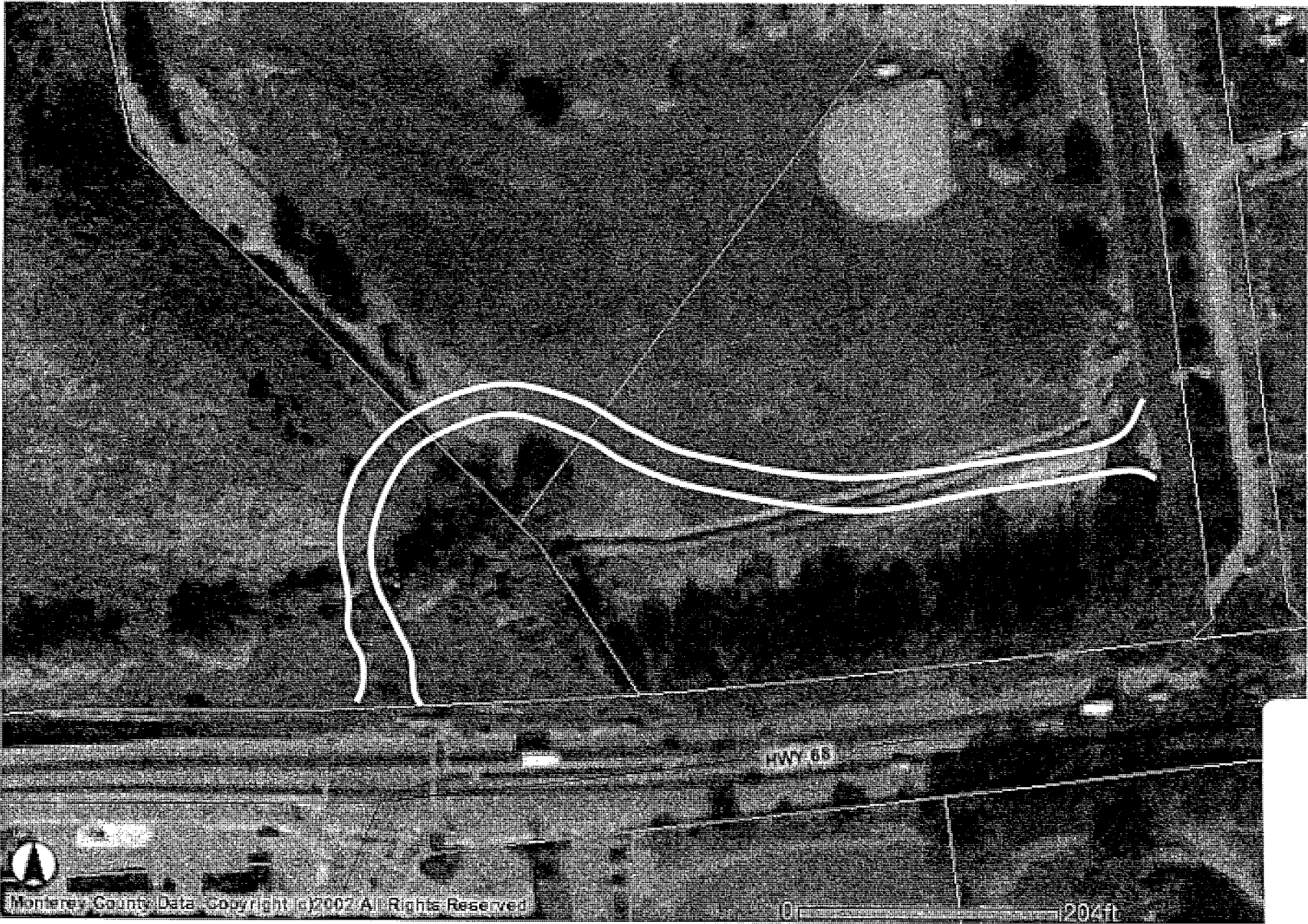


WHITSON ENGINEERS
9889 Blue Lakeside Lane • Suite 105 • Monterey, CA 93940
831 689-3225 • Fax 831 373-5065

DATE: DEC. 18, 2003
SCALE: 1" = 30'
DRAWN BY: SALLA, E.

CYPRESS COMMUNITY CHURCH
MONTEREY COUNTY, CALIFORNIA
DRAINWAY GRADING AND DRAINAGE PLAN

REVISIONS:
BY: DATE: DESCRIPTION:
CELL: MONTEREY COUNTY PLUM BEER NEGROIS



Monterey County Data Copyright © 2002 All Rights Reserved

HWY 65

0 204ft

CYPRESS CHURCH
PLN040308

ADMINISTRATIVE PERMIT



RECEIVED

SEP 02 2004

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.



EXHIBIT F

PLANNING COMMISSION COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 05004

A. P. # 161-251-010-000
161-251-011-000
161-251-021-000

In the matter of the application of
Cypress Community Church (PLN040308)

FINDINGS & DECISION

for an Administrative Permit in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, to allow for the construction of a driveway connecting to the north side of the intersection of Corral de Tierra Road and Highway 68 in a VS (Visual Sensitivity) Zone; Grading (734 cu. yds. of cut/1,698 cu. yds of fill); and Design Approval. The property is located at 681 Monterey-Salinas Highway, Salinas, Toro area, came on regularly for meeting before the Planning Commission on January 12, 2005.

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

FINDINGS OF FACT

1. **FINDING: CONSISTENCY** - The Project, as conditioned is consistent with applicable plans and policies of the Toro Land Use Plan, and County Zoning Ordinance (Title 21) which designates this area as appropriate for public/quasi-public development including a church.
EVIDENCE: (a) PBI staff has reviewed the project as contained in the application and accompanying materials for consistency with the Toro Land Use Plan, and for conformity with the Monterey County Zoning Ordinance (Title 21) and have determined that the project is consistent and appropriate for development. Staff notes are provided in Project File PLN040308.
(b) The Toro Land Use Advisory Committee recommended approval of the project on July 12, 2004, by a vote of five (5) for, two (2) against, and two (2) absent contingent upon submission to the Committee of a comprehensive landscape plan.
(c) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN040308.
2. **FINDING: SITE SUITABILITY** - The site is suitable for the use proposed.
EVIDENCE: (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Water Resources Agency, Environmental Health, and Parks. Conditions recommended have been incorporated.
(b) Technical reports by outside archaeology and biological consultants indicate that there are no physical or environmental constraints such as environmentally sensitive habitats or similar areas that would indicate the site is not suitable for the use proposed.

(c) Necessary public facilities are available and will be provided.

3. **FINDING: ENVIRONMENTAL IMPACTS:** The proposed project will not have a significant environmental impact.
EVIDENCE: (a) County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA) and its Guidelines. The Initial Study provided substantial evidence that the project would not, as mitigated, have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on July 30, 2004.
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. Zoning violation abatement cost, if any, have been paid.
EVIDENCE: (a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.
5. **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) Preceding findings and supporting evidence.
(b) The existing driveway access to/from Highway 68 shall be abandoned with the realignment access point moved to an existing signaled intersection, which would reduce potential traffic hazards associated with ingress and egress onto a heavily traversed road.
6. **FINDING: APPEALABILITY -** The decision on this project is appealable to the Board of Supervisors.
EVIDENCE: (a) Section 21.80.040.D of the Monterey County Zoning Ordinance.

DECISION

THEREFORE, it is the decision of said Planning Commission that said application for an Administrative Permit be granted as shown on the attached sketch, and subject to the attached conditions.

PASSED AND ADOPTED this 12th day of January 2005.



JEFF MAIN, Secretary

COPIES OF THIS DECISION WAS MAILED TO THE APPLICANT ON **MAR 2 2005**

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **MAR 12 2005**

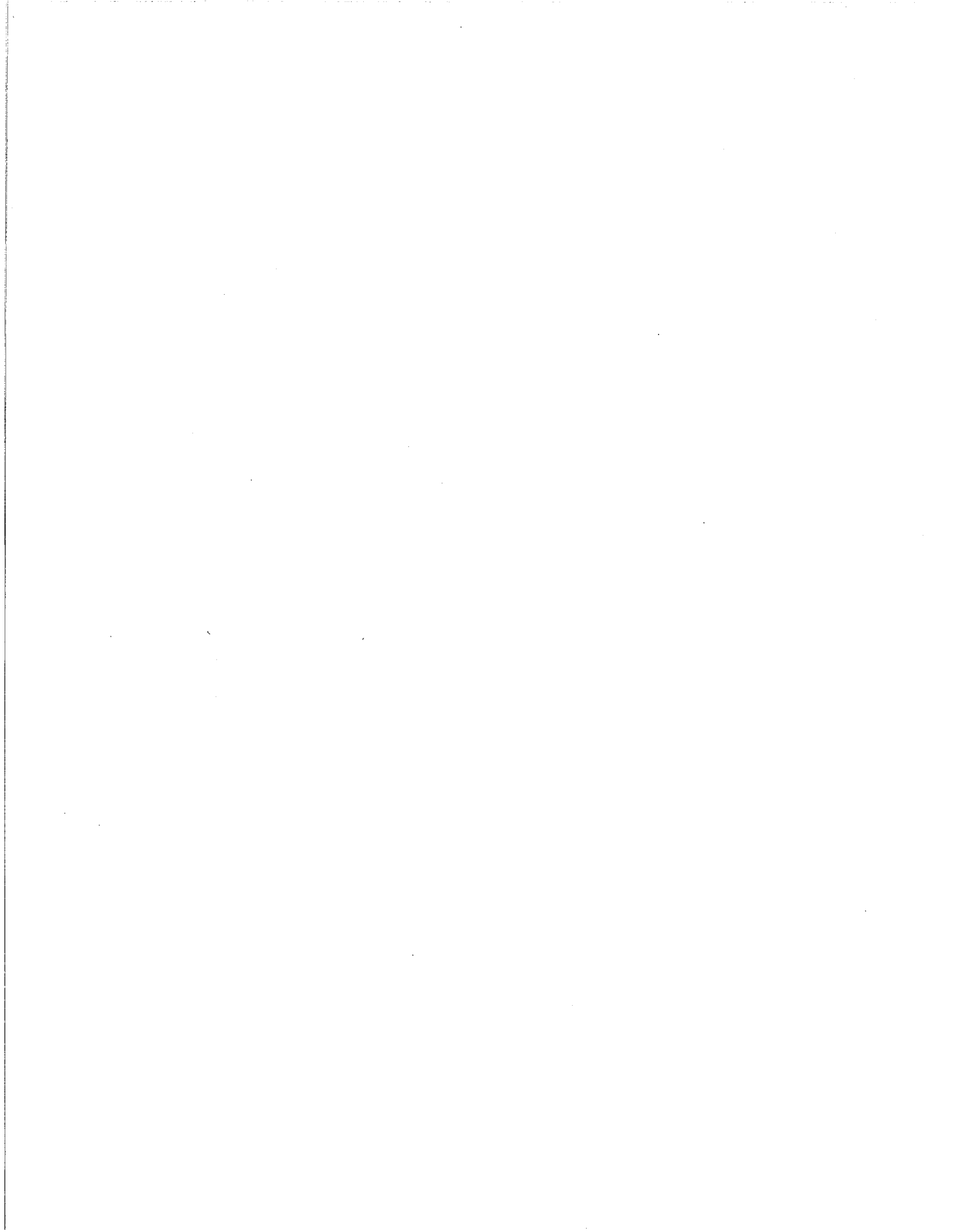
NOTES

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

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

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

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



**Planning and Building Inspection Department
Condition Compliance & Mitigation Monitoring and/or
Reporting Plan**

Project Name: *Cypress Community Church – Driveway*
File No: PLN040308 **APNs:** 161-251-011-00
Approval by: _____ **Date:** _____

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

<i>Permit Cond. Number</i>	<i>Mitig. Numb er</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		NOTICE-PERMIT APPROVAL The applicant shall record a notice, which states: "A permit (Resolution 05004) was approved by the Planning Commission for Assessor's Parcel Number 161-251-011-000 on January 12, 2005. The permit was granted subject to 16 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading permits.	
2.		SPECIFIC USES ONLY This Use Permit (PLN040308) allows construction of a driveway/access road connecting to the north side of the intersection of Corral De Tierra Road and Highway 68 in a visual sensitivity (VS) zone. The property is located at 681 Monterey-Salinas Highway (Assessor's Parcel Number 161-251-011-000). 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 Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other- wise stated	

<i>Permit Cond. Number</i>	<i>Ming. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
3.		EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of an Erosion Control Plan as reviewed by the Soils Conservation Service and the Director of Planning and Building Inspection. 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 Planning and Building Inspection. 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 Planning and Building Inspection. (Planning and Building Inspection)	1) Evidence of compliance with the Erosion Control Plan shall be submitted to PBI prior to issuance of building and grading permits. 2) Evidence of compliance with the Implementation Schedule shall be submitted to PBI during the course of construction until project completion as approved by the Director of PBI.	Owner/ Applicant	Prior to Issuance of Grading Permits	
4.		NON-STANDARD – Obtain an encroachment permit from Monterey county for that portion of the roadway crossing the County of Monterey Property. (Public Works)	Evidence of issuance of encroachment permit shall be submitted to PBI.	Owner/ Applicant	Prior to Issuance of Grading Permits	
5.		NON-STANDARD – Obtain an encroachment permit from CalTrans for the driveway connection to Highway 68 (Public Works)	Evidence of issuance of encroachment permit shall be submitted to PBI and Public works.	Owner/ Applicant	Prior to Issuance of Grading Permits	
6.		GRADING PERMITS REQUIRED A grading permit is required access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. (Planning and Building Inspection)	Apply and receive the appropriate grading permit from Monterey County Planning and Building Inspection.	Engineer/ Owner/ Applicant	Prior to Issuance of Grading or Building Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
7.		GRADING STAKING The proposed grading shall be staked with 18" stakes at 100-foot intervals. The staking shall be consistent with proposed grading as indicated in the official record at the Monterey County Planning and Building Inspection Department. The staking shall be verified at the grading pre-site inspection by the grading inspector. (Planning and Building Inspection)	The proposed grading shall be staked with 18" stakes at 100-foot intervals. The staking shall be consistent with proposed grading as indicated in the official record at the Monterey County Planning and Building Inspection Department.	Owner/ Applicant	At presite insp. by the grading inspector	
8.		PBD014 - 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 Planning and Building Inspection and Department of Fish and Game. (Planning and Building Inspection and Department of Fish and Game)	None	Owner/ Applicant	Ongoing	
9.		PBD016 - 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	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, whichever occurs first and as applicable	

<i>Permi- Cond. Number</i>	<i>Mitig. Numb er</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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. (Planning and Building Inspection)				
10.		NOTICE OF REPORT Prior to issuance of grading permit, a notice shall be recorded with the Monterey County Recorder, which states: "A Draft Biological Assessment report has been prepared for this parcel by Josh Harwayne of Denise Duffy & Associates, Inc., dated January 30, 2004 and is in the project file. Development shall be in accordance with this report." (Planning and Building Inspection)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of grading permit	
11.		NOTICE OF STREAMBED AGREEMENT Prior to issuance of grading permit, a notice shall be recorded with the Monterey County Recorder, which states: "A Streambed Alteration Agreement, dated October 7, 2003, was secured from the State of California Department of Fish and Game, which permits three oversize culverts to be installed to accommodate flow through the drainage that tributaries to Toro Creek. Development shall be in accordance with this Agreement." (Planning and Building Inspection and Fish and Game)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of Grading permit	
12.		NOTICE OF RIGHT-OF-WAY APPLICATION Prior to issuance of grading permit, a notice shall be recorded with the Monterey County Recorder, which states: "A Right of Way Agreement was secured from the Bureau of Land Management (BLM), which permits three oversize culverts to be installed to accommodate flow through the drainage that tributaries to Toro Creek. Development shall be in accordance with this Agreement." (Planning and Building Inspection and Fish and Game)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of Grading permit	

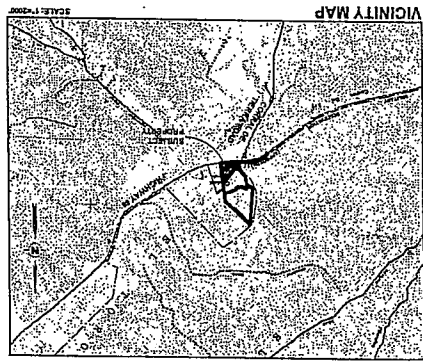
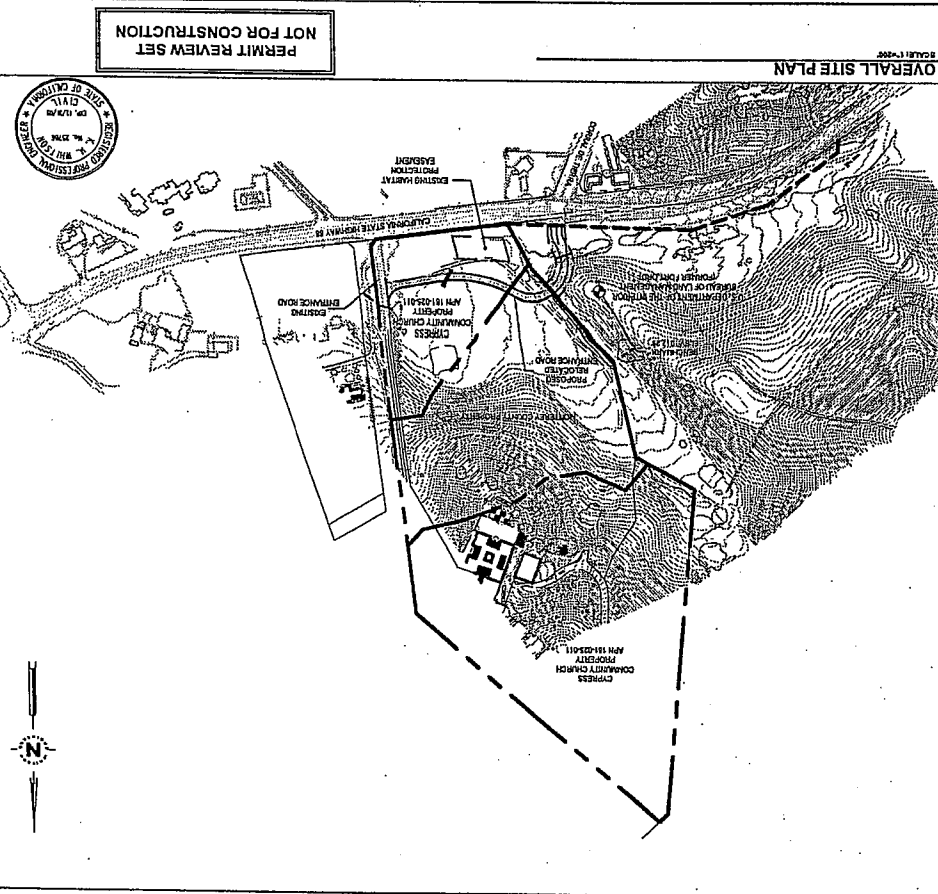
<i>Permit Cond. Number</i>	<i>Mitig. Numb er</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
13.		EASEMENT - CONSERVATION A conservation easement shall be conveyed to the United States of America, Bureau of Land Management over those portions of the property where sensitive habitats, archaeological sites, etc. exists. (Planning and Building Inspection and Bureau of Land Management)	Submit approved and recorded conservation easement to PBI.	Owner/ Applicant	Prior to Issuance of Grading Permit	
14.		LANDSCAPE PLAN AND MAINTENANCE The site shall be landscaped. At least 60 days prior to final inspection, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. 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. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)	Submit landscape plans and contractor's estimate to PBI for review and approval. Owner/	Applicant/ Contractor	At least 60 days prior to final inspection.	
			Submit landscape plans to Toro LUAC for review and recommendations	Planning Staff		
			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	
15.		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 drip lines 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 shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)	Submit evidence of tree protection to PBI for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Numb er</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
16.		STOP WORK - RESOURCES FOUND If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical, or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	
17.		UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (Planning and Building Inspection; Public Works)	None	Applicant/ Owner	Ongoing	
18.		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. (Planning and Building Inspection)	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	Prior to issuance of grading and building permits.	

<i>Permit Cond Number</i>	<i>Mitig Numb er</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
19.		PBD012 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) calendar days of project approval – prior to filing of the Notice of Determination. This fee shall be paid on or before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested, or final until the filing fees are paid. (Planning and Building Inspection)	Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection.	Owner/ Applicant	Prior to the issuance of grading permits.	
	1-1	AESTHETICS - Substantially degrade the existing visual character or quality of the site and its surroundings. Installation of fences (Planning and Building Inspection)	The boundaries of the right-of-way shall be demarcated by temporary fences during construction.	Owner Applicant	Prior to the issuance of grading permits.	
			Within 60 days of project completion, the temporary fences shall be replaced with permanent fences, subject to review and approval by the Planning Director for visual Compatibility.	Owner Applicant	Prior to the issuance of Final Inspection	
	1-2	AESTHETICS - Substantially degrade the existing visual character or quality of the site and its surroundings. Soils disturbed during construction shall be re-vegetated with plants native to Fort Ord. Re-vegetation and/or landscaping efforts shall be maintained by the applicant to assure success of the re-vegetation or landscaping and to remove any invasive non-native species. Landscaping with species not native to Fort Ord shall not be permitted. The plant palette shall be selected from the approved list of species maintained by the authorized BLM officer. (Planning and Building Inspection and Bureau of Land Management)	Proof of use of approved plant palette shall be furnished by the applicant to the Director of Planning and Building Inspection	Applicant/ Owner	Prior to Issuance of Grading Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	1-3	<p>AESTHETICS – Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.</p> <p>All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. (Planning and Building Inspection)</p>	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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of grading permits.	Applicant/ Owner	Prior to Issuance of Grading Permits	
	15-1	<p>TRAFFIC – 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).</p> <p>All signal and striping improvements required by CalTrans to the Cypress Church driveway and Corral de Tierra/Highway 68 intersection shall be implemented. (Planning and Building Inspection Department, CalTrans, and Public Works Department.)</p>	The applicant shall submit 3 copies of a striping and signalization plan to Planning and Building for review and approval by Public Works and CalTrans.	Owner/ Applicant	Prior to Final Inspection	

DATE: 10/17/00	BY: [Signature]
DESCRIPTION: CYPRESS COMMUNITY CHURCH DRIVEWAY GRADING AND DRAINAGE PLAN	SCALE: AS SHOWN
PROJECT NO: 00-1234	DRAWN BY: SLL
	DATE: 10/17/00



NOT FOR CONSTRUCTION
PERMIT REVIEW SET

CYPRESS COMMUNITY CHURCH
MONTEREY COUNTY, CALIFORNIA
DRIVEWAY GRADING AND DRAINAGE PLAN
COVER PAGE

DATE: 10/17/00
SCALE: AS SHOWN
DRAWN BY: SLL
DATE: 10/17/00

WHITSON ENGINEERS
5659 Elba Lakeside Lane • Suite 105 • Monterey, CA 93940
831 648-2222 • FAX 831 373-5055
Civil Engineering • Land Surveying • Project Management

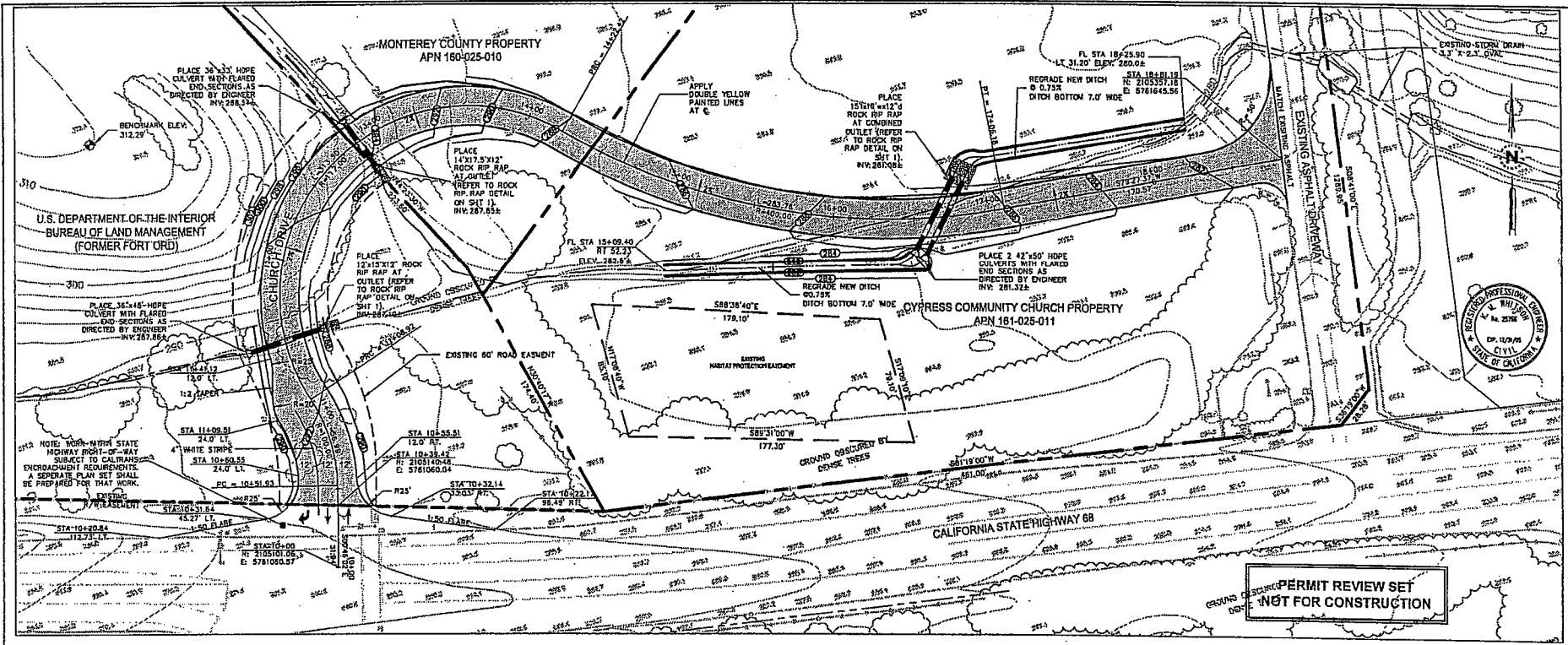
SECTION
THICKNESS (T) = 1.5" MAX. ROCK QUANTITY = 6" (150mm) MIN.
PLAN
1. 1.5" LENGTH OF APPROX. DISTANCE TO SHALL BE OF SURFACING.
2. APPROX. SHALL BE SET AT A ZERO GRADE AND ALIGNED STRAIGHT.
3. 1.5" LENGTH TO DISPERSE EROSION.
4. 1.5" LENGTH TO DISPERSE EROSION.
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9. 1.5" LENGTH TO DISPERSE EROSION.
10. 1.5" LENGTH TO DISPERSE EROSION.

LEGEND
PROJECT LINE
EXISTING CONTOUR
1950
NEW EROSION CONTROL
LIMITS OF CURB
ASPHALT ON G. A.C. BASE
NEW STORM DRAIN
BOTTOM BOUNDARY OF TRENCH

EROSION CONTROL NOTES
1. THE EROSION CONTROL PLAN IS TO BE USED TO PREVENT EROSION OF THE SOIL SURFACE.
2. THE EROSION CONTROL PLAN IS TO BE USED TO PREVENT EROSION OF THE SOIL SURFACE.
3. THE EROSION CONTROL PLAN IS TO BE USED TO PREVENT EROSION OF THE SOIL SURFACE.
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10. THE EROSION CONTROL PLAN IS TO BE USED TO PREVENT EROSION OF THE SOIL SURFACE.

GRADING AND DRAINAGE NOTES
1. ALL GRADING SHALL BE DONE IN ACCORDANCE WITH THE MONTEREY COUNTY CALIFORNIA GRADING AND DRAINAGE CODE.
2. ALL GRADING SHALL BE DONE IN ACCORDANCE WITH THE MONTEREY COUNTY CALIFORNIA GRADING AND DRAINAGE CODE.
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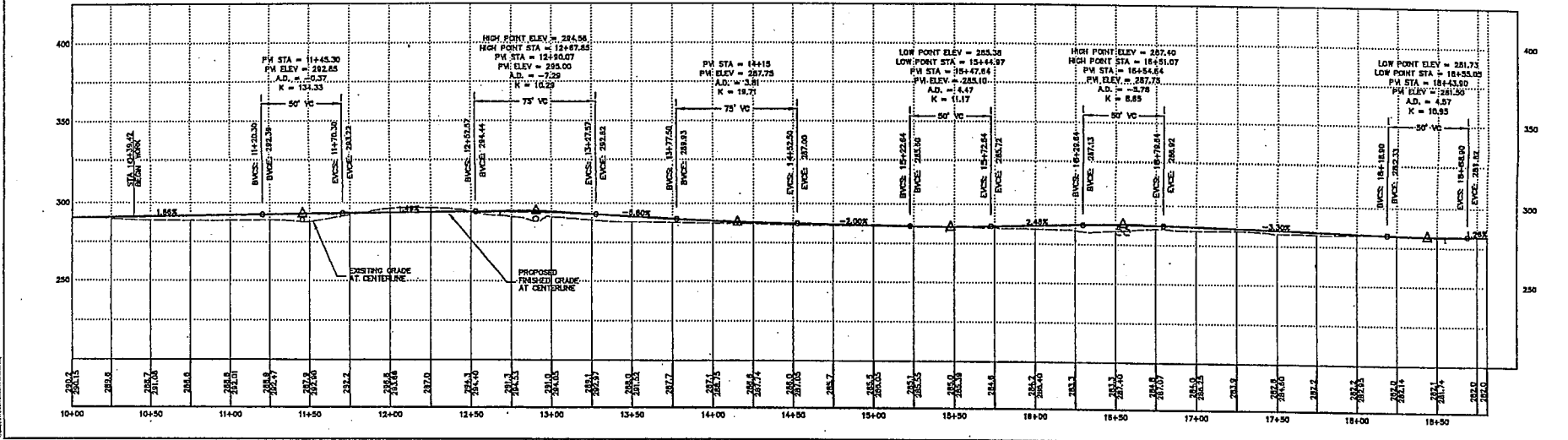
PERMITS
1. MONTEREY COUNTY GRADING AND DRAINAGE PERMIT
2. MONTEREY COUNTY GRADING AND DRAINAGE PERMIT
3. MONTEREY COUNTY GRADING AND DRAINAGE PERMIT
4. MONTEREY COUNTY GRADING AND DRAINAGE PERMIT
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9. MONTEREY COUNTY GRADING AND DRAINAGE PERMIT
10. MONTEREY COUNTY GRADING AND DRAINAGE PERMIT



WHITSON ENGINEERS
9898 Blue Lakeside Lane • Suite 102 • Monterey, CA 93940
831.649.5225 • Fax 831.373.5165
CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

DATE: DEC. 18, 2003
SCALE: 1" = 30'
DRAWN BY: SLL/ALS
JOB #: 1387-00

CYPRESS COMMUNITY CHURCH
MONTEREY COUNTY, CALIFORNIA
DRIVEWAY GRADING AND DRAINAGE PLAN
PLAN AND PROFILE



REVISIONS

NO.	DATE	DESCRIPTION
1		CLL 2/20/04 COUNT PLAN CHECK REVISIONS

2 of 2

EXHIBIT G

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
HOLLISTER FIELD OFFICE
ENVIRONMENTAL ASSESSMENT
Cypress Community Church Right-of-Way
CA-190-07-55

DATE INITIATED: 8/24/2007

Control Number: CA-190-07-55

CASE FILE/SERIAL NO.: CACA 38231

PROPONENT: Cypress Community Church

PROJECT: Road Construction/Right-of-Way

LOCATION: Hwy 68 and Corral de Tierra Road

AFFECTED ACREAGE: approximately 1 acre

7.5' QUADRANGLE: Spreckles (T16S, R02E, Section 34, SE1/4 SE1/4)

LAND STATUS: Combination of Public and Private Lands

SPECIAL DESIGNATION: Fort Ord Public Lands Area of Critical Environmental Concern (ACEC) and Fort Ord Public Lands Special Recreation Management Area (SRMA).

LAND USE PLAN CONFORMANCE:

The proposed action is subject to and in conformance with the following land use plans, in accordance with Title 43 Code of Federal Regulations 1610.5-3.

<u>Name of Plan</u>	<u>Date Approved</u>
Hollister RMP	2007
Fort Ord Habitat Management Plan	1997

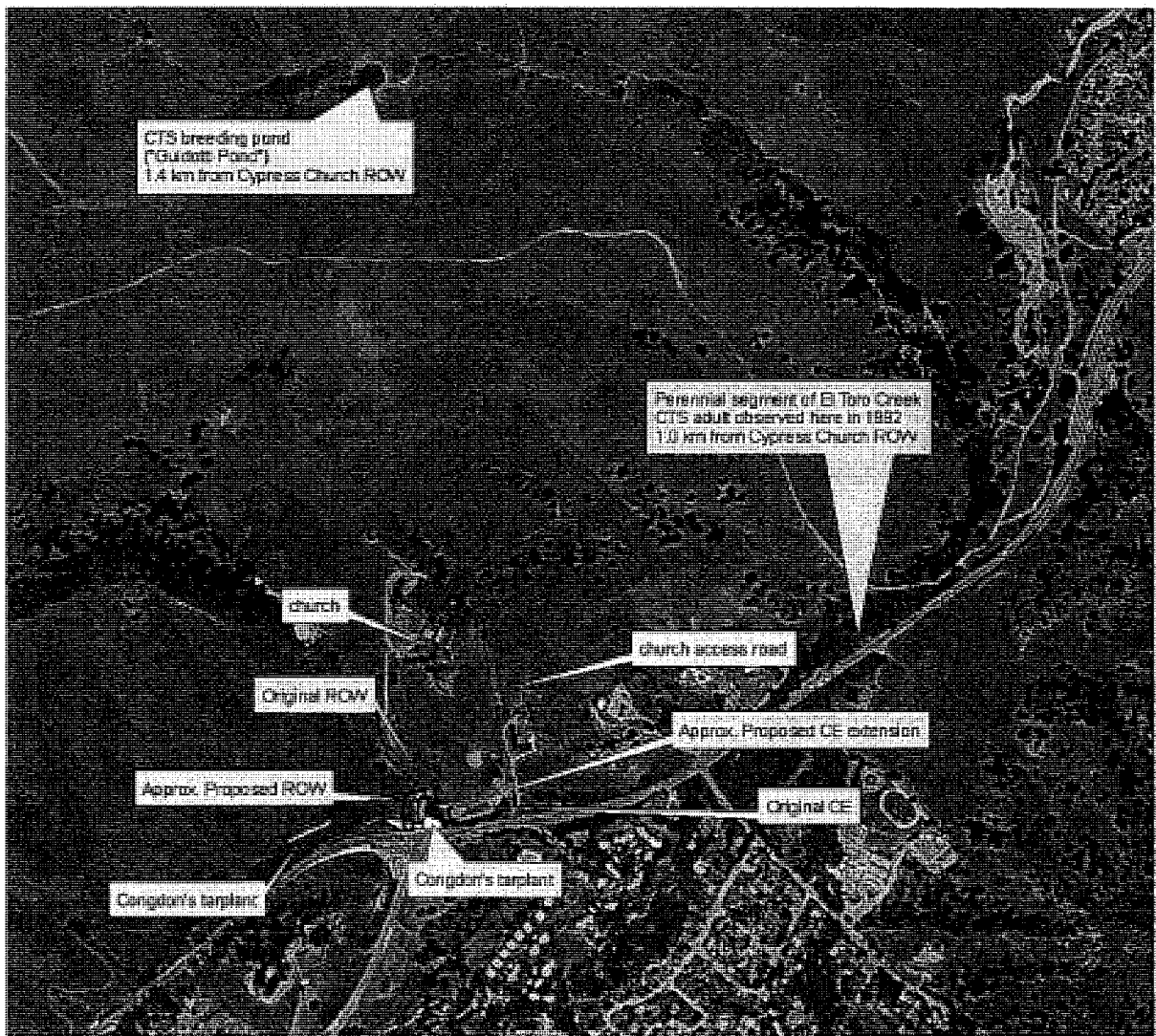
Remarks: The Hollister RMP identifies the goal to "Meet public, private, and Federal agency needs for realty-related land use authorizations"; and that BLM will "Consider use authorizations and permits on a case-by-case basis" (LUSE-COM4).

RELATIONSHIP TO OTHER FEDERAL POLICY, PLANS, LAWS & REGULATIONS

To be exempt from the prohibitions of 'take' in Section 9 of the Endangered Species Act, BLM must ensure that the proponent complies with the Terms and Conditions from FWS Biological Opinion 1-8-08-F-14, which implement reasonable and prudent measures for protection of federally listed species.

I. INTRODUCTION

The BLM received a Right-of-way (ROW) application from Cypress Community Church on May 14, 1997. The proposed ROW would have allowed Cypress Church to build an additional access road consisting of three vehicle lanes in order to provide an outlet to the intersection of Highway 68 and the Corral de Tierra Road. The current outlet from their property forces vehicles to turn left across highway traffic, with no traffic light or other traffic improvements to facilitate merging. On November 26, 1997, BLM completed the original environmental assessment (CA-019-1997-24) that approved a ROW for Cypress Church allowing for two vehicle lanes and requiring a conservation easement be established on adjacent church property to protect Congdon's tarplant habitat. This requirement was made as compensation for lost habitat resulting from road construction, and also would have required third-party monitoring of the conservation easement.



In March, 1998, Cypress Community Church "refused to abandon its request for a three-lane access road" (pg. 2, Interior Board of Lands Appeals April 7, 1999.) As a result of that refusal, on March 24, 1998, BLM rejected Cypress Church's ROW application as proposed. Cypress Church appealed BLM's decision and on April 7, 1999, the Interior Board of Lands Appeals (IBLA) affirmed (supported) BLM's decision regarding the number of allowed vehicle lanes. IBLA also indicated it would not support BLM's requirement that Cypress Church employ a third party to monitor the conservation easement.

Based upon the IBLA decision and the on-going negotiations with the Cypress Community Church personnel, it was determined that the 1997 environmental analysis was no longer adequate. In 2000, a new EA was completed (CA-190-2000-09) that incorporated the following:

- 1) IBLA's comments regarding the proposed conservation easement;
- 2) details regarding the conservation easement and other matters agreed to in meetings between Cypress Church and BLM after IBLA's April 7, 1999, decision; and
- 3) details regarding the size and location of both the conservation easement proposed by Cypress Church (Proposed Action) and that proposed by BLM (Alternative #1).

A ROW (CACA 38231) was issued to Cypress Church in November 2001.

II. PURPOSE AND NEED:

On August 16, 2007, Cypress Church representative Jim Coulter notified BLM that the California Department of Transportation (CALTRANS) is requiring Cypress Community Church to change the alignment of their proposed road (and the associated right-of-way) at the Corral de Tierra intersection to improve public safety on the busy Highway 68 corridor.

Furthermore, the California tiger salamander (CTS) was listed as a federally-threatened species under the Endangered Species Act in August of 2004, so impacts to this species was not considered in the EA completed in 2000.

BLM staff met with church representatives on two occasions in August 2007 and BLM determined that a new EA would need to be written to analyze the impacts of the newly proposed ROW alignment.

The purpose of this EA is to analyze any changes to the proposed ROW such as the size of the newly proposed ROW on public and private lands, evaluate the amount of rare plant habitat affected by the proposed ROW and identify possible mitigations to avoid or minimize impacts, and describe potential impacts to the California tiger salamander and develop possible mitigations to avoid or minimize those impacts.

III. PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

BLM proposes to authorize a Right of Way (ROW) to Cypress Community Church to build a road approximately 695 feet long (including 245 feet on Fort Ord Public Lands) and 30-36 feet wide. This road would occupy a total area of 0.53 acres and that would include 0.19 acres of permanent disturbance of viable CTS habitat on BLM public lands. The maximum width of disturbance during construction of the new road would be up to 60 feet and this would be an additional 0.43 acres of temporary disturbance of viable CTS habitat including 0.15 acres on BLM. No landscaping would be involved. The project would be implemented between July and December to avoid disturbing wildlife reproduction and dispersal. Flexibility with this "construction window" might be possible given additional pre- and post-construction biological surveys and mitigation measures (such as flagging and avoiding migratory bird nests).

Once in use, the road would be expected to serve the following typical church related uses, however, use of the road would not be limited to the uses disclosed below:

- a. Sunday morning services attended by 325-350 participants
- b. One additional weekend morning and/or afternoon event attended by 75-100 participants
- c. Wednesday evening events attended by 175-200 participants
- d. Two additional weeknight events attended by 75-100 participants
- e. Two weekday morning events attended by 75-100 participants
- f. Six to eight seasonal events (e.g. Thanksgiving, Christmas, Easter, music concerts, youth and/or childrens' events, and church-wide business meetings)
- g. Collectively, it is estimated by church officials that there would be four to five nightly events per week between November-March and two to three nightly events per week between May – August.

Environmental Protection Measures:

The following protective measures would be implemented to avoid and/or minimize potential impacts to CTS on lands within the BLM's road right-of-way (i.e. "ROW Area"), and lands owned by Cypress Community Church in their road disturbance area (i.e. "Church Road Area"). These areas are collectively referred to below as the "area of authorized disturbance" (AOAD).

Pre-Construction:

- 1) To the maximum extent practicable, project activities will be implemented between May 15 and October 15, which is timed to occur between the breeding season and the fall dispersal period for California tiger salamanders.
- 2) Before any construction activities begin, a Service-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California tiger salamander and its habitat, the importance of the California tiger salamander and its habitat, the general measures that are being implemented to conserve the California tiger salamander

as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on site to answer any questions.

- 3) Prior to the onset of any construction activities, Service-approved biologists must identify appropriate areas to receive relocated California tiger salamanders in the project area. These areas must be in proximity to the capture site but outside any area likely to be adversely impacted by construction activities, support suitable vegetation, and be free of exotic predatory species (e.g., bullfrogs, crayfish) to the best of the Service-approved biologists' knowledge.
- 4) All burrows with potential to support CTS within the AOAD would be excavated by a Service-approved qualified biologist and any CTS or other animals found would be moved out of harms way and placed in nearby burrows (or other suitable habitat) at least 100 meters outside the area of authorized disturbance. It is estimated that up to two California tiger salamanders could be found during pre-construction excavation of burrows and that these would be moved out of harms way.
- 5) Only qualified and permitted biologists or other authorized personnel would handle CTS and a qualified biologist would be on site during initial disturbance of the soil surface and any subsequent disturbance that occurs more than one month since the previous surface disturbing activities. Biologists must be authorized by the Service before they survey for, capture, and move California tiger salamanders in the action area.
- 6) Biologists who handle California tiger salamanders must ensure that their activities do not transmit diseases or pathogens. To ensure that diseases are not conveyed between work sites by the Service-approved biologists, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force must be followed at all times. A copy of the code of practice is enclosed. The Service-approved biologist may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. Care must be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat. Latex gloves must not be used; they are toxic to amphibians.

Design and Construction:

- 1) All construction personnel who may work on the project site would receive training that includes a description of CTS and its habitat, the specific measures being implemented to conserve it, and the boundaries of the area of authorized disturbance.
- 2) The proposed road would be curbless and built to allow sheet flow off its convex surface, rather than creating channels or other features that could sweep CTS into drainage elements.
- 3) Any culverts or other water-related design features that are included in the proposed road construction project would be installed so as to avoid pooling water near the project site or otherwise attracting breeding CTS and non-native invasive species.

- 4) All temporary and permanent fencing would be designed to minimize adverse impacts to CTS
 - a. Temporary upland drift fencing would be installed to exclude salamanders from the area of authorized disturbance from October 15 to May 15. Temporary fencing would enclose the entire project area and any staging areas. From October 15 to May 15 inspections of temporary fencing would be required by a service-approved biologist prior to the start of the day's grading or excavation work on mornings during rains, when rain is forecasted within 24 hours, or when rain has fallen within the last 24 hours. Fence inspections would ensure the integrity of all temporary fencing such that CTS movement across or under the fencing into the project area would be prohibited.
 - b. The on-site approved biologist(s) must regularly inspect the silt fencing to ensure it remains in place and functioning as intended. Any repair or maintenance to the fencing deemed necessary by the biologist(s) must be completed immediately under the biologist's supervision. All California tiger salamanders found adjacent to the silt fencing must be moved to appropriate areas where they will not be susceptible to predation.
- 5) There would be no disturbance of soils allowed outside the AOAD as part of the BLM's take authorization covered under a Section 7 Consultation process.
- 6) Pets would be prohibited from the area of authorized disturbance.
- 7) To avoid attracting predators, all trash will be properly contained and removed from the project site on a daily basis.

Post-Construction and Monitoring Program:

- 8) Soils disturbed outside of the right-of-way but still within the AOAD would be revegetated with plants native to Fort Ord.
- 9) The BLM must provide a report to the Service within 60 days of completing the proposed project activities. This report must include the condition of the site after construction, the dates of ground disturbance, and a discussion of the circumstances under which any California tiger salamanders were injured, killed, or relocated during project activities. The report must be sent to the Ventura Fish and Wildlife Office at the letterhead address.
- 10) For three years following construction of the road, monitoring would occur for CTS mortality and injury along the entire length of the proposed road (both on BLM lands and Church lands) on mornings following church events that occurred during 24-hour periods in which precipitation exceeded 0.25 inches. These monitoring inspections would be conducted by a Service-approved biologist who has the experience or training adequate to identify CTS and collect the specified information. Live CTS in the road would be moved into suitable burrows at least 300 feet to the north from the Church road. Monitoring would not be required unless the church event exceeded 10 vehicles. The number and location of CTS, and their approximate size and condition (alive, injured, or dead) would be

recorded and reported to the BLM within 3 days. Based upon a review of historical rainfall data, the number of days where rainfall exceeds 0.25 inches during a 24-hour period is usually around 20-25 times per year.

- 11) If CTS monitoring indicates that CTS are being killed or harmed by use of the roadway then BLM, USFWS, and Cypress Community Church would consider the need for reducing impacts by such means as, but not limited to, installing temporary upland drift fencing for certain periods of time or other protective measures.
- 12) If CTS monitoring indicates that appropriate rainfall and other conditions were present during the initial 3 years of monitoring to support CTS movement across the Church Road and that CTS were not observed in the area of the road or were not substantively being impacted by the road, then BLM, USFWS, and Cypress Community Church would consider reducing or modifying monitoring efforts.
- 13) During the life of the right-of-way, any CTS injuries or mortalities observed would be reported to BLM and USFWS within 3 days.
- 14) If CTS injuries or mortalities exceed the incidental take authorized by the FWS in any given year, then representatives from BLM and Cypress Community Church would develop a revised conservation strategy and would reinitiate consultation.

The following protective measures would be implemented to avoid and/or minimize potential impacts to Congdon's tarplant:

- 1) Disturbance in the vicinity of Congdon's tarplant habitat would be limited to the width of the ROW needed for road construction and this disturbance area would be bounded by temporary fencing installed to protect the remaining habitat.
- 2) Plantings for re-vegetation of the areas within the ROW that are not paved would be monitored by the applicant for three years to remove and control any invasive non-native species.
- 3) The final engineering design would be subject to approval by the BLM prior to final authorization and would include written review of relevant site features, including hydrography, soil type, major storm events, and slope.
- 4) The engineering design would adhere to local rules and regulations for road construction projects to assure that there would be no significant off-site erosion, sedimentation, or hydrology impacts to adjacent areas particularly those areas occupied by Congdon's tarplant populations.
- 5) The existing conservation easement (approximately 0.40 acres) would be modified to include an additional 11 foot by 88 foot extension on its western boundary to compensate for an increase of 308 sq. ft. of impacted Congdon's tarplant habitat at a 3:1 ratio for the newly proposed ROW.

- 6) The proposed Conservation Easement would protect in perpetuity that portion of Congdon's tarplant habitat which is located on Cypress Church's private property as shown on Map 1. The specific language of the conservation easement would be subject to the approval of the BLM and Cypress Community Church.
- 7) Cypress Church would maintain the conservation easement. Maintenance would include the following:
 - a. Weed abatement as needed for the first three years to remove and control invasive weeds such as yellow star thistle and French broom;
 - b. Mowing conservation easement lands once-annually outside the reproductive season of June through November of Congdon's tarplant (such mowing would minimize adverse impacts from mowing on this species' reproductive success);
 - c. Assuring no yard waste or other materials would be stored on site;
 - d. Assuring that no vehicle use other than minimal administrative functions (i.e. mowing) occurs on site.
- 8) Cypress Church would document at a minimum of twice annually, the habitat value, sensitive plant occurrence, and compliance by the church per the existing conservation easement agreement. Cypress Church would take corrective actions agreed upon by BLM and the Cypress Church if BLM or Cypress Church observe a violation of the conservation agreement.
- 9) Violations of the conservation easement or Right of Way would be resolved (i.e. remove yard waste or vehicles) within a reasonable period of time (as agreed upon by Cypress Church and BLM) if not possible to correct immediately.
- 10) Church would mow both shoulders of the Church access road once-annually during the non-reproductive season of Congdon's tarplant. Such mowing would not occur within 24 hours of rainfall or predicted rainfall to minimize the potential to strike CTS moving between burrows or breeding habitat. Such mowing would use the lightest mowing equipment as is reasonable to minimize the potential to crush CTS burrows. Cypress Church would be responsible for weed abatement within the ROW.

B. No Action Alternative

Under this alternative, the proposed new road would not be constructed. Cypress Community Church members would continue to merge onto the Highway 68 with no traffic controls and CALTRANS requirements for public safety on the transportation corridor would not be met.

IV. AFFECTED ENVIRONMENT

Critical Element	Affected		Critical Element	Affected	
	Yes	No		Yes	No
Air Quality		X	T & E Species	X	
ACECs	X		Wastes, Hazardous/Solid		X
Cultural Resources		X	Water Quality (ground/surface)		X
Farmlands, Prime/Unique		X	Wetlands/Riparian Zones		X
Floodplains		X	Wild & Scenic Rivers		X
Environmental Justice		X	Invasive Weeds	X	
Native American Concerns		X	Wilderness		X
Recreation		X	Livestock		X

The following elements of the human environment, subject to review specified in statute, regulation or executive order, are not located within the project area: floodplains, Wild & Scenic Rivers, Wilderness, Native American concerns, prime or unique farmlands, or environmental justice issues. These resources will not be considered further in this EA.

Area of Critical Environmental Concern:

Fort Ord Public Lands ACEC was established in 2007 based on the risk to public safety from the potential presence of munitions and explosives of concern (MEC) on former military lands and the presence of several special status species associated with the maritime chaparral, grassland and vernal pool habitats. These include the sand gilia, Contra Costa goldfields, Monterey spineflower, Seaside's bird's-beak, toro manzanita, sandmat manzanita, Monterey ceanothus, Eastwood's ericameria, coast wallflower, Hooker's Manzanita, Congdon's tarplant, California tiger salamander, and California linderiella, which are known to occur on the Fort Ord Public Lands.

Recreation:

There is some foot traffic on the public lands in project area associated with visitation to the project area for project planning purposes or other Church activities. The project location is not used for recreation or access to other public lands by Fort Ord visitors.

Livestock Grazing:

The project location is within the portion of Fort Ord grasslands that is grazed by domestic sheep under authorization from BLM. However, due to concerns regarding the adequacy of existing fences to keep sheep out of the Hwy 68 corridor, sheep do not usually graze within the proposed project area.

Biological Resources:

California Tiger Salamander (*Ambystoma californiense*)

The California tiger salamander was federally listed throughout its range on August 4, 2004 as a Threatened species and this ruling was published by USFWS in the Federal Register (69 FR 47212).

The California tiger salamander is restricted to grasslands and low-elevation foothill regions in California (generally under 1,500 feet), where it uses seasonal aquatic habitats for breeding. California tiger salamanders typically breed in natural ephemeral pools, or ponds that mimic ephemeral pools (stock ponds that go dry), and they occupy substantial upland areas surrounding the breeding pool (up to 2 km) as adults.

There is a known breeding pond (Guidotti Pond) of CTS on Fort Ord Public Lands located 1.4 km from the newly proposed ROW (see attachment 1). The Guidotti Pond was initially surveyed for the presence of CTS on March 26, 2003, by UC Davis CTS researchers and tissue samples were collected from 20 CTS larvae (Fitzpatrick, Pers. Comm.). No introduced (non-native) alleles were detected in DNA analysis of these tissue samples so this breeding population is considered to be native at this time. One larva CTS was also observed by UC Davis researchers in May of 2005 but sampling of the pond was very difficult due to emergent vegetation causing obstructions for the surveyors. There is also a ponded segment of a tributary to El Toro Creek where a juvenile CTS was observed in 1992 is located 0.5 km northwest of the proposed project and documented in the 2002 Fort Ord Baseline Flora and Fauna Study. Two km is the buffer around breeding ponds considered viable upland habitat so there is a potential for take of CTS by the proposed Cypress Community Church road construction. There are two willow-lined ephemeral drainages and seemingly good CTS upland habitat on the project site. On August 28, 2007, BLM's Fort Ord biologist observed 29 rodent burrows on the BLM portion of the project site that could support CTS. No similar survey has been conducted on the privately-owned portion of the project site as of September 11, 2007.

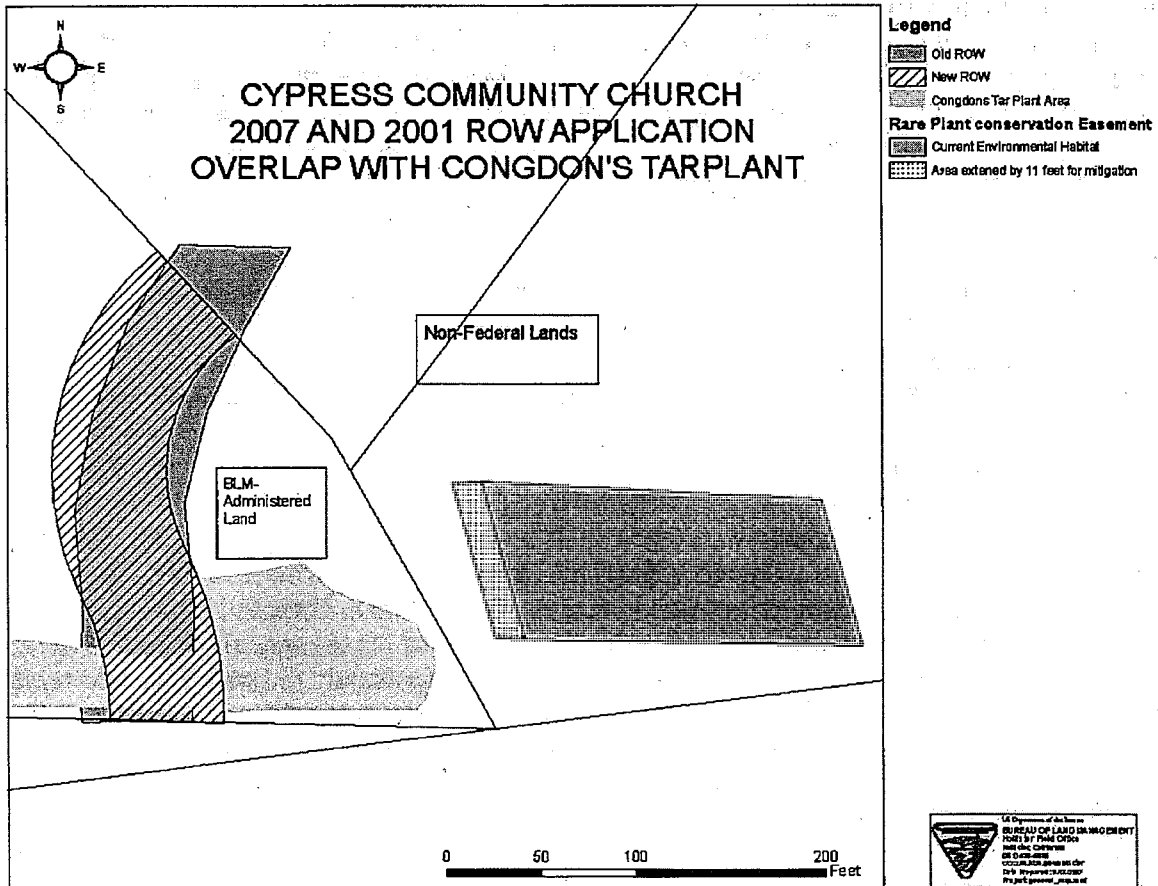
Ongoing Conservation Measures: A recovery plan, Vernal Pools of Northern California, is under development. The Installation-wide Multispecies Habitat Management Plan for Fort Ord, California includes CTS as a "covered" species. BLM is expected to be required to maintain the number, size, and quality of suitable CTS breeding ponds and upland habitat as compared to that recorded in baseline surveys to be conducted approximately in 2008. Since 2002, surveys, mark and recapture efforts, and analysis research of Fort Ord CTS has been on-going by UC Davis researchers and has concluded that some contamination of the CTS gene pool at Fort Ord by non-native salamander genes is occurring at Fort Ord and this is of large concern. BLM is in the process of removing feral pigs from Fort Ord that could be vectors in the transfer of Chytrid fungus and other pathogens between Fort Ord CTS breeding sites. BLM will be reviewing potential for disease transmission to CTS at Fort Ord from domestic sheep and recreation uses such as fishing in the near future. Currently, public access to CTS breeding sites is technically not authorized but does occur frequently at some breeding sites, particularly Toro Pond and Boy Scout Pond near the southeast edge of Fort Ord in the vicinity of a large residential community and two popular BLM public recreation access points.

Congdon's Tarplant (*Hemizonia parryi congdoni*):

Congdon's tarplant is classified as "BLM sensitive" and grows within the proposed road alignment as well as on private and public lands immediately to the east and west of the proposed road alignment. BLM policy is to manage public lands so as to not contribute to the need for future listing of any "sensitive" species as threatened or endangered. Congdon's tarplant habitat potentially threatened by the proposed ROW represents one of four known locations of this species on Fort Ord's public lands. The proposed ROW location includes both private and public lands and represents the largest location of this species on Fort Ord. Of the rare plants that exist on Fort Ord, Congdon's tarplant has the smallest distribution and occupies the least amount of acreage. This tarplant is known to exist at a few other locations along the Highway 68 corridor (all on private land or inside the Highway Right-of-Way) and at locations in Salinas (also on private lands).

Congdon's tarplant is a rare plant and is currently experiencing habitat loss at many of its locations due to agriculture and urban development as well as livestock grazing. The plant appears to prefer more open areas, although it also can grow amongst mixed coverages of moderate density.

A conservation easement of 0.32 acres (approximately 14,000 square feet) was established by Cypress Community Church in 2001. This 0.32 acres is approximately three times the size of Congdon's tarplant habitat that was expected to be impacted by the project as proposed in 2001 by Cypress Community Church. In 2007, the newly proposed road alignment is expected to impact approximately 300 sq ft more of Congdon's tarplant habitat than the 2001 alignment.



Cultural Resources:

The State Route 68 corridor exhibits a high potential for cultural resources. The proposed project area was previously inventoried for cultural resources in 1997 by Linda Hylkema of the BLM which yielded negative findings (refer to EA# CA-019-1997-024). However, another inventory was completed in the vicinity of the proposed project area (SR 68 corridor and ROW) by Parsons Brinckerhoff Quade & Douglas, Inc., and Biosystems Analysis, Inc., for CalTrans District 5. Three new archeological sites were recorded and seven previously recorded sites were updated. There were no cultural resources identified within the immediate project area pertaining to the proposed action.

Invasive Weeds:

Invasive weeds such as yellow star thistle, bull thistle, milk thistle, Italian thistle, French broom, and poison hemlock are known to occur in the vicinity of the proposed right-of-way and these weeds can infest an area to the detriment of native animals and plants such as Congdon's tarplant. Therefore, non-native invasive weeds are often considered one of the major threats to rare species and plant communities. Weed infestations tend to spread and to become established when high intensity ground disturbances occur, such as road building, power line installation, or other development projects.

V. ENVIRONMENTAL IMPACTS

A. Proposed Action

Area of Critical Environmental Concern:

The proposed action would take place on the boundary of the Fort Ord Public Lands. The project location is not likely to contain any MEC due to the proximity to the former Fort Ord boundary, and the only special status species known or suspected to be impacted by the proposed action are the California tiger salamander and Congdon's tarplant, as described under biological impacts below.

Recreation:

There would be no impacts recreation resources under the proposed action.

Livestock Grazing:

There would be no impacts livestock grazing under the proposed action.

Biological Resources:

California Tiger Salamander:

The proposed project is likely to adversely affect CTS. Surface disturbing activities during the proposed road construction could impact CTS directly by trampling CTS individuals with construction vehicles and equipment, crushing or entombing CTS-occupied burrows, or by adversely modifying/removing viable habitat. The existence of the proposed road into the future would potentially impact CTS if salamanders were able to access the road and be killed by vehicular traffic or exposed to predation by owls, coyotes, and other predators. The proposed road could also alter the migration paths of CTS and result in CTS entering the Hwy 68 corridor where mortality could occur due to vehicular strikes or exposure to predators. The total area of this road would occupy a total of 0.53 acres (695' l x 33' w = 22935 sq ft = 0.53 ac.) and include 0.19

acres (245' l x 33' w = 8085 sq ft = 0.19 ac.) of permanent disturbance of viable CTS habitat on BLM. The maximum width of disturbance during construction of the new road would be up to 60 feet and this would be an additional 0.43 acres (695' l x 60' w = 41700 sq ft - 22935 sq ft = 18765 sq ft = 0.43 ac.) of temporary disturbance of viable CTS habitat including 0.15 acres (245' l x 60' w = 14700 sq ft - 8085 sq ft = 6615 sq ft = 0.15 ac.) on BLM.

Congdon's Tarplant:

Overall, there is a moderate to high chance for a net loss of approx. 0.18 acres of occupied habitat and 0.10 acres of potential habitat for Congdon's tarplant (*Hemizonia parryi* ssp. *congdonii*), a special-status plant listed as "sensitive" by BLM. The occupied habitat expected to be lost represents 54% of the area occupied by Congdon's tarplant at this location. The total 0.18 acres expected to be lost includes 0.05 acres of habitat occupied by Congdon's tarplant within the proposed ROW and 0.13 acres of occupied habitat on public land outside and immediately downstream of the ROW that has a moderate to high chance of being extirpated due to the effects of scouring downstream of culvert outlets.

A conservation easement of 0.32 acres (approximately 14,000 square feet) was established by Cypress Community Church in 2001. This 0.32 acres is approximately three times the size of Congdon's tarplant habitat that was expected to be impacted by the project as proposed in 2001 by Cypress Community Church. In 2007, the newly proposed road alignment is expected to impact approximately 300 sq ft more of Congdon's tarplant habitat than the 2001 alignment. Therefore, the existing conservation easement would be expanded by 11 feet on its western boundary to include an additional 900 sq ft (3 times the 300 sq ft of impact) of rare plant habitat. The western side of the existing conservation easement fence would be moved 11 feet to the west to prevent heavy equipment, vehicle traffic, and human activities from impacting the expansion area.

The 0.32 acre conservation easement already set aside and the 900 sq ft expansion that is part of the proposed action would serve as mitigation for this loss of occupied habitat and would have major long-term benefits for Congdon's tarplant.

Cultural Resources:

There are no anticipated impacts to archeological resources for the proposed action. If any cultural materials are unearthed during construction activities, all work shall halt in the area of the discovery until a qualified archeologist can assess the find (refer to the "Mitigation Measures" below and in EA# CA-019-1997-024).

Invasive Weeds:

Non-native invasive weeds such as yellow star thistle, bull thistle, milk thistle, Italian thistle, and poison hemlock have a moderate to high chance of dispersing into the right-of-way during and after road construction. However, the weed abatement that Cypress Church is responsible for during the first three years within the right-of-way (and BLM's weed abatement responsibility after that period) should reduce the chance of invasive weeds becoming established as infestations to low potential. Weed abatement required would be about three 10-hour visits each of the first 3 years (30 person hours per year) and three two-hour visits each year thereafter (6 person hours per year).

B. No Action Alternative

Area of Critical environmental Concern:

There would be no impacts to the values for which the Fort Ord ACEC was established under the proposed action.

Recreation:

There would be no impacts recreation resources under the no action alternative.

Livestock Grazing:

There would be no impacts livestock grazing under the no action alternative.

Biological Resources:

There would be no impact to biological resources under the no action alternative. However, populations of Congdon's tarplant on the Cypress Church property would have no legal protection and could be impacted by future church activities.

Cultural Resources:

There would be no impacts to cultural resources under this alternative.

Floodplains:

There would be no impact to floodplains under the no action alternative.

Invasive Weeds:

There would be less chance for invasive weeds under the no action alternative since without the road construction there would be no large scale ground disturbance and therefore less chance for invasive weeds to disperse into the proposed right-of-way area.

Mitigation Measures

- 1) In the event that cultural and/or paleontological materials are unearthed during construction activities, all work would halt in the area of the find until a qualified archeologist can assess the discovery.
- 2) Cypress Community church would be required to implement all the protection measures incorporated into the Proposed Action to mitigate impacts to California tiger salamander and Congdon's tarplant.

Cumulative Impacts:

Cumulative impacts are those impacts on the environment which result "from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions" (40 CFR 1508.7). Regarding the proposed action, past and presently on-going actions and activities in the project vicinity include:

Six potential breeding water bodies occur on private land within 2 km of the project area that are expected to be subject to on-going and possibly additional residential uses such as construction, use of CTS habitat by livestock and pets, introduction of non-native fishes, amphibians, reptiles and other aquatic life, and high rates of vehicular traffic on San Benancio Rd., Hwy 68, and other nearby roadways.

Very few locations of the Congdon's tarplant are on public lands or other protected lands. Continued development pressures on private lands could result in the loss of additional populations, particularly since this species while very rare does not have the protection of state or federal endangered species legislation.

The proposed action would develop lands that would count against the 2% development restriction that the HMP applies to Fort Ord Public Lands. The cumulative effect of this action would limit BLM's ability to approve future private or public proposals that would also count under the 2% development limitation on Fort Ord Public Lands.

VI. CONSULTATION:

Douglass Cooper, Fish and Wildlife Service Ventura Field Office
Diane Steeck, Fish and Wildlife Service Ventura Field Office
John Holson, Ganda Research (fmr BioSystems Analysis)
Jack Hunter, CALTRANS District 05, San Luis Obispo
Ken Whitson, Whitson Engineering.
Ben Fitzpatrick, University of Kentucky at Tennessee

VII. LIST OF PREPARERS:

Bruce Delgado, BLM Fort Ord Biologist
Eric Morgan, BLM Fort Ord Project Manager
Sky Murphy, Planning and Environmental Coordinator, Hollister Field Office
Jason Lowe, Wildlife Biologist, Hollister Field Office
Dan Byrne, Realty Specialist, Hollister Field Office

VIII. REVIEW:



Environmental Coordinator

06/10/2008
Date

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
HOLLISTER FIELD OFFICE

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD
Cypress Community Church Right-of-Way
CA-190-07-55

DECISION: It is my decision to approve and implement the Cypress Community Church proposal for a Right of Way to construct the proposed road as evaluated in the attached environmental assessment. Measures mitigating project impacts are formulated into the attached conditions of approval, incorporated by reference as the decision of the Bureau of Land Management regarding this action. A copy of this Decision Record and attendant conditions shall be in the possession of the on-site grantee) during all undertakings approved herein.

FINDING OF NO SIGNIFICANT IMPACT: Environmental impacts associated with the proposed action have been assessed. I conclude that the proposed action will not have any significant impacts on the human environment and is not a major federal action. Preparation of an Environmental Impact Statement (EIS) pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969 is not required.

RATIONALE FOR DECISION: The proposed action does not result in any unnecessary or undue environmental degradation and is in conformance with the Hollister Resource Management Plan (2007), the Fort Ord Installation-wide Multispecies Habitat Management plan (1997), and with other applicable law, regulation and policy. My decision is based on these findings, as documented in the attached environmental assessment and the FONSI determination above.

This decision meets the applicant's need for vehicle access to a Highway 68 traffic light and BLM objectives to meet public demands for land use authorizations. Consultation with the Fish and Wildlife Service will minimize and avoid disturbance to the California tiger salamander. This decision also provides for protection of the Congdon's tarplant population on private lands through a conservation easement. Because selection of this alternative would have an adverse impact on a sensitive species, State Director concurrence would be required prior to issuance of the right-of-way.

Reviewed by: [Signature] 06/10/2008
Environmental Coordinator Date

Recommended by: [Signature] 6/10/08
for Fort Ord Manager Date

Approved by: [Signature] 6/10/2008
Field Manager, Hollister Field Office Date

APPEAL:

This decision constitutes the final decision by the Bureau of Land Management in this matter. This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in Title 43 Code of Federal Regulations (CFR) Part 4 and the enclosed Form 1842-1. If an appeal is taken, a notice of appeal must be filed in the Hollister Field Office, Bureau of Land Management, U.S. Department of the Interior, 20 Hamilton Court, California 95023, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

Pursuant to 43 CFR 2804.1 this decision shall remain effective pending appeal unless the Secretary of the Interior rules otherwise. If the appellant wishes to file a petition pursuant to regulation 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, the petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If a stay is requested, the appellant has the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and
- (4) Whether the public interest favors granting the stay.