

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 12, 2011 Time: <u>9:30 a.m.</u> Agenda Item No.: 2 & 3	
Project Description: A Combined Development Permit consisting of a: 1) Administrative Permit for the construction of a bicycle trail (within a Site Plan Review Zoning District) approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval.	
Project Location: The project location generally parallels the Carmel River south and east of Highway 1 from and west of Rancho San Carlos Road to, and including the Palo Corona Regional Park.	APNs: 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000. Coastal Parcels (157-121-001-000, 243-081-005-000 and 243-081-008-000).
Planning File Number: PLN080106/Big Sur Land Trust PLN100601/Monterey Peninsula Regional Park District (Palo Corona Regional Park)	Owner: Heritage Development, LLC (APNs 157-181-006-000, 157-181-007-000, and 157-181-008-000), Quail Lodge Inc. (APN: 157-171-057-000), Monterey Peninsula Regional Park District (APN 157-121-001-000, 243-081-005-000 and 243-081-008-000). Agents: Big Sur Land Trust, Bill Leahy and MPRPD, Tim Jensen
Planning Area: Carmel Valley Master Plan and Carmel Area Land Use Plan	Flagged and staked: No
Zoning Designation: : VO-D-S-RAZ, O-D-S-RAZ, RC/10-D-S-RAZ, WSC/40-D(CZ), "WSC/40-D SpTr (CZ)"	
CEQA Action: Supplemental Mitigated Negative Declaration prepared	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Adopt the Supplemental Mitigated Negative Declaration (**Exhibit G**) and the Mitigation Monitoring and Reporting Program (**Exhibits C.1 and D.1**) and
- 2) Adopt a Resolution approving PLN080106, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):
- 3) Adopt a Resolution approving PLN100601, based on the findings and evidence and subject to the conditions of approval (**Exhibit D**):

PROJECT OVERVIEW:

Carmel Valley/Valley Greens Drive Class I/III Bicycle Trail begins at Carmel Valley Road and Valley Greens Drive and will extend to State Highway 1, and is designed to allow bicycle commuters in Carmel Valley and surrounding communities an alternative to using Carmel Valley Road. The subject project is Phase III of four phases consisting of a Class I Bicycle Trail that parallels the Carmel River beginning at the east end boundary of Quail Lodge property and extends to the west boundary of Monterey Peninsula Regional Park District. Phase III will include construction of a paved eight-foot wide bicycle trail, two three-foot gravel shoulders, plus directional signage and striping. On the east, Phase III will connect to an existing 0.70-mile (3,700

foot long) Class III bicycle trail on an adjacent Quail Lodge property (APN 157-171-060-000). At the west end, this trail will ultimately connect to State Highway 1 through Palo Corona Regional Park (PCRP) (Phase IV).

In conjunction with Phase III of the Bike Trail Project, Monterey Peninsula Regional Park District has applied to amend the General Development Plan for Palo Corona Regional Park to:

- 1) Allow pedestrian access into a portion of the park that is otherwise closed to public access; and
- 2) Extend the Interim Park Access Plan (PLN080093) to April 26, 2016, which would otherwise expire April 26, 2011.

Access restrictions are currently applied to the Park due to limited parking available from Highway One. This trail will create a new access point, and allowing access from the trail would not impact the parking on Highway One. While pedestrian access from the bike trail does not require a limit, access limits for those arriving by vehicle must remain in place.

The inland and coastal portions of the projects have separate files so that any coastal issue can be addressed by the Coastal Commission separate from the inland portion. Since they are related and connected, staff combined the review process including environmental review.

On August 28, 2008, Monterey County Planning Commission adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and/or Reporting Plan (MMRP) (SCH#2008041136). The scope of that IS/MND was a 66-foot wide area within which a portion would be used for the Phase III trail design.

Since the adoption of the 2008 IS/MND, alignment of the Carmel Valley Class I Bicycle Trail has been refined and easements have been secured for a 14-foot wide trail alignment. The Area of Potential Impact (APE) was substantially reduced in size thereby reducing potential impacts. However, portions of the 14-foot easement are located outside of the APE resulting in the need to reassess biological conditions. In addition, timing of grading has changed to occur during the rain season (between October 15 and April 15) because of time restrictions for the project funding. Staff consulted with the California Department of Fish and Game (DFG), the US Fish and Wildlife Service, and National Oceanic and Atmospheric Administration (NOAA), to address any concerns with these changes.

Consistent with CEQA Guidelines 15162 and 15163, staff determined that it is appropriate to prepare a supplement to the adopted Bicycle Trail 2008 IS/MND and adopted Palo Corona Regional Park Plan 2008 IS/MND in the form of a Supplemental IS/MND. The 2010 Supplemental IS/MND has been prepared to address minor changes and revisions to the project from those described in the previously adopted IS/MND. Since circulation of the 2010 IS/MND, grading quantities have increased as a result of removing a 250-foot long retaining wall from the project. The grading was reassessed and staff finds that this change is within the scope of what was evaluated in the IS/MND.

See Discussion (**Exhibit B**) for more detail.

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

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Monterey Regional/Carmel Valley Fire Protection District

- ✓ Parks Department
- ✓ Monterey County Sheriff's Office

Agencies that submitted comments are noted with a check mark ("✓"). Conditions recommended by RMA - Public Works, have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as **Exhibits C.1 and D.1** to the draft resolution (**Exhibits C and D**).


LAND USE ADVISORY COMMITTEE REVIEW

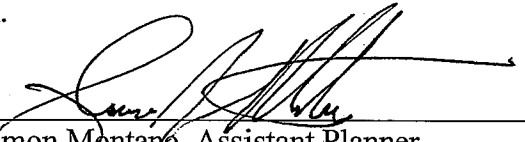
The project was referred to the Carmel Valley Land Use Advisory Committee (CV LUAC) for the inland portion and Carmel Unincorporated/Highlands Land Use Advisory Committee (CUH LUAC) for the coastal portion:

CV LUAC (December 6, 2010). The member's recommendation was to support the project (6-0-0). No areas of concern were noted. Committee members supported the project as proposed with a recommendation to remove the proposed retaining wall. This wall has subsequently been removed.

CUH LUAC (January 3, 2011). Staff will report on this action and provide minutes at the hearing on January 12, 2011.

Note: The decision on this project is appealable to the Board of Supervisors. The coastal portion (PLN100601) is appealable to the Coastal Commission.


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December 27, 2010


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Cc Front Counter Copy; Planning Commission; Monterey Regional/Carmel Valley Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Taven Kinison Brown, Planning Services Manager, Laura Lawrence, Planning Services Manager; Paula Bradley, Project Planner; Ramon Montano, Project Planner; Carol Allen, Senior Secretary; Owners (Heritage Development, LLC; Quail Lodge Inc.; Monterey Peninsula Regional Park District, Tim Jensen Agent; Big Sur Land Trust, Bill Leahy Agent); Planning Files PLN080106 and PLN100601

Attachments: **Exhibit A-1 & A-2 Project Data Sheet**

- Exhibit B, Project Discussion
- Exhibit C Draft Resolution, (PLN080106) Inland Zone including:
 - 1. Conditions of Approval and Mitigation Monitoring and Reporting Program
 - 2. Site Plan (included in MND)
- Exhibit D Draft Resolution, (PLN100601) Coastal Zone including:
 - 1. Conditions of Approval and Mitigation Monitoring and Reporting Program
 - 2. Site Plan (included in MND)
- Exhibit E Assessor's Parcel Maps
- Exhibit F Land Use Advisory Committee Minutes
- Exhibit G Supplemental Mitigated Negative Declaration with attached site plans
- Exhibit H Vicinity Map

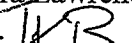
This report was reviewed by Carl Holm, AICP, Assistant Director of Planning; Laura Lawrence, Planning Services Manager and Taven Kinison Brown, Planning Services Manager. 

EXHIBIT A1

PROJECT DATA SHEET FOR PLN080106

Project Title: Carmel Valley Bike Trail

Primary APN: 157-181-006-000,
157-181-007-000,
157-181-008, and
157-171-057-000

Location: Generally paralleling the
Carmel River south and east of
Highway 1 from and west of
Rancho San Carlos Road

Coastal Zone: No

Applicable Plan: Carmel Valley Area Plan

Zoning: VO-D-S-RAZ, O-D-
S-RAZ, RC/10-D-S-
RAZ"

Permit Type: Combined Development Permit

Plan Designation: Visitor Serving / Site
Plan Review /
Resource Conservation
and Residential
Allocation Zoning.

Environmental Status: Mitigated Negative Declaration
Advisory Committee: Carmel Valley LUAC

Final Action Deadline: 1/12/2011

Project Site Data:

Lot Sizes total: 153.5 acres

Coverage Allowed: 25 & 50%
Coverage Proposed: No Change

Existing Structures (square feet): N/A
Proposed Structures (square feet): None

Height Allowed: 24'
Height Proposed: None

Total Square Feet: 0

FAR Allowed: 10%
FAR Proposed: 25 & 50%

Resource Zones and Reports:

Environmentally Sensitive Habitat: Yes
Biological Reports #: LIB100484,
LIB100487,
LIB100490

Erosion Hazard Zone: Mod/High
Soils/Geo. Report # LIB100486

Forest Mgt. Report #: LIB100488
N/A

Geologic Hazard Zone: Mod/High
Geologic Report #: N/A

Archaeological Sensitivity Zone: High
Archaeological Reports #: LIB100489

Traffic Report #: Not required

Fire Hazard Zone: High

Fire District: MCMRFPD/CVFPD

Other Information:

Water Source: Not required

**Sewage Disposal
(method):** Not required

Water District/Company: Not required

Sewer District Name: N/A

Grading (cubic yards): Non Coastal portion of
CVBT project (Approx
1,700 cy/cut & 915
cy/fill)

Tree Removal (Count/Type): 26 non protected trees 6 < 6"

EXHIBIT A2

PROJECT DATA SHEET FOR PLN100601

Project Title:	"Front Ranch" area Palo Corona Regional Park	Primary APN:	157-121-001-000, 243-001-000, and 243-001-008
Location:	26313 Carmelo Street, Carmel	Coastal Zone:	Yes
Applicable Plan:	Carmel Area Land Use Plan	Zoning:	WSC/40-D(CZ), "WSC/40-D SpTr (CZ)"
Permit Type:	Coastal Administrative Permit	Plan Designation:	Water & Scenic Conservation
Environmental Status:	Mitigated Negative Declaration	Final Action Deadline:	1/12/2011
Advisory Committee:	Carmel Unincorporated Highlands LUAC		

Project Site Data:

Lot Size:	680 acres	Coverage Allowed:	10%
Existing Structures (square feet):	N/A	Coverage Proposed:	No Change
Proposed Structures (square feet):	None	Height Allowed:	24'
Total Square Feet:	0	Height Proposed:	None
		FAR Allowed:	10%
		FAR Proposed:	No Change

Resource Zones and Reports:

Environmentally Sensitive Habitat:	Yes	Erosion Hazard Zone:	Mod/High
Biological Reports #:	LIB100484, LIB100487, LIB100490, LIB080228.	Soils/Geo. Report #	LIB100486
Forest Mgt. Report #:	LIB100488	Geologic Hazard Zone:	Mod/High
	N/A	Geologic Report #:	LIB080229
Archaeological Sensitivity Zone:	High	Traffic Report #:	Not required
Archaeological Reports #:	LIB100489 & 080227		
Fire Hazard Zone:	High		

Other Information:

Water Source:	Private Well	Sewage Disposal (method):	Portable facilities
Water District/Company:	N/A	Sewer District Name:	N/A
Fire District:	CDF Coastal District	Grading (cubic yards):	For Palo Corona portion of CVBT project (Approx 900 cut & 185 fill)
Tree Removal:	0		

EXHIBIT B DISCUSSION

BACKGROUND

On April 26, 2006, Monterey County Planning Commission adopted an Interim General Development Plan (IGDP) for Palo Corona Regional Park (PLN050638/Monterey Peninsula Regional Park District), which included an Initial Study/Mitigated Negative Declaration (IS/MND). The scope was to allow a Public/Quasi-Public use and allow interim public access to designated parkland areas along an existing roadway network within the 680 acre "Front Ranch" area. The IGDP restricts park access due to limited space for vehicle parking off of Highway 1. An amendment, adopted in April 2008 (PLN080093), included maintenance and restoration of trails throughout the park and extended the IGDP through April 26, 2011.

On August 28, 2008, Monterey County Planning Commission adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and Condition Compliance & Mitigation Monitoring and/or Reporting Plan (MMRP) (SCH#2008041136). This document analyzed environmental impacts associated with Phase III of the Carmel Valley/Valley Greens Drive Class I/III project, which has been titled the Carmel Valley Class I Bicycle Trail project. The scope of that study was a 66-foot wide area within which a portion would be used for the Phase III trail design.

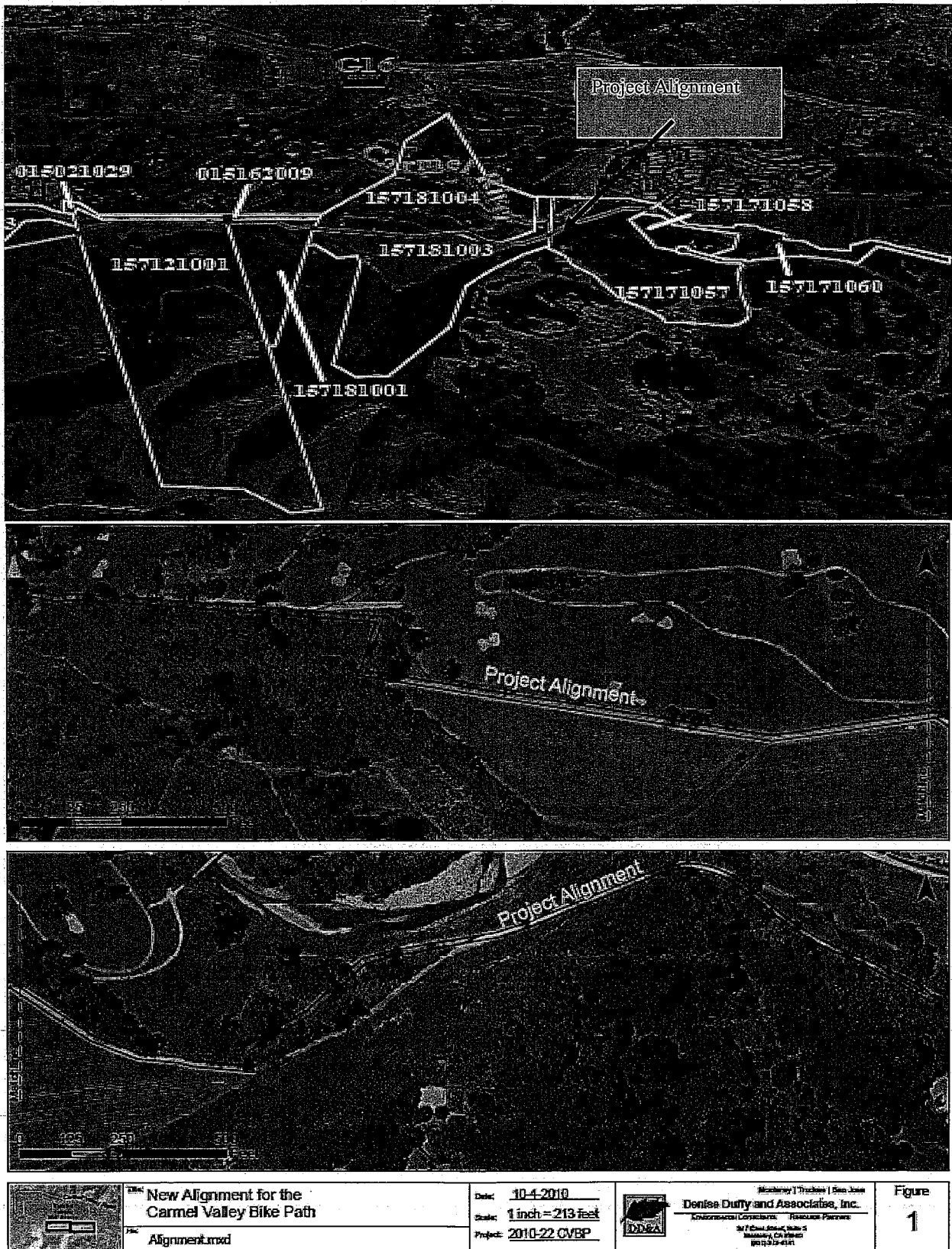
Project Description

The project is a Class I/III bicycle trail that parallels the Carmel River beginning at the east end boundary of Quail Lodge Property (APN 157-171-057-000) and extends to the west boundary of Monterey Peninsula Regional Park District (APN 157-121-001-000). The length of Phase III is about 5,800 linear feet, which is approximately 1.1 miles of the total 4.0 mile four-phase Carmel Valley Bicycle Trail. The Bicycle Trail will include the construction of a paved eight-foot wide bicycle trail, two three-foot gravel shoulders, and directional signage and striping. Grading is approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill).

Trail easements across public and private lands have been secured and recorded by the Big Sur Land Trust. Recently acquired easement within the Palo Corona Regional Park (PCRP) will result in revisions to the General Development Plan by allowing pedestrian access into a portion of the park previously closed to public access.

PLN080106/Big Sur Land Trust: The east end of the project will connect to an existing 0.70-mile (3,700 foot long) Class III bicycle trail on an adjacent Quail Lodge property (APN 157-171-060-000). Zoning for the inland portion includes Resource Conservation/10 (RC-D-S-RAZ), Visitor Serving/Professional Office; Open Space, Design Control, and Site Plan Review Districts. This section is located within the Carmel Valley Master Plan area.

PLN100601/Monterey Peninsula Regional Park District: The western portion of the trail is located in the Carmel Area Local Coastal Plan (LCP). Land use designations are Watershed and Scenic Conservation and Resource Conservation and "Special Treatment" area. In conjunction with phase III of the Bike Trail Project, Monterey Regional Park District has applied to amend the General Development Plan (PLN080093, Palo Corona Regional Park) to allow pedestrian access into a portion of the park that is otherwise closed to public access and extend the GDP through April 26, 2016.



The two projects have been combined to proceed through the entitlement process as they both require permits for two parts of the one project, the Class I Carmel Valley Bicycle Trail project, in the inland area and the Coastal Zone.

CEQA

As noted above, a IS/MND was adopted August 28, 2008 that assessed impacts of a Trail within a 66-foot wide area. Alignment of the Carmel Valley Class I Bicycle Trail has been refined and easements have been secured for a 14-foot wide trail alignment. The project area has been reduced from 8.9 acres to 2.1 acres, but small areas of the 14-foot easement are located outside the original assessment area. Changes to the alignment are shown on Figure 2 of the IS/MND.

Due to changes in the project description (footprint) and that grading would now occur during the rain months, staff determined that it would be appropriate to prepare a supplement to the adopted 2008 Bicycle Trail IS/MND and the Palo Corona Regional Park (PCRP) adopted 2008 IS/MND. The 2010 Supplemental IS/MND is being circulated December 7, 2010 through January 7, 2011. Since circulation of the 2010 IS/MND, grading quantities have increased from 3,050 to 3,700 cubic yards. The increase is due to the removal of a 250-foot long retaining wall from the project. This change in grading will not result in additional impacts not adequately addressed within the 2010 supplemental MND mitigations, monitoring measures or conditions of approval for the project.

Issues

Land Use

The proposed project is a low-intensity recreational land use consistent with the land use designations and policies within the Local Coastal Plan (LCP) and the Carmel Valley Master Plan (CVMP) and the zoning districts. The project is consistent with the policies in the 2010 Monterey County General Plan and the Monterey County General Bikeways Plan. Relevant policies include circulation, open space (soils and the 100-year flood zone) and for biological resource areas. It is consistent with Carmel Valley Master Plan policies for Design and Site control overlay district, the "Comprehensive Plan Overlay" district. The bicycle trail project is consistent with policies concerning public access and requiring public trails, Sections 1.3.4.3 and 1.3.4.4. The project was reviewed for consistency with the goals, objectives, and policies established in the 2005 TAMC General Bikeways Plan, the 2005 Monterey County Regional Transportation Plan (RTP), and the 2001 Monterey County General Bikeways Plan, which focus on improving bicycle facilities, encouraging alternative modes of transportation, and reducing traffic in the region.

Biological Resources

The project includes development within 100 feet of environmentally sensitive habitat areas (ESHA). A supplemental biological analysis for the proposed new alignment of the bicycle trail was conducted for the new project alignment. This analysis assessed impacts not previously identified in the adopted IS/MND. The new project alignment will impact approximately 0.73 acre of riparian/disturbed riparian habitat, which reduces impact from the original alignment by about 0.37 acres and avoids impact to a drainage channel. Vegetation removal and land disturbance has been limited to that necessary for the trail development and construction shall be consistent with the recommendations in the biological reports.

The potential for habitat modifications to result from implementation of the bicycle trail was previously analyzed in the IS/MND. The 2008 IS/MND identified potential take of California red-legged frogs (CRLF) and concluded that construction of the bicycle trail would require the permanent removal of riparian habitat and would likely require a Streambed Alteration Agreement from the California Department of Fish & Game (CDFG). Mitigation Measures were adopted and found to reduce impacts to a less-than-significant level. Between the refined trail alignment and project design, impacts to stream resources have been avoided and impact to CRLF can be mitigated to a less than significant level.

Due to time limits requiring grant funding to be fully expended by April 30, 2011, construction and ground disturbing activities are proposed to occur outside of the May 1 to October 15 "work window." Work outside of this window cannot proceed without prior authorization from responsible agencies see (Mitigation Measure #1). Because of the short time before the hearing, staff consulted directly with U.S. Fish and Wildlife Service (Service), California Department of Fish and Game (DFG) and National Oceanic and Atmospheric Administration (NOAA) to secure prior authorization before the the Planning Commission hearing. (See Mitigation Measure #1 & Finding 5h).

Potential impacts to biological resources associated with the proposed project were adequately addressed in the adopted IS/MND. Mitigation and monitoring measures have been incorporated as part of the project to ensure that vegetation removal, excavation, grading, filling and construction will not have a significant adverse impacts on the habitat areas.

Tree Removal

According to a "Tree Resource Assessment/Management Plan" (TRA), a total of 26 trees including cottonwoods, willows and alders ranging in size from 6 inches to 36 inches are proposed to be removed. The trees are not protected under the plan therefore no permit is required for their removal. One sycamore tree is in poor condition and is recommended to be removed because it would become a hazard once a trail is established. The TRA concludes that the development, including vegetation removal, excavation, grading filling and construction will not have a significant adverse direct or cumulative impact on the habitats long-term maintenance. Native trees six inches in diameter or greater are required to be replaced at a 3:1 ratio either on- or off site (Palo Corona Regional Park). A condition requires that all tree removal, replanting, and protection shall be consistent with the recommendations in the TRA.

Grading/Slopes

Trail easements were obtained for the bicycle trail that includes areas with steep slopes. Cut and fill are proposed on slopes greater than 25% in the Inland area and 30% in the Coastal Zone. A 14-foot easement does not allow flexibility for finding a feasible alternative to avoid slopes.

The project is partially within the 100-year floodplain. However, there is minimal potential for increased flood risk that would result from the construction of the project since the project does not propose any structures that would impede or redirect flows or propose to alter the existing river course. Flood damage on the trail is not anticipated except for the deposition of sediment. The trail will essentially be at the same elevation as the existing ground and will not require importing fill for construction of the trail. The project design has incorporated drainage features to accommodate the increased runoff and the relatively minor increase in impervious surfaces, this impact is considered to be less-than-significant with mitigation and monitoring measures implemented in the MMRP.

Proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to geology or soils that were not previously identified in the adopted 2008 IS/MND. However, grading, cutting, and filling during construction could result in erosion impacts, especially with construction taking place during the wet weather season. The proposed project will disturb more than one acre of land during construction; therefore, a Notice of Intent must be filed with the State Water Resources Control Board to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activities. Therefore, the application of standard, Best Management Practices during construction in compliance with an erosion control plan (required as a standard condition), the SWPPP, in

addition to implementation of relevant mitigation measures identified in the Biological Resources section of the Supplemental 2010 IS/MND are incorporated into the MMRP and thereby reducing potential erosion impacts to a less-than-significant level.

Cultural Resources

A supplemental archaeological surface survey for the proposed new alignment of the bicycle trail was conducted. The 2008 IS/MND and the 2010 field survey both found no surface evidence of potentially significant archaeological resources in the project area. As such, the proposed new trail alignment would not result in previously unidentified impacts to cultural resources.

Public Access

The project is consistent with the 2005 TAMC General Bikeways Plan, the 2005 Monterey County Regional Transportation Plan (RTP), and the 2001 Monterey County General Bikeways Plan. A Trail implements public access and public recreation policies of the Coastal Act and Local Coastal Program in that the Trail allows long-term public use for pedestrians and bicycles. This trail will be managed and maintained by the easement owners and two nonprofit entities.

Visual Resources

The low intensity trail will not require removal of trees or major vegetation in the portion of the proposed trail located within the Palo Corona Regional Park. However, tree removal will occur within the portion of project located within the Carmel Valley Master Plan Area. The proposed trail improvements will not be visible from Highway 1. Visual resources analyzed by the Supplemental 2010 IS/MND determined that the trail improvements as proposed, including the removal of 26 trees, will not result in a significant adverse visual effect on the public viewshed in the Inland or the Coastal areas of the project.

Conclusion

The construction of the trail system will provide an alternative to bicycle commuters in Carmel Valley and surrounding communities in order to avoid using Carmel Valley Road. The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to biological resources that were not previously identified in the adopted 2008 IS/MND. Potential impacts to environmental resources associated with the proposed project revisions were adequately addressed in the adopted 2008 IS/MND. Consequently, because of revisions to the project, a Supplemental 2010 IS/MND was circulated in order to conservatively analyze those revisions. The County determined that the revised project does not introduce any new impacts to any resources, and that the mitigation measures remain in both the adopted 2008 IS/MND, and Supplemental 2010 IS/MND adequate to reduce impacts to a less-than-significant level.

EXHIBIT C
DRAFT RESOLUTION

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

In the matter of the application of:

Heritage Development, LLC, Quail Lodge Inc. & Big Sur Land Trust (PLN080106)

RESOLUTION NO. ----

Resolution by the Monterey County Planning
Commission:

- 1) Adopting the Supplemental Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program (**Exhibit 1**), and
- 2) Approving the non-coastal portion of a Combined Development Permit consisting of a: 1) Administrative Permit for the construction of a bicycle trail (within a Site Plan Review Zoning District) approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval.

(PLN080106, Heritage Development, LLC (APN's 157-181-006-000, 157-181-007-000, and 157-181-008-000), Quail Lodge Inc. (APN: 157-171-057-000), the project location generally parallels the Carmel River south and east of Highway 1 from and west of Rancho San Carlos Road to Palo Corona Regional Park.

The Combined Development Permit for Phase III of the Carmel Valley Bike Trail Project came on for public hearing before the Monterey County Planning Commission on January 12, 2011. 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) The Inland portion of the proposed Carmel Valley Bike Trail Project consist of the following: Combined Development Permit consisting of a: 1) Administrative Permit for development in an “S” district 2) Use Permit for development on slopes 25% or greater; 3) Use Permit for development in the Carmel River floodplain, and 4) a Design Approval.
- b) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- 2010 Monterey County General Plan,
 - 2008 Monterey County General Bikeways Plan
 - Santa Lucia Preserve Comprehensive Plan
 - Monterey County Zoning Ordinance (Title 21)
 - Carmel Valley Master Plan
- 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.
- c) The project is consistent with the following 2010 Monterey County General Plan policies:
- Circulation C-4.7 – Bike paths shall be separated from major roads and highways and be provided between adjacent communities. A portion of the trail is a Class I path restricted to non-vehicular use only.
- Circulation C-9.4 - The County shall encourage bicycling as a viable transportation alternative. The Phase III bicycle trail project facilitates bicycle transportation as an alternative to Carmel Valley Road.
- Open Space OS-3.5.9 (Soils): (a) Development on slopes over 25% is prohibited except as allowed by discretionary permit if one or both of the followings findings are made based on substantial evidence, that there is no feasible alternative or that the project better meets the objectives of the plan policies (See Finding No. 6). And b) If the project is within special hydrologic constraints (PS-2.6 includes in 100-year flood hazards) adequate special erosion control and construction techniques incorporated as mitigation measures are required. Mitigation and monitoring measures are required for Best Management Practices, storm water runoff and erosion control. See Finding Nos. 2 and 5.
- Open Space OS-5.4 (Biological Resources) requires avoiding, minimizing, and mitigating impacts to listed species and critical habitat to the extent feasible. Mitigation and monitoring measures are incorporated to avoid impacts to listed species and critical habitat impacts to riparian plant and animal species (See Finding No. 5).
- Open Space OS-5.16 - A biological study is required for projects having the potential to substantially reduce the habitat of a fish or wildlife species. A Biological Assessment, dated August 2008 and a Supplemental Biological Assessment, dated October 20, 2010 were prepared. Feasible mitigation and monitoring measures are incorporated to reduce impacts to less than significant level and adopted as conditions of approval (See Finding 5).
- d) The project is consistent with the following Carmel Valley Master Plan

and Supplemental Policies (Chapter 9-B):

CV 1.20 - Design and Site control overlay district. The design concept of the project is visually compatible with the character of the valley and immediate surroundings. A Design Approval is required and an Administrative Permit for the Site Plan district was required to ensure visual compatibility with the area. The project is a low intensity 14-foot wide trail and will blend in with the surrounding area.

CV-1.25 - A portion of the Phase III Bicycle Trail project is in the Santa Lucia Preserve (APNs: 157-181-006-000, 157-181-007-000, 157-181-008). The project follows the policies of the "Comprehensive Plan Overlay district as specified in Board of Supervisors Resolution No. 93-115 and No. 97-360. A public trail is shown on the Comprehensive Development Plan map in close proximity area of the bicycle trail Figure 1-20. The bicycle trail project is consistent with policies concerning public access and requiring public trails, Sections 1.3.4.3 and 1.3.4.4.

CV 3.14 - The project facilitates movement within the Valley without the use of automobiles. A portion of the trail is Class I and restricted to non-vehicular use only.

CV3.15 - Public and private agencies may acquire development rights and easements. A 14-foot trail easement was obtained on private lands by a nonprofit organization for the bicycle trail.

- e) The bicycle trail project location is in the general area shown on the 2008 Monterey County General Bikeways Plan, Map 2, Central Monterey County, page 22.
- f) The project location generally parallels the Carmel River south and east of Highway 1 from and west of Rancho San Carlos Road to, and including the Palo Corona Regional Park. The parcel is zoned VO-D-S-RAZ, O-D-S-RAZ, and RC/10-D-S-RAZ. Section 21.22.010, Visitor Serving/Professional Office (VO District) allows areas necessary to service the needs of visitors and professional services. Section 21.36.010, Resource Conservation (RC District) allows development in more remote and mountainous areas while protecting significant and substantial resources in those areas. Section 21.38.010 Open Space (O district) allows uses promoting a rural atmosphere in and otherwise urban or semi-urban development and to hold open space for trees and plants can grow. The bike trail design minimizes development with an eight foot pervious surface with three foot gravel shoulders and is consistent with these districts and sensitive environmental resources are conserved and protected by the implementation of mitigation and monitoring measures identified in the Initial Study/Mitigated Negative Declaration (IS/MND). Therefore, the project is an allowed land use for this site.
- g) Design Approval Section 21.44.010, Design Control "D" district regulates the location, size, configuration, materials, and colors of new structures and fences to assure the protection of the public viewshed neighborhood character, to assure the visual integrity of the development without imposing undue restrictions. The development is a low-intensity trail without structures and a retaining wall is no longer part of the project.
- h) Site Plan Control "S" District regulates the review of development in

those areas of the County of Monterey where development by reason of its location has the potential to adversely affect or be adversely affected by natural resources or site constraints, without imposing undue restrictions on private property. An Administrative Permit is required for development in a Site Plan Review Zoning District (Section 21.45.030). The project is a low intensity 14-foot wide trail and will blend in with the surrounding area

- i) The project planner conducted a site inspection on June 9, 2008, October 15, 2010 and December 6, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- j) The project was referred to the Carmel Valley and Carmel Unincorporated/Highlands Land Use Advisory Committees (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 an environmental review is required. The Carmel Valley LUAC members recommended approval (6-0) no areas of concern noted. The committee members supported the project as proposed with a recommendation to remove the retaining wall. This wall has subsequently been removed. The project was continued to the Carmel Unincorporated/Highlands LUAC meeting on January 3, 2011.
- k) 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 PLN080106.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Monterey Regional/Carmel Valley Fire Protection District, Parks, RMA - Public Works, Environmental Health Bureau, 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, cultural resources, geology and soils, hydrology/water quality, noise, traffic and transportation. The bike trail design minimizes development with an eight foot pervious surface with three foot gravel shoulders and is consistent with these districts. Sensitive environmental resources are conserved and protected by the implementation of mitigation and monitoring measures identified in the IS/MND and MMRP. Issues that were analyzed and include Section 21.66.020, Standards for Environmental Sensitive Habitats within 100 feet of a environmental sensitive habitats; cultural resources, Section 21.66.050 Standards for Archaeological Resources; geology and soils, hydrology/water quality, with mitigation measures appropriate Section 21.64.230, Development on Slopes in Excess of 25% (See Finding No. 6); noise, traffic and transportation.
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 as part of the adopted 2008 MND and the Supplemental MND:

1. A "Preliminary Geotechnical Investigation for the Carmel Valley Class I Bicycle Trail", dated July 2005, (LIB#100486) by Pacific Crest Engineering, Watsonville, California was prepared.
2. A "Location Hydraulics Study," dated September 2005 (LIB#100485) by C & D Engineers, Monterey California, was prepared.
3. A "Natural Environment Study", dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California was prepared.
4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey California, was prepared.
5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project," dated October 20, 2010 (LIB#100484) by Denise Duffy & Associates, Monterey California was prepared.
6. A "Supplemental Archaeological Surface Survey," dated October 14, 2010, (LIB#100489) by Archaeological Consulting, Salinas, California, was prepared.
7. "Tree Resource Assessment/Management Plan," dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California was prepared.

See Finding No. 5 (CEQA) for analysis of impact areas and Finding No. 6.

- c) Staff conducted a site inspection on June 9, 2008, October 15, 2010 and December 6, 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 PLN080106.

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, Monterey Regional/Carmel Valley Fire Protection District, Parks Department, Public Works, Environmental Health Bureau, 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. No water or waste water facilities are required for the bicycle trail project.
 - c) Preceding findings and supporting evidence for PLN080106 and see Finding No. 5.

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

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

b) Staff conducted a site inspection on June 9, 2008, October 15, 2010 and December 6, 2010 and researched County records to assess if any violation exists on the subject property.

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

d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080106.

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 requires environmental review if there is substantial evidence that the project may have a significant effect on the environment. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would result in significant impacts to the environment with implementation of mitigation and monitoring measures. The following reports have been prepared as part of the adopted 2008 MND and the Supplemental MND. Staff reviewed the reports and concurs with their conclusions:

1. A "Preliminary Geotechnical Investigation for the Carmel Valley Class I Bicycle Trail," dated July 2005, (LIB#100486) by Pacific Crest Engineering, Watsonville, California, was prepared.
2. A "Location Hydraulics Study", dated September 2005 (LIB#100485) by C & D Engineers, Monterey California, was prepared.
3. A "Natural Environment Study", dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California was prepared.
4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey, California, was prepared.
5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project," dated October 20, 2010 (LIB#100484) by Denise Duffy & Associates, Monterey, California, was prepared.
6. A "Supplemental Archaeological Surface Survey," dated October 14, 2010 (LIB#100489) by Archaeological Consulting, Salinas, California, was prepared.
7. A "Tree Resource Assessment/Management Plan," dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California, was prepared.

- b) On August 28, 2008, Monterey County Planning Commission adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and Condition Compliance & Mitigation Monitoring and/or Reporting Plan (MMRP) (SCH#2008041136). This document analyzed environmental impacts associated with Phase III of the Carmel Valley Class I Bicycle Trail project. The scope of that study was a 66-foot wide area within which a portion would be used for the Phase III trail design.
- c) Since the adoption of the August 2008 IS/MND, the alignment of the Carmel Valley Class I Bicycle Trail has been defined and easements have been secured for a 14-foot wide trail alignment. The 66-foot wide Area of Potential Impact (APE) was reduced although small areas of the 14-foot easement for the trail are outside of the APE. The APE area studied was 8.9 acres and with 14-foot project the trail footprint is reduced to 2.1 acres, although with temporary impacts associated with the construction activities, it will be greater than 2.1 acres. The new areas of trail alignment are shown in Figure 2 of the Supplemental IS/MND.
- d) Consistent with CEQA Guidelines 15162 and 15163 a Draft Supplemental 2010 IS/MND has been prepared to address additional minor changes and revisions to the project from those described in the adopted 2008 IS/MND, so as to more completely describe the project in accordance with Section 15163 of the CEQA Guidelines. Pursuant to these guidelines, only the information necessary to make the previous 2008 IS/MND adequate for the project as revised is included in the Draft Supplemental 2010 IS/MND. A mitigated negative declaration may be adopted if the project would result in less-than-significant impacts with mitigation measures incorporated into the proposed project. The 2008 MMRP has been revised since previous impacts are reduced and impacts to CRLF will be avoided including with on-site monitoring. The adopted Class I Bicycle Trail project IS/MND is still relied on to address the impacts associated with those aspects of the project that do not result in new information or new significant impacts and associated mitigation measures.
- e) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA Section 15063. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN080106).
- f) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Mitigated Negative Declaration.
- g) Issues that were analyzed in the Mitigated Negative Declaration include: biological resources, cultural resources, geology and soils, hydrology/water quality, noise, traffic and transportation.
- h) Biological Resources
A supplemental biological analysis for the proposed new alignment of the bicycle trail was conducted. The purpose of the analysis was to determine whether there were any additional impacts not previously identified in the adopted IS/MND. A survey of the existing habitat of the proposed project alignment was conducted on October 1, 2010.

The survey concluded that the proposed new alignment for the Carmel Valley Class I Bicycle Trail Project would impact 0.51 acre of historically disturbed riparian habitat, 0.64 acre of grazing land habitat, 0.37 acre of existing road/trail habitat, and 0.22 acre of riparian habitat. The new project alignment will impact approximately 0.73 acre of riparian/disturbed riparian habitat, approximately 0.37 acre less of riparian/disturbed riparian habitat than the original project alignment. The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted.

The area of the project alignment is classified as historically disturbed riparian. There is evidence of having been cleared of all existing vegetation with the exception of large tree species, which include cottonwood and willows with poison oak in the cleared areas. The riparian habitat areas are dominated by poison oak, blackberry and stinging nettle and also includes tree species dominated by cottonwood and willow. Grazing land habitat is dominated by non-native grasses in areas typically used for the grazing of cows, goats, and horses. An existing road/trail habitat in the vicinity of the proposed alignment is either paved with asphalt on the eastern end or covered in decomposed granite.

The potential for habitat modifications to result from implementation of the bicycle trail was previously analyzed in the adopted 2008 IS/MND. The adopted IS/MND determined that construction of the bicycle trail would require the permanent removal of riparian habitat and would likely require a Streambed Alteration Agreement from the California Department of Fish & Game (CDFG). The adopted IS/MND concluded that the inclusion of Mitigation Measures #1 through #13 would reduce impacts to a less-than-significant level, as identified in the Supplemental 2010 MND/MMRP.

The U.S. Fish and Wildlife Service issued a Biological Opinion (BO) for the Carmel Hill and River Bicycle Trail Project (Federal ID Number CML-6143 (032), 05-MON-0-TAMC) and the Carmel Valley Class I Bicycle Trail Project (Federal ID Number CML-5944 (063), 05-MON-0-CR) in Monterey County, California on March 12, 2009 (8-8-09-F-2), to authorize take of California red-legged frog (CRLF). However, it was recently determined that the Carmel Valley Class I Bicycle Trail Project will no longer be receiving federal funds from the Federal Highways Administration, administered by Caltrans through the Local Assistance Program. As a result, the project no longer has a federal nexus and will no longer be able to benefit from the Section 7 consultation process already completed for the project. The adopted IS/MND included implementation of the measures identified in the BO to mitigate for potential impacts to CRLF. However, the avoidance and minimization measures within the BO consisted of the implementation of the Service's 2003 Programmatic Biological Opinion for Projects Funded or Approved under the Federal Aid Program (Programmatic BO). The measures identified in the Programmatic BO cannot be implemented without take authorization because they include handling

CRLF, if found. Therefore, the mitigation measures will be implemented to avoid take of CRLF during construction of the project. These measures do not require take authorization and the MMRP has been revised accordingly. With the implementation of the measures above and revisions to the project design, the project is not likely to result in take of CRLF.

Construction and ground disturbing activities will occur outside of the May 1 to October 15 "work window" which requires consultation with the CDFG and NOAA Fisheries (Mitigation Measure No. 1). Work outside of this window cannot proceed prior without authorization from the CDFG and NOAA.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to biological resources that were not previously identified in the adopted IS/MND. Potential impacts to biological resources associated with the proposed project were adequately addressed in the adopted IS/MND. The revised project description does not introduce any new impacts to biological resources and the mitigation measures remain adequate to reduce impacts to a less-than-significant level and with the implementation of Mitigation Measures #1 through # 13.

i) Cultural Resources

A supplemental archaeological surface survey for the proposed new alignment of the bicycle trail was conducted. The field survey found no surface evidence of potentially significant historic period archaeological resources in the project area. The field survey concluded that the proposed new trail alignment would not result in previously unidentified impacts to cultural resources.

The potential for impacts to cultural resources resulting from implementation of the Class I Bicycle Trail project was previously analyzed in the 2008 IS/MND. The adopted IS/MND identified one archaeological site within 0.62 mile of the project area, but none within or immediately adjacent to the bicycle alignment. No physical evidence of historic or prehistoric cultural resources was found during the initial field survey conducted in conjunction with the adopted IS/MND.

Although no historic or archaeological resources were identified during investigation of the project site, the possible uncovering of archaeological materials during construction is a potentially significant impact that would be reduced to a less-than-significant level with implementation of Mitigation Measure #14, as identified in the Revised MMRP. The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to cultural resources that were not previously identified in the adopted 2008 IS/MND. The revised project description does not introduce any new impacts to cultural resources; the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

j) Geology and Soils

The results of the "Preliminary Geotechnical Investigation for Carmel

Valley Bicycle" report indicate that from a geotechnical engineering standpoint, the project may be developed as proposed provided that the recommendations from the report are included in the design and construction. Since the study was preliminary and does not include detailed grading, foundation, or pavement design criteria, a final geotechnical investigation should be prepared to address these issues once project details (e.g., depth of cut, fills, etc.) are finalized. The requirement for the preparation of a final geotechnical investigation to be submitted for approval to County of Monterey and to have these recommendations included in the final design and construction of the project was included as Mitigation Measure #15 in the Revised MMRP. The adopted IS/MND concluded that the inclusion of this mitigation would reduce the impact to a less-than-significant level.

As further identified by the adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. This is identified in the adopted IS/MND as a potentially significant impact. In addition, cut and fill are proposed on slopes greater than 25% in the Inland area. The adopted IS/MND concluded that application of standard Best Management Practices during construction in compliance with an erosion control plan (required as a standard construction specification) and the required stormwater pollution prevention plan (SWPPP) (Mitigation Measure #12), in addition to implementation of the mitigation measures identified in the Biological Resources section of the Revised MMRP, would reduce potential erosion impacts to a less-than-significant level. Additionally, cut and fill are proposed on slopes greater than 25% in the Inland area and 30% in the Coastal Zone. Cut and fill will be balanced on site and excess cut will be utilized on the Palo Corona Park parcel. The proposed mitigation and monitoring measures are appropriate for development on slopes.

Since the IS/MND was circulated the grading quantity has increased from 3,050 to 3,700 cubic yards as a proposed 250 foot long retaining wall was removed from the project plans. This change in grading will not result in any additional impacts that have not already been addressed with the mitigations and monitoring measures and conditions of approval for the project.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to geology or soils that were not previously identified in the IS/MND. Potential impacts to geology/soils associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to geology or soils, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

k) Hydrology/Water Quality

As identified adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction

were to take place during the wet weather season. The proposed project will disturb more than one acre of land during construction. Therefore, a Notice of Intent is required to be filed with the State Water Resources Control Board to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activities. Application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the SWPPP (Mitigation Measure #12), in addition to implementation of relevant mitigation measures (Mitigation Measures #1 and #7 through #13) identified in the Biological Resources section of the Revised MMRP would reduce potential erosion impacts to a less-than-significant level.

The project is partially within the 100-year floodplain. However, there is minimal potential for increased flood risk that would result from the construction of the project since the project does not propose any structures that would impede or redirect flows or propose to alter the existing river course. Flood damage on the trail is not anticipated except for the deposition of sediment. The trail will essentially be at the same elevation as the existing ground and will not require importing fill for construction of the trail. Cut and fill will be balanced on site and excess cut will be utilized on the Palo Corona Park parcel.

As discussed in the adopted IS/MND, the construction of the trail would result in an increase in impervious surface area. The increased impervious surface area would result in a relatively minor increase in the amount of surface runoff during storm events, which would not, however, result in flooding on- or off-site as the project design. Therefore, impacts associated with flooding are considered to be less-than-significant and no mitigation is required by the adopted IS/MND. The increased impervious surface area would result in a relatively minor increase in the amount of surface runoff during storm events. Given that the project design will incorporate drainage features to accommodate the increased runoff and the relatively minor increase in impervious surfaces, this impact is considered to be less-than-significant with mitigation and monitoring measures implemented in the MMRP.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to hydrology or water quality that were not previously identified in the adopted IS/MND. The potential hydrology/water quality impacts associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to hydrology or water quality, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

1) Noise

The major source of existing noise in the project area is from the agricultural operations in the adjacent fields, Carmel Valley Road, and

Rancho San Carlos Road. The Monterey County General Plan sets forth goals, objectives, and policies for noise. Construction activities will cause a temporary increase in ambient exterior noise levels in the project area. Construction activities at the project site may result in adverse noise impacts due to the proximity of sensitive receptors. This impact can be reduced to a less-than-significant level with implementation of the mitigation measure #17 in the MMRP.

m) Traffic and Transportation

Regional access to the project site is provided by Carmel Valley Road. Carmel Valley Road is a designated arterial roadway, and provides access between Carmel and Carmel Valley, and serves the many residential communities between these two areas. Currently, local service to the project site is provided only by Rancho San Carlos Road. A driveway to the sanitary sewer station, which also serves as a class III bike trail, provides direct access to the project. In the future, when the fourth segment of the bike trail is completed, the trail will be accessible from State Highway 1.

The traffic associated with construction vehicles and equipment has the potential to impact traffic volume or result in the interruption of traffic along Rancho San Carlos Road, and potentially, Carmel Valley Road. This impact can be reduced to a less-than-significant level with implementation of the mitigation measures in the MMRP requiring a Construction Management Plan.

- n) The 2010 Supplemental Mitigated Negative Declaration ("MND") for PLN080106 & PLN100601 was prepared in accordance with CEQA and circulated for public review from December 08, 2010 through January 7, 2011 (SCH#2008041136). Issues that were analyzed include biological resources, cultural resources, geology and soils, hydrology/ water quality, noise, traffic and transportation.
- o) Evidence that has been received and considered includes: the application, technical studies/reports (see Finding 2/Site Suitability), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN080106 & PLN100601) and are hereby incorporated herein by reference.
- p) 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 (CDFG) 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 supports CRLF and riparian plant and animal species and will result in permanently removing riparian habitat. For purposes of the Fish and Game Code, the project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The California Department of Fish and Game reviewed the 2008 MND and recommend conditions necessary to protect biological resources in this area. The Planning Commission adopted a MND for the bike trail

project on August 27, 2008. Therefore, because the project was not found to be exempt from CDFG fees the department of Public Works filed a Notice of Determination (NOD) and paid the CDFG fees on June 24, 2010. The Monterey County Clerk/Recorder processed and posted the NOD on that day.

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

6. **FINDING: DEVELOPMENT ON SLOPE** – There is no feasible alternative which would allow development to occur on slopes of less than 25%.

- EVIDENCE:** a) In accordance with the applicable policies of the 2010 Monterey County General Plan, the including the Carmel Valley Master Plan policies and the Monterey County Zoning Ordinance (Title 21, Section 21.64.230), a Use Permit is required and the authority to grant said permit has been met. Title 21.64.230 similar to General Plan policy, Open Space OS-3.5 9 (Soils): (a) Development on slopes over 25% is prohibited except as allowed by discretionary permit if one or both of the followings findings are made based on substantial evidence, that development on slopes that exceed 25% is prohibited unless there is no feasible alternative that would allow development to occur on slopes of less than 25%, or the proposed development better achieves the goals, policies and objectives of the 2010 Monterey County General Plan and applicable area plan than other development alternatives. Development on slopes greater than 25% is necessary as the trail easements obtained for the bicycle trail are only 14-foot wide along the northern property line. This constrained easement does not allow a feasible alternative such as development other areas of the Area of Potential Impact (APE) or the property to avoid slopes of 25% in the Inland Zone and 30% in the Coastal Zone. Mitigation and monitoring measures are required for the project for erosion control and potential biological and hydrological/water quality impacts, and are also appropriate for minimizing impacts with for development on slopes.
- b) Soils are primarily unconsolidated relatively fine-grained, heterogeneous deposits of sand and silt. Cut and fill will be balanced on site with excess cut will be utilized on the Palo Corona Park parcel. As identified by the adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. This is identified in the adopted IS/MND as a potentially significant impact, however mitigation measure #1 allows authorization from CDFG and NOAA Fisheries for ground disturbance out side of that window. The adopted IS/MND concluded that application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the required stormwater pollution prevention plan (SWPPP) (Mitigation Measure #12), in addition to implementation of relevant mitigation measures identified in the Biological Resources section of the Revised MMRP, would reduce potential erosion impacts to a less-than-significant level.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to geology or soils that were not previously identified in the IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to geology or soils, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

- c) A Geotechnical Report was prepared for the proposed Plan by the Pacific Crest Engineering, dated July 2005. This report provides a detailed description of the proposed bike trail and construction specifications and materials are analyzed in the report. The proposed alignment of the bicycle trail is located along the 14-foot easement northern property line on APNs: 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000). A portion of the alignment of the easements is also granted to the project by the Monterey Regional Park District (APN: 157-121-001-000) to allow the course of the trail path to align with existing trails in the Coastal Zone. Recommendations include Erosion control and standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the required stormwater pollution prevention plan (SWPPP) and are incorporated at mitigation measures and conditions of approval (See Finding No. 5).
- d) The subject project minimizes development on slopes exceeding 25% in accordance with the applicable goals and policies of the applicable area plan and zoning codes.
- e) The project planner conducted a site inspection on June 9, 2008, October 15, 2010 and December 6, 2010.
- f) 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 PLN080106.

7. FINDING: **ESHA** – The subject project minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

- EVIDENCE:**
- a) The project includes application for development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the Carmel Valley Master 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) Section 21.66.020, Standards for Environmental Sensitive Habitats, requires a biological survey be prepared for development proposed within 100 feet of a known environmental sensitive habitat. Biological reports were completed dated August 2008, and October 20, 2010. Vegetation removal and land disturbance has been limited to that necessary for the trail development. For that reason, a "Tree Resource Assessment/Management Plan" (TRA) was prepared for the project addressing the removal of ESHA/Tree Resources. Therefore 26 trees including cottonwoods, willows, and alders ranging in size from 6 inches to 36 inches are proposed to be removed. The trees are not

protected under the plan therefore no permit is required for their removal. One sycamore tree is in poor condition and is recommended to be removed because it would become a hazard once a trail is established. Native trees six inches in diameter or greater are required to be replaced at a 3:1 ratio either on- or off site (Palo Corona Regional Park). A condition requires that all tree removal, replanting, and protection shall be consistent with the recommendations in the TRA. The TRA in conjunction with the Biological report mitigations will insure that the project as mitigated will not have a significant adverse impact on the habitats long-term maintenance either on development or on a cumulative basis. Mitigation and monitoring measures have been incorporated as part of the project.

The potential for habitat modifications to result from implementation of the bicycle trail was previously analyzed in the 2008 IS/MND and the Supplemental IS/MND. The adopted IS/MND determined that construction of the bicycle trail would require the permanent removal of riparian habitat and would likely require a Streambed Alteration Agreement from the California Department of Fish & Game (CDFG). The adopted IS/MND concluded that the inclusion of Mitigation Measures #1 to #13 would reduce impacts to a less-than-significant level, as identified in the Revised MMRP. Potential impacts to biological resources associated with the proposed project were adequately addressed in the adopted IS/MND. A supplemental biological analysis for the proposed new alignment of the bicycle trail was conducted. The purpose of the analysis was to determine whether there were any additional impacts not previously identified in the adopted IS/MND. A survey of the existing habitat of the proposed project alignment was conducted on October 1, 2010. Mitigation and monitoring measures were modified to avoid take of California Red legged frog (CRLF) during construction, where previously take was assumed (Mitigation Measure #4).

The project site was surveyed for special status plant and animal wildlife species and appropriate habitat for these species. Several special status species are known to occur within or adjacent to the project APE. The survey of the alignment determined that the proposed alignment of the Carmel Valley Class I Bicycle Trail Project would impact 0.51 acre of historically disturbed riparian habitat, 0.64 acre of grazing land habitat, 0.37 acre of existing road/trail habitat, and 0.22 acre of riparian habitat. The new project alignment will impact approximately 0.73 acre of riparian/disturbed riparian habitat, approximately 0.37 acre less of riparian/disturbed riparian habitat than the original project alignment. The riparian habitat is dominated by poison oak, and stinging nettle and tree species dominated by cottonwood and willow. The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted.

Listed species or special status species include California red-legged frog (CRLF), Steelhead and Monterey dusky-footed woodrat and

western pond turtle. The 2008 IS/MND and the Supplemental MND included analysis of these species as well as special status plants and raptor species. With the implementation of mitigation and monitoring measures and revisions to the project design, the project is not likely to result in take of CRLF steelhead nor impacts to dusky-footed woodrats or western pond turtles and their habitat. (See Finding No. 5.)

- c) A "Tree Resource Assessment/Management Plan," dated November 15, 2010 was completed to assess tree resources within the project site. Tree resources were assessed within the site and in proximity to the proposed development. The report concluded that tree removal is unavoidable and the minimum required under the circumstances. The project area is forested primarily with trees consisting of Black cottonwood, willow, several small box elders and one double stemmed sycamore tree. A total of 26 trees including cottonwoods, willows and alders ranging in size from 6 inches to 36 inches are proposed to be removed including within the riparian area. One sycamore tree is in poor and hazardous condition and recommended to be removed. No additional mitigation measures were recommended; however, a condition of approval requires that all tree removal, planting, tree protection and pruning shall be consistent with the recommendations in the Tree Assessment/ Management Plan LIB#100488). A condition of approval requires that all native trees six inches in diameter or greater are required to be replaced on a 3:1 ratio either on- or off-site.
- d) The project planner conducted a site inspection on June 9, 2008, October 15, 2010 and December 6, 2010 to verify ESHA locations and potential project impacts to ESHA.
- 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 PLN080106.

8. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
- EVIDENCE:** Section 21.80.040.D Monterey County Zoning Ordinance (Board of Supervisors).

DECISION

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

- A. Adopt the Mitigation Monitoring and Reporting Program (**Exhibit 1**)
- B. Approve a Combined Development Permit consisting of a: 1) Administrative Permit for the construction of a bicycle trail (within a Site Plan Review Zoning District) approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval, in

general conformance with the plans in **(Exhibit 2)** and subject to the conditions **(Exhibit 1)**, both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 12th day of January, 2011 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

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

NOTES

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

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

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

2. This permit expires 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: Carmel Valley Class I/III Bicycle Trail
File No: PLN080106 **APNs:** 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008, 157-171-057-000
Approved by: Planning Commission **Date:** January 12, 2011

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN080106) allows a Combined Development Permit consisting of: 1) Use Permit for development on slopes 25% or greater; 2) Use Permit for development in the Carmel River floodplain Design Approval. (Assessor's Parcel Numbers 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008, 157-171-057-000), Carmel Valley Master 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)	Adhere to conditions and uses specified in the permit. 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. 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.	Owner/ Applicant RMA Planning WRA RMA Planning	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Numbers: 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008, and 157-171-057-000 on January 12, 2010. The permit was granted subject to 37 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)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on January 12, 2014 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)	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.	Owner/ Applicant	As stated in the conditions of approval	
4.		PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel	Submit signed and notarized Indemnification Agreement to the Director of RMA - Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA - Planning Department.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, whichever occurs first and as applicable	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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)				
5.		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.	
6.		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	Prior to a issuance of a grading permit/ Ongoing	
7.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA - Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
8.		PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
9.		PD011 - TREE AND ROOT PROTECTION (NON-STANDARD) 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 any potential for damage, all work must stop in the area	Submit evidence of tree protection to the RMA - Planning Department for review and approval. All tree removal shall be in accordance to the recommendations in the Tree Resource Assessment/Management Plan", dated November 15, 2010 by F. & O. Consulting	Owner/ Applicant	Prior to the issuance of grading permits	
			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.	Owner/ Applicant/ Arborist	During construction	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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. All tree removal, planting, tree replacement and pruning shall be in accordance to the recommendations in the Tree Resource Assessment/Management Plan", dated 11/15/10 (LIB#100488) by F. & O. Consulting. (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 grading final inspection	
10.		PDSP0011 – TREE REPLACEMENT (NON-STANDARD) All native trees six inches in diameter or greater shall be replaced on a 3:1 ratio either on- or off site. The applicant shall provide an annual inventory with photographic evidence, prepared by a certified arborist, of planted or relocated trees to the RMA - Planning Department. All tree removal planting, tree replacement and pruning shall be in accordance to the recommendations in the Tree Resource Assessment/Management Plan", dated November 15, 2010 (LIB#100488) by F. & O. Consulting.	Prior to final grading permit, provide an annual inventory with photographic evidence, prepared by a certified arborist, of planted or relocated trees to the RMA - Planning Department. Trees shall be protected and maintained and in a healthy thriving condition. Monitoring is required annually starting one year from date of planting for two subsequent years. Trees not in a thriving condition or dead shall be replaced and monitored for two additional years until 90% success is achieved.	Easement Owner/ Applicant	Prior to final grading permit/ Monitoring for 2 additional years after planting of trees or until 90% success is achieved	
11.		PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: 1. A "Preliminary Geotechnical Investigation for the Carmel Valley Class I Bicycle Trail", dated July 2005, by Pacific Crest Engineering, California report has been prepared for this parcel and is on record in the Monterey County RMA - Planning Department, Library No. 100486. 2. A "Location Hydraulics Study," dated September 2005 by C&D Engineers, California report has been prepared for this parcel by and is on record in the Monterey County RMA - Planning Department,	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	

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)
		<p>Library No. 100485.</p> <p>3. A "Natural Environment Study", dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California was prepared.</p> <p>4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey California, has been prepared for this parcel by and is on record in the Monterey County RMA - Planning Department.</p> <p>5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project," dated October 20, 2010 by Denise Duffy & Associates, California report has been prepared for this parcel by and is on record in the Monterey County RMA - Planning Department, Library No. 100484.</p> <p>6. A "Supplemental Archaeological Surface Survey," dated October 14, 2010, by Archaeological Consulting California report has been prepared for this parcel and is on record in the Monterey County RMA - Planning Department, Library No. 100489.</p> <p>7. A "Tree Resource Assessment/Management Plan," dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California report has been prepared for this parcel and is on record in the Monterey County RMA - Planning Department.</p> <p>All development shall be in accordance with these reports" (RMA – Planning Department)</p>				
RMA – Public Works Department						
12.		<p>PW0016 – MAINTENANCE OF IMPROVEMENTS (NON-STANDARD)</p> <p>Big Sur Land Trust and Monterey Peninsula Regional Park District shall assume all maintenance and operation responsibilities of the bicycle path improvements. Prior to issuance of the grading permit, applicant(s) shall</p>	Submit letters from the Big Sur Land Trust and Monterey Peninsula Regional Park District (owners of the bicycle path easement/facility) accepting all maintenance and operation responsibilities of the bicycle path prior	Easement Owner/ Applicant	Prior to commencement of grading, submit application	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		submit letters from the Big Sur Land Trust and Monterey Peninsula Regional Park District (owners of the bicycle path easement/facility) accepting all maintenance and operation responsibilities of the bicycle path improvements. Applicant(s) shall be responsible to maintain improvements until maintenance is assumed by another entity. (RMA - Public Works)	to issuance of the Grading Permit improvements. Applicant(s) shall be responsible to maintain improvements until maintenance is assumed by another entity		for grading permit	
13.		PW0025 – GRADING PERMIT (NON-STANDARD) A grading permit shall be obtained from the RMA - Planning Department if required. Prior to commencement of Grading, applicant to submit application for grading permit. (RMA - Public Works)	Obtain a grading permit from the RMA-Planning Department prior to commencement of grading.	Owner/ Applicant	Prior to commencement of any grading, submit application for grading permit	
14.		PW0032 – AS BUILT PLANS (NON-STANDARD) A Registered Civil Engineer shall submit as built plans (originals) to the Department of Public Works. Prior to final of grading permit Applicant shall submit as built plans to the Department of Public Works. (RMA - Public Works)	A Registered Civil Engineer shall submit as built plans (originals) to the Department of Public Works. Prior to final of grading permit Applicant shall submit as built plans to the Department of Public Works.	Owner/ Applicant/ Registered Civil Engineer	Prior to final of grading permit	
15.		PWSP004 – CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD) The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the	Submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and	Owner/ Applicant	Prior to issuance of any grading, permit	

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)
		<p>construction/grading phase of the project.</p> <p>1. Prior to issuance of the Grading Permit Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval. (RMA - Public Works)</p> <p>2. On-going through construction phases, Owner/Applicant/Contractor shall implement approved measures during the construction/grading phase of the project. (RMA - Public Works)</p>	workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project.			
Mitigation Measures						
Biological Resources						
16.	MM-1	All ground disturbing activities shall be confined to the "work window" of May 1 to October 15, or other dates as determined by CDFG and/or NOAA Fisheries to minimize potential indirect impacts to steelhead, including increased sedimentation and other water quality impacts (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that all ground disturbing activities are confined to the time period between May 1 and October 15. If work is to occur outside of the identified "work window," CDFG and NOAA Fisheries shall be consulted. Work outside of the identified "work window" may not proceed unless authorized by CDFG and NOAA Fisheries.	Owner/ Applicant Contractor/ Qualified Biologist	Prior to issuance of grading permit	
17.	MM-2	Protective fencing shall be placed to keep construction vehicles and personnel from impacting steelhead critical habitat adjacent to the APE. (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that appropriate fencing has been installed before commencement of construction.	Project Applicant/ Qualified Biologist	Prior to commence ment of construction	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
18.	MM-3	Best Management Practices shall be employed to reduce the transport of sediment from the site into adjacent sensitive fishery habitat. (RMA – Planning Department)	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Project Applicant/ Contractor/ Biological Monitor	Prior to commencement of construction	
19.	MM-4	<p>The following mitigation measures shall be implemented to avoid impacts to the California red-legged frog (CRLF):</p> <ul style="list-style-type: none"> • A biologist with CRLF experience will be on site during construction activities. If CRLF are observed, all construction activities will cease until the CRLF voluntarily move out of the area. All CRLF sightings will be immediately reported to the Service. • Before ground disturbing work activities begin each day, a CRLF-experienced biologist will inspect under construction equipment and materials to look for CRLF. If a CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue. • Riparian vegetation removal necessary to accommodate the project will be done by hand. • A CRLF-experienced biologist will monitor all vegetation removal and ground disturbing construction activity. The CRLF experienced biologist and the construction monitor will have the authority to stop and/or redirect project activities to 	The biological monitor shall be consulted regarding implementation of these measures.	Project Applicant/ Contractor/ Biological Monitor	Prior to commencement of construction activities/ Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>ensure avoidance of take and implementation of all avoidance measures.</p> <ul style="list-style-type: none"> To prevent inadvertent entrapment of CRLF during the project, all excavated, steep-walled holes or trenches more than 2 feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue. Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including CRLF. (RMA – Planning Department) 				
20.	MM-5	<p>To avoid impacts to nesting birds, vegetation proposed for removal will be removed during the non-breeding season (September 15 to February 14). If this is not possible and removal of trees and shrubs must occur during the breeding season (February 15 to September 14), pre-construction surveys shall be conducted for active nesting raptor and riparian avian species in all areas that may provide suitable nesting habitat that exist in or within 300 feet of the APE by a qualified biologist no more than seven days prior to the commencement of construction activities. If nesting birds are identified during pre-construction surveys, a minimum 250-foot no-disturbance buffer will be imposed within which no construction activities or disturbance will take place. A qualified biological monitor shall be on-site during work re-initiation in the vicinity of the nest offset to</p>	<p>If construction activities are initiated between February 15 and September 14, a qualified biological monitor shall conduct pre-construction surveys and submit written documentation to the Department of Public Works. If active nests are present, work may not proceed within the established no-disturbance buffer until a qualified biologist has determined all young have fledged and are no longer reliant upon the nest or parental care for survival.</p>	Project Owner / Contractor/ Biological Monitor	Prior to commencement of construction	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work may proceed in the vicinity of an active nest until a qualified biologist has determined that all young are fledged and are no longer reliant upon the nest or parental care for survival. (RMA – Planning Department)				
21.	MM-6	A qualified biologist shall conduct pre-construction surveys for woodrat nests. All woodrat nests that may be affected by the project shall be dismantled by a qualified biologist prior to any construction activities. Dismantling will be done by hand, allowing any animals to escape either along existing woodrat trails or toward other available habitat. Nests shall be dismantled during the non-breeding season between October 1 and December 31 and within three days of the initiation of construction. If construction is not initiated within three days of the dismantling an additional survey and dismantling effort, if nests are found to be rebuilt, will need to occur within three days of the initiation of construction activities. If a litter of young is found during dismantling, nest material will be replaced and the nest left alone for two weeks. Construction activities within 25 feet of the nest must be postponed until a recheck of the nest is conducted to verify that young are capable of independent survival before proceeding with nest dismantling. Any woodrat nests that are adjacent to areas of grading or vegetation removal, but are not scheduled for removal, will be avoided and protected during construction activities with a minimum 25-foot buffer. (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that pre-construction woodrat nest surveys have been completed.	Owner/ Applicant/ Contractor/ Qualified Biologist	Prior to commence ment of construc- tion	
22.	MM-6b	A qualified biologist shall conduct pre-construction surveys for western pond turtles and their nests within 30 days prior to the commencement of construction activities. If an adult turtle is found in any areas prior to or during project-related construction activities, a qualified biologist shall relocate the individual from the site and relocate it to a suitable location, preferably	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that pre-construction surveys have been completed.	Owner/ Applicant/ Contractor/ Qualified Biologist	Prior to commence ment of construc- tion	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		along the Carmel River. If a buried nest of eggs is encountered during project-related construction activities, the CDFG does not recommend moving the eggs because of specific conditions required for development and hatching. If a nest is found within the construction area, construction will stop and the California Department of Fish and Game will be notified. Construction can be reinitiated subsequent to California Department of Fish and Game approval. (RMA – Planning Department)				
23.	MM-7	Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. (RMA – Planning Department)	The biological monitor shall be consulted regarding the extent of vegetation removal and disturbance.	Owner/ Applicant/ Contractor/ Biological Monitor	Prior to commence ment of construc- tion activities/ Ongoing	
24.	MM-8	The final bike trail alignment shall avoid to the greatest extent feasible all riparian tree species greater than 6.0 inches in diameter at breast height. Where feasible, sycamore trees shall be avoided in favor of other riparian species that reestablish more easily, such as willow and cottonwood trees. (RMA – Planning Department)	The biological monitor shall be consulted regarding the extent of riparian tree removal and disturbance.	Owner/ Applicant/ Contractor/ Biological Monitor	Prior to commence ment of construc- tion activities/ Ongoing	
25.	MM-9	Protective fencing shall be placed so as to keep construction vehicles and personnel from impacting riparian vegetation adjacent to the project site outside of work limits. (RMA – Planning Department)	The project contractor, in consultation with the biological monitor, shall submit evidence to the Department of Public Works demonstrating that protective fencing has been installed.	Owner/ Applicant/ Contractor/ Biological Monitor	Prior to commence ment of construc- tion activities/ Ongoing	
26.	MM-10	Trees or vegetation not required for removal, but directly adjacent to construction activities, shall be provided appropriate protection from impacts of construction activity. This includes fencing off shrubby vegetation and protective wood barriers for trees. (RMA – Planning Department)	The project contractor shall submit evidence to the Department of Public Works demonstrating that adequate protective measures are installed.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion activities/ Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
27.	MM-11	No fueling or maintenance of equipment shall take place in the riparian habitats identified. Mechanical equipment shall be serviced in designated staging areas located outside of these habitats. Water from equipment washing or concrete wash down shall be prevented from entering these habitats. (RMA – Planning Department)	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion activities/ Ongoing	
28.	MM-12	Erosion control and slope stabilization measures shall be implemented to assure that disturbed slopes do not erode. Best Management Practices shall be employed to reduce the transport of sediment from the site into adjacent sensitive fisheries habitat. In addition, where feasible, alternative bank protection methods, such as restoration of native vegetation, root wads, or other bioengineering methods of stabilization, shall be used. (RMA – Planning Department)	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Owner/ Applicant/ Contractor/ Biological Monitor	Prior to commence ment of construc- tion	
29.	MM-13	Impacts to the riparian habitat have been reduced as a result of the alignment revisions. As a result, riparian enhancement, restoration, or creation will likely occur both on- and off-site. A potential off-site mitigation area may be available within the adjacent Palo Corona Regional Park. The mitigation area shall be preserved in perpetuity through a conservation easement or other legally enforceable land preservation agreement. Riparian trees that are proposed for removal will be replaced at a 3:1 ratio. (RMA – Planning Department)	The contractor or project Applicant shall identify the mitigation areas on- and/or off-site, implement the restoration recommended by the qualified biologist, and provide documentation to the County that the 3:1 mitigation ratio requirement has been met.	Owner/ Applicant/ Contractor/ Qualified Biologist	Prior to commence ment of construc- tion activities	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
Cultural Resources						
30.	MM-14	If archaeological or human remains are discovered during construction within the project limits, the Caltrans District 5 Environmental Planning Branch shall be notified immediately and work shall be halted within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist (project archaeologist) in accordance with the Programmatic Agreement. If the find is determined to be significant, a mitigation program shall be prepared in conformance with the protocol set forth in the CEQA Guidelines (Section 15064.5). A final report shall be prepared by the project archaeologist when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report shall include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions. (RMA – Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Public Works Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project Applicant and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Contractor/ Qualified Archaeo- logist	Ongoing	
Geology and Soils						
31.	MM-15	The County shall obtain a final geotechnical report and include the recommendations of the report in the final design and construction of the project. (RMA – Planning Department)	The project Applicant shall have prepared a project-specific geotechnical analysis by a registered engineer with geotechnical experience, subject to the review and approval of the County Public Works Director.	Owner/ Applicant/ Registered Geotech- nical Engineer	Prior to certification of final design plans	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
Hazards and Hazardous Materials						
32.	MM-16	Prior to commencement of construction activities, the contractor will prepare a Hazardous Materials Spill Response Plan, which details the protocol to follow in the event that a hazardous material is released into the environment. This plan shall be maintained on the project site, and all personnel working on the project site will be notified of its location. (RMA – Public Works)	The contractor shall submit evidence demonstrating that a Hazardous Materials Spill Response Plan has been prepared, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion activities	
Noise						
33.	MM-17	Require contractor implementation of equipment maintenance and management practices to reduce construction-related noise including the following: <ul style="list-style-type: none"> Choose construction equipment that has a quiet design, a high-quality muffler system, and is well maintained. This includes trucks used to haul materials. Install engine enclosure panels when required on stationary gas, diesel, or pump equipment. Eliminate unnecessary idling of machines when not in use. Use good maintenance and lubrication procedures to reduce operating noise. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Project Applicant/C ontractor	Prior to commence ment of construc- tion activities	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
34.	MM-18	Truck movement, construction activities, and equipment operation shall be limited to the hours of 7:30 AM and 7:30 PM, Monday through Saturday. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Ongoing	
35.	MM-19	The contractor shall comply with the California Vehicle Code prohibitions against faulty or modified loud vehicle exhaust systems - Sections 27150 and 27151. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion activities	
36.	MM-20	The contractor shall post a telephone number of the project representative that will be available to respond to noise nuisance concerns. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion activities	
Traffic						
37.	MM-21	In order to minimize construction traffic impacts, the contractor shall prepare a construction management plan for the approval of the County prior to the issuance of grading or building permits. The contractor shall adhere to measures included in the approved construction manage (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion activities	

END OF CONDITIONS

Rev. 08/25/2010

EXHIBIT D
DRAFT RESOLUTION

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

In the matter of the application of:

Monterey Peninsula Regional Park District (MPRPD) PLN100601/Interim Access Plan

RESOLUTION NO.

Resolution by the Monterey County Planning
Commission:

- 1) Adopting the Supplemental Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program (**Exhibit 1**), and
- 2) Approving the coastal portion of a Combined Development Permit consisting of: a: 1) Administrative Permit for the construction of a bicycle trail (within a Site Plan Review Zoning District) approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval.

(PLN100601, Monterey Peninsula Regional Park District, the project location generally parallels the Carmel River south and east of Highway 1 from and west of Rancho San Carlos Road to, and including the Palo Corona Regional Park; within the Carmel Area Land Use Plan, (APN 157-121-001-000, 243-081-005-000 and 243-081-008-000).

The a Combined Development Permit for Phase III of the Carmel Valley Class I Bicycle Trail Project, including an addendum to the Palo Corona Regional Park, came on for public hearing before the Monterey County Planning Commission on January 12, 2011. 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) This proposed November 2010 Addendum to the existing Interim Access Plan will incorporate changes to allow public access into a portion of the park previously closed, and extend the Interim Public Access Plan for 5-years through April 26, 2016. The purpose of the addendum is to amend the existing trail plan and extend the Interim Program for 5-years (through April 26, 2016). The proposed amendments remain consistent with the previously approved project under (PLN080093) by incorporating all the other elements (conditions and mitigations) of the previously approved Interim Access Plan into the proposed amendment which shall be referred to as the 2010 Interim Access plan and shall incorporate all aspect of the following permit PLN050638 & PLN080093 including conditions and mitigations into PLN100601. The project as proposed is consistent with Section 20.17.050 of the Monterey County Coastal Implementation Plan (Title 20), that Conditional Uses, including those public and quasi-public in nature are allowed within the Watershed and Scenic Conservation Zoning District upon securing a Coastal Development Permit. Therefore the proposed project consists of a Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and approximately 3,000 cubic yards of total grading (cut/fill); 2) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) a Coastal Development Permit for development in slopes (25% Inland, 30% Coastal); 4) a General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and Design Approval. The Public access will be allowed from sunrise to sunset and may be adjusted appropriately to correspond to public safety needs. The Park hours are to remain from sunrise to sunset for all persons. This addendum includes no lighting and the 93-acre privately owned Fish Ranch property will continue to be protected from public access and public viewing and will not be used as a primary public entrance to the park. Implementation of the project will not impact the historic status or nature of the Fish Lower Front Barn and no habitat will be disturbed or removed as a result of project implementation. Staff has reviewed the associated application materials and determined that the proposed change in use is consistent with the plans, policies, requirements, and standards of the Local Coastal Program (LCP) for this site.

(b) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of the application. No conflicts were found to exist. No communications were received during the course of review of the project to indicate that there is any inconsistency with the text, policies, and regulation in these documents.

(c) The project is located within the 680-acre portion of the 4,300-acre Palo Corona Regional Park (a.k.a. "Front Ranch"). The pedestrian trail is located south of the Carmel River along the River Trail Carmel Area, (Assessor's Parcel Number 157-121-001-000) within the Carmel Area Land Use Plan, Coastal Zone. For purposes of the amendment extending the Interim Public Access Plan the following parcels are included 243-081-005-000 and 243-081-008-000.

- (d) The majority of the property has one land use designation "WSC/40-D" (CZ) Watershed and Scenic Conservation 40 acres per unit, Design Control District. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20. Therefore, the property is suitable for the proposed development. The project is consistent with the Monterey County Zoning Ordinance (Title 20) standards as required by Section 20.17.030 which identify non-exempt development and requires a Coastal Development Permit for those categories listed under that section.
- (e) The project was reviewed for consistency with the goals, objectives, and policies established in the 2005 TAMC General Bikeways Plan, the 2005 Monterey County Regional Transportation Plan (RTP), and the 2001 Monterey County General Bikeways Plan. The proposed plans designed by the Public Works Department of Monterey County and as illustrated page 22 of the Monterey County General Bikeways Plan.
- (f) The project planner conducted a site inspection on October 15, 2010 and December 6, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- (g) The project was referred to the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) for review on December 6, 2010. The LUAC voted to continue the item 6-0 to January 3, 2011. There was no public comment presented. The LUAC noted concerns regarding having a representative present to speak about the project and to have a site visit to discuss concern about the retaining walls, path trail contours, and tree removal. Staff will provide the Planning Commission with minutes from the January 3, 2011 at the hearing on January 12, 2011.
- (h) 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 PLN100601.

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

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Monterey Regional/Carmel Valley Fire Protection District, Parks, RMA-Public Works, Environmental Health Bureau, 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) 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:
 - 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. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would result in significant impacts to the environment with implementation of mitigation and monitoring measures. The following reports have been prepared as part of the adopted 2008 MND and the Supplemental MND. Staff reviewed the reports and concurs with their conclusions:
 - 1. A "Preliminary Geotechnical Investigation for the Carmel Valley

Class I Bicycle Trail", dated July 2005, (LIB#100486) by Pacific Crest Engineering, Watsonville, California, was prepared.

2. A "Location Hydraulics Study," dated September 2005 (LIB#100485) by C & D Engineers, Monterey California, was prepared.
3. A "Natural Environment Study", dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California was prepared.
4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey, California, was prepared.
5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project", dated October 20, 2010 (LIB#100484) by Denise Duffy & Associates, Monterey, California, was prepared.
6. A "Supplemental Archaeological Surface Survey", dated October 14, 2010, (LIB#100489) by Archaeological Consulting, Salinas, California, was prepared.
7. A "Tree Resource Assessment/Management Plan", dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California, was prepared.

(c) Staff conducted site inspections on October 15, 2010 and December 6, 2010 to confirm site conditions and the information provided in the sited reports.

(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 PLN100601.

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, Monterey Regional/Carmel Valley Fire Protection District, Parks Department, Public Works, Environmental Health Bureau, 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. The subject project if approved would not require variances or exception to any Health and Safety regulations within the county codes. The project as conditioned is consistent with all county regulations and Land Use Plan policies.

(b) Necessary public facilities are available. No water or waste water facilities are required for the bicycle trail project.

(c) Preceding findings and supporting evidence for PLN100601 and see Finding No. 5.

4. **FINDING: NO VIOLATIONS** - The subject property complies with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

- EVIDENCE:** (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on October 15, 2010 and December 6, 2010 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100601.

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 requires environmental review if there is substantial evidence that the project may have a significant effect on the environment. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would result in significant impacts to the environment with implementation of mitigation and monitoring measures. The following reports have been prepared as part of the adopted 2008 MND and the Supplemental MND. Staff reviewed the reports and concurs with their conclusions:

1. A "Preliminary Geotechnical Investigation for the Carmel Valley Class I Bicycle Trail," dated July 2005, (LIB#100486) by Pacific Crest Engineering, Watsonville, California, was prepared.
 2. A "Location Hydraulics Study," dated September 2005 (LIB#100485) by C & D Engineers, Monterey California, was prepared.
 3. A "Natural Environment Study", dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California was prepared.
 4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey, California, was prepared.
 5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project", dated October 20, 2010 (LIB#100484) by Denise Duffy & Associates, Monterey, California, was prepared.
 6. A "Supplemental Archaeological Surface Survey," dated October 14, 2010 (LIB#100489) by Archaeological Consulting, Salinas, California, was prepared.
 7. A "Tree Resource Assessment/Management Plan," dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California, was prepared.
- b) On August 28, 2008, Monterey County Planning Commission adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and Condition Compliance & Mitigation Monitoring and/or Reporting Plan (MMRP) (SCH#2008041136). This document analyzed environmental impacts associated with Phase III of the Carmel Valley Class I Bicycle Trail project. The scope of that study was a 66-foot wide area within

which a portion would be used for the Phase III trail design.

- c) Since the adoption of the August 2008 IS/MND, the alignment of the Carmel Valley Class I Bicycle Trail has been defined and easements have been secured for a 14-foot wide trail alignment. The 66-foot wide Area of Potential Impact (APE) was reduced although small areas of the 14-foot easement for the trail are outside of the APE. The APE area studied was 8.9 acres and with 14-foot project the trail footprint is reduced to 2.1 acres, although with temporary impacts associated with the construction activities, it will be greater than 2.1 acres. The new areas of trail alignment are shown in Figure 2 of the Supplemental IS/MND.
- d) Consistent with CEQA Guidelines 15162 and 15163 a Draft Supplemental 2010 IS/MND has been prepared to address additional minor changes and revisions to the project from those described in the adopted 2008 IS/MND, so as to more completely describe the project in accordance with Section 15163 of the CEQA Guidelines. Pursuant to these guidelines, only the information necessary to make the previous 2008 IS/MND adequate for the project as revised is included in the Draft Supplemental 2010 IS/MND. A mitigated negative declaration may be adopted if the project would result in less-than-significant impacts with mitigation measures incorporated into the proposed project. The 2008 MMRP has been revised since previous impacts are reduced and impacts to CRLF will be avoided including with on-site monitoring. The adopted Class I Bicycle Trail project IS/MND is still relied on to address the impacts associated with those aspects of the project that do not result in new information or new significant impacts and associated mitigation measures.
- e) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA Section 15062 and 15063. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN080106).
- f) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Mitigated Negative Declaration.
- g) Issues that were analyzed in the Mitigated Negative Declaration include: biological resources, cultural resources, geology and soils, hydrology/water quality, noise, traffic and transportation.
- h) Biological Resources
A supplemental biological analysis for the proposed new alignment of the bicycle trail was conducted. The purpose of the analysis was to determine whether there were any additional impacts not previously identified in the adopted IS/MND. A survey of the existing habitat of the proposed project alignment was conducted on October 1, 2010. The survey concluded that the proposed new alignment for the Carmel Valley Class I Bicycle Trail Project is characterized by four habitat types: historically disturbed riparian, grazing land, existing road/trail, and riparian. The Project would impact 0.51 acre of historically disturbed riparian habitat, 0.64 acre of grazing land habitat, 0.37 acre of existing road/trail habitat, and 0.22 acre of riparian habitat. The new project alignment will impact approximately 0.73 acre of

riparian/disturbed riparian habitat, approximately 0.37 acre less of riparian/disturbed riparian habitat than the original project alignment. The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted

The area of the project alignment classified as historically disturbed riparian shows evidence of having been recently cleared of all existing vegetation with the exception of large tree species, which include cottonwood and willows with poison oak in the cleared areas. Grazing land habitat is dominated by non-native grasses in areas typically used for the grazing of cows, goats, and horses. An existing road/trail habitat in the vicinity of the proposed alignment is either paved with asphalt on the eastern end or covered in decomposed granite. The riparian habitat areas are dominated by poison oak, blackberry, and stinging nettle and dominated by cottonwood and willow tree species.

The potential for habitat modifications to result from implementation of the bicycle trail was previously analyzed in the adopted 2008 IS/MND. The adopted IS/MND determined that construction of the bicycle trail would require the permanent removal of riparian habitat and would likely require a Streambed Alteration Agreement from the California Department of Fish & Game (CDFG). The adopted IS/MND concluded that the inclusion of Mitigation Measures #1 through #13 would reduce impacts to a less-than-significant level, as identified in the Supplemental 2010 MND/MMRP.

The U.S. Fish and Wildlife Service (Service) issued a Biological Opinion (BO) for the Carmel Hill and River Bicycle Trail Project (Federal ID Number CML-6143 (032), 05-MON-0-TAMC) and the Carmel Valley Class I Bicycle Trail Project (Federal ID Number CML-5944 (063), 05-MON-0-CR) in Monterey County, California on March 12, 2009 (8-8-09-F-2), to authorize take of California red-legged frog (CRLF). However, it was recently determined that the Carmel Valley Class I Bicycle Trail Project will no longer be receiving federal funds from the Federal Highways Administration (FHWA), administered by Caltrans through the Local Assistance Program. As a result, the project no longer has a federal nexus and will no longer be able to benefit from the Section 7 consultation process already completed for the project. The adopted IS/MND included implementation of the measures identified in the BO to mitigate for potential impacts to CRLF.

However, the avoidance and minimization measures within the BO consisted of the implementation of the Service's 2003 Programmatic Biological Opinion for Projects Funded or Approved under the Federal Aid Program (Programmatic BO). The measures identified in the Programmatic BO cannot be implemented without take authorization because they include handling CRLF, if found. Therefore, the mitigation measures identified below will be implemented to avoid take of CRLF during construction of the project; these measures do not require take authorization and the MMRP has been revised accordingly. As discussed above, the project will result in impacts to 0.73 acre of

riparian habitat (0.37 acre less than originally proposed). The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted. With the implementation of the measures above and revisions to the project design, the project is not likely to result in take of CRLF.

Construction and ground disturbing activities will occur outside of the May 1 to October 15 "work window" which requires consultation with the CDFG and NOAA Fisheries (Mitigation Measure No. 1). Work outside of this window cannot proceed prior without authorization from the CDFG and NOAA.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to biological resources that were not previously identified in the adopted IS/MND. Potential impacts to biological resources associated with the proposed project were adequately addressed in the adopted IS/MND. The revised project description does not introduce any new impacts to biological resources and the mitigation measures remain adequate to reduce impacts to a less-than-significant level and with the implementation of Mitigation Measures #1 through #13.

i) Cultural Resources

A supplemental archaeological surface survey for the proposed new alignment of the bicycle trail was conducted. The field survey also found no surface evidence of potentially significant historic period archaeological resources in the project area. The field survey concluded that the proposed new trail alignment would not result in previously unidentified impacts to cultural resources.

The potential for impacts to cultural resources resulting from implementation of the class I bicycle trail was previously analyzed in the 2008 IS/MND. The adopted IS/MND identified one archaeological site within 0.62 mile of the project area, but none within or immediately adjacent to the bicycle alignment. No physical evidence of historic or prehistoric cultural resources was found during the initial field survey conducted in conjunction with the adopted IS/MND.

Although no historic or archaeological resources were identified during investigation of the project site, the possible uncovering of archaeological materials during construction is a potentially significant impact that would be reduced to a less-than-significant level with implementation of Mitigation Measure #14, as identified in the Revised MMRP. The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to cultural resources that were not previously identified in the adopted 2008 IS/MND. The revised project description does not introduce any new impacts to cultural resources; the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

j) Geology and Soils

The results of the "Preliminary Geotechnical Investigation for Carmel Valley Bicycle" report indicate that from a geotechnical engineering

standpoint, the project may be developed as proposed provided that the recommendations from the report are included in the design and construction. Since the study was preliminary and does not include detailed grading, foundation, or pavement design criteria, a final geotechnical investigation should be prepared to address these issues once project details (e.g., depth of cut, fills, etc.) are finalized. The requirement for the preparation of a final geotechnical investigation to be submitted for approval to County of Monterey and to have these recommendations included in the final design and construction of the project was included as Mitigation Measure #15 in the Revised MMRP. The adopted IS/MND concluded that the inclusion of this mitigation would reduce the impact to a less-than-significant level.

As further identified by the adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. This is identified in the adopted IS/MND as a potentially significant impact. In addition, cut and fill are proposed on slopes greater than 25% in the Inland area. The adopted IS/MND concluded that application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the required stormwater pollution prevention plan (SWPPP), in addition to implementation of relevant mitigation measures (Mitigation Measures #1 and #7 through #13) identified in the Biological Resources section of the Revised MMRP, would reduce potential erosion impacts to a less-than-significant level.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to geology or soils that were not previously identified in the IS/MND. Potential impacts to geology/soils associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to geology or soils, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

k) Hydrology/Water Quality

As identified adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. The proposed project will disturb more than one acre of land during construction. Therefore, a Notice of Intent is required to be filed with the State Water Resources Control Board to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activities. Application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the SWPPP, in addition to implementation of relevant mitigation measures (Mitigation Measures #1 and #7 through #13) identified in the Biological Resources section of the Revised MMRP would reduce potential erosion impacts to a less-than-significant level.

The project is partially within the 100-year floodplain. However, there is minimal potential for increased flood risk that would result from the construction of the project since the project does not propose any structures that would impede or redirect flows or propose to alter the existing river course. The proposed project will not have any effect upon the flood plain or the backwater potential. Flood damage on the trail is not anticipated except for the deposition of sediment. The trail will essentially be at the same elevation as the existing ground and will not require importing fill for construction of the trail.

As discussed in the adopted IS/MND, the construction of the trail would result in an increase in impervious surface area. The increased impervious surface area would result in a relatively minor increase in the amount of surface runoff during storm events, which would not, however, result in flooding on- or off-site as the project design. Therefore, impacts associated with flooding are considered to be less-than-significant and no mitigation is required by the adopted IS/MND. The increased impervious surface area would result in a relatively minor increase in the amount of surface runoff during storm events. Given that the project design will incorporate drainage features to accommodate the increased runoff and the relatively minor increase in impervious surfaces, this impact is considered to be less-than-significant with mitigation and monitoring measures implemented in the MMRP.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to hydrology or water quality that were not previously identified in the adopted IS/MND. The potential hydrology/water quality impacts associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to hydrology or water quality, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

1) Noise

The major source of existing noise in the project area is from the agricultural operations in the adjacent fields, Carmel Valley Road, and Rancho San Carlos Road. The Monterey County General Plan sets forth goals, objectives, and policies for noise. Construction activities will cause a temporary increase in ambient exterior noise levels in the project area. Most types of diesel powered, heavy construction equipment (such as dump trucks and graders) produce noise levels of up to 80-85 decibels at a distance of 100 feet. Noise levels decrease at a rate of six decibels for each doubling of distance from the source. Short-term noise impacts would occur during construction of the project. Construction noise levels vary by stage, depending upon the number and type of equipment in use. Construction activities at the project site may result in adverse noise impacts due to the proximity of sensitive receptors. This impact can be reduced to a less-than-significant level with implementation of the mitigation measures in the

MMRP.

m) Traffic and Transportation

Regional access to the project site is provided by Carmel Valley Road. Carmel Valley Road is a designated arterial roadway, and provides access between Carmel and Carmel Valley, and serves the many residential communities between these two areas. Currently, local service to the project site is provided only by Rancho San Carlos Road. A driveway to the sanitary sewer station, which also serves as a class III bike trail, provides direct access to the project. In the future, when the fourth segment of the bike trail is completed, the trail will be accessible from State Highway 1.

The traffic associated with construction vehicles and equipment has the potential to impact traffic volume or result in the interruption of traffic along Rancho San Carlos Road, and potentially, Carmel Valley Road. This impact can be reduced to a less-than-significant level with implementation of the mitigation measures in the MMRP requiring a Construction Management Plan.

- n) The 2010 Supplemental Mitigated Negative Declaration ("MND") for PLN080106 & PLN100601 was prepared in accordance with CEQA and circulated for public review from December 8, 2010 through January 7, 2011 (SCH#2008041136). Issues that were analyzed include biological resources, cultural resources, geology and soils, hydrology, water quality, noise, traffic and transportation.
- o) Evidence that has been received and considered includes: the application, technical studies/reports (see Finding 2/Site Suitability), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN080106 & PLN100601) and are hereby incorporated herein by reference.
- p) 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 (CDFG) 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 supports CRLF and riparian plant and animal species and will result in permanently removing riparian habitat. For purposes of the Fish and Game Code, the project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The California Department of Fish and Game reviewed the 2008 MND and recommend conditions necessary to protect biological resources in this area. The Planning Commission adopted a MND for the bike trail project on August 27, 2008. Therefore, because the project was not found to be exempt from CDFG fees the department of Public Works filed a Notice of Determination (NOD) and paid the CDFG fees on June 24, 2010. The Monterey County Clerk/Recorder processed and posted the NOD on that day.
- q) 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.

- 5. FINDING: 30 PERCENT SLOPE WAIVER** – The project as designed, better achieves the goals, policies, and objectives of the Carmel Land Use Plan policies, and regulations in Title 20 (Monterey County Coastal Area Implementation Plan, Part 1; Chapter 20.64.230.E.); regarding development on slopes in excess of 30 percent, and therefore qualifies for a waiver. The waiver of the slope policy would allow portions of the proposed pedestrian trail to be developed on slopes in excess of thirty percent. This conclusion is supported by the following evidences:

- EVIDENCE:** (a) The project is located within the 680-acre Palo Corona Regional Park “Front Ranch” area along State Route Highway 1 and Ribera Road, Carmel Area Land Use Plan, Coastal Zone. The site is zoned WSC/40-D or Water Shed and Scenic Conservation 40 acre per unit in a Design Control District. The existing river trail will provide access to the other trails in the park; the proposed trail will traverse an area on slopes in excess of 30% in order to connect the intended portions of the existing trails and proposed trails.
- (b) The project areas are identified in the Carmel Area Land Use Plan (LUP) as relatively unstable uplands. A Geotechnical Report was prepared for the proposed Plan by the Pacific Crest Engineering July 2005 library No. 100486. This report provides a detailed description of the proposed bike trail to be constructed. Trail construction specifications and materials are analyzed in the report. The proposed alignment of the bike trail in the Palo Corona Park would require the project to breach an area approximately 6,600 square feet across 30% slopes. The alignment of the easements granted to the project by the Monterey Regional Park District to allow the course of the trail path to align with existing trails on the park and to be easily connected to future proposed bike paths and pedestrian trails. For that reason the project better meets the objectives of the Carmel Land Use Plan Policies and since the project proposes to retire existing sections of roadway on slopes in excess of thirty percent and place those sections of road in areas which follow the contours of the land.
- (c) Staff conducted site inspections on October 15, 2010 and December 6, 2010 to confirm site conditions and information provided is correct.
- (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 PLN100601.

- 6. FINDING: VISUAL RESOURCES** – The project is consistent with Chapter 2.2 of the Carmel Area Land Use Plan. The proposed trail development shall not detract from the natural beauty of the undeveloped ridgelines and slopes in the public viewshed. The project as proposed is consistent with the Carmel Area Land Use Plan policies and regulations (Monterey County Coastal Implementation Plan Part 4 Section (20.146.030.C.1 & C.4) regarding development standards for parcels visible within the public viewshed. The proposed trail was analyzed by the supplemental Initial Study filed on December 7, 2010 and it was determined that the project as proposed will not have a significant adverse visual effect on the public viewshed, and will constitute a less than significant impact. This conclusion is supported by the following evidences:

- EVIDENCE:** (a) Construction activities associated with the proposed project may require the removal of vegetation within the ruderal non-native grassland however the portion

of the trail that will traverse through the Palo Corona Regional Park will not require the removal of trees or major vegetation that would otherwise expose the trail with foot traffic to greater visibility visible from Highway 1. The project as proposed is considered located in "Frontal Slopes" area. The Land Use Plan's (LUP) objective for this area is to preserve its open space and scenic recreational values. Low-intensity uses shall be allowed, and the land shall be retained in the largest possible parcels (LUP, page 61). The Resource Conservation Policies pertinent to the Project include Policies 4.4.2.5, 4.4.3.A.1, 4.4.3.C.1, 4.4.3.C.4, and 4.4.3.C.5. In addition, Palo Corona Ranch is identified as a "Special Treatment" area in the LUP. The LUP states, "In order to protect the high scenic values of the Ranch's frontal slopes, these slopes shall be designated for "Special Treatment". As specified by general development policy 4.4.2.5; the proposed development is compatible with the aforementioned policies. The project as proposed does not interfere with the preservation of sensitive coastal resources and is consistent with the objective of outdoor recreational uses to be passive and of a low intensive nature.

- (b) Staff conducted site inspections in October 15, 2010 and December 6, 2010 to confirm site conditions and information provided in the visual analysis.

7. FINDING: ENVIRONMENTALLY SENSITIVE HABITAT – The proposed development, complies with the objectives in the Carmel Area Land Use Plan policies (Chapter 2.3) and regulations in Coastal Implementation Plan (Section 20.146.040) regarding development within 100 feet of an environmentally sensitive habitat. A supplemental Mitigated Negative Declaration prepared for the project analyzed the potential for impact to any sensitive habitat or protected biological. The adopted Palo Corona Regional Park 2008 MND and the Supplemental 2010 IS/MND provides mitigations and conditions to reduce the potential for impacts created by the proposed development; consequently, those mitigation and conditions have been incorporated into the project to reduce the potential for impacts to the portion of the park where the trail will be constructed. This conclusion is supported by the following evidences:

EVIDENCE: (a) Construction activities associated with the proposed project may require the removal of vegetation within the ruderal non-native grassland and riparian habitats. Due to the low quality of habitat and dominance of non-native vegetation, the removal of this vegetation is considered a less-than-significant impact and may improve the visual quality of the area. According to the Natural Environment Study (NES), 1.1 acres of riparian habitat exists within the project Area of Potential Effect (APE). The project proposes to avoid and minimize impacts to riparian habitat by situating the trail to avoid sensitive biological resources to the greatest extent feasible. For example, the trail may meander, split into two travel lanes, or narrow to avoid or reduce impacts to vegetation. These measures will reduce impacts to the visual quality of the site, but not to a less-than-significant level. Staff conducted site inspections on October 15, 2010 and December 6, 2010 to verify the site conditions of the subject parcel. Section 20.146.040, Standards for Environmentally Sensitive Habitats, requires a biological survey be prepared for development proposed within 100 feet of a known environmental sensitive habitat. Biological reports were completed dated August 2008, and October 20, 2010. Vegetation removal and land disturbance has been limited to that necessary for the trail development. For that reason, a "Tree Resource Assessment/Management Plan" (TRA) was prepared for the project addressing the removal of ESHA/Tree Resources. Therefore 26 trees including

cottonwoods, willows, and alders ranging in size from 6 inches to 36 inches are proposed to be removed. The trees are not protected under the plan therefore no permit is required for their removal. One sycamore tree is in poor condition and is recommended to be removed because it would become a hazard once a trail is established. Native trees six inches in diameter or greater are required to be replaced at a 3:1 ratio either on- or off site (Palo Corona Regional Park). A condition requires that all tree removal, replanting, and protection shall be consistent with the recommendations in the TRA. The TRA in conjunction with the Biological report mitigations will insure that the project as mitigated will not have a significant adverse impact on the habitats long-term maintenance either on development or on a cumulative basis. Mitigation and monitoring measures have been incorporated as part of the project.

The potential for habitat modifications to result from implementation of the bicycle trail was previously analyzed in the 2008 IS/MND and the Supplemental IS/MND. The adopted IS/MND determined that construction of the bicycle trail would require the permanent removal of riparian habitat and would likely require a Streambed Alteration Agreement from the California Department of Fish & Game (CDFG). The adopted IS/MND concluded that the inclusion of Mitigation Measures #1 to #13 would reduce impacts to a less-than-significant level, as identified in the Revised MMRP. Potential impacts to biological resources associated with the Coastal portion of the project were adequately addressed in the Supplemental 2010 IS/MND. A supplemental biological analysis for the proposed new alignment of the bicycle trail was conducted. A survey of the existing habitat of the proposed project alignment was conducted on October 1, 2010. Mitigation and monitoring measures were modified to avoid take of California Red legged frog (CRLF) during construction, where previously take was assumed (Mitigation Measure #4).

The project site was surveyed for special status plant and animal wildlife species and appropriate habitat for these species. Several special status species are known to occur within or adjacent to the project APE. The survey of the alignment determined that the proposed alignment of the Carmel Valley Class I Bicycle Trail Project would impact 0.51 acre of historically disturbed riparian habitat, 0.64 acre of grazing land habitat, 0.37 acre of existing road/trail habitat, and 0.22 acre of riparian habitat. The new project alignment will impact approximately 0.73 acre of riparian/disturbed riparian habitat, approximately 0.37 acre less of riparian/disturbed riparian habitat than the original project alignment. The riparian habitat is dominated by poison oak, and stinging nettle and tree species dominated by cottonwood and willow. The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted.

- (b) Listed species or special status species include California red-legged frog (CRLF), Steelhead and Monterey dusky-footed woodrat and western pond turtle. The 2008 IS/MND and the Supplemental MND included analysis of these species as well as special status plants and raptor species. With the implementation of mitigation and monitoring measures and revisions to the project design, the project is not likely to result in take of CRLF steelhead nor impacts to dusky-footed woodrats or western pond turtles and their habitat. (See Finding No. 5.)

- (c) The project planner conducted a site inspection on June 9, 2008, October 15, 2010, and December 6, 2010 to verify ESHA locations and potential project impacts to ESHA.
- (d) The application plans, and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100601.

8. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4.). Approval of the Interim Public Access Plan Amendments will not have a substantial adverse impact on public access, individually or cumulatively, as described in Section 20.70.050.B.4.b & c. of the Monterey County Coastal Implementation Plan, can be demonstrated.

EVIDENCE:

- (a) The project includes the implementation of an amendment to an Interim Public Access Plan. The plan provides pedestrian access to the “Front Ranch” area of Palo Corona Regional Park. Access is not required under the Coastal Act and Local Coastal Program. However existing access under the Interim Public Access Plan will be limited to pedestrians and by permit only. No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property that would affect the existing Interim Public Access Plan.
- (b) The subject property is not described as an area where the Local Coastal Program requires access.
- (c) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 3, the Shoreline Access/Trails Map, of the Carmel Area Land Use Plan.
- (d) Staff conducted site inspections on October 15, 2010 and December 6, 2010 to confirm site conditions and the information provided in the sited reports.

9. FINDING: APPEALABILITY – The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE:

- (a) Sections 20.86.020 of the Monterey County Zoning Ordinance, Title 20. (Board of Supervisors)
- (b) Section 20.86.080 of the Monterey County Zoning Ordinance, Title 20 A. 2 & A. 3 allow an appeal of a County decision on a coastal development permit application may be filed by an applicant or any aggrieved person who has exhausted all County appeals pursuant to this Section.

DECISION

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

- A. Adopt the Supplemental Mitigated Negative Declaration; prepared for the project and a Mitigation and Monitoring Program (**Exhibit 1**)
- B. Approve a Combined Development Permit consisting of: a: 1) Administrative Permit for the construction of a bicycle trail (within a Site Plan Review Zoning District) approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25%

Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval, in general conformance with the plans in (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 12th day of January, 2011 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo Planning Commission

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 [DATE]

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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

NOTES

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

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

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

2. This permit expires 5 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: Carmel Valley Class I/III Bicycle Trail Project and Palo Corona Regional Park Interim Public Access Plan Amendment

File No: PLN100601
001-000 and 243-001-008

APNs: 157-121-001-000, 243-

Approval by: Planning Commission

Date: January 12, 2011

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN100601) allows a Combined Development Permit consisting of: a: 1) Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval. The property is located at general parallel to the Carmel River south and east of Highway 1 (Assessor's Parcel Number 157-121-001-000 243-081-005-000 and 243-081-008-000), Carmel Land Use 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	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	
			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.	RMA - Planning		
			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.	WRA RMA - Planning		

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number (Assessor's Parcel Number 157-121-001-000 243-081-005-000 and 243-081-008-000) on January 12, 2011 . The permit was granted subject to 41 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)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a period of 5 years, to expire on January 12, 2016 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)	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.	Owner/ Applicant	As stated in the conditions of approval	
4.		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	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.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		Department)				
5.		PDSP001 - ADHERENCE TO INTERIM PUBLIC ACCESS PROPOSAL (NON STANDARD) The applicant shall adhere to the standards set forth within the Palo Corona Regional Park Interim Public Access Proposal including, but not limited to, protection and preservation of the identified historic Barn, adherence to adherence to visitor hours, permit allocation, private property designation, litter removal, and trail maintenance. (RMA - Planning Department)	Submit monitoring report to Planning and Building Inspection Department.	Owner/ Applicant	Once yearly until 5 year interim period expires.	
6.		PDSP002 - VISITOR PARKING (NON STANDARD) The applicant shall monitor and record the number of parked vehicles along the easterly side of Highway 1, as well as any received public comments and or complaints regarding vehicle parking and utilize this information in drafting and implementing a long-term parking plan with proposed parking alternatives. (RMA - Planning Department)	Submit monitoring report to Planning and Building Inspection Department. Include District phone number on signage, website, and permits to allow users, adjacent homeowners, and members of the public an opportunity to comment and or render complaints regarding parked vehicles.	Owner/ Applicant Owner/ Applicant	Once yearly until 5 year interim period expires. Ongoing	
7.		PDSP003 - PUBLIC OUTREACH (NON STANDARD) In an effort to provide safe ingress and egress to the park, the District shall engage in a public safety outreach program designed to educate park users on the use and location of appropriate parking areas and legally appropriate traffic maneuvers on Highway 1. Vehicle safety information shall be provided on the District's website, park signage, and on the General Public Permit. (RMA - Planning Department)	Submit public outreach plan to Planning and Building Inspection Department for review.	Owner/ Applicant	Once yearly until 5 year interim period expires.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
8.		PDSP004 – SIGNAGE (NON STANDARD) Signs located within the public viewshed and readily visible from Highway 1 shall be of a design complimentary to the scenic character of the Carmel area, with preference for natural materials. (RMA - Planning Department)	Submit photographs of signs visible from Highway 1.	Owner/ Applicant	Prior to start of use	
9.		PDSP005 - PROTECTION OF ENVIRONMENTALLY SENSITIVE HABITATS (NON STANDARD) Access through environmentally sensitive habitats shall be limited to low-intensity recreational, scientific, or educational uses. Access through these areas shall be controlled and confined to designated trails and pathways. (RMA - Planning Department)	Submit monitoring report for the review of the Director of PBI.	Owner/ Applicant	Once yearly until five year interim period expires.	
10.		FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (CDF Coastal Fire District)	Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to start of use	
11.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. (CDF Coastal Fire District)	Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to start of use	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
12.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	
13.		PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
14.		PDSP006 – TREE AND ROOT PROTECTION (NON-STANDARD) 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	Submit evidence of tree protection to the RMA - Planning Department for review and approval. All tree removal shall be in accordance to the recommendations in the Tree Resource Assessment/Management Plan", dated November 15, 2010 by F. & O. Consulting	Owner/ Applicant	Prior to the issuance of grading permits	

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		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 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. All tree removal, planting, tree replacement and pruning shall be in accordance to the recommendations in the Tree Resource Assessment/Management Plan”, dated November 15, 2010 (LIB#100488) by F. & O. Consulting. (RMA - Planning Department)	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.	Owner/ Applicant/ Arborist	During construct- ion	
			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 grading final inspection	
15.		PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: <ol style="list-style-type: none"> 1. A “Preliminary Geotechnical Investigation for the Carmel Valley Class I Bicycle Trail,” dated July 2005, (LIB#100486) by Pacific Crest Engineering, Watsonville, California, was prepared. 2. A “Location Hydraulics Study,” dated September 2005 (LIB#100485) by C & D Engineers, Monterey California, was prepared. 3. A “Natural Environment Study,” dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California 	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	

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		<p>was prepared.</p> <p>4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey, California, was prepared.</p> <p>5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project," dated October 20, 2010 (LIB#100484) by Denise Duffy & Associates, Monterey, California, was prepared.</p> <p>6. A "Supplemental Archaeological Surface Survey," dated October 14, 2010, (LIB#100489) by Archaeological Consulting, Salinas, California, was prepared.</p> <p>7. A "Tree Resource Assessment/Management Plan," dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California, was prepared.</p> <p>All development shall be in accordance with these reports" (RMA – Planning Department)</p>				
RMA – Public Works Department						
16.		<p>PWSP002 – MAINTENANCE OF IMPROVEMENTS (NON-STANDARD)</p> <p>Big Sur Land Trust and Monterey Peninsula Regional Park District shall assume all maintenance and operation responsibilities of the bicycle path improvements. Prior to issuance of the grading permit, applicant(s) shall submit letters from the Big Sur Land Trust and Monterey Peninsula Regional Park District (owners of the bicycle path easement/facility) accepting all maintenance and operation responsibilities of the bicycle path</p>	<p>Submit letters from the Big Sur Land Trust and Monterey Peninsula Regional Park District (owners of the bicycle path easement/facility) accepting all maintenance and operation responsibilities of the bicycle path prior to issuance of the Grading Permit improvements. Applicant(s) shall be responsible to maintain improvements until maintenance is assumed by</p>	Easement Owner/Applicant	Prior to commencement of grading, submit application for grading permit	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		improvements. Applicant(s) shall be responsible to maintain improvements until maintenance is assumed by another entity. (RMA - Public Works)	another entity			
17.		PW0025 – GRADING PERMIT (NON-STANDARD) A grading permit shall be obtained from the RMA - Planning Department if required. Prior to commencement of Grading, applicant to submit application for grading permit. (RMA - Public Works)	Obtain a grading permit from the RMA- Planning Department if required prior to commencement of grading, submit an application for grading permit	Owner/ Applicant	Prior to commence ment of grading, submit application for grading permit	
18.		PWSP003 – AS BUILT PLANS (NON-STANDARD) A Registered Civil Engineer shall submit as built plans (originals) to the Department of Public Works. Prior to final of grading permit Applicant shall submit as built plans to the Department of Public Works. (RMA - Public Works)	A Registered Civil Engineer shall submit as built plans (originals) to the Department of Public Works. Prior to final of grading permit Applicant shall submit as built plans to the Department of Public Works.	Owner/ Applicant Registered Civil Engineer	Prior to commence ment of grading, applicant to submit application for grading permit	
19.		PWSP004 – CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD) The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the	Submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and	Owner/ Applicant Applicant/ Owner	Prior to commence ment of grading, applicant to submit application for grading permit	

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		<p>applicant during the construction/grading phase of the project.</p> <ol style="list-style-type: none"> 1. Prior to issuance of the Grading Permit Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval. (RMA - Public Works) 2. On-going through construction phases, Owner/Applicant/Contractor shall implement approved measures during the construction/grading phase of the project. (RMA - Public Works) 	<p>workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project.</p>			
			<p>All approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase through completion of the project.</p>	Owner/ Applicant Applicant/ Owner	Ongoing until completion of project	
Mitigation Measures						
Biological Resources						

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20.	MM-1	All ground disturbing activities shall be confined to the "work window" of May 1 to October 15, or other dates as determined by CDFG and/or NOAA Fisheries to minimize potential indirect impacts to steelhead, including increased sedimentation and other water quality impacts(RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that all ground disturbing activities are confined to the time-period between May 1 and October 15. If work is to occur outside of the identified "work window," CDFG and NOAA Fisheries shall be consulted. Work outside of the identified "work window" may not proceed unless authorized by CDFG and NOAA Fisheries.	Owner/ Applicant / Contractor /Qualified Biologist	Prior to issuance of grading permit	
21.	MM-2	Protective fencing shall be placed to keep construction vehicles and personnel from impacting steelhead critical habitat adjacent to the APE. (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that appropriate fencing has been installed before commencement of construction.	Project Applicant/ Qualified Biologist	Prior to commence ment of construc- tion	
22.	MM-3	Best Management Practices shall be employed to reduce the transport of sediment from the site into adjacent sensitive fishery habitat. (RMA – Planning Department)	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Project Applicant/ Contractor/ Biological Monitor	Prior to commence ment of construc- tion	
23.	MM-4	The following mitigation measures shall be implemented to avoid impacts to the California red-legged frog (CRLF): <ul style="list-style-type: none"> • A biologist with CRLF experience will be on site during construction activities. If CRLF are observed, all construction activities will cease until the CRLF voluntarily move out of the area. All 	The biological monitor shall be consulted regarding implementation of these measures.	Project Applicant/ Contract- or/ Biological Monitor	Prior to commence ment of construc- tion / Ongoing	

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		<p>CRLF sightings will be immediately reported to the Service.</p> <ul style="list-style-type: none"> • Before ground disturbing work activities begin each day, a CRLF-experienced biologist will inspect under construction equipment and materials to look for CRLF. If a CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue. • Riparian vegetation removal necessary to accommodate the project will be done by hand. • A CRLF-experienced biologist will monitor all vegetation removal and ground disturbing construction activity. The CRLF experienced biologist and the construction monitor will have the authority to stop and/or redirect project activities to ensure avoidance of take and implementation of all avoidance measures. • To prevent inadvertent entrapment of CRLF during the project, all excavated, steep-walled holes or trenches more than 2 feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue. • Only tightly woven fiber netting or similar material may be used for erosion control at the project site. 				

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		Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including CRLF. (RMA – Planning Department)				
24.	MM-5	To avoid impacts to nesting birds, vegetation proposed for removal will be removed during the non-breeding season (September 15 to February 14). If this is not possible and removal of trees and shrubs must occur during the breeding season (February 15 to September 14), pre-construction surveys shall be conducted for active nesting raptor and riparian avian species in all areas that may provide suitable nesting habitat that exist in or within 300 feet of the APE by a qualified biologist no more than seven days prior to the commencement of construction activities. If nesting birds are identified during pre-construction surveys, a minimum 250-foot no-disturbance buffer will be imposed within which no construction activities or disturbance will take place. A qualified biological monitor shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work may proceed in the vicinity of an active nest until a qualified biologist has determined that all young are fledged and are no longer reliant upon the nest or parental care for survival. (RMA – Planning Department)	If construction activities are initiated between February 15 and September 14, a qualified biological monitor shall conduct pre-construction surveys and submit written documentation to the Department of Public Works. If active nests are present, work may not proceed within the established no-disturbance buffer until a qualified biologist has determined all young have fledged and are no longer reliant upon the nest or parental care for survival.	Project Owner/ Applicant/ Contractor / Biological Monitor	Prior to commencement of construction	
25.	MM-6	A qualified biologist shall conduct pre-construction surveys for woodrat nests. All woodrat nests that may be affected by the project shall be dismantled by a qualified biologist prior to any construction activities. Dismantling will be done by hand, allowing any animals to escape either along existing woodrat trails or toward other available habitat. Nests shall be dismantled during the non-breeding season between October 1 and December 31 and within three days of the initiation of construction. If construction is not	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that pre-construction woodrat nest surveys have been completed.	Owner/ Applicant/ Contractor /Qualified Biologist	Prior to commencement of construction	

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		initiated within three days of the dismantling an additional survey and dismantling effort, if nests are found to be rebuilt, will need to occur within three days of the initiation of construction activities. If a litter of young is found during dismantling, nest material will be replaced and the nest left alone for two weeks. Construction activities within 25 feet of the nest must be postponed until a recheck of the nest is conducted to verify that young are capable of independent survival before proceeding with nest dismantling. Any woodrat nests that are adjacent to areas of grading or vegetation removal, but are not scheduled for removal, will be avoided and protected during construction activities with a minimum 25-foot buffer. (RMA – Planning Department)				
26.	MM-6b	A qualified biologist shall conduct pre-construction surveys for western pond turtles and their nests within 30 days prior to the commencement of construction activities. If an adult turtle is found in any areas prior to or during project-related construction activities, a qualified biologist shall relocate the individual from the site and relocate it to a suitable location, preferably along the Carmel River. If a buried nest of eggs is encountered during project-related construction activities, the CDFG does not recommend moving the eggs because of specific conditions required for development and hatching. If a nest is found within the construction area, construction will stop and the California Department of Fish and Game will be notified. Construction can be reinitiated subsequent to California Department of Fish and Game approval. (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that pre-construction surveys have been completed.	Owner/ Applicant/ Contractor/ Qualified Biologist	Prior to commence ment of construc- tion	
27.	MM-7	Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. (RMA – Planning Department)	The biological monitor shall be consulted regarding the extent of vegetation removal and disturbance.	Owner/ Applicant Contract- or/ Biological	Prior to commence ment of construc- tion /	

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				Monitor	Ongoing	
28.	MM-8	The final bike trail alignment shall avoid to the greatest extent feasible all riparian tree species greater than 6.0 inches in diameter at breast height. Where feasible, sycamore trees shall be avoided in favor of other riparian species that reestablish more easily, such as willow and cottonwood trees. (RMA – Planning Department)	The biological monitor shall be consulted regarding the extent of riparian tree removal and disturbance.	Owner/ Applicant/ Contract- or/ Biological Monitor	Prior to commence ment of construc- tion / Ongoing	
29.	MM-9	Protective fencing shall be placed so as to keep construction vehicles and personnel from impacting riparian vegetation adjacent to the project site outside of work limits. (RMA – Planning Department)	The project contractor, in consultation with the biological monitor, shall submit evidence to the Department of Public Works demonstrating that protective fencing has been installed.	Owner/ Applicant/ Contract- or/ Biological Monitor	Prior to commence ment of construc- tion / Ongoing	
30.	MM-10	Trees or vegetation not required for removal, but directly adjacent to construction activities, shall be provided appropriate protection from impacts of construction activity. This includes fencing off shrubby vegetation and protective wood barriers for trees. (RMA – Planning Department)	The project contractor shall submit evidence to the Department of Public Works demonstrating that adequate protective measures are installed.	Owner/ Applicant/ Contract- or	Prior to commence ment of construc- tion / Ongoing	
31.	MM-11	No fueling or maintenance of equipment shall take place in the riparian habitats identified. Mechanical equipment shall be serviced in designated staging areas located outside of these habitats. Water from equipment washing or concrete wash down shall be prevented from entering these habitats. (RMA – Planning Department)	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Owner/ Applicant/ Contract- or	Prior to commence ment of construc- tion / Ongoing	
32.	MM-12	Erosion control and slope stabilization measures shall be implemented to assure that disturbed slopes do not erode. Best Management Practices shall be employed to reduce the transport of sediment from the site into adjacent sensitive fisheries habitat. In addition, where	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written	Owner/ Applicant/ Contractor/ Biological Monitor	Prior to commence ment of construc- tion	

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		feasible; alternative bank protection methods, such as restoration of native vegetation, root wads, or other bioengineering methods of stabilization, shall be used. (RMA – Planning Department)	documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.			
33.	MM-13	Impacts to the riparian habitat have been reduced as a result of the alignment revisions. As a result, riparian enhancement, restoration, or creation will likely occur both on- and off-site. A potential off-site mitigation area may be available within the adjacent Palo Corona Regional Park. The mitigation area shall be preserved in perpetuity through a conservation easement or other legally enforceable land preservation agreement. Riparian trees that are proposed for removal will be replaced at a 3:1 ratio. (RMA – Planning Department)	The contractor or project Applicant shall identify the mitigation areas on- and/or off-site, implement the restoration recommended by the qualified biologist, and provide documentation to the County that the 3:1 mitigation ratio requirement has been met.	Owner/ Applicant/ Contract- or/ Qualified Biologist	Prior to commence ment of construc- tion	
Cultural Resources						
34.	MM-14	If archaeological or human remains are discovered during construction within the project limits, the Caltrans District 5 Environmental Planning Branch shall be notified immediately and work shall be halted within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist (project archaeologist) in accordance with the Programmatic Agreement. If the find is determined to be significant, a mitigation program shall be prepared in conformance with the protocol set forth in the CEQA Guidelines (Section 15064.5). A final report shall be prepared by the project archaeologist when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report shall include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered	Stop work within 50 meters (165 feet) of uncovered resource and contact the Public Works Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project Applicant and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Contractor / Qualified Archae- ologist	Ongoing	

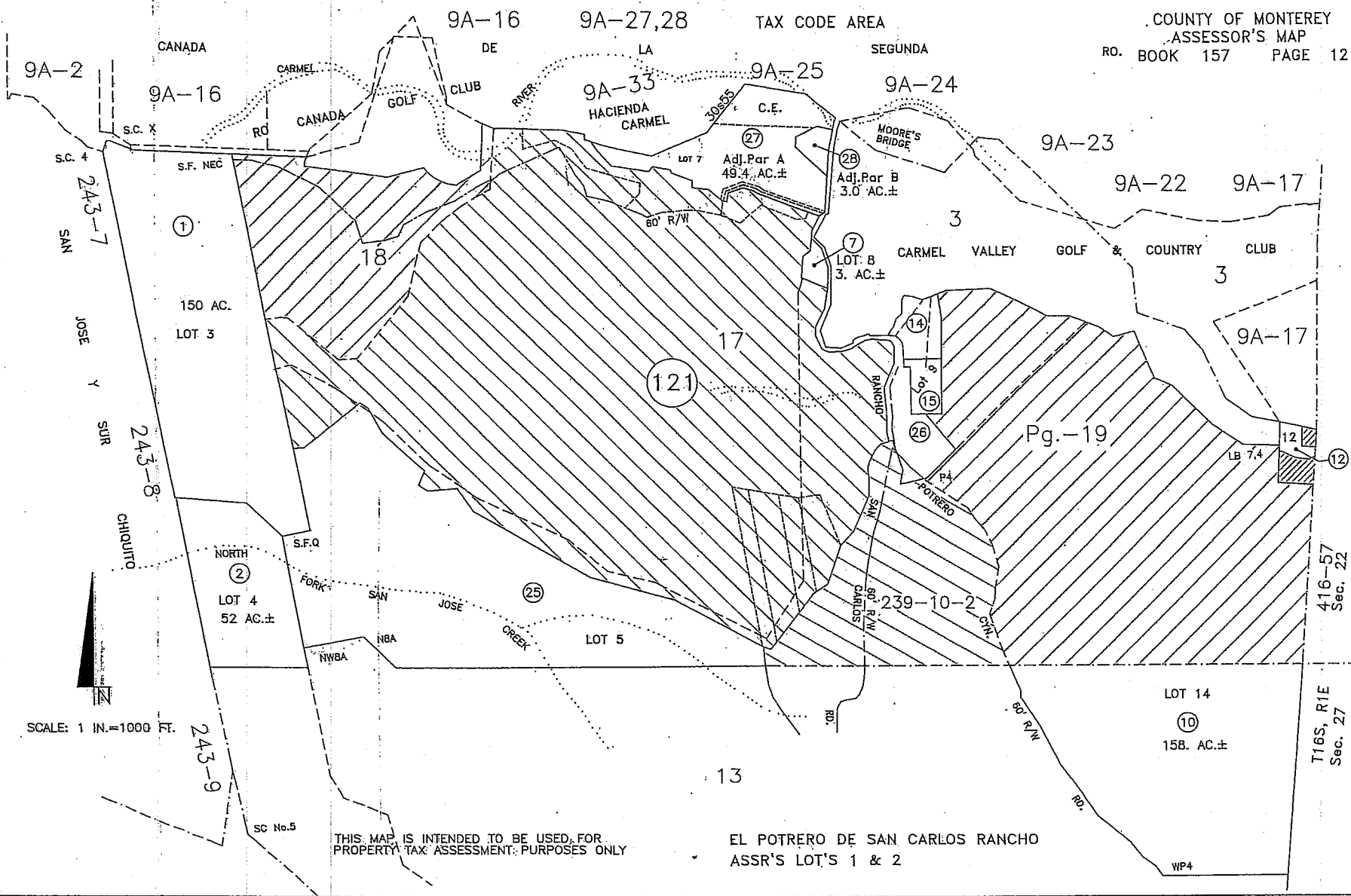
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		information, and conclusions. (RMA – Planning Department)				
Geology and Soils						
35.	MM-15	The County shall obtain a final geotechnical report and include the recommendations of the report in the final design and construction of the project. (RMA – Planning Department)	The project Applicant shall have prepared a project-specific geotechnical analysis by a registered engineer with geotechnical experience, subject to the review and approval of the County Public Works Director.	Owner/ Applicant/ Regis- tered Geotech- nical Engineer	Prior to certification of final design plans	
Hazards and Hazardous Materials						
36.	MM-16	Prior to commencement of construction activities, the contractor will prepare a Hazardous Materials Spill Response Plan, which details the protocol to follow in the event that a hazardous material is released into the environment. This plan shall be maintained on the project site, and all personnel working on the project site will be notified of its location. (RMA – Public Works)	The contractor shall submit evidence demonstrating that a Hazardous Materials Spill Response Plan has been prepared, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contrac- tor	Prior to commence ment of construc- tion	
Noise						
37.	MM-17	Require contractor implementation of equipment maintenance and management practices to reduce construction-related noise including the following: <ul style="list-style-type: none"> Choose construction equipment that has a quiet design, a high-quality muffler system, and is well maintained. This includes trucks used to haul materials. Install engine enclosure panels when 	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Project Applicant/ Contrac- tor	Prior to commence ment of construc- tion	

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		<p>required on stationary gas, diesel, or pump equipment.</p> <ul style="list-style-type: none"> • Eliminate unnecessary idling of machines when not in use. • Use good maintenance and lubrication procedures to reduce operating noise. <p>(RMA – Planning Department)</p>				
38.	MM-18	Truck movement, construction activities, and equipment operation shall be limited to the hours of 7:30 AM and 7:30 PM, Monday through Saturday. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Ongoing	
39.	MM-19	The contractor shall comply with the California Vehicle Code prohibitions against faulty or modified loud vehicle exhaust systems - Sections 27150 and 27151. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion	
40.	MM-20	The contractor shall post a telephone number of the project representative that will be available to respond to noise nuisance concerns. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion	
Traffic						
41.	MM-21	In order to minimize construction traffic impacts, the contractor shall prepare a construction management plan for the approval of the County prior to the issuance of grading or building permits. The contractor shall adhere to measures included in the approved construction management plan. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commence ment of construc- tion	

END OF CONDITIONS

Rev. 08/25/2010

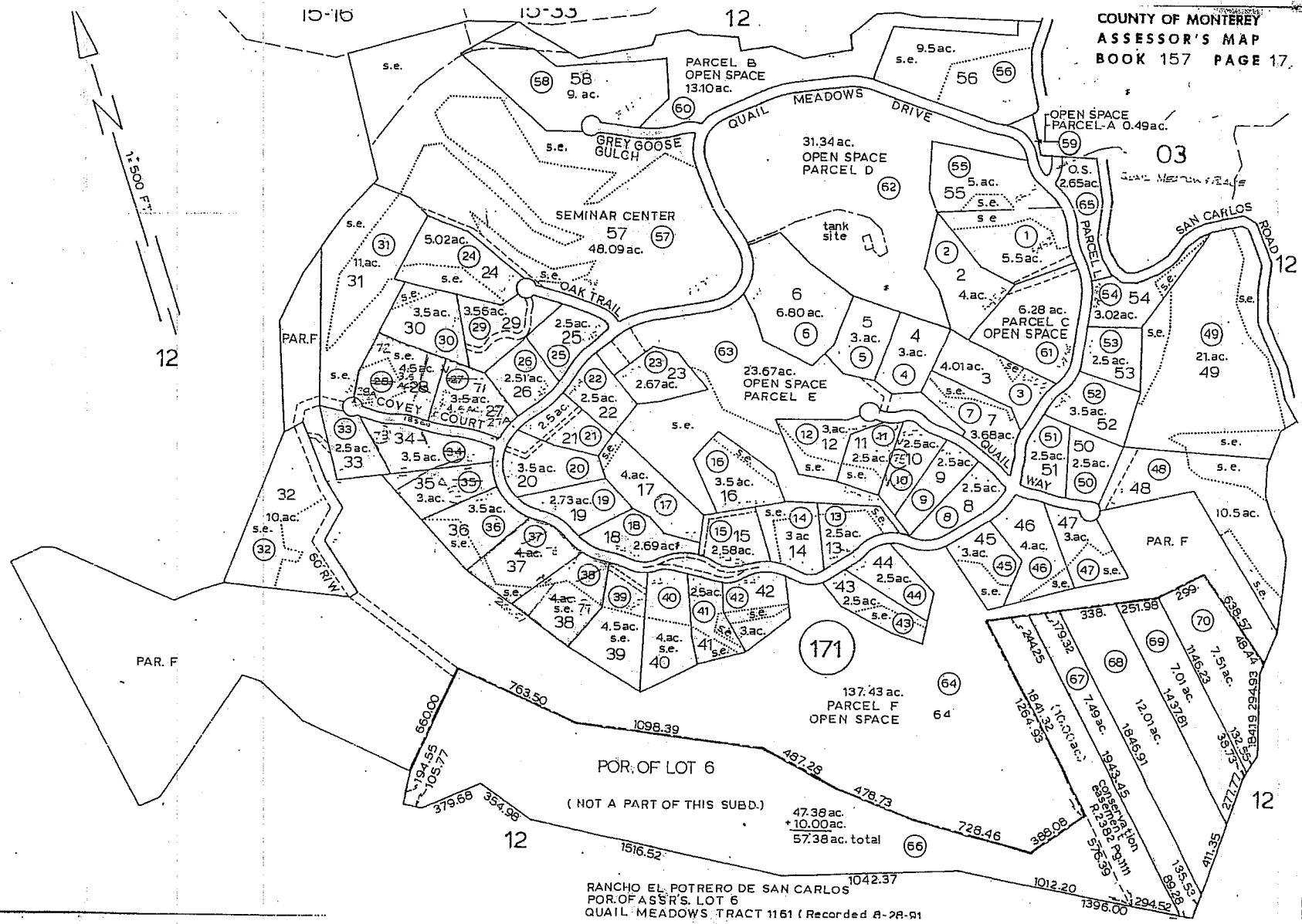
EXHIBIT E



SCALE: 1 IN. = 1000 FT.

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

EL POTRERO DE SAN CARLOS RANCHO
ASSR'S LOT'S 1 & 2



RANCHO EL POTRERO DE SAN CARLOS
POR. OF ASSR'S LOT 6
QUAIL MEADOWS TRACT 1161 (Recorded A-28-91)

TAX CODE AREA

15/16-1

(181)

(4)
LOT D
49.77 AC.

22s41

28s121

60' R/W

(6)
LOT A
20.69 AC.

(7)
LOT B
20.78 AC.

(8)
LOT C
61.77 AC.

PAR.
F

31

24

30

28

33

32

PAR. F

COVEY COURT

SCALE: 1 IN. = 500 FT.

12

LOT 3

lot37

lot38

17

17

57

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

EL POTRERO DE SAN CARLOS RANCHO
ASSR'S LOT'S 1 & 2

EXHIBIT F

MINUTES
Carmel Highlands Land Use Advisory Committee
Monday, December 6, 2010

PLN100601

FILE COPY

1. Meeting called to order by Peter Davis at 4.10 pm

2. Roll Call

Members Present: Weber, Davis, McKeen, Jeselnick, Rainier, Hal

Members Absent: Hurst, ~~Hal~~, Ward (Hal present - arrived late)

3. Approval of Minutes:

A. November 15, 2010 minutes

Motion: McKeen motion for approval (LUAC Member's Name)

Second: Davis (LUAC Member's Name)

Ayes: 6 (Weber, Hal, Davis, McKeen, Jeselnick, Rainier)

Noes: None

Absent: Ward, Hurst - Ward (was late by 10 minutes)

Abstain: None

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

RECEIVED

DEC 13 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

5. Scheduled Item(s) – Refer to attached project referral sheet(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

B) Announcements

Next meeting: Jan. 3, 2011.

7. Meeting Adjourned: 5:05 pm

Minutes taken by: B. Rainer, Sec'y.

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MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: ~~San Juan~~ *Carmel Highlands*

RECEIVED

Please submit your recommendations for this application by: **December 6, 2010**

DEC 13 2010

Project Title: COUNTY OF MONTEREY DEPARTMENT OF PUBLIC WORKS
[AKA CARMEL VALLEY BICYCLE TRAIL]

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT

File Number: PLN080106

File Type: PC

Planner: BRADLEY

Location: SOUTH OF CARMEL VALLEY ROAD AND THE CARMEL RIVER

Project Description:

Combined Development Permit consisting of: 1) Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles (5,285 linear feet) long and 14 feet wide and a total estimated footprint of 2 acres (87,120 square feet); 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; 3) Use Permit and Coastal Development Permit for Development on Slopes in Excess of 25%; 4) Coastal Development Permit for grading of approximately 1,850 cubic yards cut and 1,200 cubic yards fill, total 3,100 cubic yards; and 5) Design Approval for an 120 foot long concrete retaining wall up to five foot high (on Assessor's Parcel Number 157-181-008-000). The project is located in Carmel Valley (Assessor's Parcel Numbers 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000), south of Carmel Valley Road and the Carmel River, Carmel Valley Master Plan area and Carmel area, Coastal Zone.

Was the Owner/Applicant/Representative Present at Meeting? Yes _____ No ✓

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>None</i>			

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Several concerns but no representative for project to answer questions.		

ADDITIONAL LUAC COMMENTS

Request representative from Dept. of Public Works or Big Sur Land Trust to present project and answer questions from LUAC members.

Request by LUAC members for site visit to see location of retaining walls, path/trail contours, and tree removal.

RECOMMENDATION:

Motion by: Rainer To continue to Jan. 3rd, 2011 (LUAC Member's Name)

Second by: Mehean (LUAC Member's Name)

☐ Support Project as proposed

☐ Recommend Changes (as noted above)

☒ Continue the Item

Reason for Continuance: No representatives for project in attendance

Continued to what date: Jan. 3rd 2011

AYES: B. Weber, Davis, Hall, Mehean, Jeselnick, & Rainer

NOES: None

ABSENT: Hrist, Wald

ABSTAIN: None

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DEC 13 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

RECEIVED

DEC 13 2010

Advisory Committee: **Carmel Valley**

Please submit your recommendations for this application by: **December 6, 2010**

**MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.**

Project Title: MONTEREY PENINSULA REGIONAL PARK DISTRICT
[PART OF CARMEL VALLEY BICYCLE TRAIL PROJECT]

File Number: PLN100601

File Type: PC

Planner: MONTANO

Location: PALO CORONA REGIONAL PARK OFF OF HWY 1 CARMEL

Project Description:

Combined Development Permit consisting of: 1) an Amendment to a General Development Plan (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access; 2) 5-year extension of the Interim Management Plan, expiring on 4/26/2011; 3) Coastal Development Permit for development within 100 feet of a environmentally sensitive habitat; 4) Coastal Development Permit for grading; 5) Coastal Development Permit for the removal of protected trees. The property is located in Palo Corona Regional Park (Assessor's Parcel Numbers 157-121-001-000 and 243-081-005-000), located off State Highway 1 and near Ribera Road South of Rio Road, Carmel area, Coastal zone.

Was the Owner/Applicant/Representative Present at Meeting? Yes _____ No ✓

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
None			

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Tree removal of protected trees. Kinds of trees, and location of trees.		
Location of environ- mentally sensitive habitat to be developed.		

ADDITIONAL LUAC COMMENTS

Request a representative from Regional Parks Dist. to explain amendment, reason for extension of Interim Management Plan and Coastal Development Permit for removal of protected trees.
 LUAC members had several questions in regards to this project.

RECOMMENDATION:

Motion by: Rainer-continue to Jan 3rd 2011 (LUAC Member's Name)

Second by: Hall (LUAC Member's Name)

☐ Support Project as proposed

☐ Recommend Changes (as noted above)

☒ Continue the Item

Reason for Continuance: No representative from Regional Parks to answer questions.

Continued to what date: Jan. 3rd 2011

AYES: 6 (Weber, Hall, Davis, McKeen, Jeselnick and Rainer)

NOES: None

ABSENT: Hurst, Wald

ABSTAIN: None

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DEC 13 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

PL N080106
File copy

MINUTES
Carmel Valley Land Use Advisory Committee
Monday, December 6, 2010

1. Site visit at 3:30 PM at the parking area for the dog park off of Rancho San Carlos Road & across from the golf course gatehouse, below and towards the Carmel Valley River from Quail Meadows for the Carmel Valley Bicycle Trail project (PLN080106 & PLN100601)

ATTENDEES: Janet Brennan, Charles Franklin, Judy MacClelland, Doug Pease, John Anzini, Neil Agron

2. Meeting called to order by Janet Brennan at 6:34 pm

3. Roll Call

Members Present: Janet Brennan, Charles Franklin, Judy MacClelland, Doug Pease, John Anzini,

Neil Agron

Members Absent: David Burbridge

4. Approval of Minutes:

A. November 1, 2010 minutes

Motion: John Anzini (LUAC Member's Name)

Second: Neil Agron (LUAC Member's Name)

Ayes: 6

Noes: 0

Absent: 1

Abstain: 0

5. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

6. Scheduled Item(s)

7. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

B) Announcements

None

8. Meeting Adjourned: 7:00 pm

Minutes taken by: Charles Franklin

Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: **Carmel Valley**

Please submit your recommendations for this application by: **December 6, 2010**

Project Title: COUNTY OF MONTEREY DEPARTMENT OF PUBLIC WORKS
[AKA CARMEL VALLEY BICYCLE TRAIL]

File Number: PLN080106

File Type: PC

Planner: BRADLEY

Location: SOUTH OF CARMEL VALLEY ROAD AND THE CARMEL RIVER

Project Description:

Combined Development Permit consisting of: 1) Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles (5,285 linear feet) long and 14 feet wide and a total estimated footprint of 2 acres (87,120 square feet); 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; 3) Use Permit and Coastal Development Permit for Development on Slopes in Excess of 25%; 4) Coastal Development Permit for grading of approximately 1,850 cubic yards cut and 1,200 cubic yards fill, total 3,100 cubic yards; and 5) Design Approval for an 120 foot long concrete retaining wall up to five foot high (on Assessor's Parcel Number 157-181-008-000). The project is located in Carmel Valley (Assessor's Parcel Numbers 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000), south of Carmel Valley Road and the Carmel River, Carmel Valley Master Plan area and Carmel area, Coastal Zone.

Was the Owner/Applicant/Representative Present at Meeting? Yes X No _____

Joanna Devers – Big Sur Land Trust

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Rod Mills		X	Inquires as to the status of the trail easements that have been previously dedicated along the river.
Jeff Taylor	X		Supports the project

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)

ADDITIONAL LUAC COMMENTS

Planner noted that the projects revised form did not require a retaining wall.

RECOMMENDATION :

Motion by: John Anzini (LUAC Member's Name)

Second by: Doug Pease (LUAC Member's Name)

 Support Project as proposed

 X Recommend Changes (as noted above)

 Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 6

NOES: 0

ABSENT: 1

ABSTAIN: 0

EXHIBIT G

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

DEC 07 2010

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Carmel Valley Class I Bicycle Trail Project
File Number:	PLN080106 & PLN100601
Owner:	Quail Lodge and Heritage Development LLC and Monterey Peninsula Regional Parks District.
Project Location:	located generally parallels the Carmel River south and east of Highway 1 from Rancho San Carlos Road to, and including, the Palo Corona Regional Park
Primary APN:	(Assessor's Parcel Numbers 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000,)
Project Planner:	Paula Bradley, Associate Planner & Ramon A. Montano, Assistant Planner
Permit Type:	Combined Development Permits
Project Description:	<p>PLN080106/CV Bicycle Trail PLN100601/ Palo Corona Regional Park</p> <p>A Combined Development Permit consisting of:</p> <ol style="list-style-type: none">1) Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and approximately 3,000 cubic yards of total grading (cut/fill);2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA);3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal);4) Use Permit for development in the Carmel River floodplain;5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through 4/26/2016); and6) Design Approval. <p>The project generally parallels the Carmel River south and east of Highway 1 from Rancho San Carlos Road to, and including, the Palo Corona Regional Park, (Assessor's Parcel Numbers 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000,), Carmel Valley Master Plan and Carmel Area Land Use Plan, Inland and Coastal Zones.</p>

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

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

Decision Making Body:	Monterey County Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	December 7, 2010
Review Period Ends:	January 8, 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 Supplemental Draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permits (See project Description Bellow) Carmel Valley Class I Bicycle Trail Project File Number PLN080106 & PLN100601) located generally parallels the Carmel River south and east of Highway 1 from Rancho San Carlos Road to, and including, the Palo Corona Regional Park, (Assessor's Parcel Numbers 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000), Carmel Valley Master Plan and Carmel Area Land Use Plan, Inland and Coastal Zones. The objective of the Carmel Valley/Valley Greens Drive Class I/III Bicycle project is to provide a four-mile bicycle facility from Carmel Valley Road to State Highway 1. Construction of the project is proposed to occur in four phases. The first phase consists of the construction of a roadway/class III bicycle route, designated for utility vehicles and bicyclists. Phase I begins at Rancho San Carlos Road and proceeds westbound for approximately 0.75 mile and was constructed as part of a utility project. The second phase has not been completed, but is planned to provide class III bicycle route signage from Carmel Valley Road along Valley Greens Drive to the end of the first phase. The third phase consists of the construction of a class I trail that begins where the phase one roadway/class III trail ends and proceeds westbound approximately 1.1 miles, where it will connect to the fourth phase. This Supplemental IS/MND addresses impacts associated with the phase three portion of the project. Phase four consists of a future connection from Palo Corona Regional Park to State Highway 1. This Supplemental IS/MND does not include an environmental analysis of phase four of the project because it is proposed as part of a future project and project-specific plans have not been prepared. Phase four will be required to go through the appropriate level of CEQA environmental review. 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 January 12, 2011 in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from December 8, 2010 to January 7, 2011. Comments can also be made during the public hearing.

Project Description:

PLN080106/CV Bicycle Trail
PLN100601/ Palo Corona Regional Park

A Combined Development Permit consisting of:

- 1) Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and approximately 3,000 cubic yards of total grading (cut/fill);
- 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA);
- 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal);
- 4) Use Permit for development in the Carmel River floodplain;

5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through 4/26/2016); and 6) Design Approval.

The project generally parallels the Carmel River south and east of Highway 1 from Rancho San Carlos Road to, and including, the Palo Corona Regional Park, (Assessor's Parcel Numbers 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000,), Carmel Valley Master Plan and Carmel Area Land Use Plan, Inland and Coastal Zones.

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

County of Monterey
Resource Management Agency – Planning Department
Attn: Mike Novo, Interim Director of Planning
168 West Alisal, 2nd Floor
Salinas, CA 93901

From: Agency Name: Monterey County Department of Public Works
 Contact Person: Patricia Lopez
 Phone Number: (831) 755-4800

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

COMMENTS: _____

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.

DISTRIBUTION

1. State Clearinghouse (15 copies)—include Notice of Completion
2. California Coastal Commission
3. County Clerk's Office
4. Association of Monterey Bay Area Governments
5. Monterey Bay Unified Air Pollution Control District
6. Carmel mid Valley Fire Protection District
7. Monterey County Agricultural Commissioner
8. Monterey County Water Resources Agency
9. Monterey County Public Works Department
10. Monterey County Parks Department
11. Monterey County Division of Environmental Health
12. Monterey County Sheriff's Office

DISTRIBUTION CONTINUED

13. Monterey County Planning Department
14. Libraries (County Libraries within the Carmel Valley Area and the City of Salinas)
15. Property Owners within 300 feet (Notice of Intent only)
16. The California Department of Fish and Game Region 4
17. California Air Resources Board
18. Caltrans District 5
19. Native American Heritage Commission
20. California Department of Parks and Recreation
21. California regional Water Control Board region 3
22. California Department of Water Resources
23. Bret Sanderson Department of Fish and Game Region 4
24. Chad Mitchum U.S. Fish and Wildlife
25. Jacqueline Pearson-Meyer National Marine Fisheries Service
26. Devin Best National Marine Fisheries Service
27. Chris Diehl I.S. Fish and Wildlife Service Ventura Field Office
28. Mike Hill California Department of Fish and Game
29. Big Sur Land Trust Attn: Bill Leahy (Applicant)
30. County of Monterey Department of Public Works Attn: Patricia Lopez

Revised 02-02-2007

**Draft Supplemental
Initial Study/Mitigated Negative Declaration**

for the

**Carmel Valley Class I Bicycle Trail Project
and
Palo Corona Regional Park Interim Public Access Plan**

December 2010

Prepared by:

**Denise Duffy & Associates, Inc.
947 Cass St. Suite 5
Monterey, CA 93940**

**Monterey County Resource Management Agency
Planning Department
Public Works Department**

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Appendix A. Revised Condition Compliance & Mitigation Monitoring and/or Reporting Plan	
Appendix B. Supplemental Biological Report	

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Section 1. Introduction

Project Overview and Background

Carmel Valley Class I Bicycle Trail Project

In 1992, the Bicycle and Pedestrian Facility Advisory Committee (BPC) of the Transportation Agency for Monterey (TAMC) identified the Carmel Valley/Valley Greens Drive Class I/III Bicycle project as an important regional connection that would provide a safe alternative mode of transportation for commuters, tourist, students, and recreational bicyclists. The BPC is comprised of volunteer representatives from each supervisorial district and city in Monterey County as well as a bicycle/pedestrian interest group and representatives from other agencies, as appointed by the TAMC Board of Directors. The BPC encourages and recommends bicycle/pedestrian projects for inclusion into local bicycle plans. The proposed project has been in the "Monterey County Bikeway Plan" since 1993.

The objective of the Carmel Valley/Valley Greens Drive Class I/III Bicycle project is to provide a four-mile bicycle facility from Carmel Valley Road to State Highway 1. Construction of the project is proposed to occur in four phases. The first phase consists of the construction of a roadway/class III bicycle route, designated for utility vehicles and bicyclists. Phase I begins at Rancho San Carlos Road and proceeds westbound for approximately 0.75 mile and was constructed as part of a utility project. The second phase has not been completed, but is planned to provide class III bicycle route signage from Carmel Valley Road along Valley Greens Drive to the end of the first phase. The third phase consists of the construction of a class I trail that begins where the phase one roadway/class III trail ends and proceeds westbound approximately 1.1 miles, where it will connect to the fourth phase. This Supplemental IS/MND addresses impacts associated with the phase three portion of the project.

Phase four consists of a future connection from Palo Corona Regional Park to State Highway 1. This Supplemental IS/MND does not include an environmental analysis of phase four of the project because it is proposed as part of a future project and project-specific plans have not been prepared. Phase four will be required to go through the appropriate level of CEQA environmental review.

On August 28, 2008, Monterey County Planning Commission adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and Condition Compliance & Mitigation Monitoring and/or Reporting Plan (MMRP). This document analyzed environmental impacts associated with phase three of the Carmel Valley/Valley Greens Drive Class I/III project, which has been titled the Carmel Valley Class I Bicycle Trail project (Bike Trail Project). The scope of that study was a 66-foot wide area within which a portion would be used for the phase three trail design.

Since the adoption of the August 2008 IS/MND, the alignment of the Carmel Valley Class I Bicycle Trail has been defined and easements have been secured for a 14-foot wide trail alignment. The full revised project description is included in Section 2 of this Draft Supplemental IS/MND. Section 3 of

this Draft Supplemental IS/MND includes the environmental checklist, and Section 4 analyzes potential impacts that may result from the changes in the project. Additionally, the 2008 MMRP has been revised since some previous impacts are being avoided. The Revised MMRP is included in **Appendix A.**

Project Purpose and Need

The purpose of the proposed project is as follows:

- Provide a safe and separated bicycle facility.
- Provide an alternative mode of transportation to commuters, tourists, and students other than using motorized vehicles.
- Increase the number of commute, shopping, school, and recreational bicycle trips.
- Opportunities for physical exercise and reduction of stress levels.
- Improve air quality.

The project is located south of Carmel Valley Road, a major roadway facility in Carmel Valley. Speeds approach 65 MPH on stretches of this roadway and traffic volumes are in the range of 24,000 vehicles per day. The western portion of Carmel Valley Road operates at Level of Service (LOS) "F."

Currently, a class II bicycle lane exists along Carmel Valley Road starting from 500 feet east of Carmel Rancho Boulevard to Valley Greens Drive. Carmel Valley Road is the only roadway from Carmel Valley to the Monterey Peninsula. The proposed bike trail will provide an alternative route for bicyclists traveling from Carmel Valley to the Monterey Peninsula and will eliminate the need to travel on Carmel Valley Road, which has gaps in the existing class II bicycle lanes, high-traffic volumes, and high vehicular speeds. In addition, Carmel Valley Road, between State Highway 1 and Valley Greens Drive, does not accommodate pedestrians. The proposed bicycle project will be accessible to pedestrians. The high speeds on Carmel Valley Road deter many pedestrians from walking and bicyclists from cycling on this roadway.

The proposed bicycle project will contribute to the Carmel Valley/Valley Greens Drive Class I/III Bicycle by providing a contiguous trail for residents wishing to travel from Carmel Valley Road at Valley Greens Drive to State Highway 1. It provides and enhances access to: residents and tourists traveling to the central business district in Carmel; local employment and retail areas in the Crossroads, Barnyard and Mid-Valley shopping centers; local schools, churches, golf courses; and recreational destinations on the Monterey Peninsula, including Carmel Beach, Point Lobos State Park, and Pebble Beach.

Palo Corona Regional Park Interim Public Access Plan

On April 26, 2006, Monterey County Planning Commission adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and Condition Compliance & Mitigation Monitoring and/or Reporting Plan (MMRP). This document analyzed environmental impacts associated with a General Development Plan (GDP) for Palo Corona Regional Park (PLN050638/Monterey Regional Park District). The scope of that study was to allow a Public/Quasi-Public use to provide interim public access to designated parkland areas along an existing roadway network consistent with the Palo Corona Regional Park Interim Public Access Proposal within the 680 acre "Front Ranch" area. The

GDP was required to limit park access due to limited space for vehicle parking off of Highway 1. An amendment, adopted in April 2008, included maintenance and restoration of trails throughout the park and extended the interim plan through April 26, 2011.

In conjunction with phase three of the Bike Trail Project, Monterey Regional Parks District has applied to amend their General Development Plan to allow pedestrian access into a portion of the park that is otherwise closed to public access and extend the Interim Program through April 26, 2016 (PLN080093 Interim Access Plan). The full revised project description is included in Section 2 of this Draft Supplemental IS/MND. Section 3 of this Draft Supplemental IS/MND includes the environmental checklist, and Section 4 analyzes potential impacts that may result from this component of the Bike Trail Project. The Revised MMRP is included in **Appendix A**.

Purpose and Requirements of a Supplemental IS/MND

The County of Monterey (County), as the lead agency under the California Environmental Quality Act (CEQA), prepared and adopted an IS/MND and MMRP for the Carmel Valley Class I Bicycle Trail Project (August 2008) and for the Palo Corona Regional Park Interim Public Access Plan (May 14, 2008). Since the adoption of the Bike Trail Project IS/MND and MMRP, the alignment of the trail has been revised to accommodate for the trail easements recently secured. The trail easements across Monterey Peninsula Regional Parklands of Palo Corona Regional Park and private lands have been secured and recorded by the Big Sur Land Trust. The recently acquired easement within the Palo Corona Regional Park (PCRP) will result in revisions to the adopted Interim Public Access Plan (Plan). Therefore, the County determined that the revisions to the Bike Trail Project and PCRP Plan Project should be analyzed for any additional environmental impacts not previously addressed in the projects' adopted IS/MNDs.

CEQA requires that state agencies consider the environmental consequences of project over which they have discretionary authority before taking action on those projects. The County has complied with CEQA through adoption of the Final Bike Trail IS/MND and Final PCRP Plan IS/MND, as described above. However, minor adjustments to the projects have been made since the two Final IS/MNDs were adopted. As a result, the County has prepared this Draft Supplemental IS/MND to analyze the slight variations in the trail alignment from the APE previously reviewed for the Bike Trail and also the revisions to the PCRP Plan.

This Draft Supplemental IS/MND is prepared pursuant to CEQA Guidelines Sections 15162 and 15163. CEQA Guidelines Section 15162 sets the criteria for the preparation of a subsequent negative declaration, and states that "When an EIR has been certified or negation declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration

- due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - The project will have one or more significant effects not discussed in the previous EIR or negative declarations;
 - Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”

CEQA Guidelines Section 15163 states that:

- “The lead or responsible agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:
 - Any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and
 - Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.
- The supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.
- A supplement to an EIR shall be given the same kind of notice and public review as is given to a draft EIR under Section 15087.
- A supplement to an EIR may be circulated by itself without recirculating the previous draft or final EIR.
- When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised.”

Consistent with CEQA Guidelines 15162 and 15163, the County has reviewed the revised project description and minor changes to the previous Bike Trail IS/MND and PCRP Plan IS/MND, and determined that it is appropriate to prepare a supplement to the adopted Bike Trail IS/MND and PCRP Plan IS/MND in the form of a Draft Supplemental IS/MND. A mitigated negative declaration may be adopted if the project would result in less-than-significant impacts with mitigation measures incorporated into the proposed project. The adopted Bike Trail IS/MND and PCRP Plan IS/MND is still relied on to address the impacts associated with those aspects of the project that do not result in new information or new significant impacts and associated mitigation measures.

The purpose of this Draft Supplemental IS/MND is to describe the changes to the project that have been identified and to analyze their environmental impacts and identify appropriate mitigation measures if needed. Based on the analysis in this Draft Supplemental IS/MND, the County

concludes that the Draft Supplemental IS/MND adequately addresses the environmental effects of the project, and that the proposed revisions to the project constitute a minor refinement of the project description. Furthermore, the County finds that these minor refinements to the proposed project (and associated environmental effects) do not meet the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent negative declaration.

Uses of the Supplemental IS/MND

It is the intent of this Draft Supplemental IS/MND to provide the responsible agencies with the relevant environmental information to use in considering the revisions to the adopted IS/MNDs to issue the necessary discretionary permits required for the proposed project to proceed.

The Final IS/MND, adopted August 27, 2008, for the Carmel Valley Class I Bicycle Trail project was prepared to address the environmental effects, mitigation measures, project alternatives, and comments and responses to comments associated with the approval and implementation of the proposed class I bicycle trail, pursuant to the requirements of the CEQA, CEQA Guidelines, and CEQA procedures of the County of Monterey Department of Public Works.

The Final IS/MND, adopted May 14, 2008, for the Palo Corona Regional Park project was prepared to address the environmental effects, mitigation measures, project alternatives, and comments and responses to comments associated with the approval and implementation of park access and trails pursuant to the requirements of the CEQA, CEQA Guidelines, and CEQA procedures of the Monterey County.

This Draft Supplemental IS/MND has been prepared to address additional minor changes and revisions to the project from those described in the adopted IS/MNDs, so as to more completely describe the project in accordance with Section 15163 of the CEQA Guidelines. Pursuant to these guidelines, only the information necessary to make the previous IS/MNDs adequate are included in this Draft Supplemental IS/MND.

Section 2. Project Description

Carmel Valley Class I Bicycle Trail Project

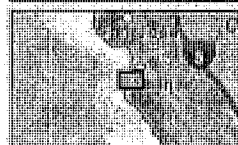
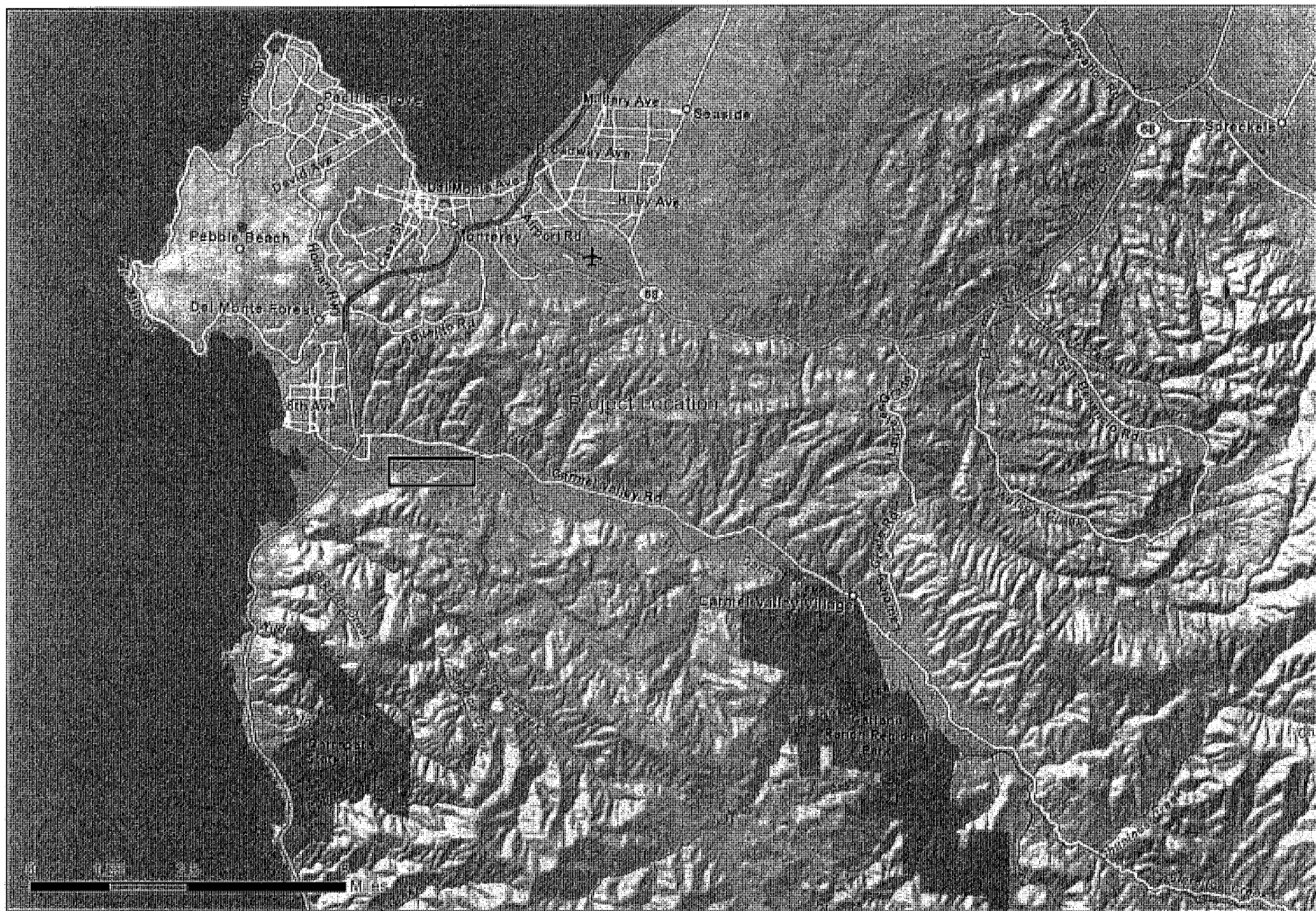
Location

The project is located in Carmel Valley, California (**Figure 1**). To the north of the project site is the Carmel River and the Rancho Canada Golf Course, and to the south is a steep slope consisting of oak woodland, coastal scrub, and Monterey pine forest. The bicycle trail will be located approximately 0.85 mile west of Rancho San Carlos Road. The project will begin at the end of an existing 20-foot wide improved farm road accessed from the intersection of Valley Greens Drive and Rancho San Carlos Road (**Figure 2**). The bicycle trail will generally parallel the southern bank of the Carmel River to the western edge of the project site where it will terminate at the western boundary of Monterey Peninsula Regional Park District (MPRPD) parcel (APN 157-121-001). In the future, phase four of the bicycle trail will continue westward to State Highway 1.

Project Description

The proposed project consists of constructing 1.1 miles of a class I bicycle trail in Carmel Valley, California. The proposed trail project is one segment (Phase 3) in the four-phase Carmel Valley/Valley Greens Drive Class I/III Bicycle Trail project. The first phase begins at the eastern end of Valley Greens Drive; the fourth phase will extend west to Highway 1. The construction of the entire trail (approximately four miles) will allow bicycle commuters in Carmel Valley and surrounding communities to avoid Carmel Valley Road, which is a high speed and high volume roadway facility. When complete, the trail will offer bicycle commuters a safe alternative to shopping centers and businesses at the Rio Road/ State Highway 1 junction, and to other businesses and places of employment on the Monterey Peninsula. The currently proposed 1.1-mile project (Phase 3) will also provide bicycle and pedestrian access to the parklands, hiking trails, and outdoor recreation opportunities at Palo Corona Regional Park, a regional facility adjacent to Highway 1.

The proposed (Phase 3) trail segment begins at the end of pavement on an existing 20-foot wide improved farm access road on Quail Lodge property (APN 157-171-057), approximately 0.85 mile west of Rancho San Carlos Road and terminates at the west end of the Monterey Peninsula Regional Park District property (APN 157-121-001). Trail easements across private properties have been secured and recorded by the Big Sur Land Trust for the implementation of this public trail. While the entire 1.1 mile project is located within the Greater Monterey Peninsula Area Plan and Carmel Valley Master Plan boundaries; the western portion of the proposed project is located within the Carmel Local Coastal Plan.




Title: Project Location Map

File: Location.mxd

Date: 10-28-2010

Scale: 1 in. = 2 miles

Project: 2010-22 CVBP



Merkeley | Truckee | San Jose

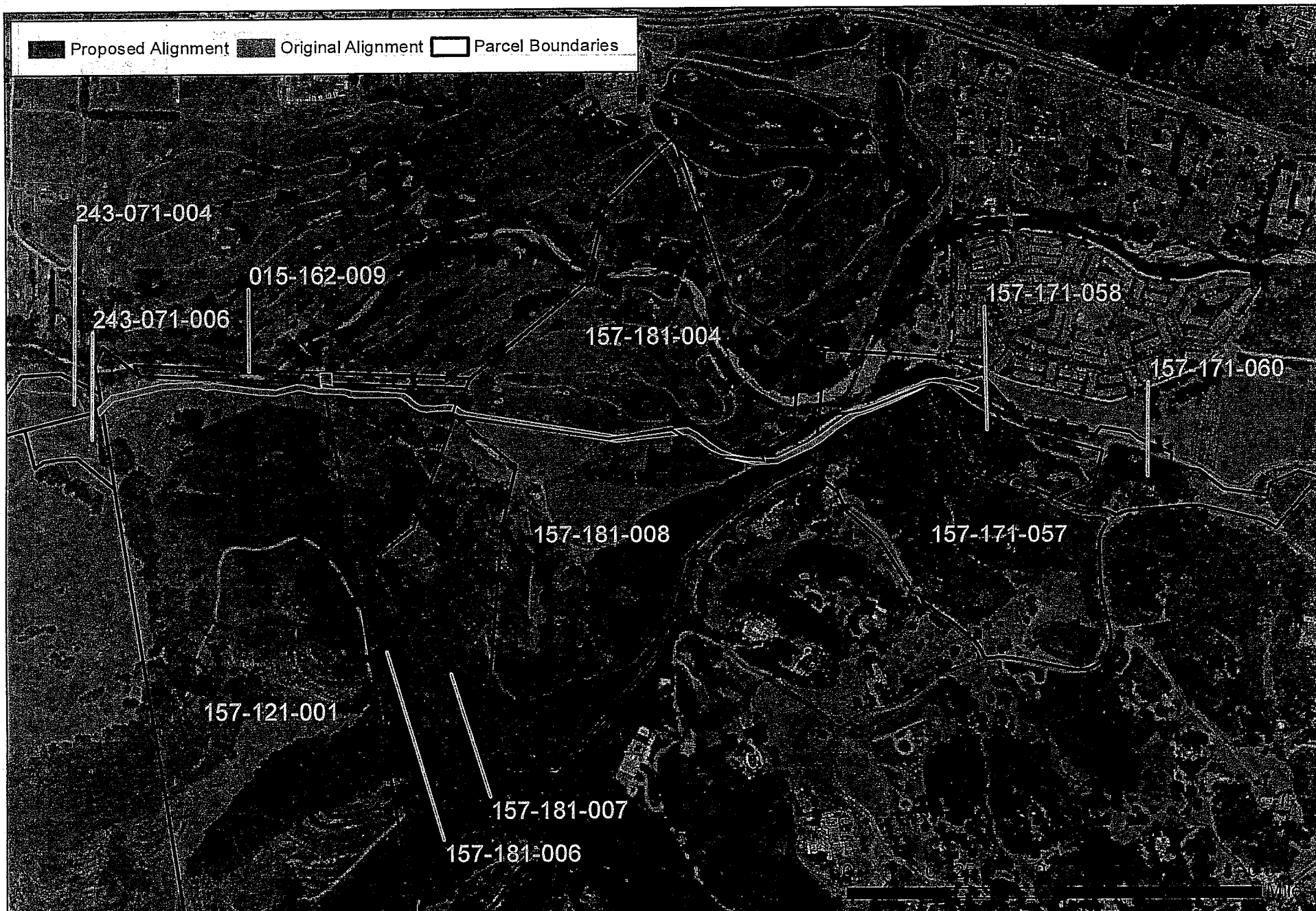
Denise Duffy and Associates, Inc.

Environmental Consultants Resource Planners

947 East Street, Suite 6
Merkeley, CA 94646
(916) 373-4241

Figure

1



Title: **Proposed Alignment Revisions**

File: **New-Old Alignment.mxd**

Date: **10-28-2010**
 Scale: **1 in = 0.15 miles**
 Project: **2010-22 CVBP**



Monterey | Truckee | San Jose
Denise Duffy and Associates, Inc.
 Environmental Consultants Resource Planners
 947 Cass Street Suite 5
 Monterey, CA 93940
 (831) 373-4341

Figure
2

The 1.1 mile (5,808 linear feet) trail alignment can be described by five distinct sections. Starting from the eastern edge of the proposed project, the trail will follow the existing utility/ranch road for approximately 500 feet. Next, the trail will veer north off the ranch road and through densely vegetated riparian habitat associated with the river for approximately 650 linear feet heading west. The trail will emerge from riparian habitat at an access road to Rancho Canada Golf Course. The third section of the alignment follows the property boundary of the Taylor property (APN 157-180-006, -007, -008) and fence line of agricultural lands for approximately 2,100 linear feet. The Rancho Cañada Golf course is directly adjacent to the north side of trail alignment in this section. The fourth section continues to follow the property boundary of the Taylor property and fence line for the next 900 feet where it traverses another area of riparian vegetation associated with the river. The fifth section enters onto Monterey Peninsula Regional Parkland of Palo Corona Regional Park where the proposed trail will follow an existing ranch road within non-native grassland and parallel to the riparian corridor of the Carmel River. This portion of the trail will extend approximately 1,500 linear feet and terminate near the west boundary of APN 157-121-001.

The proposed trail is planned to be eight feet wide with up to six feet of gravel shoulders for both sides combined (e.g., 3 feet/3 feet or 2 feet/4 feet). The eight-foot width may be paved and will include appropriate directional signage. Where the trail traverses agricultural lands, a new fence will be constructed to separate the trail from private lands. Two power poles and the associated lines will be relocated out of the trail alignment and onto the private adjacent lands on the Taylor property. At the western terminus of the proposed project trailhead, amenities such as a bike rack, benches, and signage will be provided for trail users intending to explore the public parklands of Palo Corona Regional Park.

The trail easements across Monterey Peninsula Regional Parklands of Palo Corona Regional Park and private lands have been secured and recorded by the Big Sur Land Trust. Specific design plans are currently being prepared for the 14-foot wide alignment described above. The majority of the proposed trail alignment falls within the 66-foot wide Approved Area of Potential Effect (APE) as reviewed in the August 2008 CEQA document prepared and filed for this project (Figure 2). This addendum is being prepared to analyze the slight variations in trail alignment from the APE previously reviewed.

The estimated cut (1,850 cubic yards) and fill (1,200 cubic yards) will be contained within the project limits. The permanent footprint of the trail will be approximately 2.1 acres. However, temporary impacts associated with construction activities (e.g., staging, access, construction activities, and vegetation removal) will be greater than 2.1 acres, but will not total the acreage of the entire APE examined (8.9 acres) in the adopted IS/MND. The trail will be situated to avoid sensitive biological resources to the greatest extent feasible.

As further identified by the adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. This is identified in the adopted IS/MND as a potentially significant impact. In addition, cut and fill are proposed on slopes greater than 25% in the inland area and 30% in the coastal area. The adopted IS/MND concluded that application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the required stormwater pollution prevention plan (SWPPP), in

addition to implementation of relevant mitigation measures (Mitigation Measures #1 and #7 through #13) identified in the Biological Resources section of the Revised MMRP (**Appendix A**), would reduce potential erosion impacts to a less-than-significant level.

Palo Corona Regional Parks Interim Public Access Plan

Location

Palo Corona Regional Park is located south of the Carmel River and east of State Highway 1 in Carmel, Monterey County, California. The project site lies along the south bank of the Carmel River floodplain and is bordered on the east, north, and west by private property. The public bicycle and pedestrian trail from Valley Greens Drive to the Park's northeast boundary requires that a previously closed area of the park (PLN050638) be opened for public access. This area was closed in the District's 2005 Interim Public Access Plan to avoid an attractive nuisance of trespass onto private property. With the development of the Carmel River Trail, this closure is no longer necessary or desired.

Project Description

The Palo Corona Regional Park Interim Public Access Plan (PLN080093) is proposed to be amended to allow the Carmel Valley Bicycle Trail into the Park. Entitlements include a Combined Development Permit consisting of:

- 1) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA);
- 2) Coastal Development Permit for development on slopes in excess of 30%;
- 3) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access only into a portion of the park closed to public access, and extend the Interim Program for 5-years (through 4/26/2016); and
- 4) Design Approval

During the interim period, this access will remain pedestrian only. This new trail entrance into the park will be regulated and administered in a similar fashion as is done for the Highway 1 entrance 2005 Interim Access Plan; PLN080093 with the exception that 30 permits per day at 5 persons per permit will be issued. Access is allowed by an on-line permit only. This number is based on the fact that The Big Sur Land Trust owns property at Rancho San Carlos Road that has a trailhead parking capacity of 20 vehicles, and is willing to make this parking available for persons wanting to enter Palo Corona Regional Park from this location. Accounting for a 50% turnover of vehicles over the course of the day, the proposed number of permits is 30. The park's eastern boundary will be fenced and gated to help regulate the permitted access and restriction to pedestrians only. Bike racks will be placed along the trail outside the park for a safe place to lock them while hiking in the park.

Section 3. Environmental Checklist

- 1. Project Title:** Carmel Valley Class I Bicycle Trail Project and Palo Corona Regional Park Interim Public Access Plan Project
- 2. Lead Agency:** County of Monterey Department of Public Works
- 3. Contact Person:** Patricia A. Lopez, Management Analyst III/Project Manager
- 4. Project Location:** The project is located 0.85 miles west of Rancho San Carlos, between the intersection of Valley Greens Road/Rancho San Carlos Road and State Highway 1.
- 5. Project Description:** **PLN080106/CV Bike Trail**
PLN100601/ Palo Corona Regional Park

A Combined Development Permit consisting of:

- 1) Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and approximately 3,000 cubic yards of total grading (cut/fill);
- 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA);
- 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal);
- 4) Use Permit for development in the Carmel River floodplain;
- 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through 4/26/2016); and
- 6) Design Approval.

The project generally parallels the Carmel River east of Highway One from Rancho San Carlos to, and including, the Palo Corona Regional Park, (Assessor's Parcel Numbers 015-162-009-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000, and 157-121-001-000), Carmel Valley Master Plan and Carmel Area Land Use Plan, Inland and Coastal Zones.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. All of the "Potentially Significant Impacts" checked can be mitigated to a less-than-significant level with mitigation included in the attached Initial Study/Mitigated Negative Declaration.

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

SECTION 1.0

The purpose of this document is to provide a comprehensive overview of the project goals and objectives. This section will discuss the background, scope, and the overall vision for the project.

The project is designed to address the current challenges faced by the organization. It aims to improve efficiency, reduce costs, and enhance the quality of service provided to our customers.

The project will be implemented in a phased manner, starting with the initial planning and design phase. This will be followed by the development and testing of the new system.

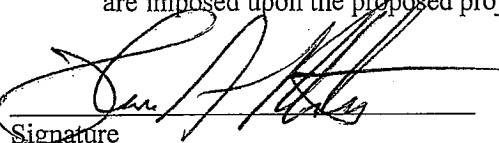
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The project team consists of experienced professionals from various departments. They will work closely together to ensure the successful completion of the project. Regular communication and reporting will be maintained throughout the project lifecycle.

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
Ramon A. Masfado
Printed Name

12-7-2010
Date
Patricia Lopez
For

These findings were the result of a review of the project's data and findings. The project's findings were consistent with the project's objectives and the project's findings were consistent with the project's objectives.

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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 “Potential 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 less than significant level mitigation measures from Section XVII, “Earlier Analysis,” (may be cross-referenced).
- 5) Earlier analysis 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 earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measure which were incorporated or refined from the 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). References 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) This is only a suggested form, and lead agencies are free to use different formats: however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
- a) the significance of 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.

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
I. AESTHETICS					
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2
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"/>	1, 2
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"/>	1, 2
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"/>	5
II. AGRICULTURAL RESOURCES					
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. Of Conservation as an optional model to use in assessing impacts on agricultural and farmland. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
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"/>	1, 2, 5
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
III. 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:					
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"/>	1, 2, 5
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
ozone precursors)?					
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
IV. BIOLOGICAL RESOURCES					
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 US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, 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"/>	1, 2, 3, 5
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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5
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"/>	1, 2, 3, 5
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 type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 5
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 5
V. CULTURAL RESOURCES					
Would the project:					
a) Cause a substantial adverse change in the significance of a historic resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 4
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4
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"/>	1, 2, 4

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4
VI. GEOLOGY AND SOILS					
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"/>	1, 2, 5
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
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"/>	1, 2, 5
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 type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
VII. HAZARDS AND HAZARDOUS MATERIALS					
Would the project:					
a) Create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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"/>	1, 2, 5
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project 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"/>	1, 2, 5
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"/>	1, 2, 5
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
VIII HYDROLOGY AND WATER QUALITY					
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"/>	1, 2, 5
b) Substantially deplete the 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"/>	1, 2, 5
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
Flood Insurance Rate Map or other flood hazard delineation map?					
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
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"/>	1, 2, 5
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
IX. LAND USE AND PLANNING					
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
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"/>	1, 2, 5
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"/>	1, 2, 5
X. MINERAL RESOURCES					
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"/>	1, 2, 5
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
XI. NOISE					
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
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"/>	1, 2, 5
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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
public use airport, would the project expose people residing or working in the project area to excessive noise levels?					
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 level?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
XII. POPULATION AND HOUSING					
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"/>	1, 2, 5
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"/>	1, 2, 5
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"/>	1, 2, 5
XIII. PUBLIC SERVICES					
a) Would the project result in the 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:					
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
XIV. RECREATION					
a) Would the project 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have adverse physical effects on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
XV. TRANSPORTATION/TRAFFIC					
Would the project:					
a) Cause an increase in traffic which is substantial in	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?					
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
c) Result in 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"/>	1, 2, 5
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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
XVI. UTILITIES AND SERVICE SYSTEMS					
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"/>	1, 2, 5
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"/>	1, 2, 5
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"/>	1, 2, 5
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"/>	1, 2, 5
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"/>	1, 2, 5
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"/>	1, 2, 5
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"/>	1, 2, 5
XVII. MANDATORY FINDINGS OF					

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
SIGNIFICANCE					
a) Does the project 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5
b) Does the project 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5

Section 4. Potential Environmental Impacts and Mitigation Measures

The following section addresses the issues identified in Section 3 as having a potentially significant impact on the environment, and provides mitigation to reduce these impacts to a less-than-significant level. This Draft Supplemental IS/MND addresses only those environmental issues that may result from the revisions to the project description, including biological resources, cultural resources, geology/soils, hydrology/water quality, noise, and traffic. The previous Bike Trail IS/MND and PCRP Plan IS/MND adequately addressed all other environmental issues.

Biological Resources

A supplemental biological analysis for the proposed new alignment of the bicycle trail was conducted (**Appendix B**). The purpose of the analysis was to determine whether there were any additional impacts not previously identified in the adopted IS/MND. An updated habitat map is included as **Figure 3**.

A survey of the existing habitat of the proposed project alignment was conducted on October 1, 2010. Habitat types located within or adjacent to the proposed alignment were characterized in the field and are summarized below.

The survey concluded that the proposed new alignment for the Carmel Valley Class I Bicycle Trail Project is characterized by four habitat types: historically disturbed riparian, grazing land, existing road/trail, and riparian.

Historically Disturbed Riparian

The habitat classification of historically disturbed riparian is represented by habitat that was historically riparian with a species composition similar to the habitat described for riparian habitat described in the Bike Trail adopted IS/MND. The area of the project alignment classified as historically disturbed riparian displays evidence of having been recently cleared of all existing vegetation with the exception of large tree species, which include cottonwood (*Populus sp.*) and willow (*Salix sp.*). Poison oak (*Toxicodendron diversilobum*) was observed infiltrating the cleared areas.

Grazing Land

The habitat classification of grazing land is habitat that is dominated by non-native grasses. Non-dominant species of grasses include sheep sorrel (*Rumex acetosella*), poison hemlock (*Conium maculatum*), and tall cyperus (*Cyperus eragrostis*). This habitat type is typically used for the grazing of cows, goats, and horses.

Road/Trail

The habitat classification of road/trail is habitat that is devoid of any plant species due to the presence of existing roadways or trails. The existing road/trail habitat in the vicinity of the proposed alignment is either paved with asphalt or covered in decomposed granite.



Title: **Habitat Classification for the Carmel Valley Bike Trail**

File: **HabClass.mxd**

Date: **12-03-2010**

Scale: **1 inch = 267 feet**

Project: **2010-22 CVBP**



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Figure
3

Riparian

The habitat classification of riparian is dominated by poison oak, blackberry (*Rubus armeniacus*), and stinging nettle (*Urtica dioica*). This habitat classification also includes tree species dominated by cottonwood and willow.

The survey of the alignment determined that the proposed alignment of the Carmel Valley Class I Bicycle Trail Project would impact 0.51 acre of historically disturbed riparian habitat, 0.64 acre of grazing land habitat, 0.37 acre of existing road/trail habitat, and 0.22 acre of riparian habitat. The new project alignment will impact approximately 0.73 acre of riparian/disturbed riparian habitat, approximately 0.37 acre less of riparian/disturbed riparian habitat than the original project alignment.

The potential for habitat modifications to result from implementation of the class I bicycle trail was previously analyzed in the IS/MND. The adopted IS/MND determined that construction of the bicycle trail would require the permanent removal of riparian habitat and would likely require a Streambed Alteration Agreement from the California Department of Fish & Game (CDFG). The adopted IS/MND concluded that the inclusion of Mitigation Measures #1 and #7-13 would reduce impacts to a less-than-significant level, as identified in the Revised MMRP (**Appendix A**).

The U.S. Fish and Wildlife Service (Service) issued a Biological Opinion (BO) for the Carmel Hill and River Bicycle Trail Project (Federal ID Number CML-6143 (032), 05-MON-0-TAMC) and the Carmel Valley Class I Bicycle Trail Project (Federal ID Number CML-5944 (063), 05-MON-0-CR) in Monterey County, California on March 12, 2009 (8-8-09-F-2), to authorize take of California red-legged frog (CRLF). However, it was recently determined that the Carmel Valley Class I Bicycle Trail Project will no longer be receiving federal funds from the Federal Highways Administration (FHWA), administered by Caltrans through the Local Assistance Program. As a result, the project no longer has a federal nexus and will no longer be able to benefit from the Section 7 consultation process already completed for the project. The adopted IS/MND included implementation of the measures identified in the BO to mitigate for potential impacts to CRLF.

However, the avoidance and minimization measures within the BO consisted of the implementation of the Service's 2003 *Programmatic Biological Opinion for Projects Funded or Approved under the Federal Aid Program* (Programmatic BO). The measures identified in the Programmatic BO cannot be implemented without take authorization because they include handling CRLF, if found. Therefore, the mitigation measures identified below will be implemented to avoid take of CRLF during construction of the project; these measures do not require take authorization and the MMRP has been revised accordingly (**Appendix A**):

- A biologist with CRLF experience will be on site during construction activities. If CRLF are observed, all construction activities will cease until the CRLF voluntarily move out of the area. All CRLF sightings will be immediately reported to the Service.
- Before ground disturbing work activities begin each day, a CRLF-experienced biologist will inspect under construction equipment and materials to look for CRLF. If a CRLF is found during these checks or during construction monitoring, construction activities will cease until

the Service is consulted and appropriate actions are taken to allow project activities to continue.

- Riparian vegetation removal necessary to accommodate the project will be done by hand.
- A CRLF-experienced biologist will monitor all vegetation removal and ground disturbing construction activity. The CRLF experienced biologist and the construction monitor will have the authority to stop and/or redirect project activities to ensure avoidance of take and implementation of all avoidance measures.
- To prevent inadvertent entrapment of CRLF during the project, all excavated, steep-walled holes or trenches more than 2 feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue.
- Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including CRLF.

As discussed above, the project will result in impacts to 0.73 acre of riparian habitat (0.37 acre less than originally proposed). The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted. With the implementation of the measures above and revisions to the project design, the project is not likely to result in take of CRLF.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to biological resources that were not previously identified in the adopted IS/MND. Potential impacts to biological resources associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and since the revised project description does not introduce any new impacts to biological resources, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

Cultural Resources

A supplemental archaeological surface survey for the proposed new alignment of the bicycle trail was conducted (available at the County Planning Department for review). At the time of the survey, vegetation other than large trees had been removed from the western segment and soil visibility was determined to be excellent throughout the area for purposes of the survey.

The survey found the surface soil to be light to medium gray silt that contained a few rounded granitic pebbles or cobbles. Some of the riparian vegetation in the eastern segment of the alignment

had been recently cut back to accommodate a crew of land surveyors. Granitic sand and gravel with rounded cobbles was noted in most of this segment of the alignment.

None of the materials frequently associated with prehistoric cultural resources in this area (dark midden soil, fragments of weathered marine shell, flaked or ground stone, bones or bone fragments, fire-affected rock, etc.) were observed during the field survey. The field survey also found no surface evidence of potentially significant historic period archaeological resources in the project area. The field survey concluded that the proposed new trail alignment would not result in previously unidentified impacts to cultural resources.

The potential for impacts to cultural resources resulting from implementation of the class I bicycle trail was previously analyzed in the IS/MND. The adopted IS/MND identified one archaeological site within 0.62 mile of the project area, but none within or immediately adjacent to the bicycle alignment. No physical evidence of historic or prehistoric cultural resources was found during the initial field survey conducted in conjunction with the adopted IS/MND.

Although no historic or archaeological resources were identified during investigation of the project site, the adopted IS/MND determined that it is possible that buried prehistoric or historic archaeological materials, including human remains, may be exposed during construction of the class I bicycle trail. The possible uncovering of archaeological materials during construction is a potentially significant impact that would be reduced to a less-than-significant level with implementation of Mitigation Measure #14, as identified in the Revised MMRP (**Appendix A**).

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to cultural resources that were not previously identified in the IS/MND. Potential impacts to cultural resources associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and since the revised project description does not introduce any new impacts to cultural resources, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

Geology/Soils

As identified in the adopted IS/MND, the project will be designed to comply with all applicable building codes related to seismic hazards and safety. The results of the "Preliminary Geotechnical Investigation for Carmel Valley Bicycle" report indicate that from a geotechnical engineering standpoint, the project may be developed as proposed provided that the recommendations from the report are included in the design and construction. Since the study was preliminary and does not include detailed grading, foundation, or pavement design criteria, a final geotechnical investigation should be prepared to address these issues once project details (e.g., depth of cut, fills, etc.) are finalized. The requirement for the preparation of a final geotechnical investigation to be submitted for approval to County of Monterey and to have these recommendations included in the final design and construction of the project was included as Mitigation Measure #19 (now Mitigation Measure #15 in the Revised MMRP, **Appendix A**). The adopted IS/MND concluded that the inclusion of this mitigation would reduce the impact to a less-than-significant level.

As further identified by the adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. This is identified in the adopted IS/MND as a potentially significant impact. In addition, cut and fill are proposed on slopes greater than 25% in the inland area and 30% in the coastal area. The adopted IS/MND concluded that application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the required stormwater pollution prevention plan (SWPPP), in addition to implementation of relevant mitigation measures (Mitigation Measures #1 and #7 through #13) identified in the Biological Resources section of the Revised MMRP (**Appendix A**), would reduce potential erosion impacts to a less-than-significant level.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to geology or soils that were not previously identified in the IS/MND. Potential impacts to geology/soils associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to geology or soils, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

Hydrology/Water Quality

As identified adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. The proposed project will disturb more than one acre of land during construction. Therefore, a Notice of Intent is required to be filed with the State Water Resources Control Board to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activities. Application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the SWPPP, in addition to implementation of relevant mitigation measures (Mitigation Measures #1 and #7 through #13) identified in the Biological Resources section of the Revised MMRP (**Appendix A**), would reduce potential erosion impacts to a less-than-significant level.

The project area is within the 100-year floodplain. However, there is minimal potential for increased flood risk that would result from the construction of the project since the project does not propose any structures that would impede or redirect flows or propose to alter the existing river course. The proposed project will not have any effect upon the flood plain or the backwater potential. Flood damage on the trail is not anticipated except for the deposition of sediment. The trail will essentially be at the same elevation as the existing ground and will not require importing fill for construction of the trail.

As discussed in the adopted IS/MND, the construction of the trail would result in an increase in impervious surface area. The increased impervious surface area would result in a relatively minor increase in the amount of surface runoff during storm events, which would not, however, result in flooding on- or off-site as the project design. Therefore, impacts associated with flooding are considered to be less-than-significant and no mitigation is required by the adopted IS/MND.

The bike trail would slightly increase impervious surface area along the project alignment. The increased impervious surface area would result in a relatively minor increase in the amount of surface runoff during storm events. Given that the project design will incorporate drainage features to accommodate the increased runoff and the relatively minor increase in impervious surfaces, this impact is considered to be less-than-significant and no mitigation is required in the adopted IS/MND.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to hydrology or water quality that were not previously identified in the adopted IS/MND. The potential hydrology/water quality impacts associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to hydrology or water quality, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

Noise

Noise may be defined as unwanted sound. The major source of existing noise in the project area is from the agricultural operations in the adjacent fields, Carmel Valley Road, and Rancho San Carlos Road. The Monterey County General Plan sets forth goals, objectives, and policies for noise. The County's noise guidelines are expressed as the day/night average sound level, or L_{dn} . The L_{dn} represents the average noise level during a 24-hour period, with a penalty of 10 decibels added to sound occurring between the hours of 10 PM and 7 AM.

Sensitive noise receptors include residences, schools, and childcare centers. The nearest sensitive receptors are residences located between 1,300 and 1,500 feet away of the main staging area.

Construction activities will cause a temporary increase in ambient exterior noise levels in the project area. Most types of diesel powered, heavy construction equipment (such as dump trucks and graders) produce noise levels of up to 80-85 decibels at a distance of 100 feet. Noise levels decrease at a rate of six decibels for each doubling of distance from the source.

Short-term noise impacts would occur during construction of the project. Construction noise levels vary by stage, depending upon the number and type of equipment in use. Construction activities at the project site may result in adverse noise impacts due to the proximity of sensitive receptors. This impact can be reduced to a less-than-significant level with implementation of the mitigation measures outlined below.

Mitigation

Implementation of the following mitigation will reduce potential noise impacts to a less-than-significant level:

17.¹ Require contractor implementation of equipment maintenance and management practices to reduce construction-related noise including the following:

- Choose construction equipment that has a quiet design, a high-quality muffler system, and is well maintained. This includes trucks used to haul materials.
- Install engine enclosure panels when required on stationary gas, diesel, or pump equipment.
- Eliminate unnecessary idling of machines when not in use.
- Use good maintenance and lubrication procedures to reduce operating noise.

18. Truck movement, construction activities, and equipment operation shall be limited to the hours of 7:30 AM and 7:30 PM, Monday through Saturday.

19. The contractor shall comply with the California Vehicle Code prohibitions against faulty or modified loud vehicle exhaust systems - Sections 27150 and 27151.

20. The contractor shall post a telephone number of the project representative that will be available to respond to noise nuisance concerns.

Traffic

Regional access to the project site is provided by Carmel Valley Road. Carmel Valley Road is a designated arterial roadway, and provides access between Carmel and Carmel Valley, and serves the many residential communities between these two areas.

Currently, local service to the project site is provided only by Rancho San Carlos Road. A driveway to the sanitary sewer station, which also serves as a class III bike trail, provides direct access to the project. In the future, when the fourth segment of the bike trail is completed, the trail will be accessible from State Highway 1.

The traffic associated with construction vehicles and equipment has the potential to impact traffic volume or result in the interruption of traffic along Rancho San Carlos Road, and potentially, Carmel Valley Road. This impact can be reduced to a less-than-significant level with implementation of the mitigation measures outlined below.

Mitigation

Implementation of the following mitigation will reduce potential traffic impacts to a less-than-significant level:

21. In order to minimize construction traffic impacts, the contractor shall prepare a construction management plan for the approval of the County prior to the issuance of grading or building permits. The contractor shall adhere to measures included in the approved construction management plan.

¹ The additional mitigation measures identified in this Supplemental IS/MND are numbered in accordance with the Revised MMRP (Appendix A).

MANDATORY FINDINGS OF SIGNIFICANCE

XVII.a. Does the project 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?

This Draft Supplemental Initial Study found that the proposed project and associated activities will potentially impact the environment in the areas of biological resources, cultural resources, geology/soils, hydrology/water quality, noise, and traffic; however, these potential impacts will be reduced to a less-than-significant level with implementation of the mitigation measures included in this report, which will be included in the project's Mitigation Monitoring and Reporting Program, conditions of approval, and construction plans. Therefore, the project will have a less-than-significant impact on the environment, the habitat of a fish or wildlife species or population, plant or animal communities, rare or endangered plants or animals, or important examples of the major periods of California history or prehistory.

XVII.b. Does the project 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)?

This Draft Supplemental Initial Study found that the proposed project and associated activities will potentially impact the environment in the areas of biological resources, cultural resources, geology/soils, hydrology/water quality, noise, and traffic; however, these potential impacts will be reduced to a less-than-significant level with implementation of the mitigation measures included in this report, which shall be included in project's Mitigation Monitoring and Reporting Program, conditions of approval, and construction plans. Since impacts were reduced to a less-than-significant level, this project will not result in impacts that are cumulatively considerable.

XVII.c. Does the project have environmental effects which will cause substantial adverse effects to human beings, either directly or indirectly?

The project will not result in any substantial adverse effects to human beings, either directly or indirectly, since each potentially significant impact can be reduced to a less-than-significant level with the implementation of the mitigation measures provided in this document. No other substantial adverse effects to human beings are anticipated as a result of this project.

Section 5. List of Preparers and References

Lead Agency

Monterey County RMA - Department of Public Works

Paul H. Greenway, Assistant Director of Public Works
Patricia A. Lopez, Management Analyst III/Project Manager
Ogarita Carranza, Management Analyst II
Jonathan Pascua, Civil Engineer/Project Engineer
Thant Nyunt (Zin), Engineering Technician

Monterey County RMA – Planning Department

Paula Bradley, MCP, AICP, Associate Planner
Ramon Montano, Assistant Planner

Preparation

Denise Duffy & Associates, Inc.

Denise Duffy, Principal-in-Charge
Erin Harwayne, Project Manager
Matt Johnson, Associate Environmental Scientist
Bryce Ternet, Associate Planner

Big Sur Land Trust

Eileen Cross, Carmel River Project Manager

LandSpaces

Sarah Peterson, Landscape Architect

References

1. *Final Initial Study and Mitigated Negative Declaration for the Carmel Valley Class I Bicycle Trail Project and Mitigation Monitoring and Reporting Plan.* Denise Duffy & Associates, Inc., August 2008.
2. *Final Initial Study and Mitigated Negative Declaration for the Palo Corona Interim Public Access Proposal.* Monterey Regional Parks District, March 11, 2008.
3. *Supplemental Biological Report for the Carmel Valley Bicycle Trail Project.* Denise Duffy & Associates, Inc., October 20, 2010.
4. *Supplemental Archaeological Report.* Archaeological Consulting, October 14, 2010.
5. Monterey County RMA - Planning Department, 168 West Alisal Street Second Floor Salinas CA 93901, file PLN080106 and PLN100601.

APPENDIX A
REVISED CONDITION COMPLIANCE & MITIGATION MONITORING
AND/OR REPORTING PLAN

Department: Public Works

Condition Compliance & Mitigation Monitoring and/or Reporting Plan

Project Name: Carmel Valley Class I Bicycle Trail Project and Palo Corona Regional Park Interim Public Access Plan

File No: _____ **APNs:** 015-162-009-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, 157-171-057-000, and 157-121-001-000

Approval by: _____ **Date:** _____

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

Permit Cond. #	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)
Biological Resources						
	1	All ground disturbing activities shall be confined to the "work window" of May 1 to October 15, or other dates as determined by CDFG and/or NOAA Fisheries to minimize potential indirect impacts to steelhead, including increased sedimentation and other water quality impacts.	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that all ground disturbing activities are confined to the time period between May 1 and October 15. If work is to occur outside of the identified "work window," CDFG and NOAA Fisheries shall be consulted. Work outside of the identified "work window" may not proceed unless authorized by CDFG and NOAA Fisheries.	Project Proponent/ Contractor/ Qualified Biologist	Prior to issuance of grading permit	
	2	Protective fencing shall be placed to keep construction vehicles and personnel from impacting steelhead critical habitat adjacent to the APE.	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that appropriate fencing has been installed before commencement of construction.	Project Proponent/ Qualified Biologist	Prior to commencement of construction	

<i>Permit Cond. #</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	3	Best Management Practices shall be employed to reduce the transport of sediment from the site into adjacent sensitive fishery habitat.	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Project Proponent/ Contractor/ Biological Monitor	Prior to commencement of construction	
	4	<p>The following mitigation measures shall be implemented to avoid impacts to the California red-legged frog (CRLF):</p> <ul style="list-style-type: none"> • A biologist with CRLF experience will be on site during construction activities. If CRLF are observed, all construction activities will cease until the CRLF voluntarily move out of the area. All CRLF sightings will be immediately reported to the Service. • Before ground disturbing work activities begin each day, a CRLF-experienced biologist will inspect under construction equipment and materials to look for CRLF. If a CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue. • Riparian vegetation removal necessary to accommodate the project will be done by hand. • A CRLF-experienced biologist will monitor all vegetation removal and ground disturbing construction activity. The CRLF experienced biologist and the construction monitor will have the authority to stop and/or redirect project activities to ensure avoidance of take and implementation of all avoidance measures. • To prevent inadvertent entrapment of CRLF during the project, all excavated, steep-walled holes or trenches more 	The biological monitor shall be consulted regarding implementation of these measures.	Project Proponent/ Contractor/ Biological Monitor	Prior to commencement of construction activities/ Ongoing	

Permit Cond. #	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)
		<p>than 2 feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue.</p> <ul style="list-style-type: none"> Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including CRLF. 				
	5	<p>To avoid impacts to nesting birds, vegetation proposed for removal will be removed during the nonbreeding season (September 15 to February 14). If this is not possible and removal of trees and shrubs must occur during the breeding season (February 15 to September 14), pre-construction surveys shall be conducted for active nesting raptor and riparian avian species in all areas that may provide suitable nesting habitat that exist in or within 300 feet of the APE by a qualified biologist no more than seven days prior to the commencement of construction activities. If nesting birds are identified during pre-construction surveys, a minimum 250-foot no-disturbance buffer will be imposed within which no construction activities or disturbance will take place. A qualified biological monitor shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work may proceed in the vicinity of an active nest until a qualified biologist has determined that all young are fledged and are no longer reliant upon the nest or parental care for survival.</p>	<p>If construction activities are initiated between February 15 and September 14, a qualified biological monitor shall conduct pre-construction surveys and submit written documentation to the Department of Public Works. If active nests are present, work may not proceed within the established no-disturbance buffer until a qualified biologist has determined all young have fledged and are no longer reliant upon the nest or parental care for survival.</p>	<p>Project Proponent/ Contractor/ Biological Monitor</p>	<p>Prior to commencement of construction</p>	

<i>Permit Cond. #</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	6	A qualified biologist shall conduct pre-construction surveys for woodrat nests. All woodrat nests that may be affected by the project shall be dismantled by a qualified biologist prior to any construction activities. Dismantling will be done by hand, allowing any animals to escape either along existing woodrat trails or toward other available habitat. Nests shall be dismantled during the non-breeding season between October 1 and December 31 and within three days of the initiation of construction. If construction is not initiated within three days of the dismantling an additional survey and dismantling effort, if nests are found to be rebuilt, will need to occur within three days of the initiation of construction activities. If a litter of young is found during dismantling, nest material will be replaced and the nest left alone for two weeks. Construction activities within 25 feet of the nest must be postponed until a recheck of the nest is conducted to verify that young are capable of independent survival before proceeding with nest dismantling. Any woodrat nests that are adjacent to areas of grading or vegetation removal, but are not scheduled for removal, will be avoided and protected during construction activities with a minimum 25-foot buffer.	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that pre-construction woodrat nest surveys have been completed.	Project Proponent/ Contractor/ Qualified Biologist	Prior to commencement of construction	
	6b	A qualified biologist shall conduct pre-construction surveys for western pond turtles and their nests within 30 days prior to the commencement of construction activities. If an adult turtle is found in any areas prior to or during project-related construction activities, a qualified biologist shall relocate the individual from the site and relocate it to a suitable location, preferably along the Carmel River. If a buried nest of eggs is encountered during project-related construction activities, the CDFG does not recommend moving the eggs because of specific conditions required for development and hatching. If a nest is found within the construction area, construction will stop and the California Department of Fish and Game will be notified. Construction can be reinitiated subsequent to California Department of Fish and Game approval.	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that pre-construction surveys have been completed.	Project Proponent/ Contractor/ Qualified Biologist	Prior to commencement of construction	

<i>Permit Cond. #</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	7	Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations.	The biological monitor shall be consulted regarding the extent of vegetation removal and disturbance.	Project Proponent/ Contractor/ Biological Monitor	Prior to commencement of construction activities/ Ongoing	
	8	The final bike trail alignment shall avoid to the greatest extent feasible all riparian tree species greater than 6.0 inches in diameter at breast height. Where feasible, sycamore trees shall be avoided in favor of other riparian species that reestablish more easily, such as willow and cottonwood trees.	The biological monitor shall be consulted regarding the extent of riparian tree removal and disturbance.	Project Proponent/ Contractor/ Biological Monitor	Prior to commencement of construction activities/ Ongoing	
	9	Protective fencing shall be placed so as to keep construction vehicles and personnel from impacting riparian vegetation adjacent to the project site outside of work limits.	The project contractor, in consultation with the biological monitor, shall submit evidence to the Department of Public Works demonstrating that protective fencing has been installed.	Project Proponent/ Contractor/ Biological Monitor	Prior to commencement of construction activities/ Ongoing	
	10	Trees or vegetation not required for removal, but directly adjacent to construction activities, shall be provided appropriate protection from impacts of construction activity. This includes fencing off shrubby vegetation and protective wood barriers for trees.	The project contractor shall submit evidence to the Department of Public Works demonstrating that adequate protective measures are installed.	Project Proponent/ Contractor	Prior to commencement of construction activities/ Ongoing	
	11	No fueling or maintenance of equipment shall take place in the riparian habitats identified. Mechanical equipment shall be serviced in designated staging areas located outside of these habitats. Water from equipment washing or concrete wash down shall be prevented from entering these habitats.	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Project Proponent/ Contractor	Prior to commencement of construction activities/ Ongoing	

<i>Permit Cond. #</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	12	Erosion control and slope stabilization measures shall be implemented to assure that disturbed slopes do not erode. Best Management Practices shall be employed to reduce the transport of sediment from the site into adjacent sensitive fisheries habitat. In addition, where feasible, alternative bank protection methods, such as restoration of native vegetation, root wads, or other bioengineering methods of stabilization, shall be used.	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Project Proponent/ Contractor/ Biological Monitor	Prior to commencement of construction	
	13	Impacts to the riparian habitat have been reduced as a result of the alignment revisions. As a result, riparian enhancement, restoration, or creation will likely occur both on- and off-site. A potential off-site mitigation area may be available within the adjacent Palo Corona Regional Park. The mitigation area shall be preserved in perpetuity through a conservation easement or other legally enforceable land preservation agreement. Riparian trees that are proposed for removal will be replaced at a 3:1 ratio.	The contractor or project proponent shall identify the mitigation areas on- and/or off-site, implement the restoration recommended by the qualified biologist, and provide documentation to the County that the 3:1 mitigation ratio requirement has been met.	Project Proponent/ Contractor/ Qualified Biologist	Prior to commencement of construction activities	
Cultural Resources						
	14	If archaeological or human remains are discovered during construction within the project limits, the Caltrans District 5 Environmental Planning Branch shall be notified immediately and work shall be halted within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist (project archaeologist) in accordance with the Programmatic Agreement. If the find is determined to be significant, a mitigation program shall be prepared in conformance with the protocol set forth in the CEQA Guidelines (Section 15064.5). A final report shall be prepared by the project archaeologist when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report shall include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.	Stop work within 50 meters (165 feet) of uncovered resource and contact the Public Works Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project proponent 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.	Project Proponent/ Contractor/ Qualified Archaeologist	Ongoing	

Permit Cond. #	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)
Geology and Soils						
	15	The County shall obtain a final geotechnical report and include the recommendations of the report in the final design and construction of the project.	The project proponent shall have prepared a project-specific geotechnical analysis by a registered engineer with geotechnical experience, subject to the review and approval of the County Public Works Director.	Project Proponent/ Registered Geotechnical Engineer	Prior to certification of final design plans	
Hazards and Hazardous Materials						
	16	Prior to commencement of construction activities, the contractor will prepare a Hazardous Materials Spill Response Plan, which details the protocol to follow in the event that a hazardous material is released into the environment. This plan shall be maintained on the project site, and all personnel working on the project site will be notified of its location.	The contractor shall submit evidence demonstrating that a Hazardous Materials Spill Response Plan has been prepared, subject to the review and approval of the Department of Public Works.	Project Proponent/ Contractor	Prior to commencement of construction activities	
Noise						
	17	Require contractor implementation of equipment maintenance and management practices to reduce construction-related noise including the following: <ul style="list-style-type: none"> Choose construction equipment that has a quiet design, a high-quality muffler system, and is well maintained. This includes trucks used to haul materials. Install engine enclosure panels when required on stationary gas, diesel, or pump equipment. Eliminate unnecessary idling of machines when not in use. Use good maintenance and lubrication procedures to reduce operating noise. 	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Project Proponent/ Contractor	Prior to commencement of construction activities	

<i>Permit Cond. #</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	18	Truck movement, construction activities, and equipment operation shall be limited to the hours of 7:30 AM and 7:30 PM, Monday through Saturday.	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Project Proponent/ Contractor	Ongoing	
	19	The contractor shall comply with the California Vehicle Code prohibitions against faulty or modified loud vehicle exhaust systems - Sections 27150 and 27151.	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Project Proponent/ Contractor	Prior to commencement of construction activities	
	20	The contractor shall post a telephone number of the project representative that will be available to respond to noise nuisance concerns.	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Project Proponent/ Contractor	Prior to commencement of construction activities	
Traffic						
	21	In order to minimize construction traffic impacts, the contractor shall prepare a construction management plan for the approval of the County prior to the issuance of grading or building permits. The contractor shall adhere to measures included in the approved construction management plan.	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Project Proponent/ Contractor	Prior to commencement of construction activities	



Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

October 20, 2010

Eileen Cross
Carmel River Project Manager
Big Sur Land Trust
509 Hartnell Street
Monterey, CA 93940

RE: Supplemental Biological Report for the Carmel Valley Class I Bicycle Trail Project

Dear Ms. Cross,

Denise Duffy & Associates, Inc. (DD&A) has been retained by the Big Sur Land Trust (BSLT) to provide additional environmental services consulting services regarding construction of the Carmel Valley Class I Bicycle Trail Project (project). These services were determined necessary as the proposed alignment for the bicycle trail has been revised since the environmental analysis was conducted and published in the August 2008 Initial Study/Mitigated Negative Declaration (IS/MND) completed in compliance with the California Environmental Quality Act (CEQA).

As a component of our scope of work, DD&A is providing a supplemental biological analysis to determine whether there are any additional impacts not previously identified in the adopted IS/MND. An updated habitat map is provided as an attachment to this letter. This letter provides the results of the survey and a determination if any additional impacts may result from the proposed project. The findings from this effort will be incorporated into the Addendum to the adopted IS/MND.

Methods and Survey Personnel

DD&A Associate Environmental Scientist, Matt Johnson, conducted a survey of the entire proposed project alignment on October 1, 2010, including the proposed new portions of the alignment. The survey area was based on the revised project alignment provided by BSLT (September 8, 2010). Habitat types located within or adjacent to the proposed alignment were characterized in the field and are summarized below.

Results

Habitat Types

The proposed alignment for the Carmel Valley Class I Bicycle Trail Project is comprised of four habitat types: historically disturbed riparian, grazing land, existing road/trail, and riparian.

Historically Disturbed Riparian

The habitat classification of historically disturbed riparian is represented by habitat that was historically riparian with a species composition similar to the habitat described for riparian habitat in the IS/MND. However, this habitat type displays evidence of having been recently cleared of all existing vegetation with the exception of large tree species, which include cottonwood (*Populus sp.*) and willow (*Salix sp.*). Poison oak (*Toxicodendron diversilobum*) was observed



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infiltrating the cleared areas. Approximately 0.51 acre of historically disturbed riparian habitat exists within the proposed alignment.

Grazing Land

The habitat classification of grazing land is habitat that is dominated by non-native grasses. Non-dominant species of grasses include sheep sorrel (*Rumex acetosella*), poison hemlock (*Conium maculatum*), and tall cyperus (*Cyperus eragrostis*). This habitat type is currently used for the grazing of cows, goats, and horses. Approximately 0.64 acre of grazing land habitat exists within the proposed alignment.

Road/Trail

The habitat classification of road/trail is habitat that is devoid of any plant species due to the presence of existing roadways or trails. The existing road/trail habitat in the vicinity of the proposed alignment is either paved with asphalt or covered in decomposed granite. Approximately 0.37 acre of road/trail habitat exists within the proposed alignment.

Riparian

The habitat classification of riparian is dominated by poison oak, blackberry (*Rubus armeniacus*) and stinging nettle (*Urtica dioica*). This habitat classification also includes tree species dominated by cottonwood (*Populus sp.*) and willow (*Salix sp.*). Approximately 0.22 acre of riparian habitat exists within the proposed alignment.

Sensitive Habitat Impact Comparison

Riparian Habitat

The previous habitat classifications conducted by DD&A within the original Carmel Valley Bike Path alignment documented approximately 1.1 acres of riparian habitat. The current habitat classification based on the revised alignment provided by BSLT documented approximately 0.22 acre of riparian habitat and 0.51 acre of historically disturbed riparian (total 0.73 acre of riparian habitat). The new project alignment will impact approximately 0.37 acre less of riparian/historically disturbed riparian habitat than the original project alignment.

Waters of the U.S.

The previous habitat classifications conducted by DD&A within the original Carmel Valley Bike Path alignment documented approximately 134.5 square feet of unvegetated waters. These unvegetated waters were associated with the Carmel River drainage channel. The new project alignment avoids all wetlands and waters associated with the Carmel River drainage channel. The new project alignment will not impact any wetlands or unvegetated waters.

Special-Status Species

Special-Status Plant Species

Due to the time of year, it was not feasible to conduct focused plant surveys for special-status plants. However, due to the lack of appropriate habitat, no special-status plant species known to occur in the area are anticipated within the project alignment. Therefore, no impacts to special-status plant species are expected to occur.



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Special-Status Wildlife Species

Several special-status wildlife species had the potential to occur within the original project alignment including: California red-legged frog (*Rana draytonii*, CRLF), several raptor species, and Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*).

CRLF

Appropriate CRLF upland habitat was documented within the original project alignment and is still present within the new project alignment. CRLF is assumed present within the new project alignment based on existing habitat types and the proximity of the project to known breeding locations.

Raptor Species

According to the IS/MND, several raptor species including: red-tailed hawk (*Buteo jamaicensis*), great horned owl (*Bubo virginianus*), sharp-shinned hawk (*Accipiter striatus*), and red-shoulder hawk (*Buteo lineatus*) have the potential to occur within the original project alignment. Potential nesting trees appropriate for many raptor species occur within 300 feet of the new project alignment. Although no raptor nests were observed during the habitat assessment surveys, there is a potential for these raptor species to utilize the area for foraging and nesting habitat.

Monterey Dusky-Footed Woodrat

The Monterey dusky-footed woodrat was assumed present within the original alignment with habitat classified as riparian. The new project alignment will impact approximately 0.58 acre of riparian and historical disturbed riparian habitat. The undisturbed riparian habitat provides the cover and materials necessary for the Monterey dusky-footed woodrat. The historical disturbed riparian habitat does not provide the necessary cover for woodrat nests, but may provide foraging habitat. The Monterey dusky-footed woodrat is assumed present within the riparian habitat of the new project alignment.

Conclusion

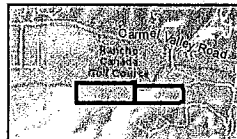
As identified above, DD&A has determined that the proposed alignment of the Carmel Valley Class I Bicycle Trail Project would impact four habitat types: historically disturbed riparian (0.51 acre), grazing land (0.64 acre), existing road/trail (0.37 acre), and riparian (0.22 acre). There is a decrease of 0.37 acre of riparian habitat from the original project alignment, and no increase in impacts expected to occur to any special-status wildlife species. In addition, no special-status plant species are expected to occur within the revised project alignment.

If you have any questions on the findings of DD&A's habitat classification analysis, please let us know and we would be happy to discuss the conclusions of our analysis.

Sincerely,

Matt Johnson
Associate Environmental Scientist
Denise Duffy & Associates, Inc.

Attachment: Habitat Classification Map



Title: **Habitat Classification for the Carmel Valley Bike Trail**

File: **HabClass.mxd**

Date: **12-03-2010**

Scale: **1 inch = 267 feet**

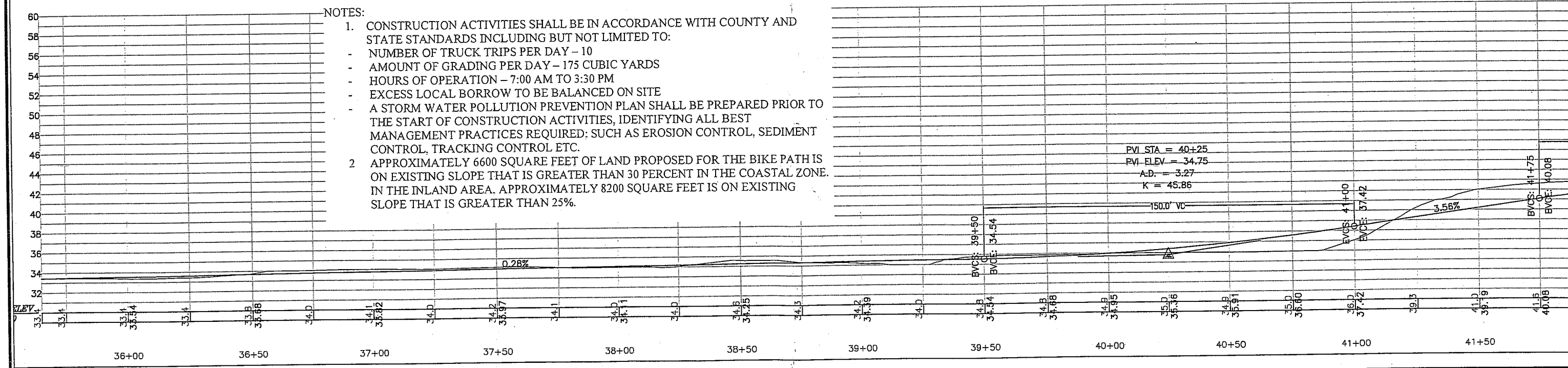
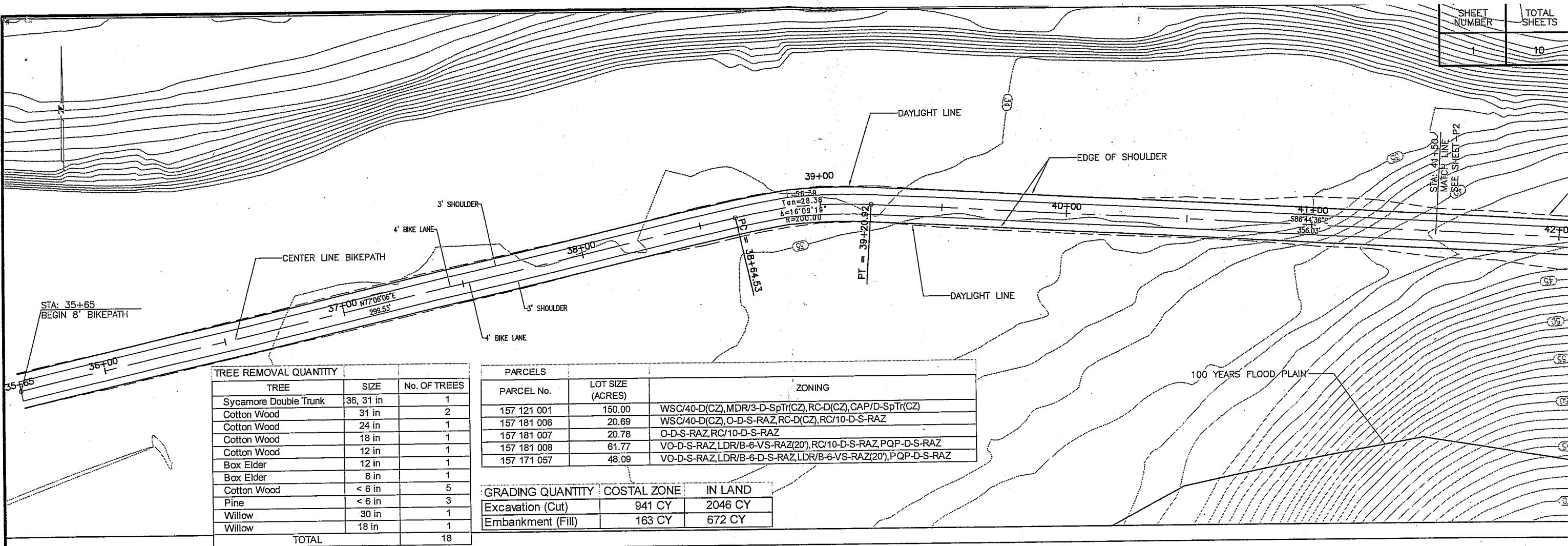
Project: **2010-22 CVBP**



Monterey | Truckee | San Jose
Denise Duffy and Associates, Inc.
 Environmental Consultants Resource Planners
 947 Cass Street, Suite 5
 Monterey, CA 93940
 (831) 373-4341

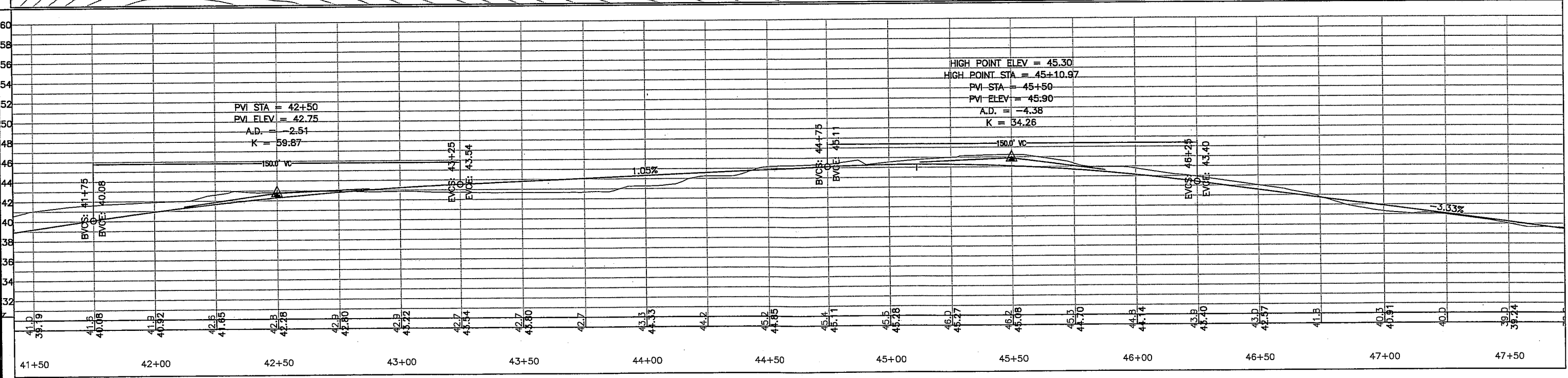
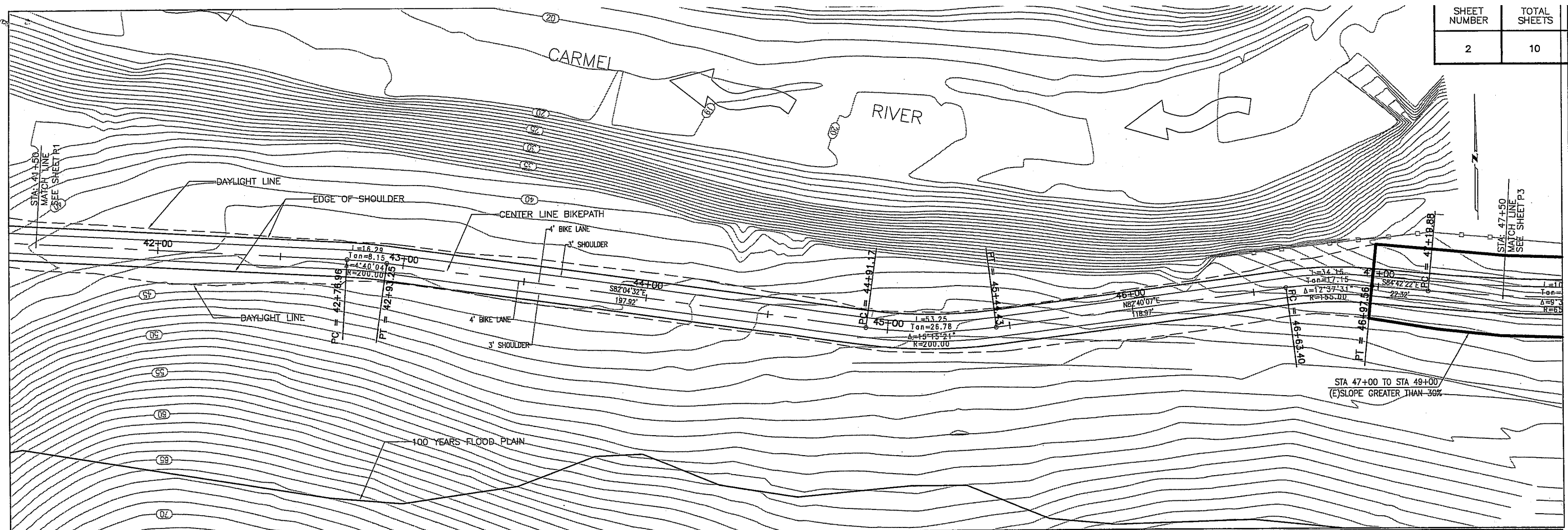
Figure

1



SUBMITTED BY: ARTURO A. ADLAWAN, P.E. SENIOR CIVIL ENGINEER		NO.		DATE	REVISION	APPROVED		COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS		CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864065	
DESIGN BY: J. L. PASCUA PROJECT ENGINEER	CHKD BY: A.A.	△						DESIGN SECTION	SITE PLAN		
DRAWN BY: T. NYUNT	CHKD BY: J.P.	△						168 WEST ALJAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)755-4800/FAX (831)755-4958	DATE 10/07/10	DRAWING VIEW	SHEET P1
SPECIFICATIONS WRITTEN BY: J. L. PASCUA	CHKD BY: A.A.	△							SCALE 1:20(H), 1:5(V)		
APPROVAL RECOMMENDED BY: PAUL H. GREENWAY, P.E. ASSISTANT DIRECTOR OF PUBLIC WORKS		△									

SHEET NUMBER	TOTAL SHEETS
2	10



SUBMITTED BY: ARTURO A. ADLAWAN, P.E.
 SENIOR CIVIL ENGINEER

DESIGN BY: J. L. PASCUA
 PROJECT ENGINEER

DRAWN BY: T. NYUNT

SPECIFICATIONS
 WRITTEN BY: J. L. PASCUA

APPROVAL
 RECOMMENDED BY: PAUL H. GREENWAY, P.E.
 ASSISTANT DIRECTOR OF PUBLIC WORKS

CHKD BY: A.A.
 CHKD BY: J.P.
 CHKD BY: A.A.

NO.	DATE	REVISION	APPROVED
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COUNTY OF MONTEREY
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 DEPARTMENT OF PUBLIC WORKS

DESIGN SECTION

168 WEST ALISAL STREET, 2nd FLOOR
 SALINAS, CALIFORNIA 93901
 (831)755-4800/FAX (831)755-4958

CARMEL VALLEY ROAD BIKE PATH

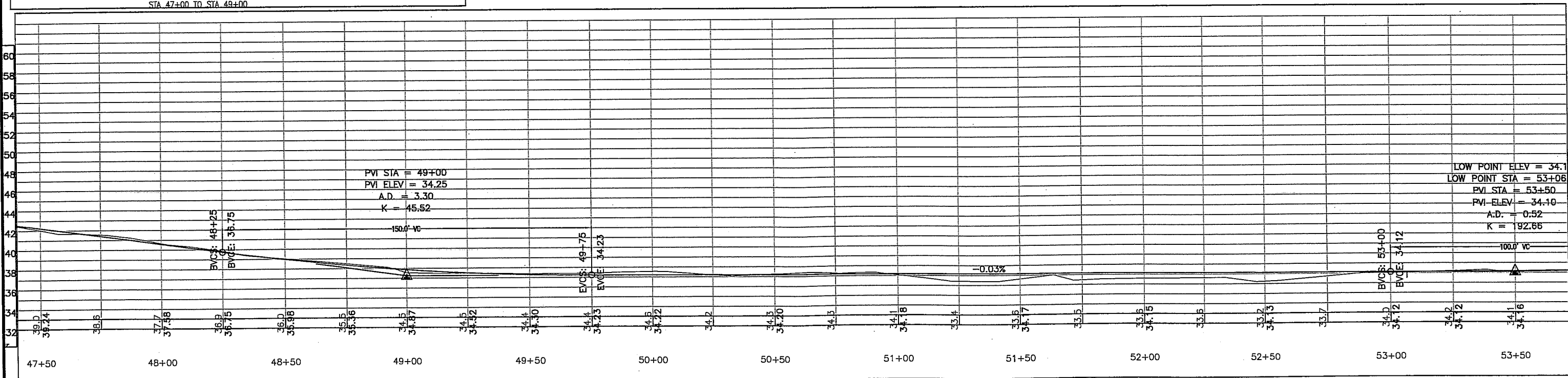
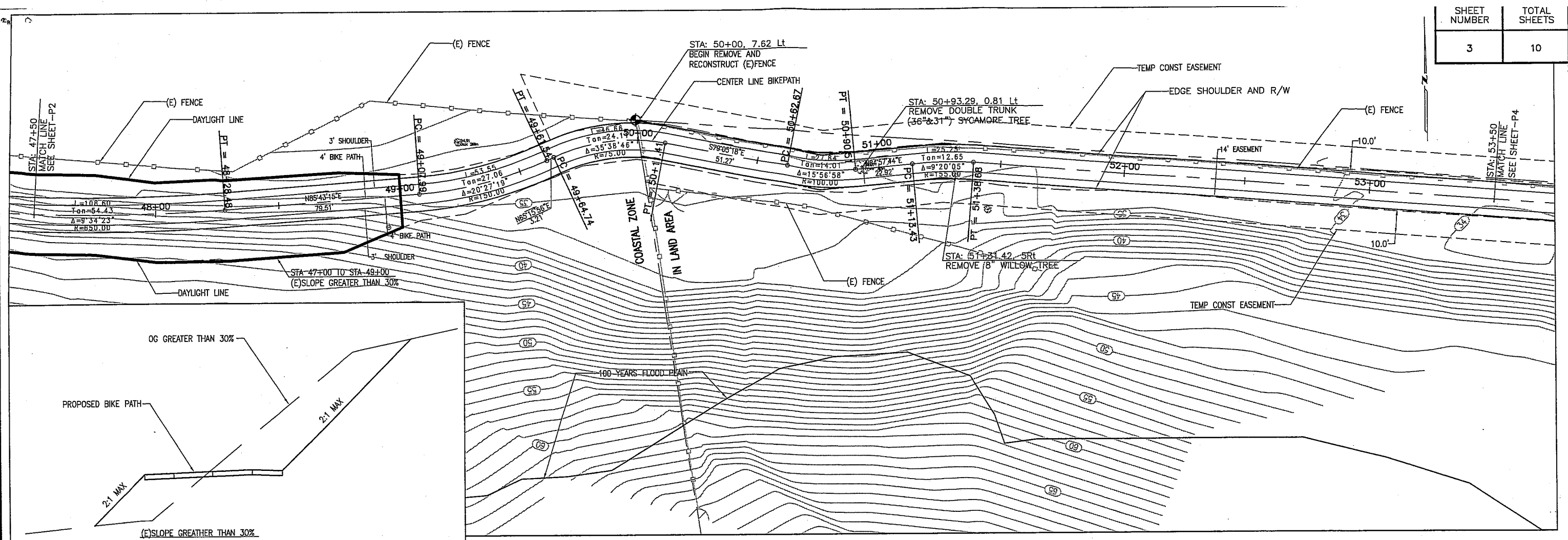
CONTRACT NO. 10-864065

SITE PLAN

DATE: 10/07/10
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DRAWING: VIEW

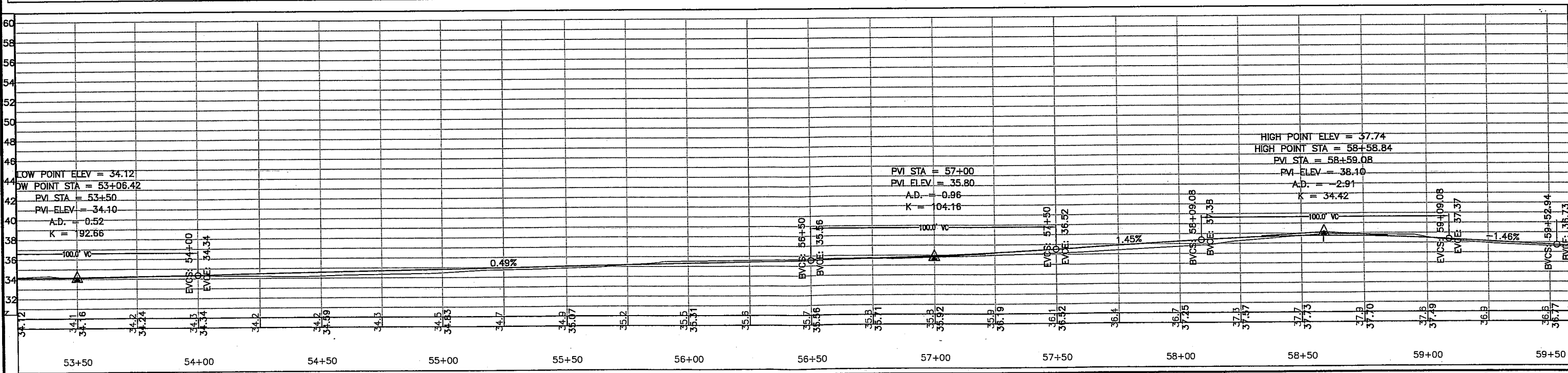
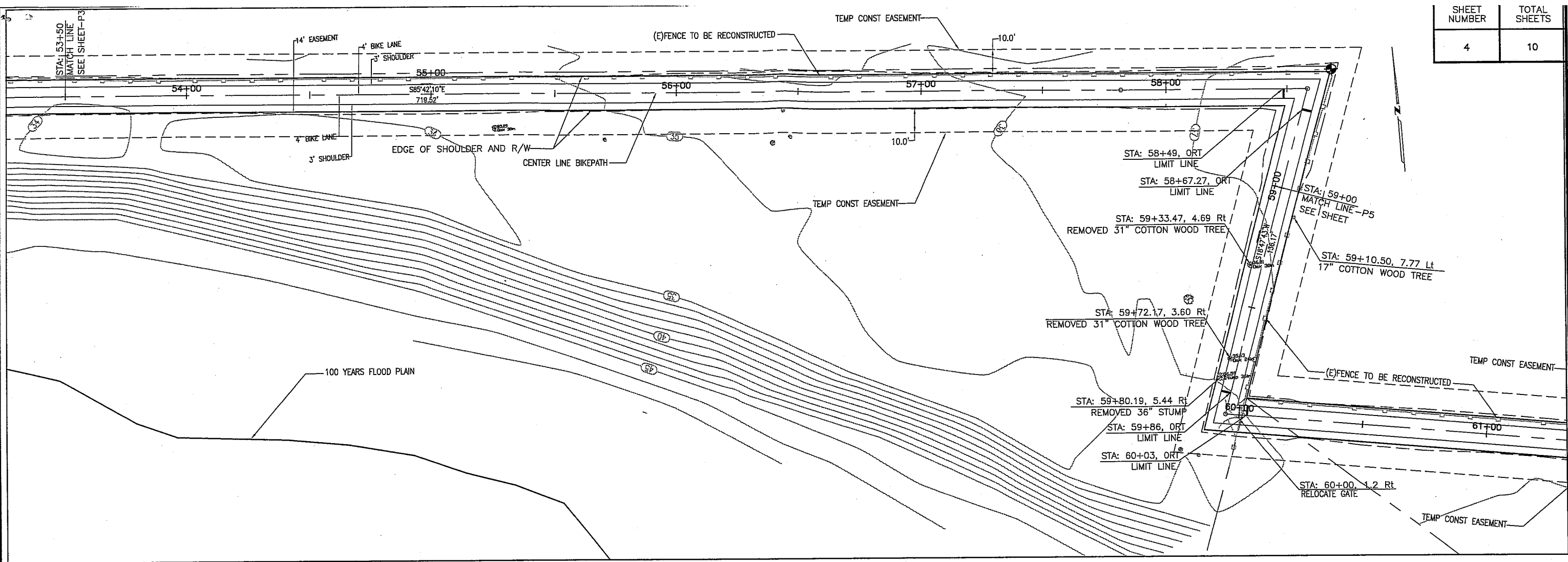
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SUBMITTED BY: ARTURO A. ADLAWAN, P.E. SENIOR CIVIL ENGINEER		NO. DATE REVISION APPROVED			COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS DESIGN SECTION 168 WEST ALISAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)755-4800/FAX (831)755-4958		CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864065 SITE PLAN	
DESIGN BY: J. L. PASCUA PROJECT ENGINEER					DATE: 10/07/10 SCALE: 1:20(H), 1:5(V) DRAWING: VIEW SHEET: P3			
DRAWN BY: T. NYUNT								
SPECIFICATIONS WRITTEN BY: J. L. PASCUA								
APPROVAL RECOMMENDED BY: PAUL H. GREENWAY, P.E. ASSISTANT DIRECTOR OF PUBLIC WORKS								

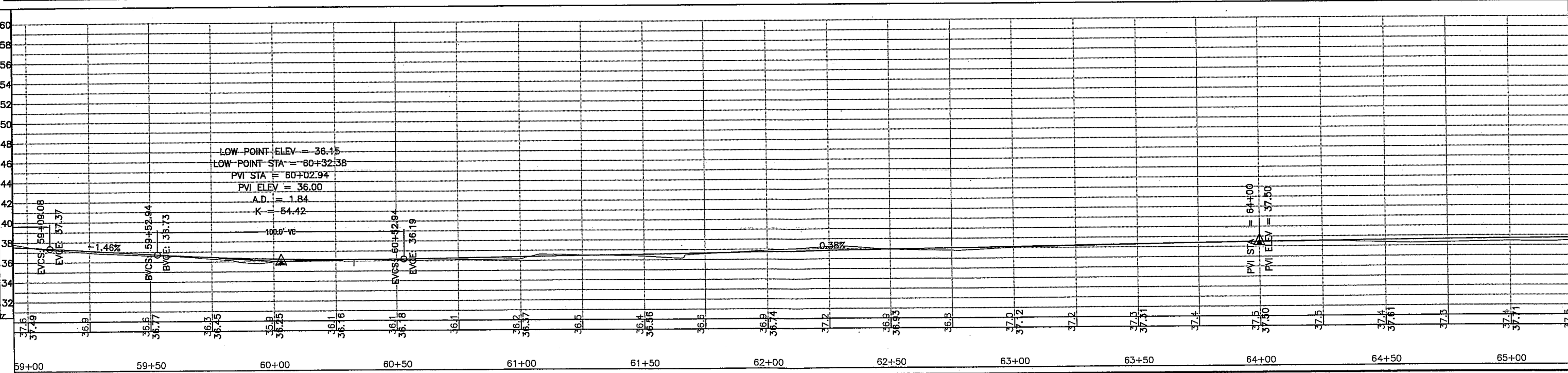
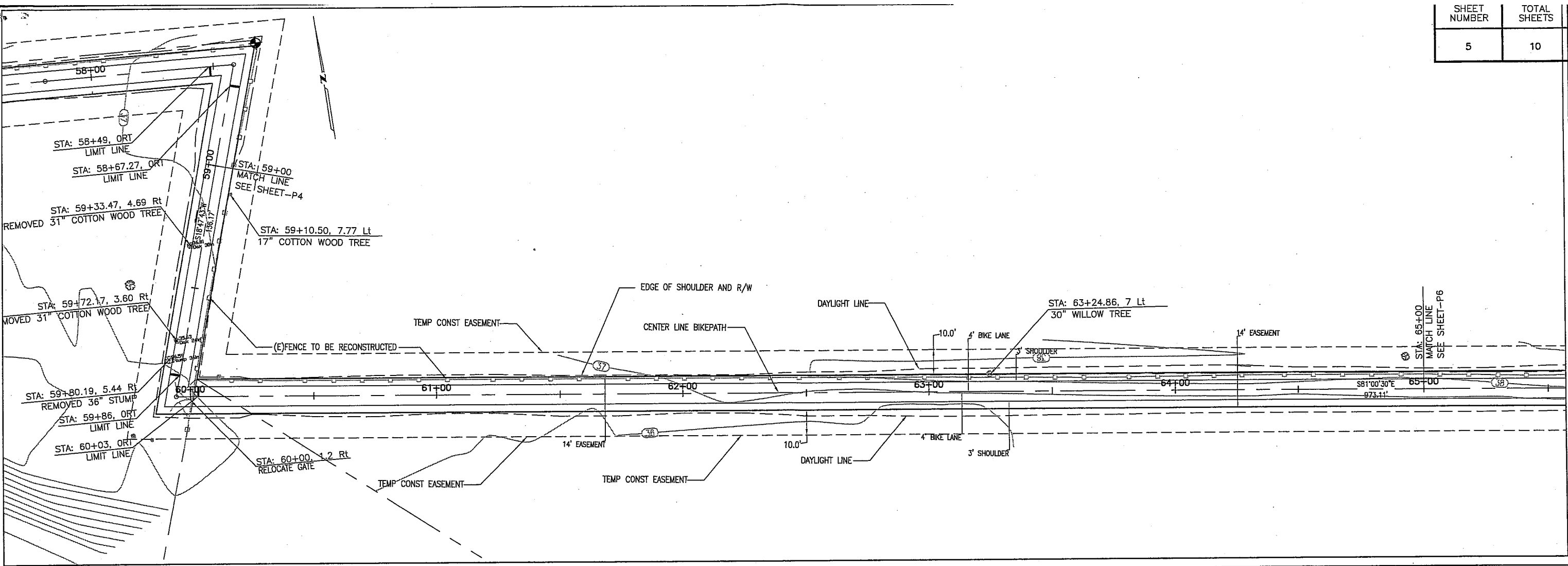
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SHEET NUMBER	TOTAL SHEETS
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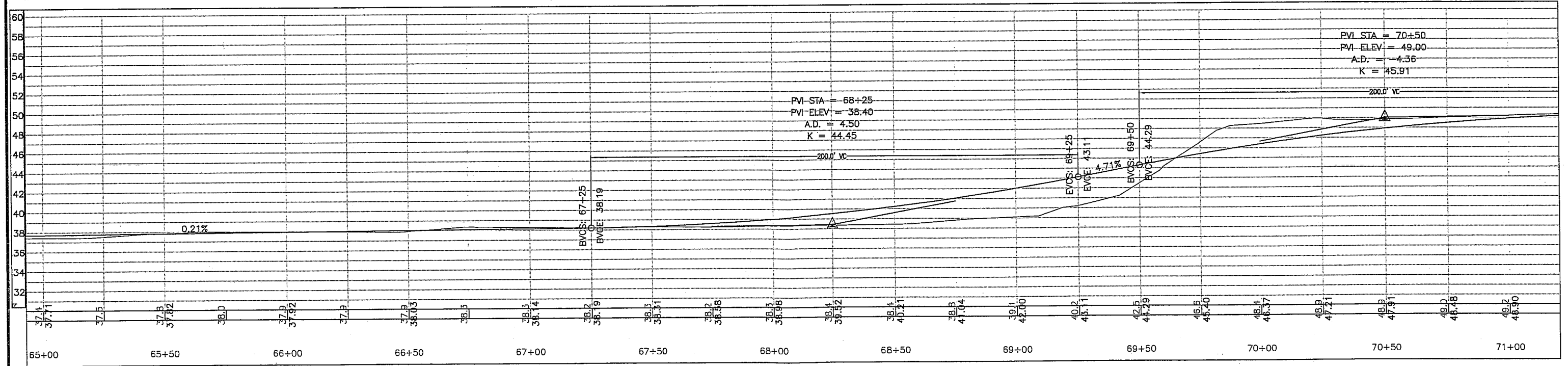
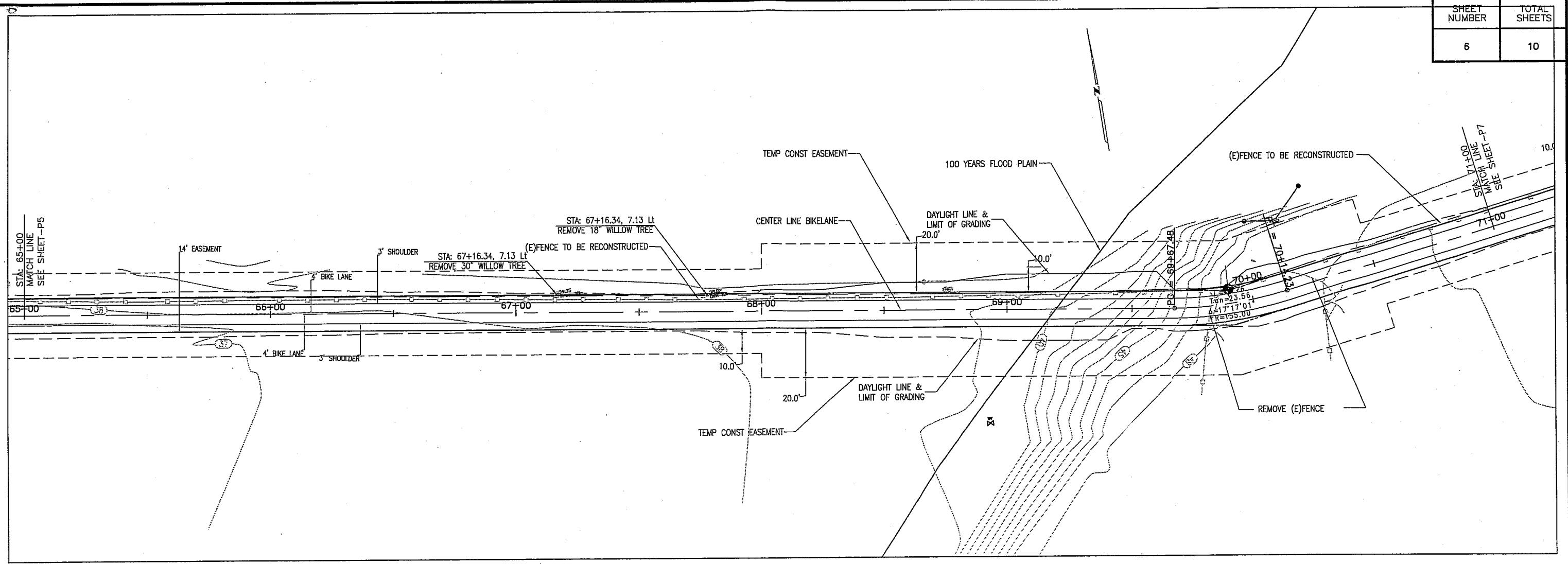
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DESIGN BY, J. L. PASCUA PROJECT ENGINEER		CHKD BY, A.A.						DESIGN SECTION		SITE PLAN	
DRAWN BY, T. NYUNT		CHKD BY, J.P.						168 WEST ALISAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)755-4800/FAX: (831)755-4958		DATE 10/07/10	
SPECIFICATIONS WRITTEN BY, J. L. PASCUA		CHKD BY, A.A.						SCALE 1:20(H) 1:5(V)		SHEET P4	
APPROVAL RECOMMENDED BY, PAUL H. GREENWAY, P.E. ASSISTANT DIRECTOR OF PUBLIC WORKS											

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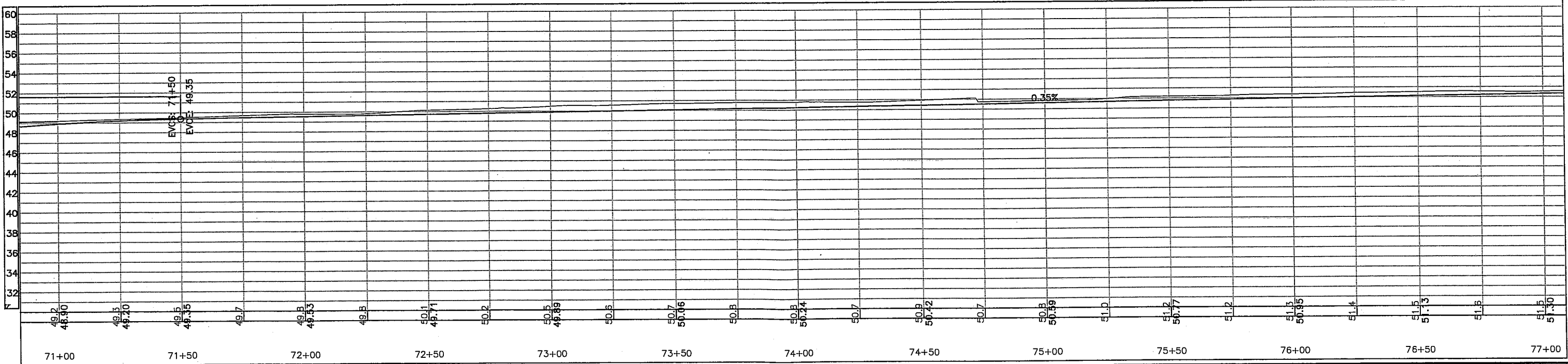
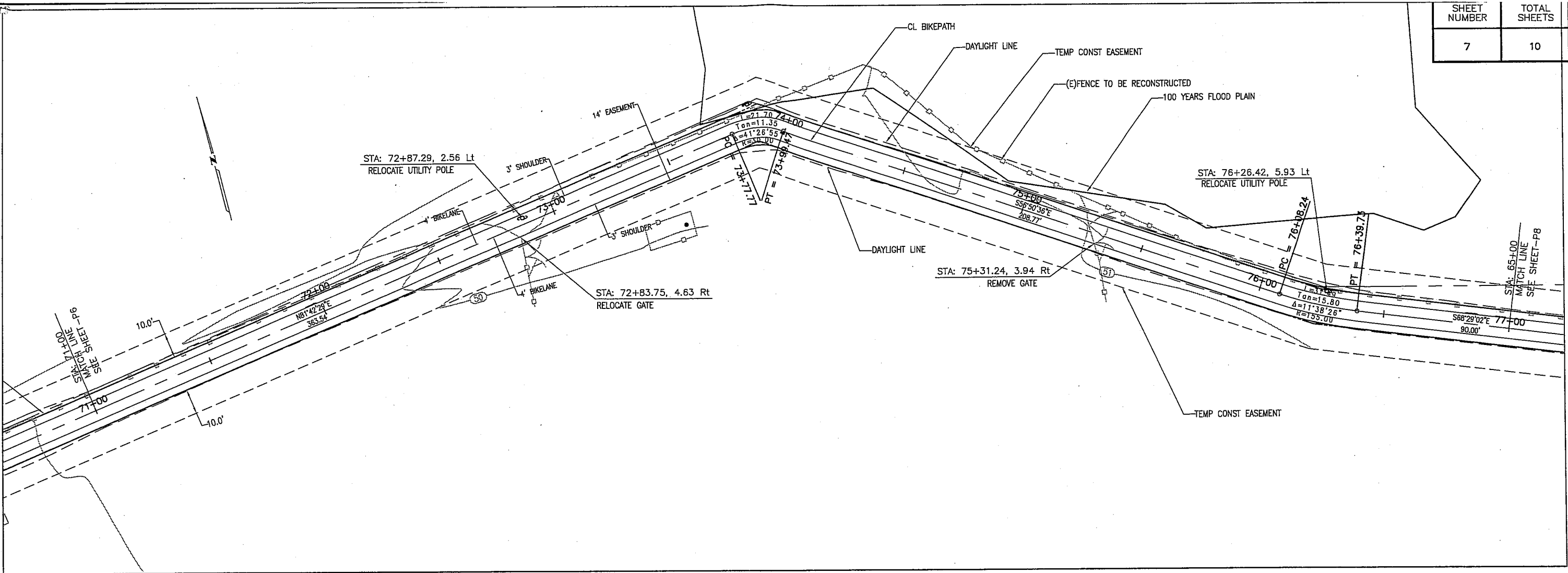
SUBMITTED BY: ARTURO A. ADLAWAN, P.E. SENIOR CIVIL ENGINEER DESIGN BY: J. L. PASCUA PROJECT ENGINEER DRAWN BY: T. NYUNT SPECIFICATIONS WRITTEN BY: J. L. PASCUA APPROVAL RECOMMENDED BY: PAUL H. GREENWAY, P.E. ASSISTANT DIRECTOR OF PUBLIC WORKS		NO. DATE REVISION APPROVED		 <div style="text-align: center;"> COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS 168 WEST ALisal STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)755-4800/FAX (831)755-4958 </div>	CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864065 SITE PLAN	
		DATE: 10/07/10 SCALE: 1:20(H) 1:5(V)			DRAWING: VIEW SHEET: P5	

SHEET NUMBER	TOTAL SHEETS
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DRAWN BY, T. NYUNT		CHKD BY, J.P.			SCALE 1:20(H), 1:5(V)		SHEET P6	
SPECIFICATIONS WRITTEN BY, J. L. PASCUA		CHKD BY, A.A.						
APPROVAL RECOMMENDED BY, PAUL H. GREENWAY, P.E. ASSISTANT DIRECTOR OF PUBLIC WORKS								

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SUBMITTED BY, ARTURO A. ADLAWAN, P.E.
 SENIOR CIVIL ENGINEER

DESIGN BY, J. L. PASCUA
 PROJECT ENGINEER

DRAWN BY, T. NYUNT

SPECIFICATIONS
 WRITTEN BY, J. L. PASCUA

APPROVAL
 RECOMMENDED BY, PAUL H. GREENWAY, P.E.
 ASSISTANT DIRECTOR OF PUBLIC WORKS

CHKD BY, A.A.
 CHKD BY, J.P.
 CHKD BY, A.A.

NO.	DATE	REVISION	APPROVED
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COUNTY OF MONTEREY
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 DEPARTMENT OF PUBLIC WORKS

DESIGN SECTION

168 WEST ALJAL STREET, 2nd FLOOR
 SALINAS, CALIFORNIA 93901
 (831)755-4800/FAX (831)755-4958

CARMEL VALLEY ROAD BIKE PATH

CONTRACT NO. 10-864065

SITE PLAN

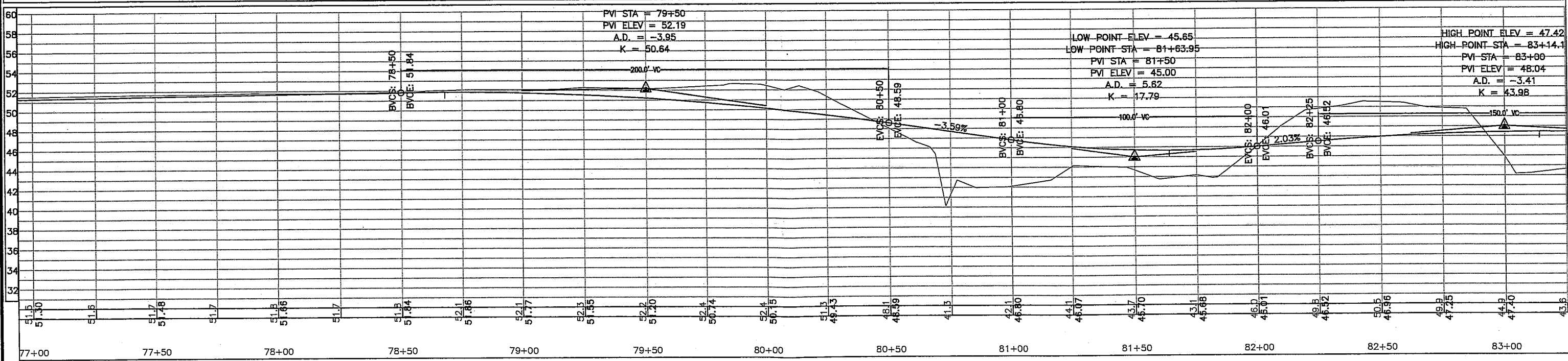
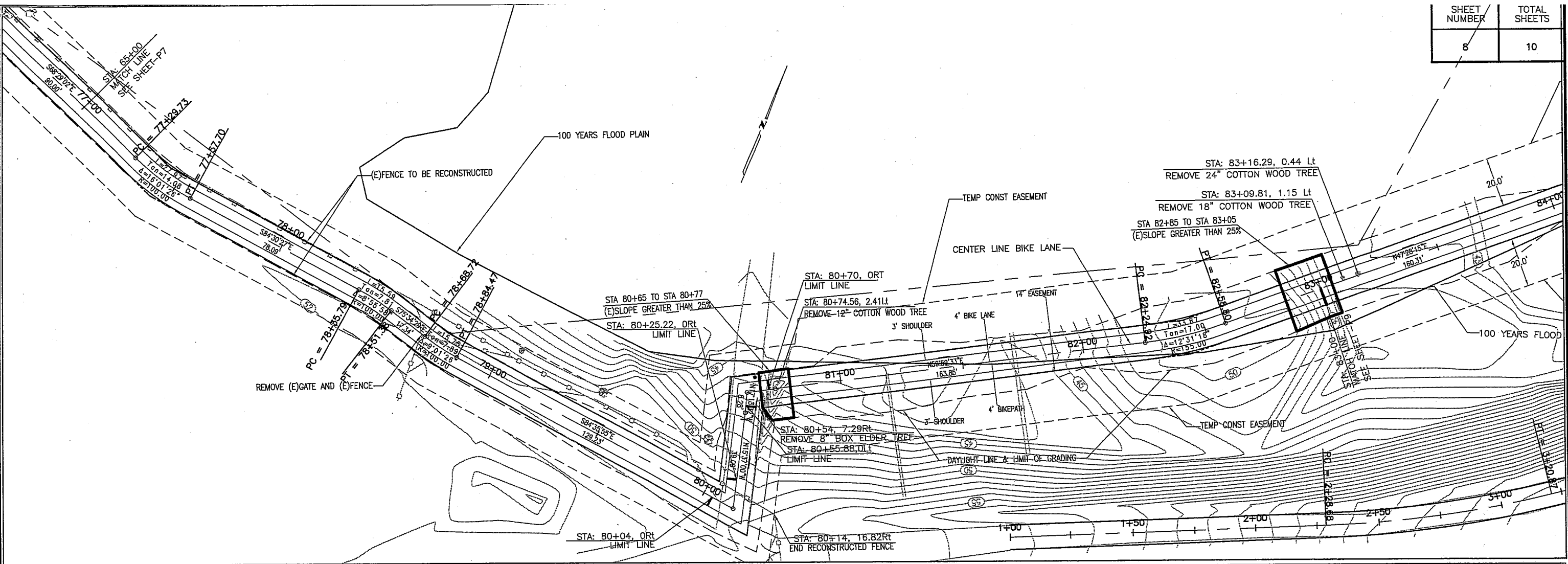
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SHEET
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SHEET NUMBER	TOTAL SHEETS
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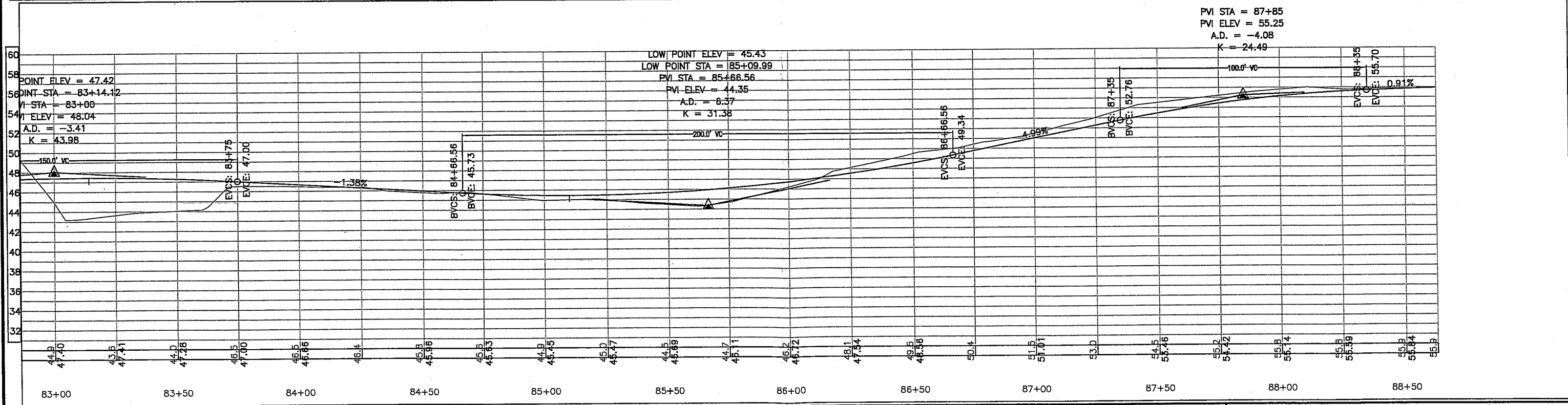
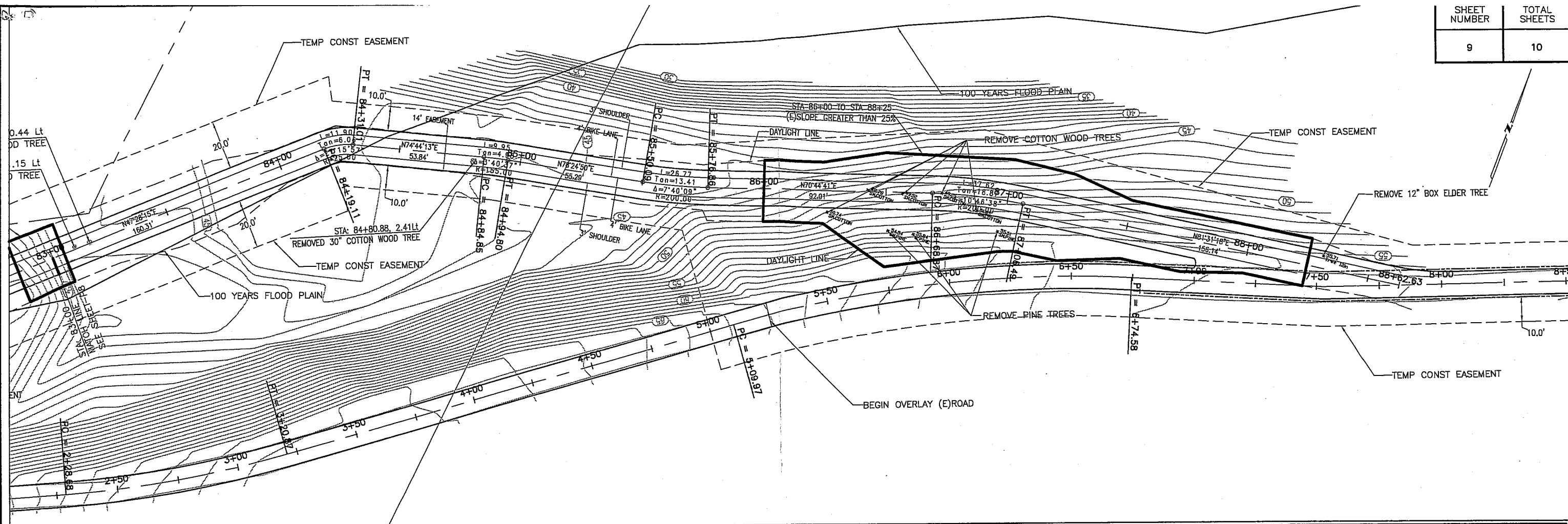
SUBMITTED BY: ARTURO A. ADLAWAN, P.E. SENIOR CIVIL ENGINEER	
DESIGN BY: J. L. PASCUA PROJECT ENGINEER	CHKD BY: A.A.
DRAWN BY: T. NYUNT	CHKD BY: J.P.
SPECIFICATIONS WRITTEN BY: J. L. PASCUA	CHKD BY: A.A.
APPROVAL RECOMMENDED BY: PAUL H. GREENWAY, P.E. ASSISTANT DIRECTOR OF PUBLIC WORKS	

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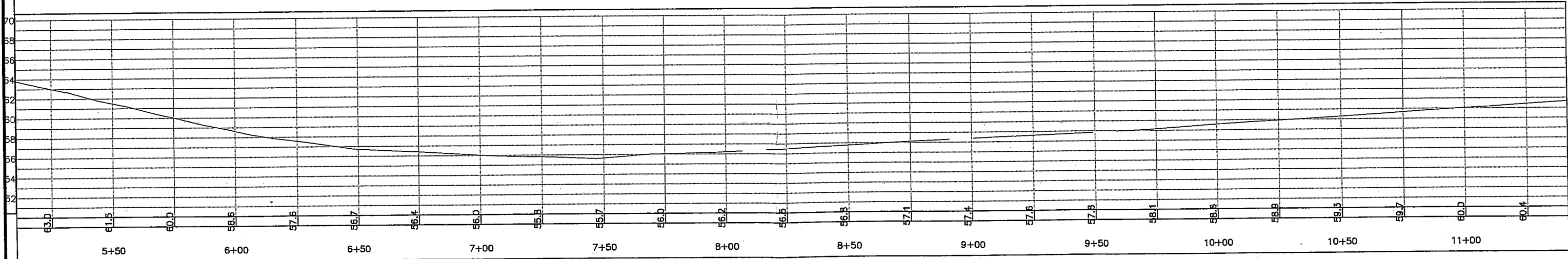
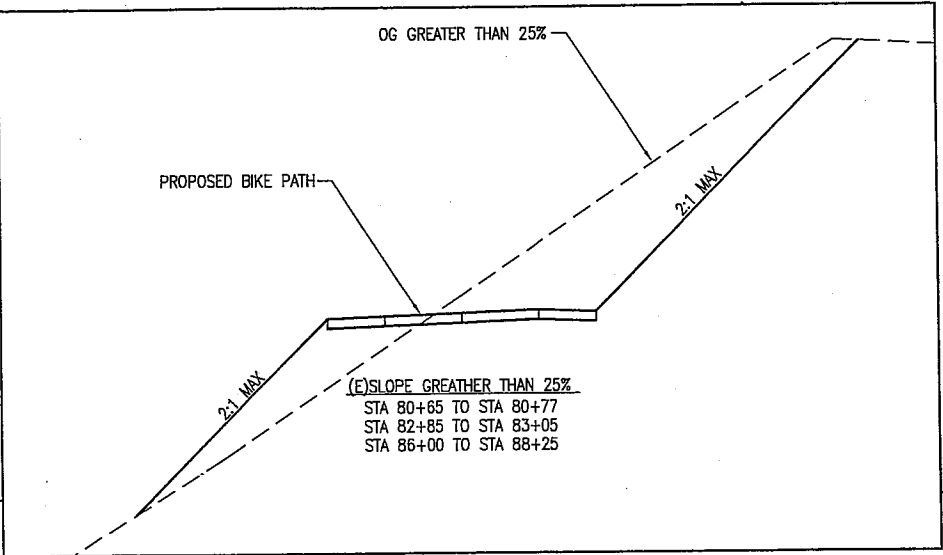
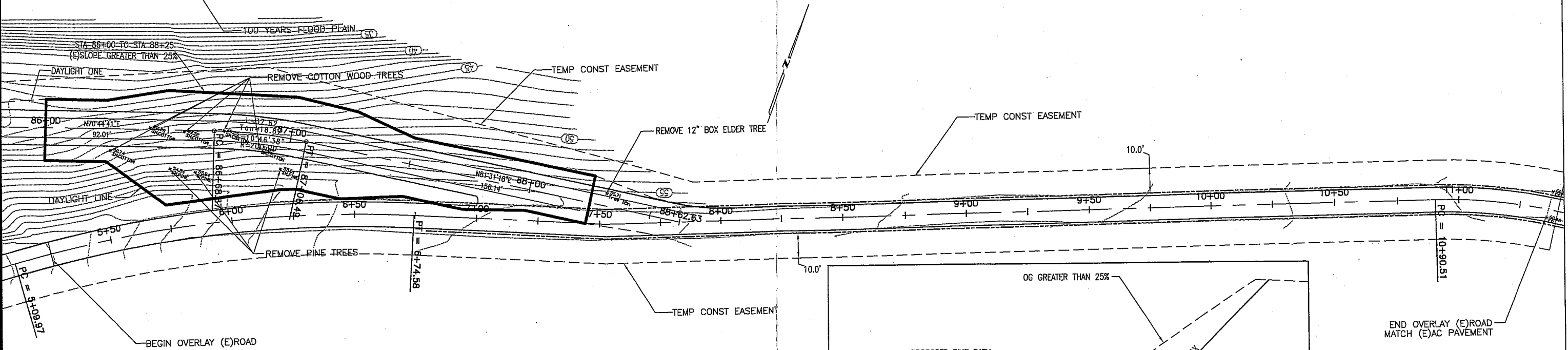
COUNTY OF MONTEREY
RESOURCE MANAGEMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
DESIGN SECTION
168 WEST ALISAL STREET, 2nd FLOOR
SALINAS, CALIFORNIA 93901
(831)755-4800/FAX (831)755-4958

CARMEL VALLEY ROAD BIKE PATH	
CONTRACT NO. 10-B64065	
SITE PLAN	
DATE 10/07/10	DRAWING VIEW
SCALE 1:20(H), 1:5(V)	SHEET P8



SUBMITTED BY: ARTURO A. ADLAWAN, P.E. SENIOR CIVIL ENGINEER		NO. DATE REVISION APPROVED			COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS DESIGN SECTION 168 WEST ALISAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)755-4800/FAX (831)755-4958		CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864065 SITE PLAN	
DESIGN BY: J. L. PASCUA PROJECT ENGINEER	CHKD BY: A.A. PROJECT ENGINEER				DATE 10/07/10	DRAWING WEV	SHEET P9	
DRAWN BY: T. NYUNT SPECIFICATIONS WRITTEN BY: J. L. PASCUA	CHKD BY: J.P. SPECIFICATIONS WRITTEN BY: J. L. PASCUA				SCALE 1:20(H), 1:5(V)			

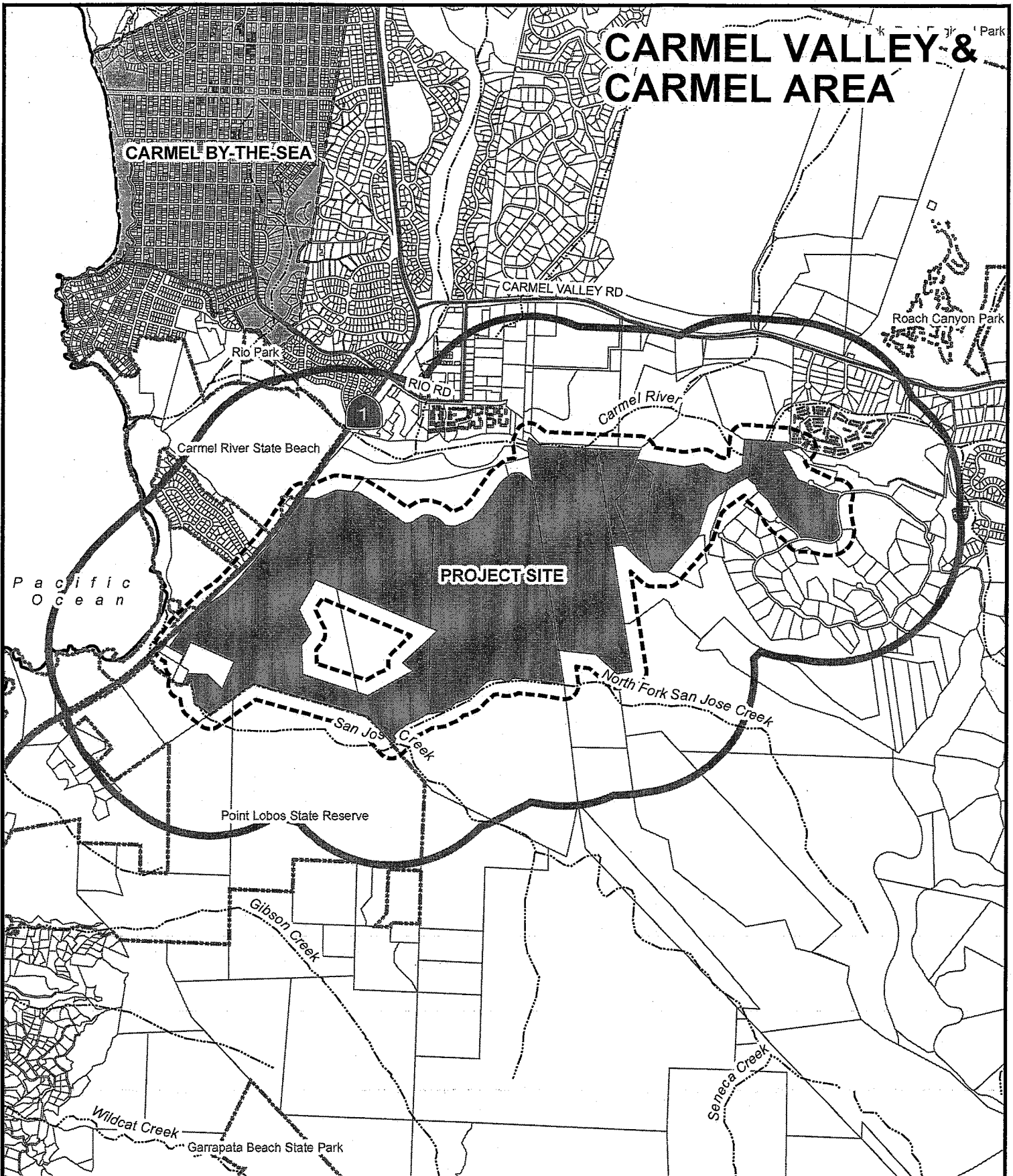
SHEET NUMBER	TOTAL SHEETS
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SUBMITTED BY: ARTURO A. ADLAWAN, P.E. SENIOR CIVIL ENGINEER		NO.		DATE	REVISION	APPROVED		COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS			CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864065			
DESIGN BY: J. L. PASCUA PROJECT ENGINEER		△						DESIGN SECTION			ACCESS ROAD AC OVERLAY PLAN			
DRAWN BY: T. NYUNT		△						168 WEST AISAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)755-4800/FAX (831)755-4958			DATE 10/07/10		DRAWING	SHEET P10
SPECIFICATIONS WRITTEN BY: J. L. PASCUA		△									SCALE 1:20(H), 1:5(V)		VIEW	
APPROVAL RECOMMENDED BY: PAUL H. GREENWAY, P.E. ASSISTANT DIRECTOR OF PUBLIC WORKS		△												
CHKD BY: A.A.		△												
CHKD BY: J.P.		△												
CHKD BY: A.A.		△												

EXHIBIT H

CARMEL VALLEY & CARMEL AREA



APPLICANT: CARMEL VALLEY BIKE TRAIL

APN: 157-181-006-000M

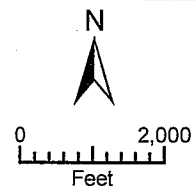
FILE # PLN080106
PLN100601

Water

2500' Limit

300' Limit

City Limits



PLANNER: MONTANO