

MONTEREY COUNTY PLANNING COMMISSION

Meeting: August 25, 2010 Time: 09:00 A.M.	Agenda Item No.: 2
Project Description: Use Permit to: 1) Clear a violation (CE040207) involving the removal of 47 protected trees; and 2) To allow new development including the removal of an addition 20 protected trees for the construction of a new 2,700 square foot one-story single family dwelling with a 1,349 square foot attached two-car garage, a 720 square foot detached pole barn, a new 5,000 gallon water tank, installation of a new septic system, and approximately 2,000 cubic yards of grading (2,000 cut/100 fill).	
Project Location 39007 Tassajara Rd, Carmel Valley	APN: 418-311-007-000
Planning File Number: PLN040707	Owner: Don Uribe Agent: John Caldwell
Planning Area: Cachagua Area Plan	Flagged and staked: staked
Zoning Designation: : "RC / B-6" [Resource Conservation With a B-6 Overlay]	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Adopt the Mitigated Negative Declaration (**Exhibit E**) and Mitigation Monitoring and Reporting Plan (**Exhibit B-1**); and
- 2) Approve PLN040707, based on the findings and evidence and subject to the recommended conditions of approval (**Exhibit B**):

PROJECT OVERVIEW:

The proposed project entails the construction of a 2,700 square foot single family dwelling including an 1,349 square foot attached garage, a detached 720 square foot pole barn, driveway improvements for emergency access and turn-around, two 5,000 gallon water tanks, installation of a new septic system, approximately 2,000 cubic yards of grading for driveway improvements and building pads, and removal of approximately 67 protected trees (oaks and madrones). Forty Seven (47) trees have already been removed without the appropriate permits. This project would clear the violation for removal of 47 protected trees and allow removal of 20 additional protected trees to facilitate the construction of the proposed development.

The proposed project has been reviewed for consistency with the 1982 General Plan and the Cachagua Area Plan. An Initial Study/Mitigated Negative Declaration was prepared to evaluate the potential environmental effects pursuant to the California Environmental Quality Act. Potential impacts were identified to biological resources from tree removal and from extreme fire hazard conditions.

Staff has considered the impacts from past and newly proposed tree removal and suggests that revisions to the design may be possible to save a small number of trees. However, in considering the documented need to provide adequate clearance for fire protection, the surrounding topography at the site, the existing access road location, and the proposed conservation area, the Uribe project is adequately sited to minimize tree removal, grading, and hazards from fire. The proposed conservation easement adequately mitigates the impacts to oak woodland and, as mitigated, would avoid impacts to State listed endangered species (the dusky footed wood rat).

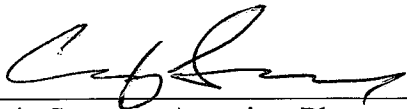
With the recommended conditions and mitigations, the Uribe project is consistent with the General Plan and the Cachagua Area Plan and will have a less than significant impact on the environment. No other significant impacts have been identified.

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

- √ RMA - Public Works Department
Environmental Health Division
- √ Water Resources Agency
- √ Cachagua Fire Protection District

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by the Water Resources Agency, RMA – Public Works Department, and Cachagua Fire Protection Department have been incorporated into the Conditions of Approval attached as Exhibit 1 to the draft resolution (**Exhibit B**).

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



Craig Spencer, Associate Planner
(831) 755-5233, Spencerc@co.monterey.ca.us
July 13, 2010

cc: Front Counter Copy; Planning Commission; Cachagua Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Jacqueline R. Onciano, Planning Services Manager; Craig Spencer, Project Planner; Carol Allen, Senior Secretary; Don Uribe, Owner; John Caldwell, Agent; Planning File PLN040707

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations
Exhibit C Vicinity Map
Exhibit D Cachagua Fire Department Letter
Exhibit E Mitigated Negative Declaration
Exhibit F Biological Report
Exhibit G Forest Management Plan
Exhibit H Comments on the Mitigated Negative Declaration

This report was reviewed by Jacqueline  Onciano, Planning Services Manager

EXHIBIT A
Project Data Sheet

PLN040707 – Uribe
Use Permit

Planning Commission
August 25, 2010

EXHIBIT A

Project Data Sheet for PLN040707

Project Title: Uribe

Location: 39007 Tassajara Road,
Carmel Valley

Primary APN: 418-311-007-000

Applicable Plan: Cachagua Area Plan

Coastal Zone: NO

Permit Type: Use Permit

Zoning: "RC / B-6" Resource
Conservation With a B-6
Overlay

Environmental Status: Mitigated Negative
Declaration

Plan Designation: Resource Conservation

Advisory Committee: N/A

Final Action Deadline (884): NA

Project Site Data:

Lot Size: 5.29 acres

Coverage Allowed: 57,608 SQ FT

Coverage Proposed: 4,769 SQ FT

Existing Structures (SF): 0

Height Allowed: 30 FT

Proposed Structures (SF): 4,769 SQ FT

Height Proposed: 18 FT

Total SF: 4,769 SQ FT

Floor Area Ratio Allowed: N/A

Floor Area Ratio Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: LIB
Biological Report #: LIB
Forest Management Rpt. #: LIB040288

Erosion Hazard Zone: Low
Soils Report #: N/A

Archaeological Sensitivity Zone: Moderate
Archaeological Report #: LIB040287

Geologic Hazard Zone: Relatively Unstable Uplands
Geologic Report #: LIB

Fire Hazard Zone: High

Traffic Report #: N/A

Other Information:

Water Source: Jamesburg MWC

Sewage Disposal (method): Septic

Water Dist/Co: Private Well

Sewer District Name: N/A

Fire District: Cachagua FPD
Tree Removal: 67

Total Grading (cubic yds.): 2,000 CY Cut / 100 CY Fill

EXHIBIT B
Draft Resolution
Attached Conditions (B-1) and
Site Plan (B-2)

PLN040707 – Uribe
Use Permit

Planning Commission
August 25, 2010

**EXHIBIT B
DRAFT RESOLUTION**

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

In the matter of the application of:

Don Uribe PLN040707

RESOLUTION NO.

Resolution by the Monterey County Planning
Commission:

- 1) Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan; and
- 2) Approving a Use Permit to: 1) Clear a violation (CE040207) involving the removal of 47 protected trees; and 2) To allow new development including the removal of an addition 20 protected trees for the construction of a new 2,700 square foot one-story single family dwelling with a 1,349 square foot attached two-car garage, a 720 square foot detached pole barn, a new 5,000 gallon water tank, installation of a new septic system, and approximately 2,000 cubic yards of grading (2,000 cut/100 fill).

(PLN040707, Don Uribe, 39007 Tassajara Road, Carmel Valley, Cachagua Area Plan (418-311-007-000))

The Uribe application PLN040707 came on for public hearing before the Monterey County Planning Commission on August 25, 2010. 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) Plan Consistency During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the Monterey County General Plan,
- Cachagua Area Plan,
- Cachagua 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) Zoning Consistency The property is located at 39007 Tassajara Road, Carmel Valley (Assessor's Parcel Number 418-311-007-000, Cachagua

Area Plan). The parcel is zoned Resource Conservation with a B-6 overlay, which allows the first single family dwelling per lot and accessory structures to the principal use (residential) as a principally permitted use. Removal of more than three (3) trees is subject to a Use Permit and finding for the tree removal are contained herein. Therefore, the project is an allowed land use for this site.

- c) Site Visit The project planner conducted a site inspection on June 29, 2010, to verify that the project on the subject parcel conforms to the plans listed above.
- d) Tree Removal The project design minimizes tree removal in accordance with applicable goals and policies of the Cachagua Area Plan. An Use Permit entitlement is included consistent with Section 21.64 of the Monterey County Zoning Ordinance, Title 21 (*see Finding No. 6 with supporting evidence*).
- e) Biological Impacts The proposed development involves removal of trees and vegetation for the construction of a new single family dwelling and barn with related improvements within oak woodlands. According to the Forest Management Plan prepared for the project, the impacted area contains approximately 10% of the trees on the site and the removal of some trees may benefit the forest habitat because the tree and vegetation cover is currently too dense. Even with justification for minimal forest impacts, the applicant has agreed to a conservation easement on a large portion of the property containing slopes and dense vegetation to ensure long-term protection of this habitat. Potential impacts to the dusky-footed wood rat have also been identified but mitigation to avoid impacts to this state listed animal has been incorporated (**Condition No. 15**). As designed, conditioned, and mitigated, the project is consistent with the applicable plans and policies protecting biological resources and habitat at the site.
- f) Fire Hazards The Uribe property is located within an area that has extremely high fire hazards. To address the fire hazard, the project involves consideration of fire clearance zones including tree and vegetation removal (**see Condition No. 24**), fire suppression systems, adequate emergency access, and building construction and material requirements for urban/wild land interface areas. The project has been reviewed by the Cachagua Fire Department and recommended conditions have been incorporated where appropriate. The project as designed, conditioned, and mitigated is consistent with fire hazard policies of the 1982 General Plan, the Cachagua Area Plan, and State fire protection standards.
- g) Traffic Tassajara Road is accessed off of Carmel Valley Road in the Cachagua area. The subject project involves construction of a new single family dwelling on a currently vacant legal lot of record which will not increase traffic in a significant manner; however, construction of new habitable structures in Carmel Valley is subject to a traffic mitigation fee pursuant to Monterey County Board of Supervisors Resolution #. The Uribe property involves construction of one (1) new single family dwelling on a legal lot of recorded created by a minor subdivision in 1972 in the expanded impact area. Payment of appropriate traffic impact fees to help fund needed improvements to Carmel Valley Road is required (**Condition 16**). Payment of the traffic

fees is consistent with Monterey County policies and the project will not conflict with any of the applicable traffic policies or regulations.

- h) LUAC The project was not referred to the Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because environmental review was deemed necessary; however, the Cachagua LUAC does not maintain enough members to have a quorum, and recommend action on projects within the area. Therefore, no LUAC review has occurred.
- i) Plans and Reports in Project File 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 PLN040707.

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: Planning Department, Cachagua Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to Biological Resources, Archaeological Resources. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - *“Preliminary Archaeological Reconnaissance” (LIB040287) prepared by Archaeological Consulting, Salinas, CA, June 10, 2004.*
 - *“Forest Management Plan” (LIB040288) prepared by Staub Forestry & Environmental Consulting, Felton, CA, September 1, 2004.*
 - *“Biological Assessment” (LIB100197) prepared by Rana Creek Habitat Restoration, CA, September 2004*
 - *“Geotechnical Report” (LIB100198) prepared by Grice Engineering and Geology Inc., Salinas, CA, April 2008*
 - *“Percolation and Groundwater Study” (LIB100199) prepared by Grice Engineering and Geology Inc., Salinas, CA, April 2008.*
 - c) Staff conducted a site inspection on June 29, 2010 to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN040707.

3. : **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of

this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by RMA - Planning Department, Cachagua Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are available and will be provided on-site. The project will be connected to Jamesburg Mutual Water Company (MWC). The project is listed in the connection list for the MWC. The applicant has proposed a septic plan that will meet setbacks to trees and has been adequately sized to accommodate the proposed structures. The Environmental Health Division has reviewed the project and determined that adequate facilities will be available on-site.
 - c) Fire protection standards and on-going maintenance for fire clearance is required for the long-term safety of residence of the proposed structure from wild land fires. A condition of approval has been incorporated to require that adequate defensible space be provided and that on-going annual maintenance be conducted in accordance with the Cachagua Fire Protection District standards and direction (**Condition No. 24**).
 - d) Preceding findings and supporting evidence for PLN040707.

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.

- EVIDENCE:**
- a) Staff reviewed Monterey County Planning Department and Building Services Department records and is aware of a pending code violation CE040707 for the removal of 47 protected trees without the benefit of a Use Permit on the subject property.
 - b) Staff conducted a site inspection on June 29, 2010 to verify current conditions and the existing nature of the violation on the subject property.
 - c) The proposed project cures an existing violation regarding removal of 47 protected Oak and Madrone trees on the subject property (CE040207). When implemented, the project will bring the subject property into compliance with all rules and regulations pertaining to the property and will remove the existing violations. In the past tree removal has occurred in preparation for a future house site. Now the proposed house and project takes advantage of the previously cleared area with some additional tree removal required to accommodate the development and fire clearance. The project involves a Use Permit that would allow the removal of 67 trees 47 of which have already been removed. Approval of the Use Permit and compliance with conditions of approval would result in permitting the tree removal thus eliminating the violation.
 - d) Zoning violation abatement costs, if any, have been paid. A condition

is included to assure that all zoning abatement costs, if any, have been paid.

- e) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN040707.

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

- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN040707).
 - c) The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN040707).
 - d) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetic resources, air quality, biological resources, geology and soils, hazards/hazardous materials, and greenhouse gases.
 - e) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference as **Exhibit C-1**. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval (**Condition No. 7**)
 - f) The Draft Mitigated Negative Declaration ("MND") for PLN040707 was prepared in accordance with CEQA and circulated for public review from July 23, 2010 through August 23, 2010 (SCH#: 2010071058). Issues that were analyzed in the Draft Mitigated Negative Declaration ("MND") include aesthetic resources, air quality, biological resources, geology and soils, greenhouse gases, and hazards/hazardous materials
 - g) Evidence that has been received and considered includes: the application, technical studies/reports (*see Finding No. 2/Site Suitability*), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN040707) and are hereby incorporated herein

by reference.

- h) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources. The site potentially supports dusky-footed wood rat. Therefore, the project will be required to pay the State fee of \$2,010.25 plus a fee of \$50.00 payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
- i) Two comments were received from neighbors of the proposed project on the MND. The comments did not relate to the conclusions made in the MND or adequacy thereof. The comments included requests for preservation of trees beyond those already removed, relocation of the proposed pole barn away from the neighboring property, and planting of trees along the property line to act as a buffer. These requests have been forwarded to the applicant for consideration. The comments do not affect the conclusions or adequacy of the MND.
- j) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.
- k) Potentially significant impacts were identified to biological resources from construction-related impacts to the Dusky-footed wood rat which is a State listed species and to residents of the proposed dwelling from hazards including extreme fire danger; however mitigations are required that avoid impacts to the Dusky-footed wood rat and provide fire protection consistent with fire department standards which reduce impacts to a less than significant level.

6. **FINDING:** **TREE REMOVAL** –The tree removal is the minimum required under the circumstances and the removal will not involve a risk of adverse environmental impacts.

- EVIDENCE:**
- a) The project includes application for the removal of 67 trees. In accordance with the applicable policies of the Cachagua Area Plan and the Monterey County Zoning Ordinance (Title 21), a Use Permit is required and the authority to grant said permit has been met.
 - b) In order to grant a permit for the removal of more than three protected trees, the findings contained in Title 21 Section 21.64.260.D.5 must be made. The required findings include:
 - a. The tree removal is the minimum required under the circumstances; and
 - b. The tree removal will not involve the risk of environmental impacts; OR
 - c. That the tree is a hazard.
 - c) The Cachagua Area Plan Policy 8.2.2 states “The removal of native trees shall be discouraged and shall be allowed only in conjunction with: (1) an approved timber harvest plan, (2) an approved agricultural management plan, (3) an approved discretionary permit, (4) with

administrative approval for 3 or less trees, or (5) in emergency situations.” The project includes a discretionary permit for removal of 45 Oak trees and 22 Madrone trees greater than 6 inches in diameter. 47 oak and madrone trees have already been removed (CE040207).

- d) Forest Management Plan was prepared by Staub Forestry & Environmental Consulting on September 1, 2004.
- e) Measures for tree protection during construction have been incorporated as conditions and include tree protection zones, trunk protection, hand excavation and bridging roots (**Condition No. 10**).
- f) The 5.7 acre property is located near the eastern edge of the Los Padres National Forest and contains a dense tree and vegetation cover as well as moderately steep slopes. The proposed project has been sited on the flattest portion of the property which is a ridge running parallel to Tassajara Road. The project site takes advantage of the gentler slopes, the previously removed trees, and the existing access road which will need only minor improvements for access to the proposed structures. Also taken into consideration is the requirement to provide adequate fire protection and vegetation clearance around the proposed structure for health and safety. Given all of these factors the project as designed has been sited to minimize the removal of protected trees to the greatest extent feasible.
- g) The removal will not involve a risk of adverse environmental impacts. The Forest Management Plan prepared for the project suggests that removal of some trees and vegetation (thinning) will benefit the overall forest habitat at the site because the existing vegetation is overcrowded. The report also recognizes that only a small portion of the site and vegetation on the site will be affected by the development project. An Initial Study/Mitigated Negative Declaration were also prepared for the proposed development and the project was found to have a less than significant effect on the environment as proposed, conditioned, and mitigated (See Finding 5 with supporting Evidence).
- h) Tree Replanting is required on 1:1 basis; however, as described in Evidence g above, the Uribe site contains over-crowded conditions for healthy vegetation survival and re-growth. Therefore, the forester suggests replanting in the few small open areas but not on a 1:1 ratio. In stead of replanting, the project involves a conservation easement that would protect and preserve a large portion of the site that contains slopes and vegetation (**Condition No. 14**).
- i) Staff conducted a site inspection on June 29, 2010 to verify that the tree removal is the minimum necessary for the project and to identify any potential adverse environmental impacts related to the proposed tree removal.
- j) 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 PLN040707.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: a) Section 21.80.040 D of the Monterey County Zoning Ordinance states, “ The Board of Supervisors is the Appeal Authority to consider appeals from the discretionary decisions, except decisions on appeals made

pursuant to subsections A and B of section 21.80.040, of the planning Commission made pursuant to this Title”.

DECISION

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

- A. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan; and
- B. Approve a Use Permit to: 1) Clear a violation (CE040207) involving the removal of 47 protected trees; and 2) To allow new development including the removal of an addition 20 protected trees for the construction of a new 2,700 square foot one-story single family dwelling with a 1,349 square foot attached two-car garage, a 720 square foot detached pole barn, a new 5,000 gallon water tank, installation of a new septic system, and approximately 2,000 cubic yards of grading (2,000 cut/100 fill), in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 25th day of August, 2010 upon motion of _____, seconded by _____, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Mike Novo, Planning Director

COPY OF THIS DECISION MAILED TO APPLICANT ON _____
THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

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

NOTES

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

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

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

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Uribe
 File No: PLN040707 APNs: 418-311-007-000
 Approved by: Planning Commission Date: August 25, 2010

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
RMA - Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Use Permit (PLN040707) allows removal of 67 protected trees (47 previously removed and 20 to be removed) and construction of a new 2,700 square foot one-story single family dwelling with a 1,349 square foot attached two-car garage, a 720 square foot detached pole barn, a new 5,000 gallon tank, installation of a new septic system, and approximately 2,100 cubic yards of grading (2,000 cut/100 fill). The property is located at 39007 Tassajara Road (Assessor's Parcel Number 418-311-007-000), Cachagua Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. (RMA-Planning Department)</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.</p> <p>To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>WRA</p> <p>RMA - Planning</p>	<p>Ongoing unless otherwise stated</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
2.		<p>PD002 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 418-311-007-000 on August 25, 2010. The permit was granted subject to 26 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)</p>	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		<p>PD032(A) - PERMIT EXPIRATION</p> <p>The permit shall be granted for a time period of 3 years, to expire on August 25, 2013 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)</p>	<p>The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.</p>	Owner/ Applicant	As stated in the conditions of approval	
4.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the 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. (RMA - Planning Department)</p>	<p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>	Owner/ Applicant/ Archaeologist	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
5.		<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final/parcel map, whichever occurs first and as applicable	

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6.		PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department. If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	Within 5 working days of project approval. Prior to issuance of building or grading permits	
7.		PD006 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
8.		PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	

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

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

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12.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)</p>	<p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	<p>Owner/Applicant</p> <p>Owner/Applicant</p>	<p>Prior to the issuance of building permits.</p> <p>Prior to Occupancy / Ongoing</p>	
13.		<p>PD016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Forest Management Plan has been prepared for this parcel by Steven Staub, dated September 2004 and is on record in the Monterey County RMA - Planning Department, Library No. 040288. All development shall be in accordance with this report." (RMA – Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p> <p>Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.</p>	<p>Owner/Applicant</p> <p>Owner/Applicant</p>	<p>Prior to the issuance of grading and building permits.</p> <p>Prior to Occupancy</p>	
14.		<p>PD022(A) – EASEMENT – CONSERVATION AND SCENIC</p> <p>A conservation and scenic easement shall be conveyed to the County over those portions of the property corresponding with the area shown on the site plans submitted for PLN040707 dated with a Monterey County "Received stamp" March 19, 2010, contained in project file PLN040707 The easement shall be developed in</p>	<p>Submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to the RMA - Planning Department for review and approval.</p>	<p>Owner/Applicant/Certified Professional</p>	<p>Prior to issuance of grading and building permits</p>	

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		consultation with certified professional. An easement deed shall be submitted to, reviewed and approved by, the Director of the RMA - Planning Department prior to issuance of grading and building permits. (RMA – Planning Department)	Record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to the RMA – Planning Department.	Owner/ Applicant	Prior to, final inspection or commence -ment use	
15.	1.	PDSP001 – DUSKY-FOOTED WOOD RAT NEST REMOVAL (NON-STANDARD) The Dusky-Footed Wood Rat nest identified in the biological report, prepared by Jud Vandevere, shall be disassembled by hand during the non-breeding season between October 1 and December 31 and prior to the commencement of grading activities. (RMA – Planning Department)	Submit a letter from a qualified biologist indicating that the Dusky-Footed Wood Rat nest was properly disassembled during the required time period to the RMA-Planning Department for review and approval	Owner/ Applicant/ Biologist	Prior to issuance of grading or building permits.	
16.		PW0006 – CARMEL VALLEY The Applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). (RMA - Public Works)	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/ Applicant	Prior to Building Permits Issuance	
17.		WR2 - STORMWATER CONTROL The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	

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18.		<p>WR40 - WATER CONSERVATION MEASURES</p> <p>The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <ul style="list-style-type: none"> a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency) 	Compliance to be verified by building inspector at final inspection.	Owner/Applicant	Prior to final building inspection/occupancy	

Permit Cond. Number	Ming. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
19.		<p>FIRE002 - ROADWAY ENGINEERING</p> <p>The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Cachagua FPD)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans</p> <p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	

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20.		<p>FIRE007 - DRIVEWAYS</p> <p>Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.</p> <p>(Cachagua FPD)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	

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21.		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Cachagua FPD)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p> <p>Prior to final building inspection</p>	

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22.		<p>FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)</p> <p>For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. (Cachagua FPD)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	

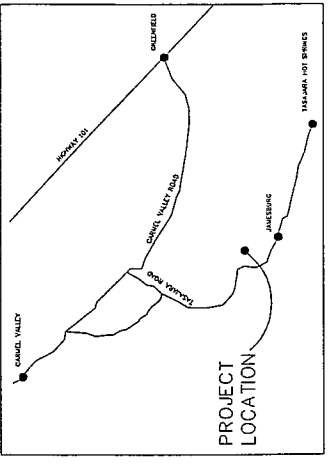
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
23.		<p>FIRE015 - FIRE HYDRANTS/FIRE VALVES</p> <p>A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Cachagua FPD)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	
24.	2.	<p>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)</p> <p>Manage combustible vegetation within a minimum of 100 feet of structures (or to the property line). Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	

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		<p>firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Cachagua FPD)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p> <p>Ongoing annual maintenance to remove dead vegetation within the defensible space as directed by the Cachagua Fire Protection District shall be required and is the sole responsibility of the owner/occupant.</p>	<p>Applicant or owner</p> <p>Owner/ Applicant</p>	<p>Prior to final building inspection</p> <p>Ongoing</p>	
25.		<p>FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS)</p> <p>The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. (Cachagua FPD)</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. rough sprinkler inspection</p> <p>Applicant shall schedule fire dept. final sprinkler inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p> <p>Prior to framing inspection</p> <p>Prior to final building inspection</p>	

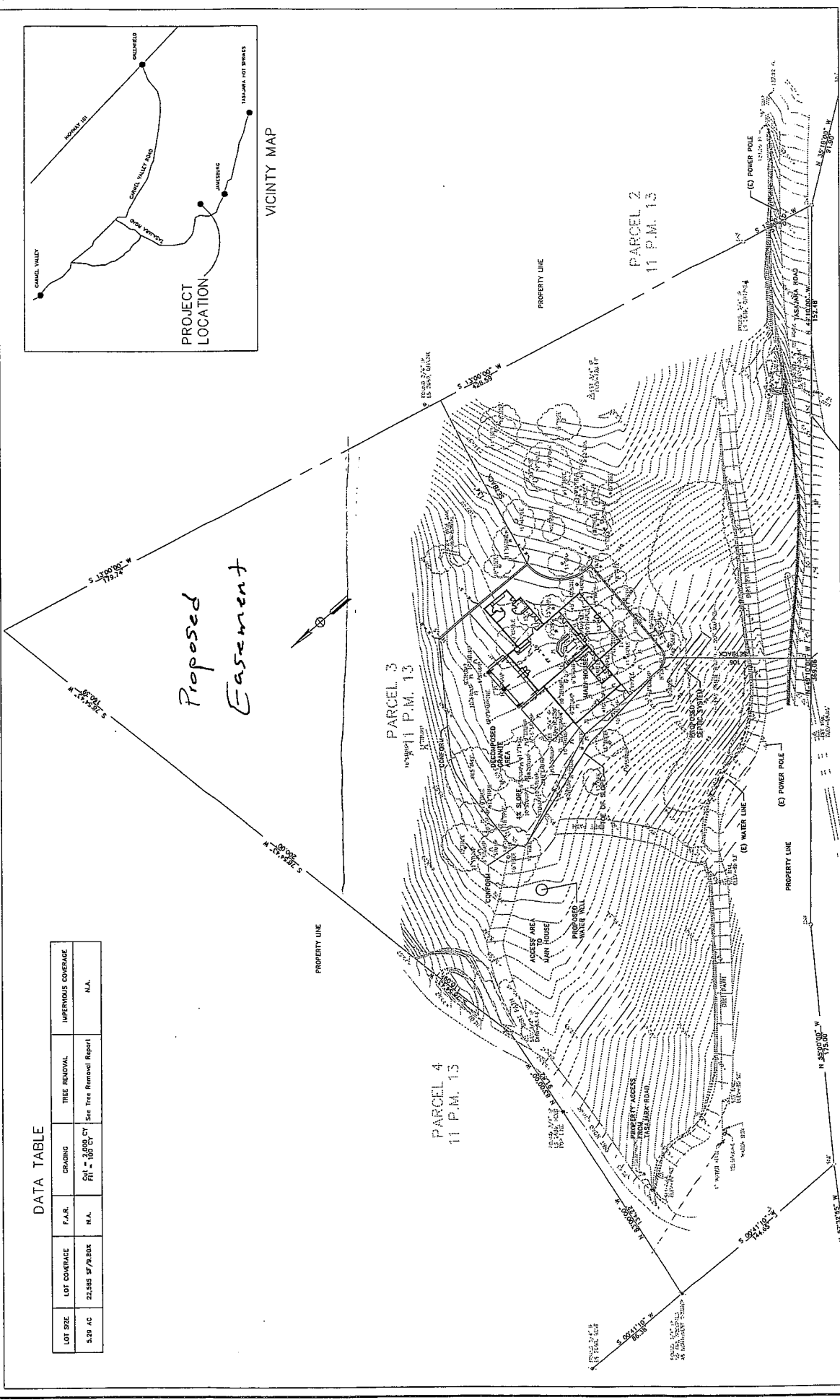
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26.		<p>FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Cachagua FPD)</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	

DATA TABLE

LOT SIZE	LOT COVERAGE	F.A.R.	GRADING	TREE REMOVAL	IMPERVIOUS COVERAGE
5.29 AC	22.95% 37/9.80%	N.A.	CGI = 2.00% FGI = 1.00% See Tree Removal Report	See Tree Removal Report	N.A.



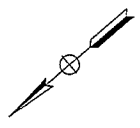
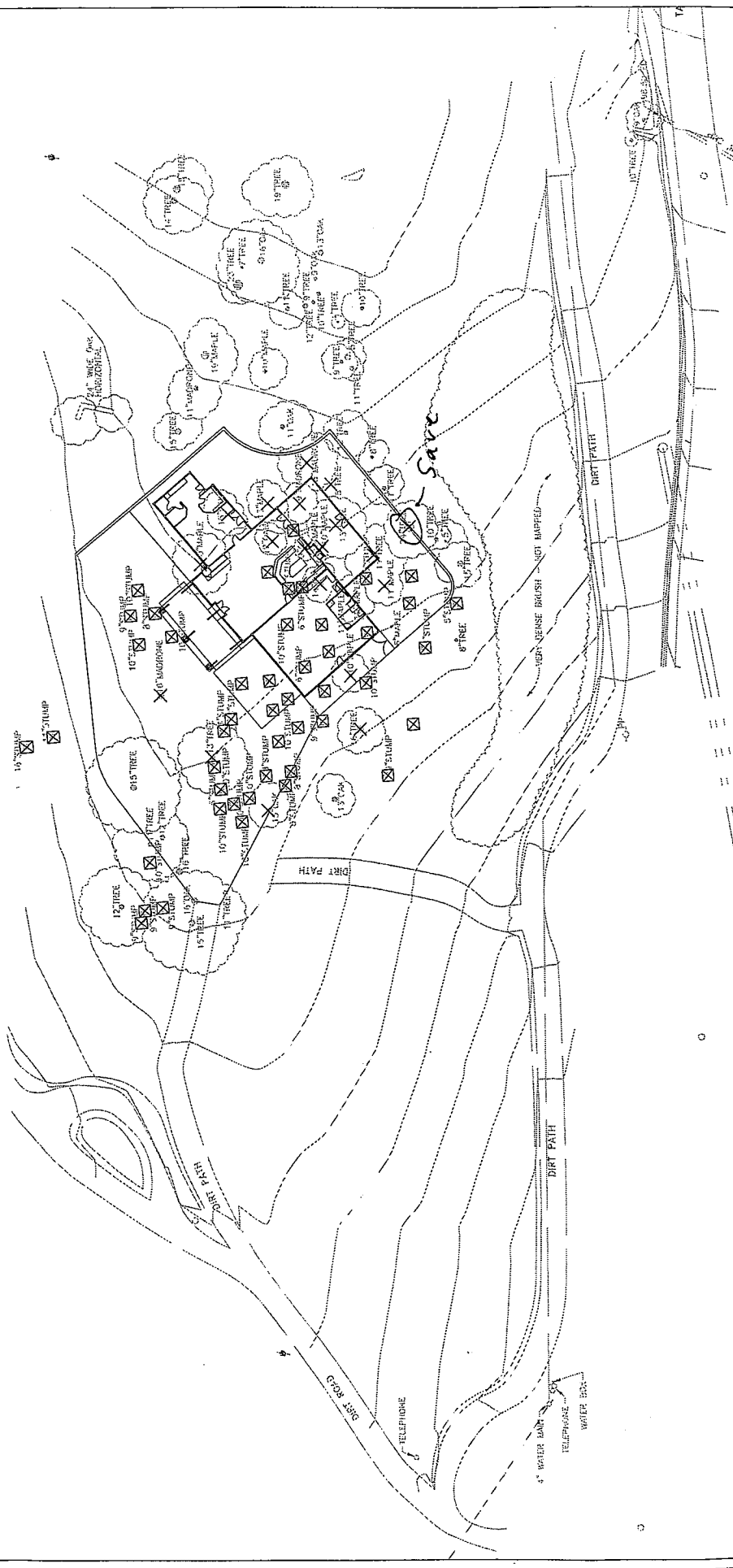
Proposed
Easement



DATE: 4/20/17	ENCLOSURE: 24	NO. OF SHEETS: 1	PROJECT: Uribe Residence	
SEAL:	SIGNATURE: [Signature]	SCALE: 1"=40'	DATE SUBMITTED: 8/8/08	
DRAWING NAME: SITE PLAN	PROJECT NO: 083146	PREPARED FOR: Mr. Don Uribe		SITE PLAN
DESIGNED BY: [Name]	DATE: 8/8/08	PROJECT NO: 083146		
<p>NOTE: The engineer preparing these plans will not be responsible for, or make for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the engineer of these plans.</p>			<p>PREPARED FOR: Mr. Don Uribe</p>	

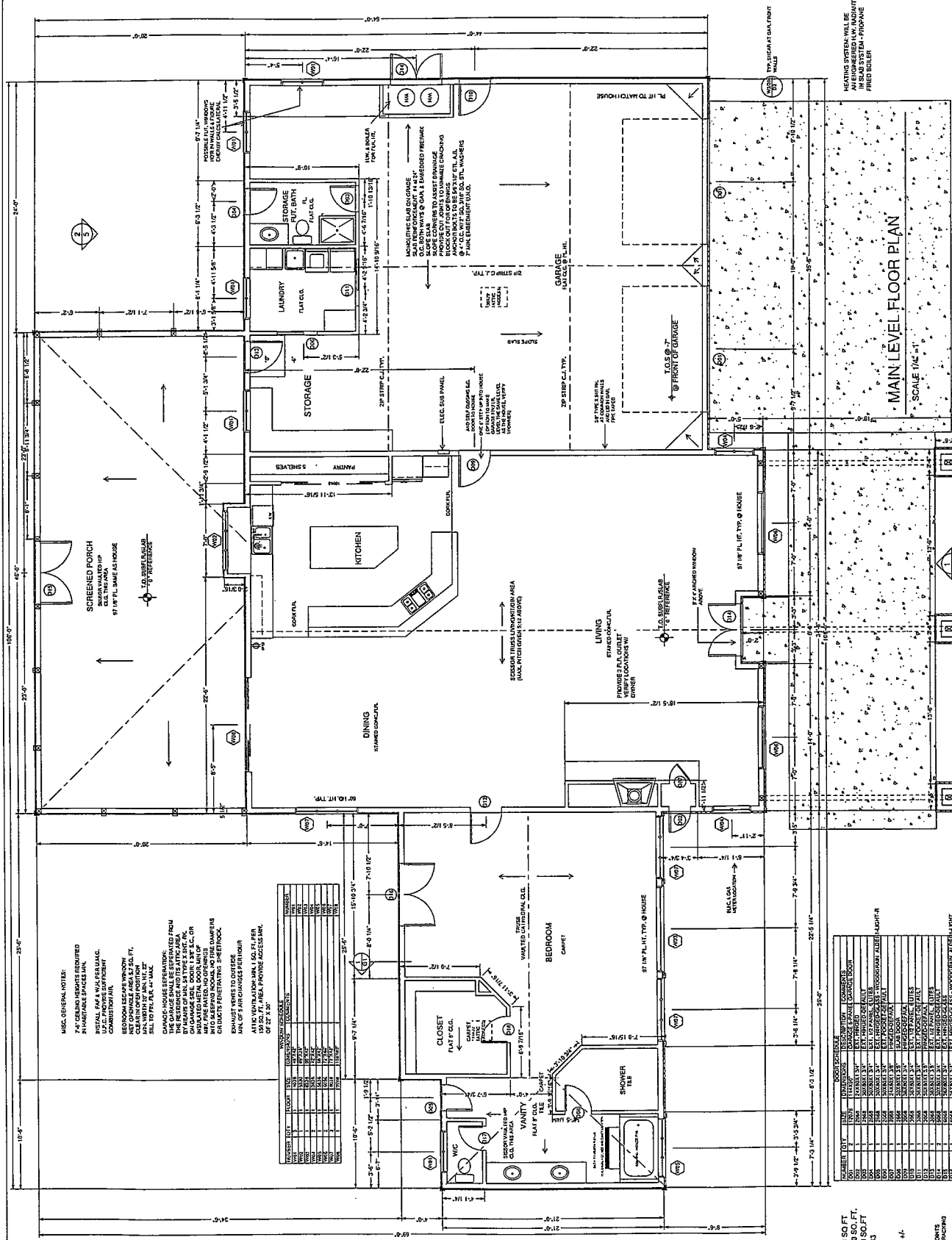
TREE REMOVAL LEGEND

SYMBOL	DESCRIPTION	TOTAL
X	PROPOSED TREE REMOVAL	22
☒	TREE PREVIOUSLY REMOVED	47



DATE: 08/09	BY: [Signature]	DATE: 08/09	REVISIONS:
PROJECT: URIBE RESIDENCE	SCALE: AS SHOWN	DATE SUBMITTED: 8/09/09	
DRAWING NAME: TREE PLAN	SCALE: 1" = 10'		
PLACING NEW: [Signature]	SCALE: 1" = 10'		
DESIGNER: [Signature]	SCALE: 1" = 10'		
PREPARED FOR: Mr. Don Uribe 481 CANTON DRIVE 4147284871 TEL. San Jose, CA, 95118 HERRINGTON@GMAIL.COM			
Uribe Residence Tree Plan			

I, the undersigned, being a duly licensed Professional Engineer in the State of California, do hereby certify that I am the author of the design and content of these plans and that I am a duly licensed Professional Engineer in the State of California.



MISC. GENERAL NOTES:
 7'-4" CEILING HEIGHTS REQUIRED IN HABITABLE SPACES MIN.
 INSTALL 1/2" W/4" PERIMETER INSULATION AT ALL EXTERIOR WALLS AND FLOOR JOINTS.
 COMBUSTION AIR.
 BEDROOM ESCAPE WINDOW MIN. WIDTH OF 20" MIN. HT. 20" MIN. CLEARANCE ABOVE WINDOW.
 ALL DOOR AND WINDOW SILLINGS SHALL BE WEATHER STRIPPED.
 THE GARAGE SHALL BE SEPARATED FROM THE HOUSE BY A WALL WITH A 2" MIN. CLEARANCE ABOVE THE GARAGE DOOR.
 CHANGING SIZE, DOOR 1 1/2" S.C. OR MORE SHALL BE INDICATED BY A NOTE.
 ALL FIRE RATED DOORS AND PARTITIONS SHALL BE FIRE RATED AND SHALL BE MARKED WITH AN APPROVED MANUFACTURER'S MARK.
 EXHAUST VENTS TO OUTSIDE.
 MIN. OF AIR CHANGES PER HOUR.
 MECHANICAL VENTILATION SHALL BE PROVIDED FOR ALL MECHANICAL ROOMS.
 MECHANICAL ROOMS SHALL BE ACCESSIBLE TO ALL OCCUPANTS.

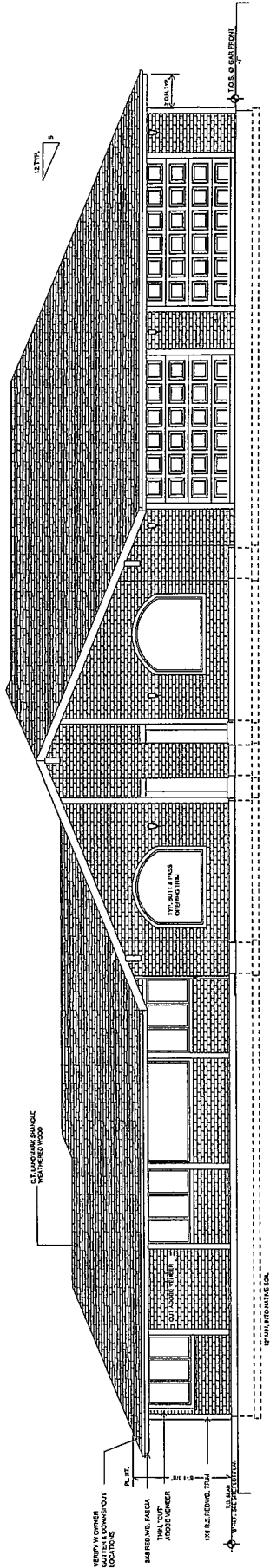
FLOOR	LINE	DESCRIPTION	COMMENTS
1	1	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	2	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	3	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	4	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	5	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	6	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	7	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	8	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	9	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	10	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
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1	95	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	96	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	97	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	98	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	99	SCREENED PORCH	97' 11" PL. SILL AS HOUSE
1	100	SCREENED PORCH	97' 11" PL. SILL AS HOUSE

MAIN LEVEL FLOOR PLAN
SCALE 1/4" = 1'

HEATING SYSTEM WILL BE AN ENGINEERED LOW VOLTAGE FLOOR PLAN

AREA	DESCRIPTION	COMMENTS
2,053	LIVING AREA	2,053 SQ. FT.
88	PLUS STAIRWELL	88 SQ. FT.
2,141	TOTAL	2,141 SQ. FT.
2,133	TOTAL	2,133
4,286	TOTAL	4,286

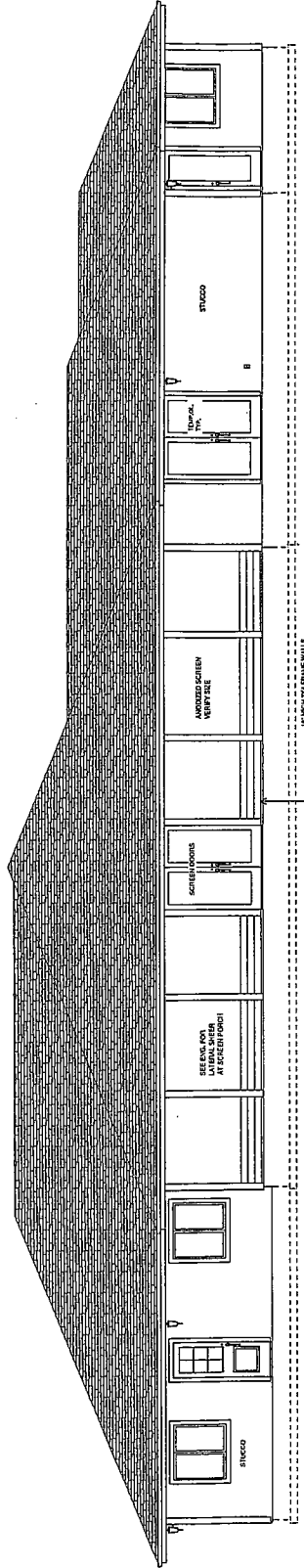
PROVIDE ASSOCIATE CONTRACTORS AT HOUSE AND GARAGE



FRONT ELEVATION

SCALE 1/4"=1'

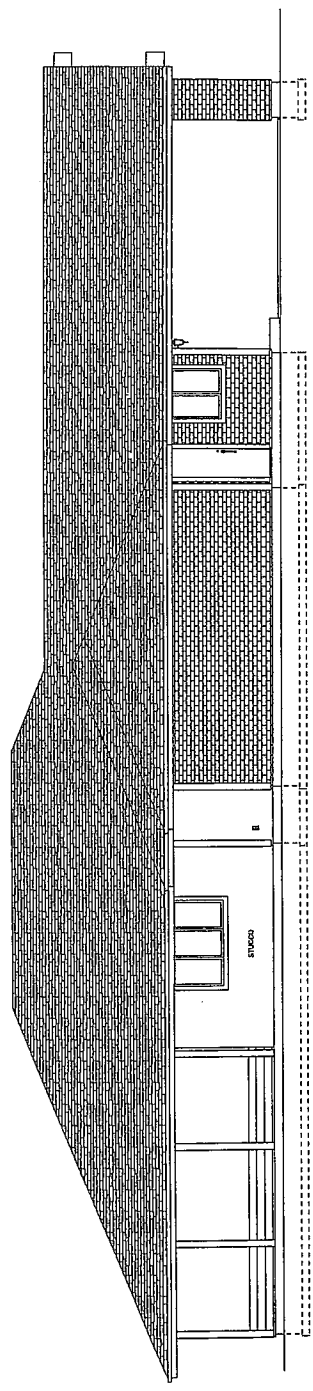
MILICORAMERIDEM
 800 WALL ST. P.O. BOX 100
 WALLE



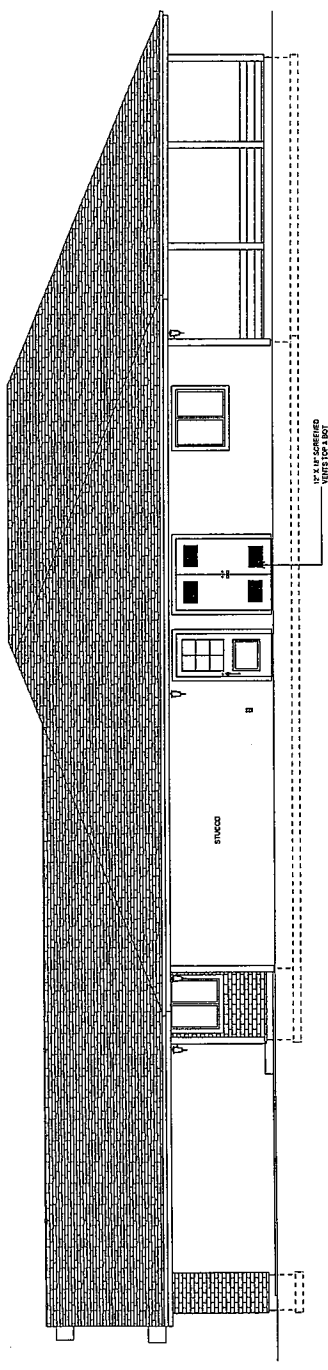
REAR ELEVATION

SCALE 1/4"=1'

SEE PLAN FOR WINDOW SCHEDULE



LEFT ELEVATION
SCALE 1/4"=1'



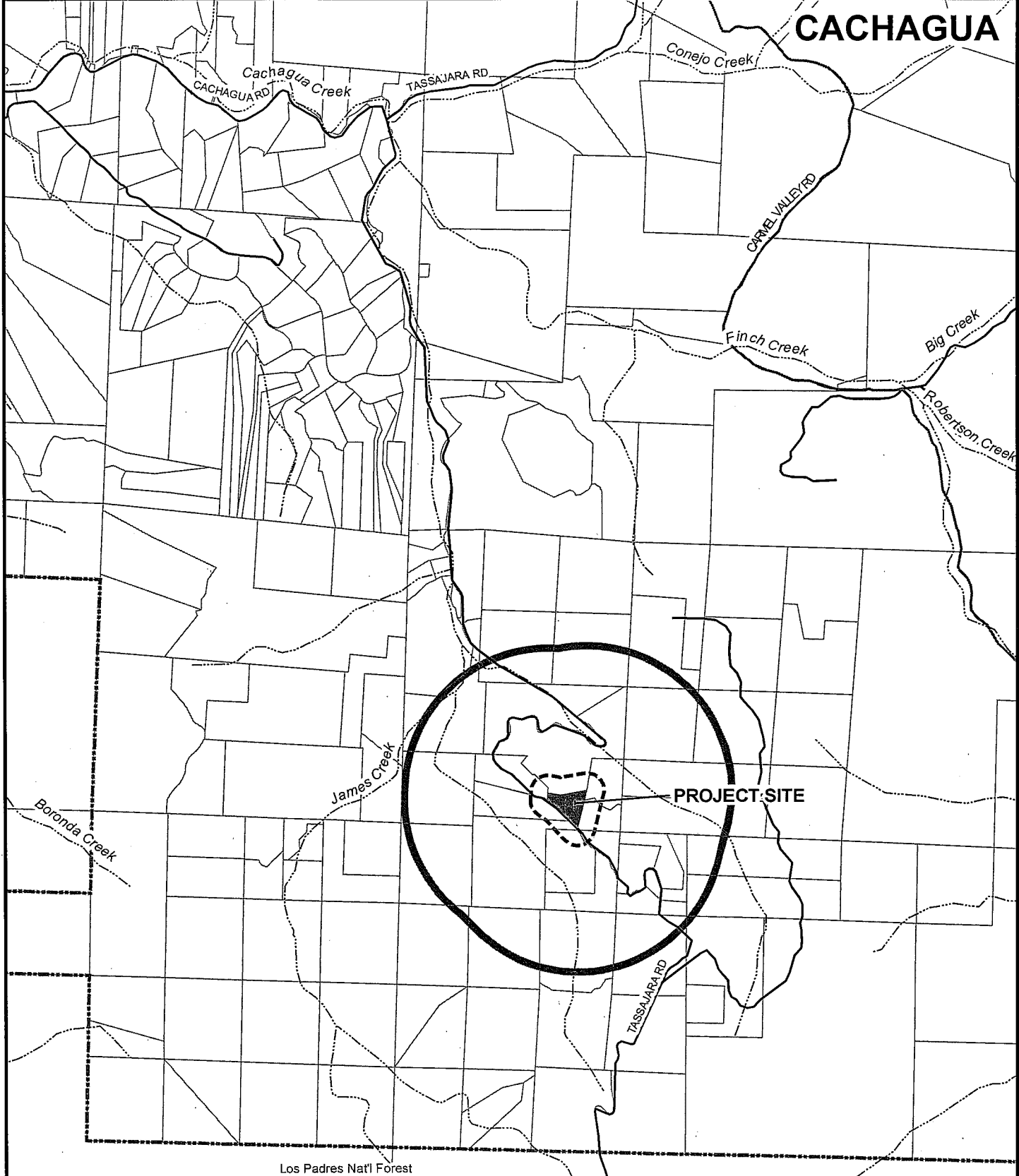
RIGHT ELEVATION
SCALE 1/4"=1'

EXHIBIT C
Vicinity Map

PLN040707 – Uribe
Use Permit




Planning Commission
August 25, 2010

CACHAGUA



APPLICANT: URIBE

APN: 418-311-007-000 FILE # PLN040707

 300' Limit  2500' Limit  City Limits

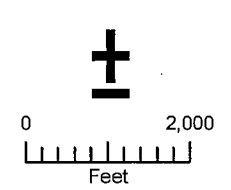
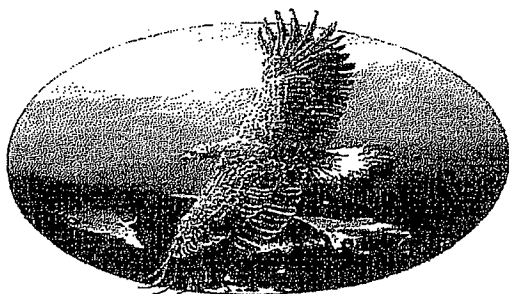


EXHIBIT D
Cachagua Fire Department Letter

PLN040707 – Uribe
Use Permit

Planning Commission
August 25, 2010



**CACHAGUA FIRE
PROTECTION DISTRICT**
POST OFFICE BOX 2090
CARMEL VALLEY, CA 93924
831.659.7700 Voice
831.659.7700 Fax
www.cachaguafire.com

February 22, 2010

Board of Directors:
Robert Eaton, President
Rod Lambert, Secretary
Natalie Rodda, Director

Fire Chief: Roderic McMahan

Jeanne Mileti, Board Clerk

Mr. Don Uribe
delivered by facsimile 659-4936

Re: Vegetation Reduction
40100 Tassajara Road

Dear Mr. Uribe:

You have asked us to opine on your proposed vegetation reduction and possible tree removal prior to the commencement of building on the above referenced property. This letter may be distributed as you deem fit.

As you are aware, *Cal Fire* has determined that your property falls within a geographic region rated the HIGHEST Fire Hazard category. Accordingly, the reduction of potential fuel load is the most significant mitigation measure a property owner can undertake to create defensible space around any structures, existing or proposed. Such a perimeter, along with fire resistant building materials consistent with Wildland Urban Interface ("WUI") Codes, is a benefit not only to the property owner, but also to the fire crews assigned for protection.

We understand that you have engaged a registered forester in preparing your proposed development plan and we are confident you can achieve the sensitive balance which will protect and enhance the land and its supportive habitats as well as create a suitable and safe building envelope.

Thank you for asking our opinion as you develop your plans to build on Tassajara Road. We look forward to seeing your progress and welcome new investment in our Community.

Regards,

Roderic McMahan
Roderic McMahan
Fire Chief

scenic and protective landscape values of Carmel Valley Watershed and gateway to the Ventana Wilderness and the Mendocino National Forest

EXHIBIT E

Mitigated Negative Declaration

PLN040707 – Uribe
Use Permit

Planning Commission
August 25, 2010

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

JUL 22 2010

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Uribe
File Number:	PLN040707
Owner:	Don Uribe
Project Location:	39007 Tassajara Rd, Carmel Valley
Primary APN:	418-311-007-000
Project Planner:	Craig W. Spencer
Permit Type:	Use Permit
Project Description:	Use Permit to: 1) Clear a violation (CE040207) involving the removal of 47 protected trees; and 2) To allow new development including the removal of an addition 20 protected trees for the construction of a new 2,700 square foot one-story single family dwelling with a 1,349 square foot attached garage, a 720 square foot detached pole barn, a new 5,000 gallon tank, a new septic system, and approximately 2,000 cubic yards of grading.

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

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

Decision Making Body:	Monterey County Zoning Administrator
Responsible Agency:	County of Monterey
Review Period Begins:	July 23, 2010
Review Period Ends:	August 23, 2010

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

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT
168 WEST ALISAL, 2ND FLOOR, SALINAS, CA 93901
(831) 755-5025 FAX: (831) 755-9516



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION MONTEREY COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Use Permit (Uribe, File Number PLN040707) at 39007 Tassajara Road, Carmel Valley (APN 418-311-007-000). The project involves a Use Permit to: 1) Clear a violation (CE040207) involving the removal of 47 protected trees; and 2) To allow new development including the removal of an addition 20 protected trees for the construction of a new 2,700 square foot one-story single family dwelling with a 1,349 square foot attached garage, a 720 square foot detached pole barn, a new 5,000 gallon tank, a new septic system, and approximately 2,000 cubic yards of grading. The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2nd Floor, Salinas, California. The Planning Commission will consider this proposal at a meeting on **August 25, 2010** at 9:00 a.m. in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from **July 23, 2010** to **August 23, 2010**. Comments can also be made during the public hearing.

Project Description: Use Permit to: 1) Clear a violation (CE040207) involving the removal of 47 protected trees; and 2) To allow new development including the removal of an addition 20 protected trees for the construction of a new 2,700 square foot one-story single family dwelling with a 1,349 square foot attached garage, a 720 square foot detached pole barn, a new 5,000 gallon tank, a new septic system, and approximately 2,000 cubic yards of grading.

We welcome your comments during the 30-day public review period. You may submit your comments in hard copy to the name and address above. The Department also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Department has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

CEQAcomments@co.monterey.ca.us

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at (831) 757-9516. To ensure a complete and accurate

record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

For reviewing agencies: The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey
Resource Management Agency – Planning Department
Attn: Craig W. Spencer, Associate Planner
168 West Alisal, 2nd Floor
Salinas, CA 93901

Re: Uribe; File Number PLN040707

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

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

COMMENTS: _____

DISTRIBUTION

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025 FAX: (831) 757-9516



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Uribe

File No.: PLN040707

Project Location: 39007 Tassajara Road, Cachagua

Name of Property Owner: Don Uribe

Name of Applicant: Don Uribe

Assessor's Parcel Number(s): 418-311-007-000

Acreage of Property: Approximately 5.7 acres

General Plan Designation: Resource Conservation

Zoning District: RC/B-6

(Resource Conservation with a Building Site Overlay)

Lead Agency: County of Monterey

Prepared By: Craig W. Spencer, Associate Planner

Date Prepared: July 9, 2010

Contact Person: Craig W. Spencer, Associate Planner

Phone Number: (831) 755-5233

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description: The Uribe project includes a Use Permit to: 1) Clear a violation (CE040207) involving the removal of 47 protected trees; and 2) To allow new development including the removal of an addition 22 protected trees for the construction of a new 2,700 square foot one-story single family dwelling with a 1,349 square foot attached garage, a 720 square foot detached pole barn, a new 5,000 gallon tank, a new septic system, and approximately 2,000 cubic yards of grading.

B. Environmental Setting and Surrounding Land Uses: The Uribe Property is located near the eastern border of the Los Padres National Forest in the Cachagua Planning Area in the Unincorporated area of Monterey County. The address is 39007 Tassajara Road which is approximately 3.5 miles south of Carmel Valley Road traveling on Tassajara Road. Surrounding land uses include large, heavily forested and vegetated parcels with single family residential uses on large lots (approximately 5 to 40 or more acres in size), within a forest setting. Jamesberg station is also in close proximity. Jamesberg station is located off Tassajara Road and is a parking/gathering area for visitors to the Tassajara Zen Mountain which is located in the center of Las Padres National Forest. Beyond Jamesberg station, Tassajara becomes a narrow dirt road winding up through the mountains where the 5.7 acre property is located. Vegetation on the property consists of dense vegetation including three species of Oak (Black Oak, Coast Live Oak, and Blue Oak), Madrone trees and chaparral. In 2004, approximately 47 oak and madrone trees were removed at that site and stumps were left at around three feet in height. This previous clearing is the subject of a Code Enforcement case but has effectively create an opening in the forest on the site where the house in now proposed. Since 2004, some vegetation has returned including invasive species such as French broom. The clearing where the house is proposed is located on a small ridge running through the property where the existing dirt access road is located. The remaining property contains dense vegetation and steep slopes.

Zoning for the property is Resource Conservation with a Building Site overlay (RC/B-6). The area is mostly mountainous with a few single family residences established on large lots. These large parcel sizes and mostly undeveloped spaces provide good habitat for native wildlife and vegetation. It also lends itself to high fire hazards, especially during hot, dry periods. The proposed house will be served electric power by an existing overhead Pacific Gas and Electric (PG&E) service; water from an existing permitted water system, and sewage disposal through the installation of a new septic system (Source IX. 1, 6, & 7).

Figure 1- Vicinity Map

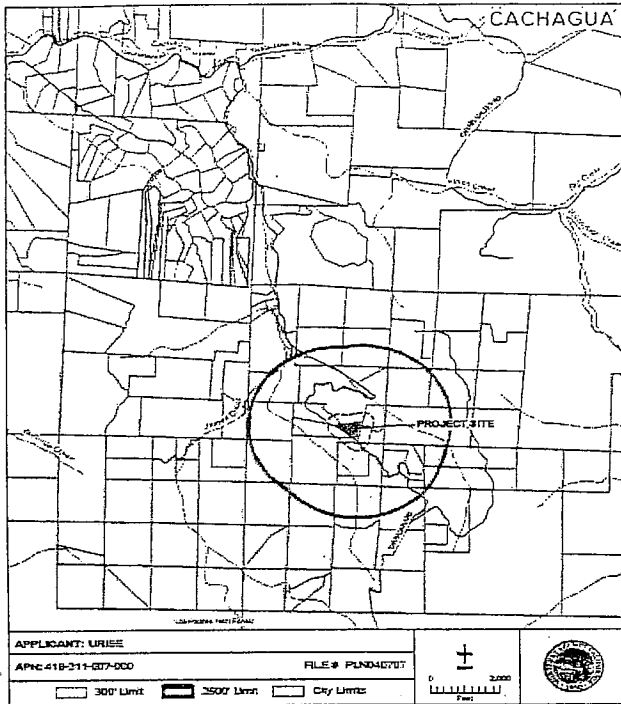
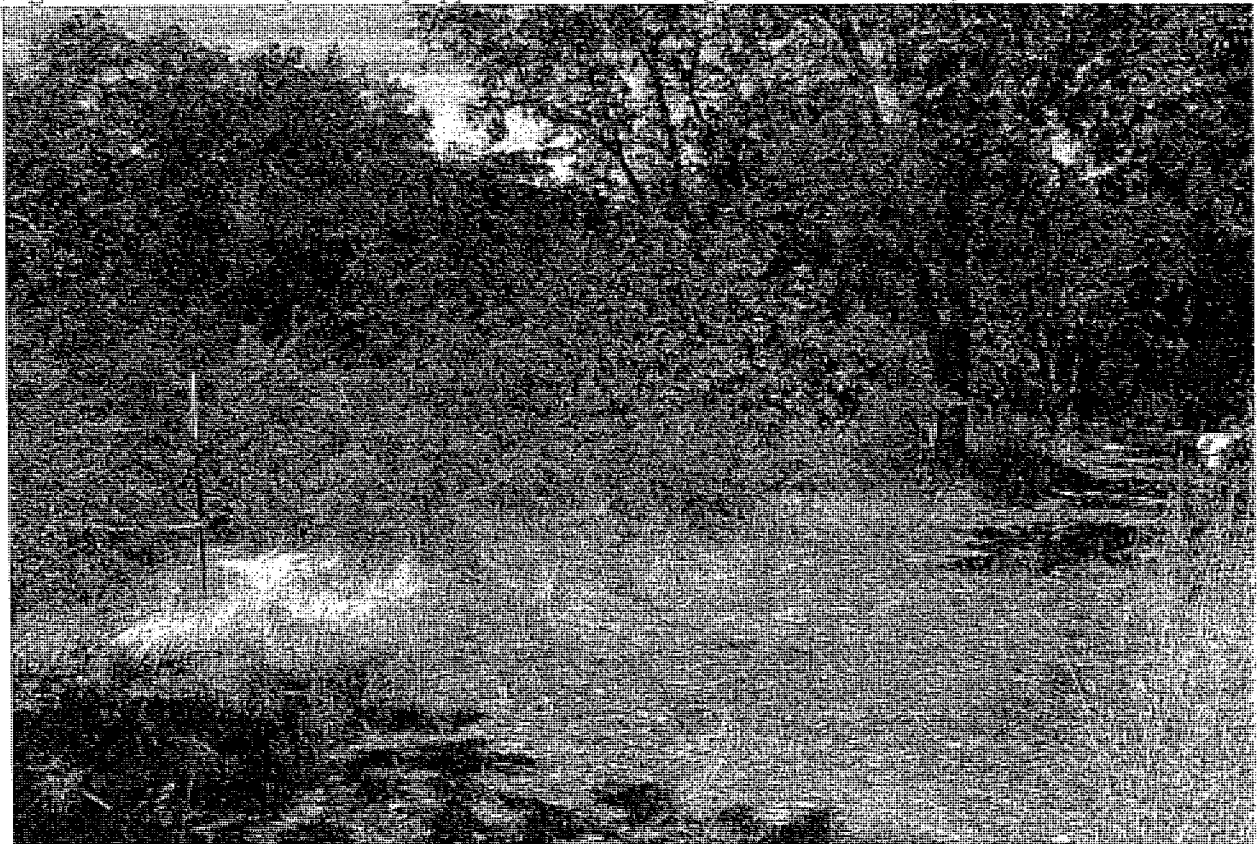


Figure 2 – Site Photo (Driveway approach with building corner on the left)



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 proposed project has been evaluated for compliance with the policies of the 1982 Monterey County General Plan and the Cachagua Area Plan. The project proposes construction of a new single family dwelling and small barn on an existing, vacant, legal lot of record. Single family dwellings are considered uses allowed on the subject parcel. The proposed project is not expected to conflict with the goals and policies of the General Plan. Where necessary mitigation may be applied to ensure resource protect consistent with these plans. Specific findings and evidence demonstrating consistency will be required for approval of the project. The Planning Commission is the appropriate authority to consider and approve the subject project. Standard conditions may be used added to the Use Permit to ensure compliance with the General Plan and Area Plan Policies at that time. **CONSISTENT**

Air Quality Management Plan Consistency with the Air Quality Management Plan (AQMP) is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP (Source: IX. 5).

According to the Association of Monterey Bay Area Governments (AMBAG), the *2008 Population, Housing Unit, and Employment Forecasts* adopted by the AMBAG Board of Directors are the forecasts for this consistency determination. The proposed project includes construction of a new single family dwelling and barn on an existing legal lot of record. Construction of one new residential structure at the site will not exceed the population forecasts of the 2008 AQMP and would not result in substantial population changes. Therefore, the project is consistent with the 2008 regional forecasts and the Air Quality Management Plan (Source: IX. 5). **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

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

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

Check here if this finding is not applicable

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

EVIDENCE: Many of the above topics on the checklist do not apply. Less than significant or potentially significant impacts are identified for aesthetics, air quality, biological resources, greenhouse gas emissions, geologic and soils, hazards, and cumulative. Mitigation measures are provided as warranted. The project will have no quantifiable adverse environmental effect on the categories not checked above, as follows:

1. Agricultural and Forest Resources The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance and project construction would not result in conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract. The project site is located within mountainous areas with steep slopes and is not located adjacent to agriculturally designated lands. Although the property is located near the edge of the Los Padres National Forest, the project includes only the development of a new single family dwelling and small barn on a 5.29 acre site. Trees removed at the site will not affect the public forest resources and only a small portion of the trees on the site will be removed for the development. *Therefore, there will be no impact from conversion of farmland or forest land and there is no impact to existing farmlands or forest lands* (Source: IX. 1, 3, 6, & 7).
2. Cultural Resources The project is located within an area mapped as having a 'moderate' potential to contain archaeological resources. An archaeological report was submitted for the proposed development prepared by Archaeological Consulting dated June 10, 2004 that did not reveal any potentially significant resources and concluded that the project should not be delayed for archaeological reasons. A standard condition of approval will be included in the project conditions that requires work to be halted and that the applicant or agent for the applicant contact the Planning Department and an archaeologist if, during the course of construction, potentially significant archaeological resources are discovered. *Therefore the proposed project will have no impact to Cultural Resources* (Source: IX. 1, 2, & 12).
3. Hydrology/Water Quality The proposed project will not violate any water quality standards or waste discharge requirements. An erosion control plan will be required to address stormwater runoff and erosion control during construction through the grading permit/construction permit review process (Source IX. 1). The erosion control and stormwater plan will require plans that show that the drainage pattern at the site will not be substantially altered and that runoff containing sediments will not be allowed to cause surface or groundwater impacts on or off-site. There is no water course, stream or river on the building site. The site is not located within the 100 year floodplain. Monterey County Water Resources Agency and Environmental Health Division have reviewed the project application and, as conditioned, deemed that the project complies with applicable ordinances and regulations. Grading Plans will be reviewed by the Monterey County Building Services Department prior to issuance of building or grading permits for standard runoff and erosion control information and standards. Grading and construction activities will be inspected regularly (Source: IX. 1, 6, & 7). *Therefore, the proposed project will have no impact to Hydrology/Water Quality.*
4. Land Use/Planning The subject project involves construction of a single family dwelling and a small barn on an existing legal lot of record (Source IX. 1). Zoning at the site allows for single family uses and the subject project would not divide any established communities. The project will not conflict with applicable plans or policies and will be required to have findings of consistency adopted by the Planning Commission prior to approval of the project. Also, the project will not conflict with any habitat management

plan as none are applicable to the subject site (Source: IX. 1, 2, 3, 4, 6, & 7). *Therefore, the project will have no impact on Land Use/Planning.*

5. Mineral Resources No mineral resources have been identified or would be affected by this project (Source: IX. 1, 7, & 10). *Therefore, the proposed project will have no impact to Mineral Resources.*
6. Noise The construction of a single-family home in the project area would not expose people to noise levels that exceed standards and would not substantially increase ambient noise levels. The project site is not located in the vicinity of an airport or private airstrip. The project is located in a remote area with the nearest residence many feet away and consists of the construction of a single family dwelling. The Health Department has reviewed and recommended approval of the proposal, subject to conditions. There is no evidence that the persons residing or working near the project site would be significantly impacted by noise or vibrations related to this project. Temporary construction activities shall comply with the County's noise requirements, as required in the County Code, Chapter 10.60. (Source: IX. 1, 2, & 6). *Therefore, the proposed project will have no impact to Noise.*
7. Population/Housing The proposed project would not induce substantial population in the area, either directly through the construction of one single-family home within an area that allows single family homes as a principally permitted use, or indirectly as no new public infrastructure would be extended to the site. The site has rights and ability to connect to an existing established small water system and will install a private septic system for sewage disposal. The project would not alter the location, distribution, or density of human population in the area in any significant way, or create a demand for additional housing (Source: IX. 1 & 6). *Therefore, the proposed project will have no impact related to Population/Housing.*
8. Public Services The proposed project consists of the construction of one new single family home which would be served by public and private services and utilities. The project would have no measurable effect on existing public services. The Monterey County Water Resources Agency, Monterey County Public Works Department, the Environmental Health Division, and the Cachagua Fire Protection District have reviewed the project. These agencies provided comments, which are incorporated into the project as conditions of approval. None of the County departments/service providers indicated that this project would result in potentially significant impacts as conditioned (Source: IX. 1). *Therefore, the proposed project will have no impact to Public Services.*
9. Recreation No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project. The project will not create substantial recreational demands that could result in immediate or accelerated deterioration of neighborhood or regional parks. No new parks are proposed or required as a result of this subdivision (Source IX. 1 & 6). *Therefore the project will have no impact on Recreation.*

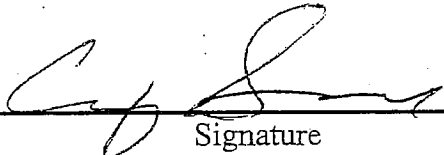
10. Transportation/Traffic The development of a single-family dwelling on an existing legal lot of record will not generate a significant increase in traffic movements. The project site is located in a remote area of Monterey County with little traffic congestion; however, Carmel Valley Road is the only road connecting the Cachagua area with shopping and other amenities. Carmel Valley Road has been identified as having deficient levels of service. The Monterey County Board of Supervisors has addressed the Carmel Valley traffic conditions on an area wide basis by making it the policy (Resolution No. 02-024) to deny new traffic generating projects such as subdivisions and by applying a traffic mitigation fee for needed improvements to development projects that contribute to the traffic, including new dwellings on existing lots of record. The subject project includes a new dwelling and will be required to pay the traffic mitigation fees established by the Board of Supervisors (Source IX. 1 & 14). There will be no substantial increase in air traffic movements or location patterns from the proposed development. Parking exceeds the minimum requirements contained in the zoning ordinance. Improvement to the driveway including a turn-around to meet Fire Protection standards are proposed as part of the project to ensure adequate access (Source IX. 1, 4, & 6). *Therefore, the proposed project will have no impact related to Traffic.*
11. Utilities/Services Systems The proposed project consists of the construction of a single family home that would be served by mostly private utilities with the exception of electric which is available at the site from Pacific Gas and Electric overhead utility line. Water will be provided by a private water system which is permitted and inspected by the Monterey County Environmental Health Division. The project also includes a new septic system and leach fields which has also been reviewed by Environmental Health. The County Department of Public Works and the Water Resources Agency have reviewed the project and has deemed the project complete. Water Resources has recommended standard conditions where appropriate. Storm water will be controlled and contained on site and allowed to percolate back into the ground. This new single family dwelling will not cause a significant increase nor exceed the capacity of the utilities and services being provided. (Source IX. 1). *Therefore, the proposed project will have no impact to Utilities/Services.*

B. DETERMINATION

On the basis of this initial evaluation:

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

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Craig W. Spencer

7/22/10

Date

Associate Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

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

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The subject parcel contains a small ridge above Tassajara Road however, the building area is surrounded by dense vegetation and trees and the subject property is in a remote area not commonly viewed by the public and not within viewing distance from any scenic road or highway. The project does involve development on a currently vacant site include removal of trees and the construction of new residential structures.

Conclusion:

Aesthetics 1(a & b) – No Impact

The Uribe property is located in a remote area of the County that is not within viewing distance from scenic roads or highways and the proposed development cannot be seen from off-site with the exception of one neighboring house. Tree removal at the site will be located in an area along the ridge that is screened from view by trees that will be retained on site (Source IX. 1 & 6). Therefore, there is no impact on scenic highways or vistas and the project will not impact scenic public resources.

Aesthetics 1(c) – Less Than Significant

The property is located in a mountainous area mostly undisturbed except for a graded dirt road and previous tree removal. Currently, the area contains a dense vegetative cover of trees and chaparral. The proposed dwelling will require removal of 69 trees which has/will change the appearance of the development site. Consistent with the Forest Management Plan approximately half the property will be placed in a conservation easement protecting the slopes and vegetation on a large portion of the 5.7 acre property. The existing trees to be retained and protected, will provide screening of the resulting structure (Source IX. 1, 6, & 9). *Tree will be removed and structures will be erected on the currently vacant site affecting the visual character but not in a relatively significant manner.*

Aesthetics 1(d) – Less Than Significant

Development at the site includes the construction of a new residence and barn. These structures will most likely require exterior lighting. Exterior lighting plans are required as a standard condition for development project based on General Plan policy. The condition will be applied to the subject project to minimize potential night-time lighting impacts and to help keep the sky as dark as possible for the observatory on Chew's ridge. The condition to be applied requires that the exterior lighting be low voltage and down-lit to illuminate only the area(s) intended (Source IX. 1 & 2). *This condition, combined with the forest buffer (setbacks with tree screening will result in a project that has a less than significant impact on nighttime views and/or glare.*

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

3. AIR QUALITY

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

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

Discussion:

Consistency with the Air Quality Management Plan is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP (Source: IX. 5).

Conclusion:

Air Quality 3(a & b) – No Impact

The Monterey Bay Unified Air Pollution Control District's 2008 Air Quality Management Plan for the Monterey Bay Region (AQMP) addresses state air quality standards. Population-

generating projects that are within the AQMP population forecasts are considered consistent with the plan. The proposed project includes construction of a new single family dwelling, a small barn and tree removal. The project would not require expansion of utilities or other growth inducing improvements and will not result in substantial population growth that would exceed the current AQMP population forecast for Monterey County (Source: IX. 1 & 5; see also Section III). The project does not require any exception or modification to the existing AQMP and will therefore, not impact implementation of it. There would be *no impact*.

Air Quality 3(c) – Less Than Significant

Applicable air quality criteria for evaluation of the project's impacts are federal air pollutant standards established by the U.S. Environmental Protection Agency (EPA) and reported as National Ambient Air Quality Standards (NAAQS), and the California Ambient Air Quality Standards (CAAQS), which are equal to or more stringent than the federal standards. The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. The CARB has established 14 air basins statewide. The subdivision site is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The CARB has established air quality standards and is responsible for the control of mobile emission sources, while the MBUAPCD is responsible for enforcing standards and regulating stationary sources. At present, Monterey County (within the NCCAB) is in attainment for all federal air quality standards and state standards for Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), and fine particulate matter (PM_{2.5}). Monterey County is in non-attainment for PM₁₀ and is designated as non-attainment for the California ozone standard (Source IX. 5).

Generally, the incremental increase of construction of new houses on existing legal lots of record is of little concern on a cumulative air quality basis. Much is being done to combat air quality impacts on both a local and global basis. Vehicular emission standards are being tightened, rebates and incentives are being offered for renewable energy sources, air-friendly gas fireplaces are being required, and so on. One of the AQMP main functions is to address attainment and maintenance of mandated air quality standards for the North Central Coast Basin. The proposed project contributions to air pollutants are minuscule and fall within the forecast populations of AMBAG which is incorporated in the AQMP and is therefore, consistent with the adopted plans regulating air quality (Source IX. 1 & 5). *The project will have a less than significant impact on air quality standards and cumulative pollutant criteria.*

Air Quality 3(d) – Less Than Significant

Construction at the site includes approximately 2,000 cubic yards of grading and could result in temporary short-term localized decreases in air quality due to generation of particulate emissions (PM₁₀). According to the MBUAPCD *CEQA Air Quality Guidelines* (as updated in February 2008), 8.1 acres could be graded for a construction site with minimal earthmoving per day without exceeding the MBUAPCD's PM₁₀ threshold of 82 lbs/day and resulting in a potentially significant impact (Source IX. 5). The project site contains an overall area less than the 8.1 acre threshold, and the area to be disturbed is only the plus or minus 4,000 square feet for driveway and building pad improvements (Sources: IX. 1). Erosion control measures, required during grading activities are based on standard local practice and conditions including dust control that

will minimize the projects contributions to particulate matter. Also, Local, State, and Federal regulations must be adhered to by law such as the anti-idling law which prohibits diesel engines from running idle for more than 5 minutes. With these controls short-term, localized decrease in air quality due to generation of particulate emissions (PM₁₀) caused by construction operations would be *less than significant*.

Air Quality 3(e & f) – No Impact

The subject property is not located in close proximity to schools, hospitals, or convalescent homes that could be identified as sensitive receptors potentially impacted by future construction at the site. There is one single family residence approximately 1,000 feet away from the project site but the proposed project includes a residential structure and pole barn that are not anticipated to create significant pollutants or odors and as described above. Temporary impacts from construction will be less than significant (Source IX. 1 & 6). *Therefore, the project would have no impact on sensitive receptors from substantial pollutants or create objectionable odors at the site.*

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.	BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The Uribe property is located in a wooded area contiguous with the preserved open space of the Los Padres National Forest and contains a variety of plant and animal habitats. Vegetation at the site includes oak woodland including blue oaks, black oaks, canyon oaks, and scrub oaks, mixed with madrone trees and chaparral undergrowth with mazanita and native grasses. Currently, the building site contains a few trees with vegetation being dominated by French broom in the area that was cleared without permits in the past. Animal species known or observed at the site include mostly common mammals such as deer and raccoons, amphibians such as the western fence lizard, and birds. One Dusky-footed wood rat nest which is a protected species, was observed at the site in 2004 (When the biological assessment was conducted). The proposed project would permit and rectify the un-permitted removal of 47 oaks and madrones, allow the removal of 20 additional oaks and madrones, and allow the construction of a new single family dwelling and pole barn on the property. This would clear an opening on the heavily vegetated lot to allow the construction and the proposed structures.

Conclusion:

Biological Resources 4(a & b) – Less than Significant with Mitigation Incorporated

Special-status plant and animal species that may be located on the property are discussed in the following paragraphs. For the purpose of this Initial Study, “special-status” includes plants and animals that are: a) listed as endangered or threatened under the Federal or California Endangered Species Acts (ESA); b) considered rare under the California Native Plant Protection Act; or c) are afforded protection under acts or codes other than the Federal or California ESA (e.g. Migratory Bird Treaty Act, Fish and Game Code).

Special-Status Plant Species. According to biological report prepared for the property, there are no specifically listed rare or endangered plant species existing on the site. The overall habitat at the site is, however, locally protected oak woodland and chaparral community because of the habitat diversity this type of plant community provides (Source: IX. 1, 2, 3, 6, & 8). The proposed project includes clearing an area on the site to allow for road and structure improvements for a new single family dwelling and pole barn. This involves removing oaks, madrones, and chaparral within this area. The area of the site which will be cleared to allow the proposed development is a small portion of the overall 5 plus acre site. It is estimated that less than 10% of the site vegetation will be disturbed for the project. The applicant is proposing to place a conservation and scenic easement on a large portion of the subject property for the protection of slopes and vegetation at the site, mitigating by design, impacts to oak woodlands. Additional conditions will be added consistent with General Plan policies requiring trees near the

construction site to be protected with orange netting and requiring construction staging areas to be established with the goal of limiting the construction impact area to the minimum necessary for the project (Source IX. 1, 2, 3, 6, 8, & 9). Therefore, as designed, with the addition of the conservation area and the above stated conditions, the project will have a *less than significant impact on sensitive natural communities*.

Special-Status Animal Species. Two protected animal species were identified at that site. First are birds and nesting raptors which are protected by the migratory bird act and second, is the dusky-footed wood rat which is a state listed species. Impacts to these species from the proposed development can be avoided by adhering to the migratory bird act which includes either:

- 1) Removing trees outside the nesting season (September 1 through January 31); or
- 2) If trees must be removed outside the non-breeding season the owner/applicant shall have a qualified biologist survey the site for active nests and submit a report to the RMA – Planning Department for review and approval prior to removal of trees. If active nests are found a “no-disturbance” buffer shall be applied within 250 feet of all active nests.

Impacts to the dusky-footed wood rat can be avoided by adhering to the following mitigation:

Mitigation Measure #1: The applicant shall have a qualified biologist identify any Dusky-Footed Wood Rat nest potentially affected by construction at the site prior to commencing work. If nests are discovered that biologist shall disassemble the nests by hand during the non-breeding season between October 1 and December 31 and prior to the commencement of construction activities.

Monitoring Action #1: Submit a letter from a qualified biologist indicating that the Dusky-Footed Wood Rat nest (if any) was properly disassembled during the required time period to the RMA-Planning Department for review and approval.

As designed, conditioned and mitigated the proposed project will have a *less than significant impact on sensitive species*.

Biological Resources 4(c) – No Impact

There are no wetlands or water features on the property or near the project site (Source IX. 1, 6, & 7). *Therefore, there will be no impact to wetland areas.*

Biological Resources 4(d) – Less Than Significant Impact

The Uribe property is located on the edge of the Los Padres National Forest and can be expected to have regular use and visits by native animal species in daily foraging and activities. The proposed project would not substantially affect the ability of native wildlife to continue to forage and pass through the site. Impacts are further reduced by the proposed conservation easement on a large part of the project site. The site is not part of an established wildlife corridor or nursery. These circumstances, together with the migratory bird act rules listed above, result in a *less than significant impact on migratory wildlife species*.

Biological Resources 4(e) – Less than Significant

The project involves removal of 67 protected trees including permitting the removal of 47 protected trees previously done without a permit and removal of 20 additional protected trees to facilitate the construction of a new single family dwelling and pole barn. When removal of three or more protected trees is proposed, a Use Permit is required pursuant to the Monterey County Zoning Ordinance Title 21. In order to approve a Use Permit for tree removal findings that either the removal is the minimum required under the circumstances and will not involve a risk of adverse environmental impacts or that the tree(s) are hazardous to the site and surroundings, must be adopted. The subject project was reviewed for appropriate siting and all relevant factors related to construction of a residential structure at the site. A Forest Management Plan (FMP) was also prepared by Steven Staub for the site and the proposed development. It is anticipated that findings of consistency can be made based on the proposed development given the need to provide an adequate use of the property in combination with appropriate fire protection and access requirements including a driveway turn around. The FMP prepared for the project has identified that the project site is densely covered in vegetation and that the past thinning and the proposed project may actually benefit the habitat by providing some clear space for re-growth. Also, due to the overcrowded nature of the vegetation and the conservation easement replanting on less than a 1:1 basis is recommended for the health of the forest and habitat. Local policies allow an exception to replanting on a 1:1 basis where the forester determines that the site is overcrowded (Source IX. 1, 4, 6, & 9). *The potential for conflict with local policies and ordinances is considered less than significant.*

Biological Resources 4(f) – No Impact

There is no known adopted Habitat Conservation Plan or other approved local, regional, or state habitat conservation plan affecting the subject property (Source: IX. 1 & 7). There would be *no impact.*

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? 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 checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

A *Geotechnical Soils-Foundation & Geoseismic Report* and a *Percolation and Groundwater Study with Septic Recommendations* were prepared for the project site by Grice Engineering and Geology, Inc. in April 2008 (Source: IX. 10). The reports analyze soils, percolation, and geologic conditions at the site and makes recommendations for design parameters based on the analysis. As a Condition of Approval, the County will require the applicant to implement all recommendations made in these reports. In addition, the applicant will be required to comply with applicable California Building Code requirements for all future development at the site.

Conclusion:

Geology and Soils 6(a i, a iii, & a iv) – No Impact.

Fault Rupture and Groundshaking (a i): Because no active faults are known to cross the subject property and there is no evidence of Holocene faulting in the area, the potential for surface-fault rupture is considered to be low (Source: IX. 10).

Liquefaction is defined as the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from seismic groundshaking. Liquefaction most often occurs in loose saturated silts and saturated, poorly graded, fine-grained sands. According to the Geotechnical Report, the site is in an area having no potential for liquefaction based on soils conditions at the site (Source: IX. 10).

Slope Stability and Landslides: Landslides result when the driving forces that act on a slope (i.e., the weight of the slope material, and the weight of objects placed on it) are greater than the slope's natural resisting forces (i.e. the shear strength of the slope material). According to the site-specific Geotechnical Report, the slopes at the site are moderately steep and visually appear to be grossly stable. There is no evidence of past or present slope instability. The area where the new dwelling is proposed contains a small ridge top where the slopes are relatively flat with steeper, stable slopes of both sides of the ridge (Source IX. 6 & 10). The project would be impacted or create impacts from landslides.

Geology and Soils 6(a ii) – Less Than Significant.

There are a number of potential sources of large magnitude earthquakes in the region. Nearby faults that would most likely affect the project site are the San Andreas, Monterey Bay-Tularcitos, and San Gregorio (Source: IX. 10). Due to the geologic nature of the area and the project sites location within the area affected by the faults mentioned above, strong seismic related groundshaking will undoubtedly occur in the future. Seismic safety issues would be addressed through compliance with the most current edition of the California Building Code (CBC), compliance with other recommendations contained in the Geotechnical Report, and Monterey County standard Conditions of Approval. Pursuant to compliance with existing ordinances and standard conditions, impacts would be *less than significant*.

Geology and Soils 6(b) – Less Than Significant.

Soil erosion is the removal of soil by water and wind. The proposed project involves vegetation removal and grading activities that would expose bare soils during construction activities which could result in erosion of top soil. Site drainage and erosion control plans are essential to reducing the impact of erosion on the site. Recommendations in the soils report echo Monterey County standard practices for drainage control. Runoff and water discharge will be controlled in accordance with the conditions of approval recommended by the Monterey County Water Resources Agency which requires submittal and approval of a drainage plan. The grading department of Monterey County requires erosion control plans and measures to be in place during the grading process when a grading permit is required. Incorporating the soils report recommendations, conditions of approval from Water Resources, and general policies of the grading department throughout the project will reduce the impact of soils erosion to less than significant. (Source IX 1, 2, & 10). Impacts would therefore be *less than significant*.

Geology and Soils 6(c) – No Impact.

See discussion under Item 6(a) above. There will be no impact from unstable soils or geological conditions.

Geology and Soils 6(d) – No Impact.

Expansive soils experience volumetric changes with changes in moisture content, swelling with increases in moisture content and shrinking with decreasing moisture content. These volumetric changes can cause distress resulting in damage to concrete slabs and foundation. According to the Geotechnical Report, on-site soils are considered to be non-plastic and no special measures are required to mitigate soil expansion at the site (Source: IX. 10). Therefore, there will be *no impact*.

Geology and Soils 6(e) – Less Than Significant Impact.

The proposed project involves the installation of a new septic tank and leach fields for sewage disposal for the proposed single family dwelling. A percolation and groundwater study with septic recommendations was prepared for the project by Grice Engineering Inc. (Source IX. 11). The project was also reviewed for setbacks, sizing, and adequacy of the proposed system by the Monterey County Environmental Health Department who is responsible Department for issuing septic construction permits. Both the geotechnical study and the Environmental Health Department have determined that with appropriate design and maintenance, the site soils are capable of supporting the proposed project and septic system (Source IX. 1 & 11). There will be a less than significant impact from soils and septic.

7. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The California Environmental Quality Act (CEQA) guidelines have been recently updated to require consideration of greenhouse gases in environmental documents following the passing of several related State and Federal laws dealing with the subject. Greenhouse gases have been shown to contribute to global warming or climate change on a cumulative basis which is a significant environmental concern. While there are several gases that fall under the greenhouse gas description, the primary source of concern usually focuses on man-generated carbon dioxide gas (CO₂). CO₂ makes up more than half of the man-made greenhouse gases and primarily comes

from combustion of fossil fuels in motor vehicles and for the production of energy among other things.

Conclusion:

Greenhouse Gas Emissions 7(a) – Less Than Significant

The project involves activities that will create greenhouse gases due to construction activities including loss of sequestration (the process of trees turning carbon dioxide back into oxygen thus removing potential greenhouse gases from the air), power consumption, and the likely use of private transportation due to the lack of any public transportation in the area associated with the new residential use. However, these are normal human related activities associated with regular residential use. The subject project protects a large area with dense vegetation in perpetuity and involves only the construction of an allowed single family residential structure on an existing legal lot of record under private ownership. The project will not induce growth, change traffic patterns, create “hotspots”, relocate or displace housing, or create stationary sources of greenhouse gas emissions (Source IX. 1). *Therefore, the project contributions to greenhouse gas emissions are considered less than significant.*

Greenhouse Gas Emissions 7(b) – No Impact

Currently, there are no applicable local or regional plans in place that identify thresholds of significance or mitigation approaches for reducing the impacts of local development on climate change. There are Federal regulations under the Clean Air Act which is regulated by the United States Environmental Protection Agency (EPA) and State oversight in the form of Senate Bills 375 and 97, Executive Order S-01-07, California Assembly Bill 32 (AB 32), Executive Order S-3-05, California Assembly Bill 1493, and Title 24 Standards for Energy Conservation. All of these bills, orders, and plans attempt to curb, regulate, and/or reduce the production of greenhouse gases and slow or eliminate climate change; however, the only guidance on how to evaluate projects comes from AB 32 which applies in the absence of local and regional plans and thresholds. The goal of AB 32 is to reduce greenhouse gas emissions by approximately 15 percent from current levels by 2020. Generally, commercial development, subdivisions and much larger projects are encouraged to reduce carbon dioxide emissions from business as usual by meeting Leadership in Energy and Environmental Design (LEED) standards, providing efficient appliances, solar and wind generated power, public transportation and a variety of other methods. Even without local or regional standards it can be determined with reasonable certainty in this case that construction of one new residence of a vacant lot of record would remain within the threshold of significance in evaluating a projects greenhouse gas contributions. In fact, generally construction of one new single family dwelling can be categorically exempt from environmental review in many cases still (CEQA guidelines section 15303). *Therefore, the project will not conflict with any applicable plans policies and regulations.*

8. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<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?	<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?	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The property is located in a remote area surrounded by dense vegetation. The site is predominantly covered with trees and chaparral and is considered to be in an extremely high fire hazard zone. The situation is compounded by the access road conditions and topography of the site. The access road is unpaved beyond Jamesberg station and includes a long narrow and winding road making access for emergency services vehicles, such as fire trucks difficult.

Conclusion:

Hazards and Hazardous Materials 7 (a-g) – No Impact

The proposal involves residential development where there would be no use of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. The project, given the nature of its proposed use (one single-family residence), would not involve the transport, use, or disposal of any hazardous materials. There are no known hazards or hazardous materials associated with this project. The proposed residence would not involve stationary operations, create hazardous emissions or handle hazardous materials. The site location and scale have no impact on and adopted emergency response or emergency evacuation plans. The site is not located near an airport or airstrip (Source: IX. 1 & 2). *Therefore, the proposed project will have no impact to Hazardous materials or emissions that could expose people working or residing in the area hazardous or unsafe conditions.*

Hazards and Hazardous Materials 7 (h) – Less Than Significant

The proposed development has been reviewed by the Cachagua Fire Department and conditions were recommended to reduce risks from fire including a driveway turn-around, emergency water standards (water tanks), fire sprinkler requirements, very high hazard roof construction standards, and clearance for defensible space. These are standard conditions of approval from the fire department and will be included as conditions of approval for the proposed development.

Vegetation at the site is thick and dense and clearance for defensible space could cause additional tree and vegetation removal around the house, beyond the house and driveway foot-print. In cases where vegetation and fire protection conflict a Fire Hazard Mitigation Plan (FHMP) may be warranted to balance vegetation preservation while providing adequate fire clearance and protection. The accepted general practice is to address two zones of fire protection, the first being the "lean and green zone" within an approximately 30 feet radius of the structure and beyond that the 100-foot fuel reduction area. The lean and green zone is proposed to be kept free of debris and contain green landscaping and vegetation. This 30 foot radius may contain live (green) trees especially madrone trees which are naturally fire-resistant but all retained trees should be limbed up to approximately nine (9) feet above the ground. Beyond the 30 foot radius, up to 100 feet, hand removal of dead vegetation and underbrush can be sufficient reduce fire hazards in most cases. On-going maintenance and removal of dead vegetation is necessary and will be the responsibility of the home owner. Tree and vegetation removal for fire clearance has been considered in the tree removal numbers and the project description (Source IX. 1, 9, & 13).

By incorporating the Fire Hazard Mitigation Plan and the standard Fire Department recommended conditions the project will have a less than significant risk of loss, injury or death involving wildland fires.

Mitigation Measure #2: Prior to final building inspection the owner/applicant shall remove combustible vegetation from within 30 feet of structures, limb trees 9 feet up from the ground, remove limbs within 10 feet of chimneys. Additional fire protection beyond 30 feet, up to 100 feet, from structures is required, including mowing the understory and removal of dead vegetation. On-going clearing and maintenance is required yearly to maintain adequate fire protection and to manage fuel loads.

Monitoring Action 2A: Prior to issuance of building permits the owner/applicant shall incorporate the Fire Hazard Mitigation Plan into the design and enumerate as "Fire Dept. Notes" on plans.

Monitoring Action 2B: Prior to final inspection the owner/applicant shall schedule a fire department clearance inspection for review and approval of fire clearance around the structure and other appropriate fire conditions.

Monitoring Action 2C: Ongoing annual maintenance to remove dead vegetation within the defensible space as directed by the Cachagua Fire Department shall be required and is the sole responsibility of the owner/occupant.

9. 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)?	<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"/>
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"/>

9. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

10. 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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

11. 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?	<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:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

12. 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?	<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?	<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?	<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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

13. 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)?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

14. 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 Sections II and IV.

15. RECREATION

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

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

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards 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?	<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"/>

16. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

17. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<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?	<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?	<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?	<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?	<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"/>
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 Sections II and IV.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

Discussion:

This section focuses primarily general topics of resource protection including effects on humans, loss of natural resources that may cause extinction, and cumulative effects. The difference between this section and the sections above is that there is a greater focus on the larger picture including indirect impacts to the environment rather than direct impacts. Humans can be affected by changes in the environment in many ways including through changes to the natural environment and the man-made environment; the same can be said of plants and animals. Cumulative effects mean considering what projects effects have been to date and, if we continue to approve projects in the same manner, how would that effect the environment. Several of the topics previously discussed are cumulative subjects inherently such as greenhouse gas emissions, air quality, and traffic.

Conclusions**Mandatory Findings of Significance (a) - Less than Significant**

Based upon the analysis throughout this Initial Study, the proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. All potential impact areas are deemed less than significant with Conditions of Approval and Mitigation Measures set forth within this Initial Study. Impacts would be less than significant with mitigation incorporated.

Mandatory Findings of Significance (b) - Less than Significant

The project would contribute incremental cumulative impacts to air quality degradation, Sections VI. 3 (Air Quality), greenhouse gasses (Section VI. 7), and Transportation and Traffic (Section VI. 16). However, these impacts would be less than significant. The project includes construction of a new single family dwelling and pole barn on a currently vacant legal lot of record. Projects of this nature are consistent with the General Plan and Area Plans applicable to development and would likely not be considered cumulatively significant. The project would be required to pay transportation or traffic fees pursuant to Monterey County Board of Supervisors Resolution 95-410. As described in this Initial Study, the incremental air quality, greenhouse gas emissions, and transportation/traffic impacts of the project, when considered in combination with the effects of past projects, current projects, and probable future projects in the planning area, would result in *less than significant* impacts upon incorporation of conditions of project approval.

Mandatory Findings of Significance (c) - Less than Significant

The direct project impacts have been found to be less than significant and mitigated where necessary. Indirect impacts such as cumulative impacts from air quality and greenhouse gases are less than significant and will not contribute significantly to these environmental topics of concern. Although the project effects are insignificant the project regular construction and use of a new single family dwelling will not have a zero impact. Therefore, project effects on humans are considered to be *less than significant*.

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

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN040707 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application, Plans, and materials contained in project file PLN040707
2. Monterey County General Plan

3. Cachagua Area Plan
4. Title 21 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2008. <http://www.mbuapcd.org/index.cfm/Cat/66.htm>
6. Site Visit conducted by the project planners on June 29, 2010.
7. Monterey County Planning Department GIS system and selected property report for Assessor's Parcel Number 418-311-007-000
8. *Biological Assessment* prepared by Rana Creek undated
9. *Forest Management Plan* prepared by Staub Forestry dated September 2004
10. *Geotechnical Soils-Foundation & Geoseismic Report* prepared by Grice Engineering and Geology Inc. dated April 2008
11. *Percolation and Groundwater Study with Septic Recommendations* prepared by Grice Engineering and Geology Inc. dated April 2008
12. *Preliminary Archaeological Reconnaissance of Assessor's Parcel 418-311-007* prepared by Archaeological Resource Management dated June 10, 2004
13. General Guidelines for creating defensible space
http://www.fire.ca.gov/cdfbofdb/PDFS/4291finalguidelines2_23_06.pdf

EXHIBIT F
Biological Report

PLN040707 – Uribe
Use Permit

Planning Commission
August 25, 2010

Biological Assessment –Uribe Property

Summary

This biological assessment report was prepared to document and assess existing biological resources within and adjacent to a building envelope for a proposed single family residence located in the Cachagua area of upper Carmel Valley, APN 418-311-007. In addition is addresses Supplemental Application (Use Permit Violation CEO40207).

The vegetation of the property consists of blue oak woodland, characterized by oaks, pines, madrone, and scattered manzanita shrubs. Open areas consist mostly of annual grasses and small herbs. The building site was partially cleared of oak trees and small shrubs in anticipation of developing the site. The surveys took place over a period between June 1, and September 1, 2004 and were adequate to assess the potential impacts to the biological resources of the property. Plant communities listed as rare or sensitive by California Department of Fish and Game were not found on the property within the development area, access road areas, or any area where potential impacts of the development could occur.

No rare plants were found within the areas proposed for development. The presence of one rare animal species was found on the property during the surveys. Nests of the Monterey dusky-footed woodrat, listed as a Species of Concern by the California Department of Fish and Game (CDFG), were found adjacent to the building site, but outside the development area.

On April 21, 2004 the County Monterey Planning Division posted a Notice of Violation on the Property for clear cutting of 40 protected native trees, in violation of:

1. 21.84.040A- Clear cutting of Oak Habitat
2. 21.84.040A- Removal of more than 3 protected trees without a use permit and a forest management plan (21.64.260 C3 &D3.
3. 21.84.040A-Violation of Cachagua Area Plan Policy.

Owner and Location of Project

Applicant: Don Uribe
P.O. Box 1737
Carmel California 93924

Location: The project site is located off Tassajara Road on a forested ridge approximately 3 miles from Jamesburg Station.

Assessor's Parcel Number (APN): 418-311-007.

Methods:

The *California Natural Diversity Database* (CDFG 2002) and the *California Native Plant Society's Inventory of Rare and Endangered Plants of California* (CNPS 2001) were used to identify known or potential populations of sensitive plant and animal species in the vicinity of the project site prior to surveys.

Biological Assessment –Urbe Property

Paul Kephart of Rana Creek Habitat Restoration conducted biological surveys over a period between June 1, and September 1, 2004. The times of the surveys were adequate to assess the habitat types and presence of sensitive species and habitats. The entire building area, access roads, and adjacent areas was inspected for sensitive species or communities and lists of plant and animal species observed were compiled. Plant identification was validated using *The Jepson Manual* (Hickman 1993) and *An Illustrated Guide to the Flowering Plants of Monterey County* (Matthews 1997).

Regulatory Jurisdiction

County of Monterey
Planning and Building Inspection Department
2620 1st Avenue
Marina, CA 93933

Sensitive Species / Habitat

Oak woodlands are protected in Monterey County. Blue oaks and black oaks were removed prior to planning approval. The oak woodland on the applicant's parcel consists of blue oak (*Quercus douglassi*), black oak trees (*Quercus kelloggii*), canyon live oak (*Quercus chrysolepsis*), and California scrub oak (*Quercus berberidifolia*). Forty oaks were removed and cleared from the site.

The pre-existing condition on site supported a dense colony of medium sized (10-20) foot tall blue and black oak trees situated among taller madrone trees. A dense under story of manzanita scrub and chamise brush were cut at ground level, but have re-sprouted. The applicant is required to develop a restoration plan and a forester's report, by a Forester to return the project site to preexisting conditions, and/or mitigate for impacts to the habitat. If the area were left in the current state, the shrub plants would re-grow, existing and remaining oaks would fill out, and the site could function ecologically at a pre tree removal state. The surrounding forest is intact and is linked to large wilderness tracts of land. The clearing of the vegetation and dense woodland can increase ecological function in some instances, supporting a greater diversity of animal and plant species. Because the applicant wishes to construct a residence at this site, this report recommends mitigation for the tree removal by replanting oak trees at a 3: 1 ratio in appropriate areas of the property. Restoration and management must include a diversity of plants representative of the pre-existing conditions on- site.

Potential impacts and recommended actions

Soil: Destabilizing soils by grading could have potential impact on water quality. By implementing best management practices (BMP's), erosion control, mycofiltration, and bio engineering techniques, those potential impacts should not occur. As part of the road construction and restoration process, BMP's including cover crops, erosion mats, straw wattles, and blankets shall be installed. Currently the applicant has covered the exposed soils with a layer of mulch, protecting the exposed soils.

Biological Assessment –Urbe Property

Water quality: Event winter rains can create run off, especially on compacted and bare soils. By implementing erosion control, bio remediation, and restoration, potential water quality impacts will be minimized.

Habitat and vegetation: Forty oak trees were cut down and impact the habitat quality and ecological function of the site. However, many oaks were left and still provide for wildlife. In order to offset and mitigate for the impacts to the oaks, replanting shall occur on the site and include road edge, slope, and areas adjacent to the area of impact. It is recommended to plant oaks at a three to one ratio (3:1). Direct and temporary impacts will be addressed by restoration of habitat. Overall, once restoration is in process, immediate recovery and benefit will occur. Long-term benefit will result from maintaining the habitat and controlling erosion.

Exotic species: Exotic plants have significant impact on the restoration potential of the land. In areas now occupied by exotic vegetation, the soil seed bank contains millions of viable seeds. Disturbing the soil and exposing the disturbed areas to sunlight can scarify and germinate dormant seeds, resulting in mass colonization. Understanding the potential for exotic species regeneration, planning for follow up maintenance and control, and monitoring the site will assure exotic species have less than significant impact.

Rare animal and plant species: No rare plant species were found on the site. Appropriate habitat and conditions were analyzed throughout the property. No rare plant species were found during the surveys. The presence of one rare animal species was found on the property during the surveys. One nest of the Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*), listed as a Species of Concern by the California Department of Fish and Game (CDFG), was found adjacent to but outside of the areas proposed for development. A CDFG Species of Concern are not listed as Threatened or Endangered. They are noted by the CDFG for data collection and monitoring and given special attention during project environmental review. No rare species of amphibian were found during the surveys.

Wildlife

Birds

During the site visits, several bird species were observed on the property. The trees and shrubs on the property provide habitat and nesting sites for birds. There were no birds observed that are rare, endangered or threatened.

CDFG Code pertaining to the protection of birds is referenced below:

3503. It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.

3503.5. It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

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These regulations exclude non-native birds including Rock Doves (common pigeon), English Sparrows, and European Starlings, which have been introduced from Europe.

The following birds were observed:

Scientific Name	Common Name
<i>Agelaius phoeniceus</i>	Red-winged Blackbird
<i>Aphelocoma californica</i>	Western scrub jay
<i>Bubo virginianus</i>	Great horned owl
<i>Buteo jamaicensis</i>	Red-tailed hawk
<i>Buteo lineatus</i>	Red-shouldered hawk
<i>Callipepla californica</i>	California quail
<i>Calypte anna</i>	Anna's Hummingbird
<i>Cathartes aura</i>	Turkey vulture
<i>Chamaea fasciata</i>	Wrentit
<i>Colaptes auratus</i>	Northern Flicker
<i>Columba livia</i> *	Rock Dove (Pigeon)
<i>Corvus brachyrhynchos</i>	American crow
<i>Cyanocitta stelleri</i>	Steller's jay
<i>Melanerpes formicivorus</i>	Acorn wood pecker
<i>Contopus sordidulus</i>	Western wood pewee
<i>Euphagus cyanocephalus</i>	Brewer's Blackbird
<i>Pica nutalli</i>	Yellow billed magpie
<i>Junco hyemalis ssp. thurberi</i>	Dark-eyed junco
<i>Pipilo crissalis</i>	California towhee
<i>Pipilo maculatus</i>	Spotted towhee
<i>Poecile rufescens ssp. barlowi</i>	Chestnut-backed chickadee
<i>Psaltirparus minimus</i>	Common Bushtit
<i>Sayornis nigricans</i>	Black Phoebe
<i>Turdus migratorius</i>	American Robin
<i>Zenaida macroura</i>	Mourning dove
<i>Zonotrichia atricapilla</i>	Golden-crowned Sparrow

Amphibians

Surveys were conducted to determine the presence of suitable habitat for amphibians on the property. Particular species that were looked for include yellow-legged frog (*Rana boylei*), California red-legged frog (CRLF) (*Rana aurora draytonii*), and California tiger salamander (CTS) (*Ambystoma californiense*). The surveys found no listed amphibian species. Reptiles

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Reptiles

The following reptiles were observed Fall 2003 to Spring 2004:

Scientific Name	Common Name
<i>Sceloporus occidentalis</i>	Western fence lizard
<i>Crotalus viridus</i>	Rattle snake

The coast horned lizard (*Phrynosoma coronatum*), a CDFG Species of Concern, was searched for and not found.

Mammals

The following mammals were observed:

Scientific Name	Common Name
<i>Canis latrans ochropus</i>	coyote
<i>Microtus californicus</i>	California vole
<i>Odocoileus hemionus californica</i>	black-tailed deer
<i>Otospermophilus beecheyi</i>	California Ground Squirrel
<i>Procyon lotor</i>	Raccoon
<i>Sciurus griseus</i>	Western gray squirrel
<i>Thomomys bottae</i>	Botta's pocket gopher

Mammals that were not observed but were found to be present from scat, nests, tracks, or scratch marks:

Scientific Name	Common Name
<i>Neotoma fuscipes luciana</i> (CSC)	Monterey dusky-footed woodrat

(CSC) - California Species of Concern.

The wildlife species observed on the property are common to the Carmel Valley. The majority of the wildlife was observed near the building site. Because of the extensive wild land adjacent to the property and relatively small scale of the project, there should be minimal impact to the wildlife populations.

MITIGATION PLAN

This preliminary restoration plan is prepared to provide the implementation, maintenance, and monitoring specifications for the restoration of the Oak woodland habitat within the applicant's parcel in areas that will support like habitat values of the pre-existing conditions.

Site Preparations and Assessments

Prior to commencing restoration plans, site assessment shall be conducted to demarcate areas of erosion control, specific tree planting and preservation locations. The restoration ecologist shall identify areas for access and implementation. The ecologist shall prioritize and schedule erosion control activities as well as vegetation establishment. The ecologist shall identify any sensitive

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vegetation, animals, and/or habitats to be avoided and demarcate limits of work. The re-vegetation team shall attend a walk through with the project manager in order to understand the limit of work, discuss potential hazards, and determine areas to avoid.

Types of Habitat to be created

The road edge, limit of grading, and surrounding disturbed areas shall be planted with a diverse assemblage of native tree and plant species found on site. The restored habitat will consist of oaks, native grasses and forbs. Slopes and banks subject to disturbance shall be stabilized with erosion control blankets, slope breakers, and straw wattles. As a result of the planting and management of the site, overall the amount and quality of the native habitat will be increased and enhanced.

- a. All areas where water drains off new roads and culverts should have vegetated energy dissipaters to help prevent potential erosion and to aid in filtering of runoff before it enters a waterway.
- b. Any Monterey Dusky-footed wood rat (California Species of Concern) nests found within a building envelopes should be dismantled by hand before any heavy equipment is used to clear the site. This will allow the wood rats to escape and find new homes outside of the building area.

Herbicide Use

This plan focuses on herbicide alternatives utilizing natural processes, manual labor, and restoration ecology as principle management tools. Safe alternatives to Garlon 4 and Round up are greatly needed. A number of alternatives have been discussed; Finale, a least toxic non-selective plant killer kills weeds and roots and is made up of glufonsinate that degrades into water, CO₂ and nitrogen. Propane flame torches can effectively sear young plants and may be utilized in the winter and spring. Placing cardboard and mulching inhibits unwanted plants. TK10 and corn gluten are other safe control agents. Roundup, Honcho, and Kill-zall are glyphosphate herbicides, all equally effective as non-selective agents and are possibly the least toxic.

Restoration of Oak Woodland Plant Community

Restoration of plant community structure, function, and diversity is targeted for the restoration of oak habitat. Seed collection and propagation of local ecotypes is currently underway and will be re-introduced to the site to maintain local gene pools and plant types. Restoration also targets natural recruitment and regeneration over reintroduction and if the soil, hydrology and exotic vegetation are managed after the grading and construction activities, a diverse assemblage of native plants can re-colonize. Plant communities reflect insect and animal relationships; where appropriate we will tailor topography and vegetation to support specific habitat. Ecological function may be measured by utilization of insects and plants with complex synergistic relationships.

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Diversity of restored areas may be compared to intact reference sites nearby and site capability described as "states" that follow a somewhat predictable pattern during post disturbance regimes. In the post disturbance state, a release of nutrients from soils support pioneering species as well as a release of dormant seeds in the seed bank. Diversity is impacted. Insects immediately recruit but utilization by complex organisms is low. As stability increases over time, long-lived vegetation will dominate, however long-lived non-native species can also reach a stable state, and lessen diversity by competition. In three to five years as soils are stabilized; long-lived species establish, providing more complex structure that will enhance function and utilization by wildlife as well as decrease the need for maintenance.

Restoration Goals

- Collect and propagate site-specific seed: collection, propagation, and increase of local plant material will maintain the local genetic stock of selected native plants.
- Establish assemblages of native plant species on specific sites (slopes, fill soils, and roadsides) where they have potential to occur.
- Manage the restored habitat by ongoing weed control and planting activities.
- Monitor the health and viability of the restored areas, and enter monitoring data into a central database to ensure documentation of successful restoration efforts.

Restoration Methods

Protection, enhancement, and restoration are the guiding principles of this Plan. We will track the success of plant establishment, and track the results of erosion control and planting. The following sections provide discussion on plants, planting methods, rates and densities and follow up with management strategies for the Uribe restoration project.

Site Preparation

Prior to planting, pre planting activities should occur including soil preparation, weed control, handling of mulch, biomass removal, and creation of topographic relief where required.

Erosion Control

All denuded areas on the project site and areas subject to soil disturbances shall have erosion control measures continuously applied between October 15th and April 15th. All erosion control measures shall be install by October 15th.

Erosion control methods will consist of a suite of soil stabilizing and re vegetation techniques that target healthy soils, vegetation, and sediment containment. Bare, disturbed soils on the site must be protected and re vegetated. Storm Water Prevention and Pollution activities and monitoring will assure no adverse effects will result from the road construction and continued operations. These erosion control methods will prevent any potential impacts to fresh water

Biological Assessment – Uribe Property

resources. These techniques conform to the intent of the National Pollutant Discharge Elimination System (NPDES). These techniques are Best Management Practices (BMPs) and are designed to keep all products of erosion from moving off site into receiving waters. The Erosion and Sediment Control Guidelines are minimum standards and requirements of this Restoration and Mitigation Plan. Modifications shall be made as necessary to conform to the intent of the NPDES. The goal of this Restoration and Mitigation Plan is for full containment of offsite runoff during soil disturbing activities and no connection with offsite runoff traveling through the Uribe property to receiving waters. There are instances where there is potential chance of impacts due to run-off; therefore the applicant has developed the following standards and monitoring guidelines using a proactive approach. Cover crop seeding: Annual and/or perennial grass and forbs that establish quickly protecting soils from rain and wind.

- a. Straw wattles: Netted straw tubes placed on the contour in trenched and staked.
- b. Erosion blankets: Straw, coir, and/or jute used with seed and mulch to cover and protect exposed steep slopes.
- c. Mulching: layering straw, mulch, compost, leaves, and other organic mater.
- d. Rolling waterbars: Berms placed on the diagonal designed to effectively drain road and trail surfaces to prevent erosion and sedimentation.
- e. Rip-rap or other impact reducing mechanisms such as emergent plants at the outfall of each waterbar and/or culvert to dissipate the potential cutting energy of water collected and conveyed prior to dispersal.
- f. Filter berms collect sediments deposited into existing drainage ways or riparian channels. Filter berms are recommended to both filter out sediment and to dissipate the cutting energy of the drainage water. Straw bales are recommended around drainage devices during the winter storm season and will filter water, collect sediments, and dissipate water energies. Small gaps (approximately 1-2" wide) must be left between the bales for effective passage of drainage water; if gaps are not left, trapped fine sediments in the water can "plug" the surface of the bales and may cause flooding and secondary erosion.

Erosion Control Measures

BMP Erosion Control Blanket: Erosion control blankets shall be installed to protect the prepared soil surface of steep slopes and banks (see plan sheet). Erosion control blankets are used on slopes to temporarily stabilize and protect disturbed soil from raindrop impact and surface erosion, to increase infiltration, decrease compaction and soil crusting, and to conserve soil moisture. Erosion control blankets also protect seeds from predators, reduce desiccation and evaporation by insulating the soil and seed environment.

Proper site preparation is essential to ensure complete contact of the protection matting with the soil. Grade and shape area of installation. Remove all rocks, clods, vegetative or other obstructions so that the installed blankets, or mats will have direct contact with the soil. Prepare seedbed by loosening 2-3 inches (50-75 mm) of topsoil above final grade. Seed area before blanket installation for erosion control and re-vegetation. (Seeding after mat installation is often specified for turf reinforcement application.) U-shaped wire staples, metal geotextile stake pins, or triangular wooden stakes can be used to anchor mats to the ground surface. Wire staples

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should be a minimum of 11 gauge. Metal stake pins should be 3/16 inch diameter steel with a 1/2 inch steel washer at the head of the pin. Wire staples and metal stakes should be driven flush to the soil surface. All anchors should be 6-8 inches long and have sufficient ground penetration to resist pullout. Longer anchors may be required for loose soils.

Installation on Slopes

Begin at the top of the slope and anchor its blanket in a 6 inch deep x 6 inch wide trench. Backfill trench and tamp earth firmly.

Unroll blanket downslope in the direction of the water flow.

The edges of adjacent parallel rolls must be overlapped 2-3 inches and be stapled every 3 feet.

When blankets must be spliced, place blankets end over end (shingle style with upper blanket on top of lower blanket) with 6 inch overlap. Staple through overlapped area, approximately 12 inches apart. Lay blankets loosely and maintain direct contact with the soil - do not stretch.

Blankets shall be stapled sufficiently to anchor blanket and maintain contact with the soil. Staples shall be placed down the center and staggered with the staples placed along the edges

Steep slopes, 1:1 to 2:1, require 2 staples per square yard. Moderate slopes, 2:1 to 3:1, require 1-2 staples per square yard (1 staple 3' on center). Gentle slopes require 1 staple per square yard.

BMP Maintenance

All blankets and mats should be inspected periodically following installation. Inspect installation after significant rainstorms to check for erosion and undermining. Any failure should be repaired immediately. If washout or breakage occurs, re-install the material after repairing the damage to the slope.

BMP Dust Control Dust shall be controlled at all times by use of a water truck. Monitoring shall assure appropriate moisture levels shall be kept on all disturbed soils during grading activities and that no dust occurs on site.

BMP Earth-Moving Activities: Handling of Spoils and stockpiling of soils: Any stockpiled soils shall be treated with temporary erosion control hydroseed mix. Soils shall be removed promptly before October 15th.

The following earth moving BMP's shall be implemented

- a. Vegetation shall remain intact and disturbed only within the limit of work.
- b. Existing vegetation shall be removed only when absolutely necessary.
- c. Seed or plant *temporary* vegetation for erosion control on slopes and temporary stock piled soil.
- d. Downslope drainage courses will be protected with hay bales and silt fences.
- e. Temporary stockpiles and excavated soil will be seeded and hydro-mulched.

The following general guidelines shall be implemented

- a. Excavation and grading work shall occur only in dry weather.

Biological Assessment – U11be Property

- b. Major equipment repairs shall be conducted away from the job site.
- c. Refueling or vehicle/equipment maintenance must be done on site, work within a completely bermed area at minimum 150 feet from watercourse.

The following construction conditions shall be monitored

Excavation and grading work shall occur only in dry weather. If any of these conditions are observed, test for contamination and contact the Regional Water Quality Control Board:

- a. Unusual soil conditions, discoloration, or odor.
- b. Abandoned underground tanks.
- c. Buried debris, or trash.

Temporary Equipment Storage and Fueling Area

A temporary area for the purpose of storing construction machinery, fuel, and other potentially hazardous materials will be identified on site. The fuel handling and storage area shall be established to protect the soil and wetland areas from contamination.

Herbicide Spray Operations

Personnel providing spray services shall be fully trained in such operations, and shall wear all required protective clothing. The spray contractor shall carry all licenses and insurance required by the State of California and all other governmental agencies having jurisdiction. The spray contractor shall also be responsible for notification of all parties regarding application of chemical herbicide, as is required by law. Only herbicides registered for aquatic use will be permitted within banks and channels of the creek. Use of herbicides shall be restricted to only those times when standing and/or flowing water is not present.

The specified spray mix is as follows:

Herbicide: active ingredient: Glyphosate, N-(phosphonomethyl) glycine, in the form of its isopropylamine salt (Rodeo or equal). NO hazardous chemicals under the criteria of the OSHA hazard Communication standard (29CFR 1910.1200).

Water: clean and free of particulate matter (*glyphosate* adsorbs on clay particles)

Surfactant: Triton Ag 98 or equal

Dye: Blazon agricultural dye

Ingredient rates as specified by manufacturer.

Irrigation

Irrigation shall be conducted by the design and installation of main and lateral line irrigation system. The Contractor shall irrigate all shrubs at minimum one time per week during the summer months for a period of three years. Lack of available irrigation water on site or failure of the irrigation system does not relieve the contractor of his/her responsibility to maintain all planted trees and shrubs and to replaced dead dying or diseased trees and shrubs.

Plant Propagation and Increases

Indigenous plants at the Uribe Property are most adapted to the soils, seasons, and climates of the region. As part of the restoration, locally and regionally collected plant materials will be propagated and increased. Seeds can be collected nearly all year, and some general guidelines should be used. Acorns and seed should be gathered from the region and collections made from many plants representative of the genus and species.

Plant Propagation Planting of seeds, or propagules then screening and protecting young plants trees. Nurseries growing plant materials can inoculate nursery soil with local soil to assure local mycelia strains are active in the growing medium. For restoration, it is better to use small containers. Small plants tend to adapt and establish better without a great deal of water, fertilizer, and maintenance than large containerized plants.

Recommendations: Plants and their Applications

Following plant list are general recommendations for plant collection and applications. It is representative of the habitats found at the Uribe property.

Grasses and ground covers			
Scientific Name	Common Name	Rate	Quantity
<i>Elymus glaucus</i>	Blue wild rye	20 lbs/acre	40
<i>Nassella pulchra</i>	Purple needle grass	10 lbs/acre	20
<i>Agrostis pallens</i>	Creeping bent	5 lbs	10

Shrubs			
Scientific Name	Common Name	Size	Quantity
<i>Heteromeles arbutifloia</i>	Toyon	d-pot	10
<i>Arctostaphylos pungens</i>	Mexican Manzanita	d-pot	25
<i>Artemisia californica</i>	California sage	d-pot	35
<i>Mimulus aurantiacus</i>	Sticky monkey flower	d-pot	30
<i>Ceanothus integerrimus</i>	Deer brush	d-pot	20

Trees			
Scientific Name	Common Name	Size	Quantity
<i>Quercus kelloggii</i>	Black oak	d-pot	30
<i>Quercus douglassii</i>	Blue oak	d-pot	30
<i>Quercus chrysolepis</i>	Canyon live oak	d-pot	10
<i>Quercus berberidifolia</i>	California scrub oak	d-pot	20

Monitoring and Reporting

As our knowledge of the site and restorative process unfolds, it is important we observe, record, and evaluate post implementation management and restoration actions. There are numerous systems and data gathering methods available for monitoring plant performance, biological, and geophysical features. Monitoring methods are location based; data, photos, and actions are recorded and linked to specific locations by attribute. Adaptive management can focus on implementation costs, efficacy of restoration and site stabilization, invasive plant control, and levels of success or failure of the prescribed management. If restoration or invasive weed control programs fail to achieve anticipated trends or thresholds of success, alternative management can be prescribed. Finally, monitoring can assure that no direct, indirect, or accumulative water quality impacts occur on or adjacent to the property and that avoidance and protection measures are strictly adhered to.

The restoration shall be monitored by a qualified restoration ecologist and reports prepared. Such reports should include qualitative evaluations. At the least, qualitative measurements should record tree density and relative composition, native plant cover percentages, and the general effects on the amount of exotic vegetation prior to and after treatments. At the least, qualitative assessment should describe the general health and vitality of the restored and managed vegetation and habitat. The assessment should also target soil stability. If the reports identify a failure to meet any of the goals or standards, or failure to meet any other standards consistent with current professional restoration standards, the report should include appropriate recommendations for modifying plans in order to achieve the standards. The reports should be specific to activity, resources used, timing, and costs.

Restoration monitoring and reporting will continue for five (5) years on an annual basis or until the goals and standards have been achieved. These standards can be modified after (1) year, if the ecologist determines that the preceding standards cannot be feasibly maintained due to adverse natural conditions on the site.

There are indicators that support the achievement of the goals and standards for the restoration of the Uribe Site. Recording plant and soil indicators, vegetative states, and conditions on the site prior to implementing particular treatments, and actions can be compared with the results and trends tracked accordingly.

Monitoring Goals

- Monitor the effectiveness of avoidance and protection measures for preserved habitats on site.
- Monitor the effects of the seeded areas.
- Monitor the vigor, growth, and mortality of planted species within the Restoration Areas: Stated goals that target mortality, growth, and vigor.

Biological Assessment –Uribe Property

- Monitor exotic species cover. Restoration sites shall demonstrate a reduction in invasive plant cover and an increase in native vegetation.

Monitoring methods

Qualitative standards for the Uribe restoration and erosion control plan focus on the establishment, recruitment, and maintenance of representative species of Oak Woodland plant community. Qualitative standards will be measured by periodic photo monitoring. The planted areas shall simulate natural contours, vegetative growth, and composition of existing habitat to the extent possible given the terrain and soil conditions.

Monitoring Procedures

- Impacts to site: Once the Restoration and Erosion Control is installed, visually inspect the perimeter of the mitigation area for adequacy of protective measures. Inspection shall occur not less than quarterly during restoration.
- Plant growth, vigor, and mortality: Visually inspect and photo document the trees, plants, and shrubs planted.
- Monitor associated species cover, including exotic species and naturally recruiting species by visual inspection and photo-documentation.
- Quantification: Density and occurrence of specified shrub species shall be conducted by counting planted shrubs.

Success Criteria

1. Restoration and mitigation will be determined successful when specified trees and plants are fully established and growing vigorously. All plants shall be growing vigorously after 1 year. Any trees and plants that fail to establish shall be replaced at a 1:1 ratio.
2. The restoration and mitigation will be determined successful when plants are fully established and growing vigorously. Approximately 50% vegetative cover shall occur within the planting area specified for tree and shrub planting after two years and 80% cover at the end of the three-year monitoring period.
3. The restoration and mitigation will be determined successful when all invasive plants are removed consecutively for five years.

Analyses of results

The Restoration Ecologist shall:

1. Provide photo documentation twice per year for a period of five years.

Biological Assessment – Ulibe Property

2. Inspect planted shrubs, measure and record individual plant performance for a period of three years.
3. Monitor to assess exotic weed control effect each year for a period of three years.

Remedial Measures

1. If plants fail to establish, die, or become diseased they will be replaced at a 1:1 ratio.
2. If exotic species are not controlled than additional weed control measures will be required.

Reporting Results

General Guidelines

The restoration and erosion control areas shall be monitored by the ecologist and reports submitted on an annual basis for at least three years to the Land Owner/agent and the appropriate agencies. Such reports shall include both quantitative and qualitative evaluation. At a minimum, qualitative measurements shall record plant mortality, plant vigor, and the general amount of exotic vegetation. If the report should identify a failure to meet any of these minimum standards, or failure to meet any other standards consistent with current professional habitat restoration standards, the report shall include appropriate recommendations for achieving these minimum standards.

Restoration monitoring and reporting shall continue on an annual basis for three (3) years or until the minimum standards have been achieved. All reports of such change in conditions shall be signed and dated.

Agencies to Receive Reports

All reports specified in this plan shall be submitted for the review and approval of the:

1. Monterey County Planning and Building

References

California Department of Fish and Game. *Natural Diversity Database, Special Animals*. January 2003.

California Department of Fish and Game. *Natural Diversity Database, Special Vascular Plants and Bryophytes, and Lichens List*. January 2003.

California Department of Fish and Game. *California Endangered Species Act*. 1984.

Biological Assessment –Ulbe Property

California Department of Fish and Game. Jeff Cann, *Personal Communication*. 2002

The California Native Plant Society Inventory of Rare Vascular Plants of California. 2000.

Field Guide to the Birds of North American, Third Edition. National Geographic. 1999

Hickman, James C. ed. 1996. The Jepson Manual, Higher Plants of California. University of California Press, Berkeley.

U.S. Fish & Wildlife Service. *Federal Endangered Species Act*. 1973.

Western Garden Book. Sunset Publishing Corp. 1999.

Biological Assessment – Ulibe Property

Symphoricarpos mollis

*Taraxacum officinale**

Toxicodendron diversilobum

*Vulpia myuros**

Creeping Snowberry

Common Dandelion

Poison Oak

Rattail Fescue (*Festuca Myuros*)

* - Non-native species

EXHIBIT G
Forest Management Plan

PLN040707 – Uribe
Use Permit

Planning Commission
August 25, 2010

FOREST MANAGEMENT PLAN

for

APN 418-311-007-000

Owner: Don Uribe
114 Story Road
Carmel Valley, CA 93924
(831) 659-4936

Introduction

This Forest Management Plan is prepared for Don Uribe by Stephen R. Staub, Registered Professional Forester #1911 and Cheyenne Borello, Associate Forester. It is to be made a part of a permit application to build a single-family residence, associated driveway and a barn on a parcel adjacent to Tassajara Road. Per discussions with John Floyd, Assistant Planner, this FMP is intended to serve two purposes: 1) Identify the existing forest resources on the entire residential parcel with principal emphasis on trees that will be impacted by construction activities. 2) Address the Notice of Violation (Case Number CE040207) issued on April 21, 2004 for the removal of more than 40 protected native trees on the subject parcel. The Forest Management Plan is subject to the requirements of Monterey County Zoning Ordinance #21.64.260, Section C.3, which applies restrictions for the preservation of nine species of native trees within the Cachagua Area Plan. The site and its trees were reviewed in the field on June 28, 2004. The full site was reviewed by correlating existing features, a few known property line stakes and parcel maps.

Site Description

Assessor's Parcel Number: 418-311-007-000

Location: The site address in 1.6 miles past Jamesburg on Tassajara Road.

Parcel Size: APN 418-311-007-000 = 5.69 acres

Existing Land Use: The existing land use is an undeveloped parcel with RC/B-6 zoning.

Slope: Slopes on the property are quite variable with gentle to moderate terrain associated with the ridge top and slopes above Tassajara Road where residential construction is proposed on slopes of 20% or less. The northeast portion of the property below the ridge is has slopes greater than 30%, sometimes significantly greater.

Soils: Soils on the property are predominantly coarse sandy loams with a variable clay component which may form claypans on occasion and restrict permeability and rooting depths. The Soil Survey of Monterey County, California (USDA, 1978) identifies the principal soil type on the property as Sheridan coarse sandy loam.

The Sheridan soil is found on moderately sloping to very steep soil on hills and mountains. The dominant vegetation is oak and grassland. Rooting depths are generally 20 to 40 inches. The A horizon is dark grayish brown, runoff is rapid to very rapid and erosion hazard is moderate to high, with the elevated ratings associated with slopes greater than 30%.

Vegetation: Oak woodland dominates the parcel with varying degrees of cover which are dependent on slope and aspect. The oak woodland is comprised of four species of oaks - California black oak (*Quercus kelloggii*), coast live oak (*Quercus agrifolia*), canyon live oak (*Quercus chrysolepis*) and blue oak (*Quercus douglasii*) - as well as some madrones (*Arbutus menziesii*). Understory vegetation is a variable mixture of shrubs, vines, grasses and herbs with shrubs such as toyon, manzanita, black sage, and coffeeberry, most common on or near the ridgetop. Understory composition and density varies with the density of the tree canopy as and is sparsest under dense tree cover. In areas of better soil with moderate tree canopy, grasses and herbs such as hedge nettle are more frequent. Poison oak is ubiquitous.

Forest Condition and Health: California black oak, madrone, and coast live oak are the dominant tree species on the site although a few blue oaks and canyon live oaks were noted as well. Although density of tree cover varies somewhat, the parcel can be considered well-stocked to over-stocked with trees of diverse ages and sizes. A walking tally of trees on the entire property (significant portions of which are devoted to the existing road surfaces of Tassajara Road and access road to adjoining parcels) counted more than 400 trees 6" in diameter and larger. Many trees less than 6" in diameter were also noted, strongly indicating that tree cover on the parcel has increased significantly over the last 50 years, probably primarily as a result of fire exclusion. This dynamic is still active as coast live oak, and a number of oak seedlings were observed, especially in places where understory cover and tree canopy were moderate to light.

Most trees are from 6" to 18" in diameter, reflecting both limited site fertility and predominance of younger to early mature age trees in the stand. There are a few older and larger trees, including a couple black oaks over 30" in diameter. The larger trees often have cavities or wounds where decay is active as is typical in these forests. Such features provide useful niches in a diverse oak forest habitat. Overall stand health can be considered fair or slightly better as reflected in reasonable foliage density and color, but stocking is somewhat excessive, especially considering the site's soil fertility limitations. No indications of major disease (including *Phytophthora ramorum*, the active agent of Sudden Oak Death) or insect infestations were observed.

Violation Notice: On April 21, 2004, the Planning and Building Inspection Department of Monterey County issued a Violation Notice (CE040207) on the subject parcel for the removal of "more than 40 protected native trees." On June 28, 2004, we met with the owner, Don Uribe, to review the site and determine the number, species and diameter of trees removed (see Table 1

below). Our review tallied 47 trees 6" in diameter or larger that had been removed. According to the landowner, he removed the trees pursuant to information provided by county staff that turned out to be inaccurate. Forty-five of the 47 trees removed occur in a small area concentrated within the development footprint of access and residential facilities that the landowner is proposing and had in mind when he removed the trees. Nearly all of the trees removed were small (less than 12" in diameter) as shown in the table below. The two black oaks were just slightly larger than 12". The other three larger trees were multi-stemmed madrones.

Table 1: Trees removed per the Violation Notice (CE040207).

Species	Diameter Class			Total
	6-11"	12-23"	24"+	
black oak	26	2	0	28
madrone	12	3	0	15
coast live oak	4	0	0	4
Total	42	5	0	47

Evaluation of Violation Impacts and Possible Mitigation: Trees removed without benefit of permit comprised roughly 10 % by number of the estimated total tree population on the parcel. However, because almost all trees removed were small, it is estimated that less than 5% of the trees 12" and larger were removed. As noted above, the number of trees (and especially small trees) on the parcel has been increasing in recent years and tree density on the parcel is still in excess of what might be considered characteristic of natural stands prior to the current era of fire suppression. Because some oaks larger than 12" were left within the removal violation area, the openings created are very small and well within the normal range of variation for oak stand distributions in the Cachagua area. Considering all these factors, I consider the impact of these unpermitted tree removals on the tree and forest resources of the site to be minor in scope and of negligible functional significance. The effective species mix is unaltered and nearly all larger trees have been retained.

Handwritten note: 7/10/04

In the event that no developed uses are considered or approved for the site, measures necessary for restoration of the site to pre-violation conditions are already in place and consist of:
 1) mulching of areas of bared soil disturbed during tree removals, and 2) replacement of cut trees by sprouting from the stumps of the cut trees. All three species of trees removed sprout from the base after cutting or fire and most were already sprouting at the time of our site inspection. Given the density of trees on the site surrounding the violation area, no additional planting on the site is necessary or appropriate.

In the event that developed uses are considered or approved, requiring a scenic and conservation easement for the portions of the parcel outside the development area would be appropriate.

Project Description

The project proposes to develop a single-family residence with driveway and caretaker unit and a permit-exempt barn. At the time of our inspection, the owner had a preliminary site plan for the project and, with the owner, we used it to evaluate potential impacts and estimate probable tree removal associated with proposed residential development. The project proposes to construct a

new driveway access off of Tassajara Road which will provide sufficient width, turn-arounds and clearance to meet fire and emergency standards for residential access. Final designs have not yet been completed but project scope and impacts are sufficiently set to permit initial evaluation of the project. The attached preliminary project plan prepared by the owner is only slightly different from the earlier site plan reviewed during our site visit when we flagged trees proposed for removal in yellow. Estimates of removal below are pre-project estimates only developed for purposes of environmental analysis and tree assessment, including possible replacement planting.

Tree Removal and Retention: To prepare removal estimates, trees 6 inches in diameter and greater were tallied and measured to the nearest inch at two feet above ground or closest representative diameter measuring point considering trunk characteristics and standard tree measurement methodology. Multiple-stemmed trees, sharing a common basal crown at ground level, were considered one tree but all stem diameters were recorded. As shown on the preliminary project plan, residential development is centered on the area where 47 trees have already been removed. To complete site development, it is estimated that an additional 17 trees at the house site and 5 trees associated with the driveway and barn would need to be removed, making a total of 69 trees removed for the project. Proposed locations of facilities utilize the few small openings in tree cover in the portion of the parcel not subject to slope or setback limitations. A portion of the driveway would use a segment of an existing dirt road. As listed, an additional 22 trees (13 oak trees and 9 madrones) are proposed for removal. No landmark trees (trees greater than 24" in diameter) are proposed for removal. Estimated tree removal for the project shown in the table below by species and diameter class includes both previous removals and additional trees to complete proposed development.

Table 2: Total Proposed Tree Removal.

Species	Diameter Class			Total
	6-11"	12-23"	24"+	
black oak	27	8	0	35
madrone	15	9	0	24
coast live oak	4	3	0	7
blue oak	1	1	0	2
canyon live oak	1	0	0	1
Total	48	21	0	69

Estimated Tree Retention (Oaks & Madrones 6"+ Diameter) = +/- 335 Trees

As noted above, tree retention is estimated from a walk-through tally of all trees on the parcel 6"+ and constitutes approximately 85% of the trees originally on the parcel. The diameter distribution of retained trees is comparable to those being removed except that all landmark oaks on the property are to be retained. The health and general condition of the retained trees are fair to good and comparable to that of the trees being removed. Although not necessary for residential construction, we recommend selective thinning of up to 50% of trees up to 8" in diameter to encourage diameter growth and crown development and decrease fire hazard.

Tree Replacement: Relocation or replacement of all protected trees (native trees 6 inches in diameter or greater) to be removed is required unless shown to be a hardship or detrimental to the long-term health of the remaining habitat. As noted above, tree cover has expanded in recent

years probably due to fire suppression but perhaps also as active ranching has declined in the area. As a result, there are very few openings in the tree canopy large enough to support healthy growth of additional trees. Therefore, I recommend that tree replacement be limited to 15 trees. Suitable openings for healthy growth of several trees occur on the south and west sides of the parcel above Tassajara Road plus a few smaller openings large enough for only one or two trees.

Normally, replacement trees would be of comparable native species, but the owner would like to plant some olive trees for home use, including oil production. Olives, being native to a Mediterranean climatic pattern similar to California's, are drought tolerant and compatible with local soils and yet are not invasive. Therefore, permitting limited numbers of olive trees to be planted on the site would not harm the adjoining oak and madrone woodland. Given the density of native trees on this small parcel, not to mention their prevalence on all of the much larger adjoining parcels, it does not seem unreasonable to permit some olive trees near an approved residence. Whether olive or native trees or some combination are approved, replacement planting sites and species planted should be shown on the Landscape Plan for the project, or if outside the scope of the Landscape Plan, on a suitable Site Map of the parcel.

- does not meet del.

nor native oak or madrone trees of local native stock planted in Planted trees should not be larger than 5 gallon size with one gallon or smaller (or D40 Treepots even better) being the preferred size since they adapt better to the planting site and studies repeatedly show better long term growth and stability. An alternative replacement method that has been found effective is mature acorns collected on-site planting at a four to one ratio.

Tree Care During Construction

To protect trees during construction activities, the following measures shall be adhered to:

- 1) Around each tree or group of trees to be preserved next to construction areas, a boundary of orange snow netting or high visibility plastic fencing supported by wood or metal stakes shall be erected along the approximate driplines of such protected trees to define the construction project boundary and Tree Protection Zone prior to commencement of site grading. The contractor should install protective fencing that intrudes within tree driplines only with on-site consultation and approval of a forester or qualified arborist.
- 2) No storage of equipment or construction materials or parking of vehicles is permitted beyond the construction boundary so identified.
- 3) No soil may be removed from within the dripline of any tree and no fill of additional soil can exceed two inches (2") within the driplines of trees, unless it is part of approved construction and is reviewed by a qualified forester or certified arborist. Because existing trees are sensitive to the addition of fill, excavated material must either be removed from the site, incorporated as engineered fill beneath driveway, parking areas or the structure, or retained away from oak trunks (a minimum of one foot clearance) and as much rooting area as possible. See specific tree applications under #8 below.

- 4) Bark injury to any tree from equipment or materials is not acceptable and is prevented by respecting the protective fencing described above.
- 5) No significant tree as defined by County code may be removed or trimmed unless authorized under this Management Plan or County regulation. Tree crowns that lean into the construction area should be pruned prior to commencement of excavation and construction to minimize potential for inadvertent damage.
- 6) Roots exposed by excavation must be pruned and recovered as quickly as possible to promote callusing, closure and healthy regrowth. Where excavation will occur within tree driplines, the following root severing procedures during excavation and trenching are recommended: ● Gently expose and cleanly sever roots one foot further from the tree than the final limit of grading and then hand dig the final foot of width. Roots should then be cleanly pruned to the side wall of excavation with a saw, sawzall, narrow trencher with sharp blades, or clippers. Hydraulic or pneumatic excavation technologies are available which can expose and minimize damage to roots. ● All trenching within tree driplines shall be undertaken by hand labor. All roots 2 inches or larger shall be tunneled under or bridged over unless there is no feasible means of maintaining utility or drain function. If roots 2" or larger must be cut, a forester or arborist must evaluate impacts to tree stability and health. ● Exposed roots shall be draped immediately with at least two layers of untreated burlap or carpets secured to cover the excavated surface to a depth of 3 feet from the ground surface. Burlap or carpeting (or temporary fill) shall be soaked nightly and kept in place until the excavated surface is backfilled and watered.
- 7) All tree work shall be monitored by a qualified forester or certified arborist and work completed by qualified tree service personnel. Oaks should not be trimmed during periods of rapid growth in the spring and early summer so that deformed "witches broom" growth is not stimulated.
- 8) Not surprisingly, trees closest to foundation and slab perimeters are at the greatest risk of damage from construction activities. Although oaks can be fairly tolerant of root loss due to excavation, excavation in a straight line closer than four trunk diameters from a tree base certainly tends to put a tree at risk. Madrones are very sensitive to root disturbance, especially fill. Specific trees requiring special attention can be identified once final Site and Grading Plans have been developed.

Project Assessment

Potential for adverse environmental impacts due to proposed tree removals in the following subject areas:

Soil Erosion: Potential is low to moderate from tree removal alone due to low slope. Appropriate erosion control measures required for the construction site will apply and can address potential impacts.

Change language

Water Quality: The development is well removed from any watercourses and is unlikely to generate harmful substances that could be transported by water to cause harm to the plant, animal or human environment.

Ecological Impacts: Low potential. The scale of the project is small and adjoins a major road and an existing residence so fragmentation is not significant.

Noise Pollution: Not a factor. Construction activities will be remote and of short duration.

Air Movement: The number of trees proposed for removal will have little or no effect on the movement of air in this vicinity.

Wildlife Habitat: Low impact for the area, although there will be minor displacement on a very small scale of some burrowing rodents and changes in patterns of wildlife movement. See also ecological impacts review above.

Agreement by Owner

The following standard conditions are required by the Monterey County Planning Department in Forest Management Plans and all sections relevant to this site are to be applied:

Management Objectives

- 1) Minimize erosion (in order to prevent soil loss and siltation).
- 2) Preserve natural habitat (includes native oak forest, understory vegetation, and associated wildlife on site).
- 3) Prevent forest fire (i.e., uncontrolled fires.)
- 4) Preserve scenic forest canopy as located within any Critical Viewshed as defined by the County.
- 5) 5) Preserve landmark trees not specifically reviewed and approved for removal during project and plan review

Management Measures

- 1) Tree Removal. No protected tree shall be removed without a Forest Management Plan, an Amended Forest Management Plan, or a Permit where required by the County of Monterey. Note that this FMP allows and encourages selective thinning of up to 50% of trees up to 8" in diameter to encourage diameter growth and crown development and decrease fire hazard.

2) Application Requirements. Trees proposed for removal will be conspicuously marked by flagging or paint. Proposed removal of native trees greater than six inches in diameter will be the minimum necessary for the proposed development. Removal not necessary for the proposed development will be limited to that required for the overall health and long term maintenance of the forest, as verified in this plan or in subsequent amendments to this plan.

3) Landmark Trees. All landmark trees will be protected from damage if not permitted to be removed as a diseased tree which threatens to spread the disease to nearby healthy trees or as a dangerous tree which presents an immediate danger to human life or structures. A landmark tree is a tree which is more than 24 inches in diameter when measured at breast height, or a tree which is visually significant, exemplary of its species, or more than 1,000 years old.

4) Dead Trees. Because of their great value for wildlife habitat (particularly as nesting sites for birds), large dead trees will normally be left in place. Smaller dead trees will normally be removed in order to reduce fire hazard. Dead trees may be removed at the convenience of the owner, provided such removal is otherwise in conformance with this plan and designated by a qualified forester.

5) Thinning. Non-significant trees, where weak, diseased, or overcrowded, may be thinned to promote the growth of neighboring trees. Subject to confirmation of need for forest health and safety by a qualified forester, significant trees may be removed for the same purpose. Note that this FMP allows and encourages selective thinning of up to 50% of trees up to 8" in diameter to encourage diameter growth and crown development and decrease fire hazard.

6) Protection of Trees. All significant and replacement trees, other than those approved for removal, shall be retained and maintained in good condition. Trimming, when not injurious to the health of the tree(s), may be performed wherever necessary in the judgment of the owner, particularly to reduce personal safety and fire hazards.

Retained trees which are located close to the construction site shall be protected from inadvertent damage by construction equipment through wrapping of trunks with protective materials, bridging or tunneling under major roots where exposed in the foundation or utility trenches, and other measures appropriate and necessary to protect the well-being of the retained trees.

7) Fire Prevention. In addition to any measures required by local California Department of forestry fire authorities, owner will:

- a. maintain spark arrester screen atop chimney;
- b. maintain spark arresters on gasoline-powered equipment;
- c. establish "greenbelt" by keeping vegetation around house to a distance of 50 feet in a green, growing condition;
- d. break up and clear away any dense accumulations of dead or dry underbrush or plant litter, especially near landmark trees and within greenbelt.

*MO
Fire
Comments*

8) Use of Fire (for Clearing, Etc.). Open fires will be set or allowed within the FMA only as a forest management tool under the direction of Department of Forestry authorities, pursuant to local fire ordinances and directives.

9) Clearing Methods. Brush and other undergrowth, if removed, will be cleared through method(s) which will not materially disturb the ground surface. Hand grubbing, crushing, and mowing will normally be the methods of choice. Use of fire and herbicides will be subject to the limitations listed in the Carmel Valley Area Plan.

Areas laid bare by clearing, other than firebreaks, will be sown with annual rye grass (if nothing else is to be planted in the area). Sowing of cleared areas will be completed prior to the onset of the winter rainy season.

10) Irrigation. In order to avoid further depletion of groundwater resources, prevent root disease, and otherwise maintain favorable conditions for the native pine forest, the FMA will not be irrigated except within the greenbelt area. Caution will be exercised to avoid overwatering around trees.

11) Exotic Plants. Care will be taken to eradicate, and to avoid introduction of, the following pest species:

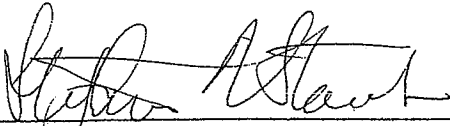
- a. Pampas grass
- b. Genista (Scotch broom, French broom)
- c. Eucalyptus (large types)
- d. Gorse

Amendments. It is understood that the Executive Director of the Monterey County Planning Department, in consultation with the California Department of Forestry, may approve amendments to this Plan, provided that such amendments are consistent with the provisions of the County Development Permit. Amendments to this Forest Management Plan will be required for proposed tree removal not shown or authorized as part of this plan.

Compliance. It is further understood that failure to comply with this Plan will be considered failure to comply with the conditions of the County Development Permit.

Transfer of Responsibility. This Plan is intended to create a permanent forest management program for the site. It is understood, therefore, that in the event of change in ownership this Plan shall be as binding on the new owner(s) as it is upon the present owner. To this end, this Plan will be conveyed to the future owner upon sale of the property.

Forest Management Plan Prepared by:



Stephen R. Staub
Register Professional Forester, License #1911

2/12/04

Date

Owner's Agreement to Provisions of the Plan:

Don Uribe

Date

Forest Management Plan Approved by:

Director of Planning

Date

EXHIBIT H
Comments on the Mitigated Negative
Declaration

PLN040707 – Uribe
Use Permit

Planning Commission
August 25, 2010

County of Monterey

Resource Management Agency - Planning Department
Attn: Craig W. Spencer Associate Planner
168 West Alisal, 2nd Floor
Salinas CA 93901

Re: Uribe; File Number PLN040707

August 11, 2020

From: Don Gruber
473 Webster St
Monterey, CA 93940

Dear Sir and/or Madam,

I own one of the properties adjacent to the referenced Uribe property. I have reviewed the file with Associate Planner Spencer. From that review I understand the proposed project includes a main building with a total footprint, including the garage, of about 2700 square feet, near the center of the flat portion of the property. There is also an outlying barn proposed near the uphill property line. The downhill, steep portions will be placed in permanent conservation. There appears to be a provision for a future well.

If my understanding of the project is correct, this appears to me to be a modest, reasonable proposal. I would prefer that fewer trees be destroyed, if at all possible. Perhaps this could be achieved by siting the structures a few yards away from the proposed locations, or, better, by accepting a higher fire risk, and allowing the trees closest to the home to stand.

I anticipate that most neighbors will have little objection to the project as drawn, with one exception. The barn appears to be very close to, and very much in the view of, the uphill neighbor. While the siting may be within the zoning guidelines as is, neighborly relations would be much improved by moving this building to a screened location.

That all being said, I believe the proposal is quite acceptable, and I commend Mr. Uribe and the County Staff for arriving at such a condition.

Regards,

Don Gruber
Owner of 39061 Tassajara Road
831-238-2787
mrycrow@hotmail.com

Spencer, Craig x5233

From: Nancy Skei [nancy.skei@gmail.com]
Sent: Monday, August 16, 2010 11:58 AM
To: ceqatocomments@co.monterey.ca.us; Spencer, Craig x5233
Subject: Project File Number PLN040707

County of Monterey Resource Management Agency - Planning Department
Attn: Craig W. Spencer Associate Planner
168 West Alisal, 2nd Floor
Salinas CA 93901

Re: Uribe; File Number PLN040707

August 13, 2020

From:
Nancy Skei
38650 Tassajara Rd.
Carmel Valley, CA 93924

To Whom It May Concern:

I own the property directly uphill from the above-referenced property belonging to Mr. Uribe. I understand that the proposed project includes a house and attached garage with a combined footprint of about 2700 square feet near the center of the flat portion of the property. There is also a proposed pole-barn near the shared property line between our two properties.

If my understanding of this project is correct, then the building proposal appears to be quite reasonable. However, I have three requests based upon the fact that Mr. Uribe has already removed 47 protected trees and other vegetation between our two properties, leaving a gaping hole where there used to be tall oaks and madrones and dense shrubbery. The removal of another twenty protected trees is almost another third of what has already been removed!

First...now that I already have a clear view of Mr. Uribe's proposed home site from my wall of windows, which completely covers the front of my two-story home, the removal of 20 more protected trees would, in my opinion, most certainly give me an even greater view of Mr. Uribe's proposed house and garage and take away what little privacy I have left. I'm hoping that any further tree removal can be avoided.

Second... I would appreciate it very much if the proposed pole-barn could be placed someplace else other than near our joint property line closest to Tassajara Rd. since the pie-shaped configuration of the property line places the pole-barn very near my house, making it very visible in the left front of our line of sight from inside and outside the front of the house.

Third... I respectfully request that a few reasonably mature, native trees and shrubs be re-planted at the property line to provide a privacy screen ...replacing some that were previously removed and providing some form of natural division between our properties.

Sincerely yours,

Nancy Skei, property owner
38650 Tassajara Rd.
Carmel Valley, CA 93924
831-659-4796