

MONTEREY COUNTY PLANNING COMMISSION

Meeting: December 12, 2012	Time: 9:00 A.M.	Agenda Item No.: 3
Project Description: Consider a Combined Development Permit consisting of: 1) a Coastal Development Permit and Design Approval for restoration of a coastal bluff consisting of a concrete keyway and armored headwall with landscaped Hilfiker wall system; headwall to be surfaced with a textured rock appearance and Hilfiker baskets to be planted with native vegetation consistent with surrounding bluff vegetation; the restoration area to be approximately 45 - 55 feet wide by approximately 33 - 53 feet tall; grading to be approximately 50 cubic yards cut and 740 cubic yards fill; 2) a Coastal Development Permit for development on slopes exceeding 30 percent; 3) a Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; and 4) a Coastal Development Permit for development within 750 feet of known archaeological resources.		
Project Location: 30620 Aurora Del Mar, Carmel		APN: 243-331-010-000
Planning File Number: PLN110280		Owner: Daniel and Jennifer Niles Agent: Anthony Lombardo
Planning Area: Big Sur Coast Land Use Plan		Flagged and staked: Yes
Zoning Designation: "RDR/40-D (CZ)" [Rural Density Residential, 40 acres per unit with Design Control overlay (Coastal Zone)]		
CEQA Action: Mitigated Negative Declaration		
Department: RMA - Planning Department		

RECOMMENDATION:

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

- 1) Adopt a Mitigated Negative Declaration;
- 2) Approve a Combined Development Permit consisting of: 1) a Coastal Development Permit and Design Approval for restoration of a coastal bluff; 2) a Coastal Development Permit for development on slopes exceeding 30 percent; 3) a Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; and 4) a Coastal Development Permit for development within 750 feet of known archaeological resources, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**); and
- 3) Adopt a Mitigation Monitoring and Reporting Plan.

PROJECT OVERVIEW:

The project site is a 1.14 acre lot in a residential subdivision lying between Aurora Del Mar, a private road paralleling Highway 1 immediately to the east and the Pacific Ocean on the west. Located on a small coastal peninsula, the site slopes gently to the west, with steep coastal bluffs to the south, west and north. The lot is developed with a single-family dwelling and garage that are built into the bluff with a green roof at ground level. A recent failure of the slope on the north side of the residence threatens the garage, which lies immediately adjacent to the collapsed bluff. The applicant proposes to repair the slope and protect the structure by construction of a concrete keyway and armored headwall on the lower portion of the slope and a landscaped Hilfiker basket system on the upper portion. For a more detailed discussion, see **Exhibit B**.

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

- RMA - Public Works Department
- Environmental Health Bureau
- Water Resources Agency

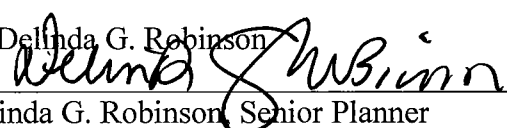
Carmel Highlands Fire Protection District
California Coastal Commission

Agencies that submitted comments are noted with a check mark ("✓"). None of the reviewing agencies recommended conditions of approval.

On May 22, 2012 the Big Sur Land Use Advisory Committee heard the project at a public hearing and recommended approval of the project by a vote of 6 to 0 subject to the recommendation that invasive species be removed from the construction area as well as other areas on the property.

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

/S/ Delinda G. Robinson


Delinda G. Robinson, Senior Planner
(831) 755-5198, robinsond@co.monterey.ca.us
November 30, 2012

cc: Front Counter Copy; Planning Commission; Carmel Highlands Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Delinda Robinson, Project Planner; Daniel and Jennifer Niles, Owner; Anthony Lombardo, Agent; The Open Monterey Project; LandWatch; Planning File PLN110280

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
• Conditions of Approval and Mitigation Monitoring and Reporting Program
• Site Plan, Elevations
Exhibit D Vicinity Map
Exhibit E Big Sur Land Use Advisory Committee Minutes
Exhibit F Mitigated Negative Declaration including:
• Initial Study
• Technical Reports available electronically
Exhibit G Comments on Mitigated Negative Declaration

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


EXHIBIT A

Project Information for PLN110280

Project Information:

Project Name:	NILES DANIEL T & JENNIFER E		
Location:	30620 AURORA DEL MAR CARMEL		
Permit Type:	Combined Development Permit		
Environmental Status:	Mitigated Negative Declaration	Final Action Deadline (884):	11/30/2012
Existing Structures (sf):	3175	Coverage Allowed:	25%
Proposed Structures (sf):	0	Coverage Proposed:	6.4%
Total Sq. Ft.:	3175	Height Allowed:	N/A
Tree Removal:	None	Height Proposed:	N/A
Water Source:	Public	FAR Allowed:	N/A
Water Purveyor:	Cal Am	FAR Proposed:	N/A
Sewage Disposal (method):	Septic	Lot Size:	49658
Sewer District:	N/A	Grading (cubic yds.):	790

Parcel Information:

Primary APN:	243-331-010-000	Seismic Hazard Zone:	UNDETERMINED
Applicable Plan:	Big Sur Coast LUP	Erosion Hazard Zone:	High, Moderate
Advisory Committee:	Big Sur Coast Advisory Committee	Fire Hazard Zone:	Very High
Zoning:	RDR/40-D(CZ)	Flood Hazard Zone:	V
Land Use Designation:	Residential, 40 acres/unit	Archaeological Sensitivity:	High
Coastal Zone:	Yes	Viewshed:	Not Critical Viewshed
Fire District:	Carmel Highlands FPD	Special Setbacks on Parcel:	Y

Reports on Project Parcel:

Soils Report #:	LIB120148
Biological Report #:	LIB120149
Geologic Report #:	LIB110262, LIB120148
Forest Management Rpt. #:	N/A
Archaeological Report #:	LIB110042, LIB110043, LIB120150
Traffic Report #:	N/A

EXHIBIT B DISCUSSION

Project Site

The subject property is located at 30620 Aurora Del Mar, Carmel in the northern section of the Big Sur Coast Land Use Plan area. The site is a 1.14 acre bluff top lot in a residential subdivision lying between Aurora Del Mar, a private road paralleling Highway 1 immediately to the east and the Pacific Ocean on the west. Although the zoning for the subdivision and the site is Rural Density Residential, 40 acres per unit, with Design Control overlay in the Coastal Zone, the residential lots in this area are between 1 and 2 acres in size. Residential uses are located to the north and south of the subject parcel. Located on a small coastal peninsula, the site slopes gently to the west, with steep coastal bluffs to the south, west and north. The lot is developed with a single-family dwelling and garage that were built in the late 1970s. The house and garage are built into the bluff with a green roof at ground level. Landscaping around the property is primarily non-native, drought tolerant species that are able to withstand salt spray and constant winds. Undisturbed sections of the bluff are vegetated with both native and naturalized landscape plants.

Project Description

The project consists of the restoration of a section of coastal bluff, utilizing a Hilfiker Wall system with a concrete keyway and armored head wall. The head wall will be surfaced with textured concrete designed to match the adjacent bluff and the Hilfiker baskets will be planted with native plants consistent with the surrounding bluff vegetation. The restoration area will be approximately 45 feet to 55 feet wide by approximately 33 feet to 53 feet tall. The project will require approximately 50 cubic yards of cut and 740 cubic yards of fill. For a more complete project description, please see Section II.A of the Initial Study (attached as **Exhibit F**).

Entitlements Required

Combined Development Permit consisting of:

- 1) A Coastal Development Permit and Design Approval for restoration of a coastal bluff;
- 2) A Coastal Development Permit for development on slopes exceeding 30 percent;
- 3) A Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; and
- 4) A Coastal Development Permit for development within 750 feet of known archaeological resources.

Project Issues

As described above, the existing residence and garage are built on a small coastal peninsula with steep bluffs to the south, west and north. The bluff on the north side immediately adjacent to the attached garage has collapsed, placing the garage in danger of being undermined. An Emergency Coastal Development Permit (PLN110071) to allow the construction of a Hilfiker retaining wall system to repair the bluff was issued on July 22, 2011. The Emergency Permit was conditioned to expire on October 21, 2011 unless construction had started by that date. Construction did not start by October 21, 2011 and the Emergency Permit expired. Helical anchors were installed through the garage floor to bedrock to support the foundation as an interim measure to protect the garage. It was determined that the original retaining wall design, which consisted entirely of a landscaped Hilfiker retaining wall system, would probably not withstand the wave run-up in the long term. The applicant re-designed the project to include a concrete keyway built into the bedrock with an armored headwall to approximately 32 feet above sea level and a landscaped Hilfiker retaining wall system above. The headwall is designed with a wave deflector at 23 feet

above sea level to further prevent impacts from wave run-up. This design is the subject of the current application.

The project site does contain cultural resources however, the archaeological reports prepared for the project (see **Finding 2, Evidence b**) conclude that the majority of cultural resources on the site were removed or destroyed during construction of the residence and that because of the disturbed nature of the project site and the fact that the deeper soils were found to be culturally sterile, there is little possibility that the project will affect cultural resources. The standard archaeological condition requiring that if cultural resources are unexpectedly uncovered during construction, work be stopped until the find can be evaluated by a professional archaeologist has been imposed on the project.

Environmental Review

An Initial Study was completed and a Draft Mitigated Negative Declaration (“MND”) for PLN110280 was prepared in accordance with CEQA and circulated for public review from November 7, 2012 through December 7, 2012 (SCH#: 2012111017). Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, biological resources, cultural resources, geology/soils, hydrology/water quality, land use/planning and noise.

Aesthetics – A site visit was conducted on May 22, 2012 and it was determined that the project is not located within the critical viewshed however project to stabilize the bluff will be visible from two residences to the north, the private beach in the cove and visible through vegetation from the gated, private road that serves the subdivision. The visual character of the site is that of coastal bluffs eroding “badlands style” as the project geologist describes it. Where vegetation exists, it is on the upper portion of the bluffs, away from wave run up and actively eroding areas. The project has been designed to mimic the appearance of the natural bluff to the extent possible. However, the Hilfiker wall system is a man-made structure that must be properly vegetated to take on a natural appearance. The biological report for the project includes a list of appropriate species for the restoration and recommends monitoring of the installation of plantings to ensure success. Implementation of Mitigation Measure No. 1 (**Condition No. 9**) will ensure that the vegetation will become established and provide screening for the structure.

Biological Resources - Although no occurrences of special status species will be impacted by the project, the biological report found that some impact to the sensitive plant community known as Northern coastal bluff scrub has already occurred as a result of the slope failure and will continue to occur if the slope failure is not abated. A small amount of native vegetation removal will occur during the repair work. Implementation of Mitigation Measure No. 1 will ensure that the slope is replanted with native species, including Northern coastal bluff scrub and will reduce impacts to this habitat to less than significant. Non-native, invasive exotics such as Mouse-hole tree (*Myoporum laetum*) and Pride of Madeira (*Echium fastuosum*) have colonized the slope, primarily to the east of the project site. The spread of exotic plants can disrupt native vegetation, and thus have an impact on native habitat. Construction will involve disturbing soil that can easily become infested with invasive non-native plants. Eradication of this type of plants is necessary to reduce potential impacts to Northern coastal bluff scrub to a less than significant level. Implementation of Mitigation Measure No. 2 (**Condition No. 10**), which requires the eradication and control of invasive plants, will reduce this impact to less than significant.

Geology/soils - The project site is located on a highly disturbed slope well in excess of 30%. No large equipment will be utilized during construction of the proposed bluff stabilization project. However, the possibility of materials falling to the beach below exists. Implementation of

Measure No. 3 (**Condition No. 11**), which requires best management practices for erosion control, will reduce the impact due to soil erosion to less than significant.

Recommendation

Staff recommends that the Planning Commission:

1. Adopt the Mitigated Negative Declaration;
2. Approve the Combined Development Permit consisting of: 1) a Coastal Development Permit and Design Approval for restoration of a coastal bluff; 2) a Coastal Development Permit for development on slopes exceeding 30 percent; 3) a Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; and 4) a Coastal Development Permit for development within 750 feet of known archaeological resources, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**); and
3. Adopt the Mitigation Monitoring and Reporting Plan.

**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:

DANIEL AND JENNIFER NILES (PLN110280)

RESOLUTION NO. ----

Resolution by the Monterey County Planning
Commission:

- 1) Adopting a Mitigated Negative Declaration;
- 2) Approving a Combined Development Permit consisting of: 1) a Coastal Development Permit and Design Approval for restoration of a coastal bluff consisting of a concrete keyway and armored headwall with landscaped Hilfiker wall system; headwall to be surfaced with a textured rock appearance and Hilfiker baskets to be planted with native vegetation consistent with surrounding bluff vegetation; the restoration area to be approximately 45 - 55 feet wide by approximately 33 - 53 feet tall; grading to be approximately 50 cubic yards cut and 740 cubic yards fill; 2) a Coastal Development Permit for development on slopes exceeding 30 percent; 3) a Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; and 4) a Coastal Development Permit for development within 750 feet of known archaeological resources; and
- 3) Adopting a Mitigation Monitoring and Reporting Plan

[PLN110280, Daniel and Jennifer Niles, 30620
Aurora Del Mar, Carmel, Big Sur Coast Land Use
Plan (APN: 243-331-010-000)]

The Niles application (PLN110280) came on for public hearing before the Monterey County Planning Commission on December 12, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

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

- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 Monterey County General Plan;
 - Big Sur Coast Land Use Plan (LUP);
 - Monterey County Coastal Implementation Plan Part 3 (CIP);
 - Monterey County Zoning Ordinance (Title 20);

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

- b) The property is located at 30620 Aurora Del Mar, Carmel (Assessor's Parcel Number 243-331-010-000), Big Sur Coast Land Use Plan. The parcel is zoned "RDR/40-D (CZ)" [Rural Density Residential, 40 acres per unit with Design Control overlay (Coastal Zone)], which allows accessory structures and accessory uses to any principal use subject to a Coastal Development Permit in each case. This project consists of the restoration of a coastal bluff and construction of an armored headwall to protect the existing, permitted dwelling on the parcel. Therefore, the project is an allowed land use for this site.
- c) The site is subject to design review. Consistent with LUP Policy 3.2.4.A.3 the project has been designed to blend in with the surrounding area by utilizing colors, materials and plant materials that will match the adjacent landforms.
- d) The project is located on a coastal bluff that exceeds 30 percent slope therefore pursuant to Section 20.16.030.C, a Coastal Development Permit is required. See also **Finding 8**.
- e) The project site is located within 50 feet of the face of a bluff. Pursuant to LUP Policy 3.7.3.A.9 and CIP Section 20.145.080.A.b, a geologic report was prepared for the project (See **Finding 2, Evidence b**). The project is conditioned to require that all development be implemented in accordance with the report (**Condition No. 6**).
- f) Archaeological Resources: The project site is located within an area of high archaeological sensitivity and the site is known to contain cultural resources. Pursuant to Section 20.145.120.A, a Coastal Development Permit is required. Pursuant to LUP Policy 3.11.2.4 and CIP Section 20.145.120.B, an archaeological survey was prepared for the project (see **Finding 2, Evidence b**). Previous archaeological reports prepared at the time of the original construction of the residence found that the cultural deposits on the site were shallow and that the main site deposit had been removed during the construction. The project archaeologist did data recovery for the project site and found that no radiocarbon dates could be obtained from the materials recovered on the site and concluded that because of the disturbed nature and limited significance of the site there is no reason to delay development due to archaeological concerns. The standard archaeological condition has been incorporated as a condition of approval (**Condition No. 7**) to address the unanticipated discovery of resources during construction.
- g) Environmentally Sensitive Habitat Area (ESHA): The project site is located within an area identified in the LUP as ESHA. Pursuant to Section 20.16.030.E, a Coastal Development Permit is required. Pursuant to LUP Policy 3.3.2.2 and Section 20.145.040.A, a biological

survey was prepared for the project (**Finding 2, Evidence b**). As designed and mitigated, the project is consistent with LUP Policies regarding development within ESHA. See **Finding 7**.

- h) **Visual Resources:** The project, as designed and mitigated is consistent with the LUP Scenic Resources policies. Staff conducted a site inspection on May 22, 2012 and determined that the project is not within the critical viewshed as defined in LUP Policy 3.2.2.1. Pursuant to LUP Policy 3.2.4.A.3, the project has been designed to be subordinate and blend with its environment, using materials and colors that will achieve that effect.
- i) The project planner conducted a site inspection on May 22, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
- j) The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the project includes a Design Approval that will be heard at a public hearing and because the project requires CEQA review. On May 22, 2012 the Big Sur Land Use Advisory Committee heard the project at a public hearing and recommended approval of the project by a vote of 6 to 0 subject to the recommendation that invasive species be removed from the construction area as well as other areas on the property.
- 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 PLN110280.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Highlands Fire Protection District, 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, Archaeological Resources and Soil/Slope Stability. The following reports have been prepared:
 - “Geotechnical and Geologic Coastal Investigation for Coastal Bluff Stabilization Project” (**LIB120148**) prepared by Pacific Crest Engineering Inc., Watsonville, CA, November 15, 2011
 - Engineering Geology Investigation” prepared by Zinn Geology, Soquel, CA, November 14, 2011 (included as Exhibit D to **LIB120148**)
 - “Geotechnical Review of Proposed Stabilization Plans” (**LIB120151**) prepared by Pacific Crest Engineering Inc.,

Watsonville, CA, April 19, 2012

- "Plan Review Letter – Niles Bluff Repair" (LIB120402) prepared by Zinn Geology, Soquel, CA, April 19, 2012
- "Septic and Site Drainage Systems" (LIB120154) prepared by Charles E. Potter, P.E., Pacific Grove, CA, September 15, 2011
- "Biological Report" (LIB120149) prepared by Regan Biological and Horticultural Consulting LLC, Carmel Valley, CA, March 20, 2012 including addendum dated May 31, 2012
- "Archaeological Test Excavations for a Specific Site on Lot 5, Otter Cove Subdivision" (LIB110043) prepared by Archaeological Resource Service, Novato, CA, May 1978
- "Archaeological Monitoring of Preliminary Vegetation Clearance on Lot 5, Otter Cove" (LIB110042) prepared by Archaeological Resource Service, Novato, CA, August 8, 1978
- "Archaeological Data Recovery on APN 243-331-010" (LIB120150) prepared by Archaeological Consulting, Salinas, CA, October 6, 2011

The above-mentioned 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 has independently reviewed these reports and concurs with their conclusions.

- c) Staff conducted a site inspection on May 22, 2012 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 PLN110280.

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

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning Department, Carmel Highlands Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are available. The existing residence is served domestic water by California American Water Company and wastewater is disposed in an on-site septic system. No additional water use is proposed and no additional wastewater will be generated by the

- proposed project. The same connections will continue to be utilized.
- c) The septic and site drainage systems on the property were evaluated by a civil engineer (LIB120154), who concluded that neither system contributed to the erosion northerly of the garage (see **Finding 2, Evidence b**).
 - d) The project has been designed in conformance with the recommendations of the geological and geotechnical reports prepared for the project (see **Finding 2, Evidence b**). The project is conditioned to require that all construction is in conformance with the recommendations of the geological and geotechnical reports prepared for the project (**Condition No. 6**).
 - e) Staff conducted a site inspection on May 22, 2012 to verify that the site is suitable for this use.
 - f) 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 PLN110280.

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 May 22, 2012 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 PLN110280.
5. **FINDING:** **CEQA (Mitigated Negative Declaration)** - On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.
- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN110280).
 - c) The Initial Study identified several potentially significant effects, but revisions have been made to the project and applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

- d) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations, is designed to ensure compliance during project implementation, and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval.
- e) The Draft Mitigated Negative Declaration ("MND") for PLN110280 was prepared in accordance with CEQA and circulated for public review from November 7, 2012 through December 7, 2012 (SCH#: 2012111017).
- f) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, biological resources, cultural resources, geology/soils, hydrology/water quality, land use/planning and noise.
- g) Aesthetics – A site visit was conducted on May 22, 2012 and it was determined that the project is not located within the critical viewshed however project to stabilize the bluff will be visible from two residences to the north, the private beach in the cove and visible through vegetation from the gated, private road that serves the subdivision. The visual character of the site is that of coastal bluffs eroding "badlands style" as the project geologist describes it. Where vegetation exists, it is on the upper portion of the bluffs, away from wave run up and actively eroding areas. The project has been designed to mimic the appearance of the natural bluff to the extent possible. However, the Hilfiker wall system is a man-made structure that must be properly vegetated to take on a natural appearance. The biological report for the project includes a list of appropriate species for the restoration and recommends monitoring of the installation of plantings to ensure success. Implementation of Mitigation Measure No. 1 (**Condition No. 9**) will ensure that the vegetation will become established and provide screening for the structure.
- h) Biological Resources - Although no occurrences of special status species will be impacted by the project, the biological report found that some impact to the sensitive plant community known as Northern coastal bluff scrub has already occurred as a result of the slope failure and will continue to occur if the slope failure is not abated. A small amount of native vegetation removal will occur during the repair work. Implementation of Mitigation Measure No. 1 (**Condition No. 9**) will ensure that the slope is replanted with native species, including Northern coastal bluff scrub and will reduce impacts to this habitat to less than significant.
- Non-native, invasive exotics such as Mouse-hole tree (*Myoporum laetum*) and Pride of Madeira (*Echium fastuosum*) have colonized the slope, primarily to the east of the project site. The spread of exotic plants can disrupt native vegetation, and thus have an impact on native habitat. Construction will involve disturbing soil that can easily become infested with invasive non-native plants. Eradication of this type of plants is necessary to reduce potential impacts to Northern coastal bluff scrub to a less than significant level. Implementation of Mitigation

Measure No. 2 (**Condition No. 10**), which requires the eradication and control of invasive plants, will reduce this impact to less than significant.

- i) Geology/soils - The project site is located on a highly disturbed slope well in excess of 30%. No large equipment will be utilized during construction of the proposed bluff stabilization project. However, the possibility of materials falling to the beach below exists. Implementation of Mitigation Measure No. 3 (**Condition No. 11**), which requires best management practices for erosion control, will reduce the impact due to soil erosion to less than significant.
- j) Hydrology/Water Quality - There will be a slight change to the drainage pattern that has evolved as a result of the slope failure due to the construction of the buttress, headwalls and Hilfiker walls. The slope and contour of the bluff will be changed as a result of the project, which will cause a change in the drainage pattern across that portion of the repaired slope. The end location of the drainage, the beach below the bluff, will not change. Due to the stepped nature of the Hilfiker wall, drain pipes installed behind the wall and the landscaping that will be done as part of the slope stabilization, drainage down the slope will be slowed. Bare soil will be minimal. As a result, even though there is a slight change in the drainage pattern, drainage will be slowed and erosion will be minimized. On the coast, the site could be subject to tsunami hazards. Pacific Crest Engineering incorporated a projected 55-inch sea-level rise by the year 2100 into the wave run-up evaluation for the site. The buttress and headwalls are within the wave run-up area but have been designed to withstand the effect of potential wave run-up. The Hilfiker walls are designed to be above the run-up area. This will prevent further collapse of the bluff and consequent loss of soil and terrace deposits into the ocean. Impacts to hydrology/water quality will be less than significant.
- k) Land Use/Planning - The project site is located in an area identified as an environmentally sensitive habitat area (ESHA). Section 3.3 of the LUP includes a number of policies relative to development within such areas. The Key Policy calls for ESHA to be maintained and restored where possible and for development to be subordinate to ESHA. In this case, the project site includes sensitive Northern coastal bluff scrub habitat. In order to approve development within ESHA, the finding must be made that disruption to the habitat as a result of the development will not be significant. In this case, ESHA has already been disturbed by the collapse of the bluff. Implementation of Mitigation Measures No. 1 (**Condition No. 9**) and 2 (**Condition No. 10**) will reduce impacts to ESHA to less than significant. The LUP Visual Resources policies require that new development be subordinate to and blend in with the environment. The lower section of the retaining wall will utilize concrete facing that is colored and textured to match the adjacent bluff face and the Hilfiker wall will be planted with native plant materials that are propagated from plant materials on the site. Implementation of Mitigation Measure No. 1 will ensure that impacts to Visual Resources are less than significant.
- l) Noise - The construction of the project will not utilize large equipment

that might generate noise however there will be minor temporary noise impacts from drilling into rock for the foundation and small equipment used for moving the fill materials during construction. The construction management plan submitted for the project states that the project will take approximately 4 months to complete and work hours will be from 7:30 a.m. to 4:00 p.m., Monday through Friday. The impacts due to temporary noise will be less than significant.

- m) 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. These documents are on file in the RMA-Planning Department (PLN110280) and are hereby incorporated herein by reference.
- n) 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 California 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 coastal bluff scrub, birds and other wildlife. For purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to the California Department of Fish and Game for review, comment, and to recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
- o) As of the writing of the staff report, one comment was received from Cal Trans during the public review period.
- p) The County has considered the comments received during the public review period and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration.
- q) The Monterey County Planning Department, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

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

- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.145.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is described as an area where the Local Coastal Program requires public access (Figure 2 in the Big Sur Coast Land Use

Plan). The subject property is in an area designated on Figure 2 as “Priority 3 – Other Areas Suitable for Access”. “Table 2 – Site Specific Recommendations for Shoreline Access” identifies the Otter Cove as an area where the County is to secure offers of lateral access.

- c) The subject property contains areas of beach at the base of the bluffs. Section 20.145.150.C calls for lateral access, to provide continuous and unimpeded lateral access along the entire reach of a sandy beach area or other useable recreational shoreline.
- d) Pursuant to Section 20.145.150.C, the project is conditioned to require that the property owner offer to dedicate a lateral access easement over the entire beach area to the toe of the coastal bluff (**Condition No. 8**).
- 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 PLN110280
- f) The project planner conducted a site inspection on May 22, 2012.

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 Big Sur Coast Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the criteria to grant said permit have been met.
- b) The project area is a coastal bluff that has eroded and collapsed. The project will restore approximately 2,250 square feet of essentially vertical bluff by building a concrete keyway and armored headwall on the lower portion and a landscaped Hilfiker wall on top.
- c) *LUP Policy 3.3.1 (Key Policy)* – “All practical efforts shall be made to maintain, restore, and if possible, enhance Big Sur's environmentally sensitive habitats. The development of all categories of land use, both public and private, should be subordinate to the protection of these critical areas.”
- d) *LUP Policy 3.3.2.1* – “Development, including vegetation removal, excavation, grading, filing, and the construction of roads and structures, shall not be permitted in the environmentally sensitive habitat areas if it results in any potential disruption of habitat value. To approve development within any of these habitats the County must find that disruption of a habitat caused by the development is not significant.”
- e) As required by *LUP Policy 3.3.2.2*, a field survey of the site was conducted and a biological report prepared for the project (see **Finding 2, Evidence b**).
- f) As required by *LUP Policy 3.3.2.4*, the project has been designed to limit the amount of grading (fill) to the minimum amount necessary to complete the structural improvements as recommended by the project engineer.
- g) The project site lies adjacent to the Monterey Bay National Marine Sanctuary and the California Sea Otter Game Refuge, which is identified in the LUP as an environmentally sensitive habitat area. The biological report for the project identified sensitive habitat “Northern

bluff scrub” and two special status plant species on the site. All of the project work will occur at least 10 feet above the beach and the biological report for the project identified no potential impacts to marine or beach species. Although no occurrences of the special status species will be impacted by the project, the biological report found that some impact to the sensitive plant community known as Northern coastal bluff scrub has already occurred as a result of the slope failure and will continue to occur if the slope failure is not abated. A small amount of native vegetation removal will occur during the repair work.

Implementation of Mitigation Measure No. 1 (**Condition No. 9**) which requires that the slope be replanted with native species, including Northern coastal bluff scrub and Mitigation Measure No. 2 (**Condition No. 10**) which requires eradication and control of non-native plant species will reduce impacts to this habitat to less than significant.

- h) The project planner conducted a site inspection on May 22, 2012 to verify ESHA locations and potential project impacts to ESHA.
- i) 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 PLN110280.

8. **FINDING:** **DEVELOPMENT ON SLOPE** – There is no feasible alternative which would allow development to occur on slopes of less than 30%.

- EVIDENCE:**
- a) In accordance with the applicable policies of the Big Sur Coast Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the criteria to grant said permit have been met.
 - b) The project includes application for development on slopes exceeding 30%. The project is for the restoration of a coastal bluff that has collapsed and includes the construction of a concrete keyway and armored headwall with a landscaped Hilfiker retaining wall system, all on a slope that is essentially vertical. The goal of the project is to repair the section of collapsed bluff adjacent to the existing attached garage on the site in order to prevent damage to the existing structure that would result from undermining of the foundation should the bluff continue to recede. There is no feasible alternative that would allow this repair to occur on slopes of less than 30 percent because the existing condition of the slope is greater than 30 percent.
 - c) The Planning Commission shall require such conditions of approval and changes in the development, as it may deem necessary to assure compliance with MCC Section 20.145.080. The project is conditioned to require that the development shall be implemented in accordance with the recommendations of the geotechnical and geological reports prepared for the project (see **Condition No. 6**) and that the project area be designed and maintained in such a manner that blends in with the surrounding environment (see **Condition No. 9**).
 - 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 PLN110280.
 - e) The project planner conducted a site inspection on May 22, 2012.
 - f) The subject project minimizes development on slopes exceeding 30% in

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

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

EVIDENCE: a) Section 20.86.030.A of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
b) Section 20.86.080.A.1, 20.86.080.A.2 and 20.86.080.A.3 of the Monterey County Zoning Ordinance state that the proposed project is subject to appeal by/to the Coastal Commission because the project is located within 300 feet of the inland extent of a beach or mean high tide line, the project is located within 300 feet of the top of the seaward face of a coastal bluff and the project includes a use that is permitted in the underlying zone as a conditional use.

DECISION

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

1. Adopt a Mitigated Negative Declaration;
2. Approve the Combined Development Permit consisting of: a Combined Development Permit consisting of: 1) Coastal Development Permit and Design Approval for restoration of a coastal bluff consisting of a concrete keyway and armored headwall with landscaped Hilfiker wall system; headwall to be surfaced with a textured rock appearance and Hilfiker baskets to be planted with native vegetation consistent with surrounding bluff vegetation; the restoration area to be approximately 45 - 55 feet wide by approximately 33 - 53 feet tall; grading to be approximately 50 cubic yards cut and 740 cubic yards fill; 2) Coastal Development Permit for development on slopes exceeding 30 percent; 3) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; and 4) Coastal Development Permit for development within 750 feet of known archaeological resources in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference; and
3. Adopt the attached Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED this 12th day of December, 2012 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

(Coastal Projects)

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

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

NOTES

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

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

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

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

Form Rev. 05-09-2012

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN110280

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

This Combined Development Permit consists of: 1) Coastal Administrative Permit and Design Approval for restoration of a coastal bluff consisting of a concrete keyway and armored headwall with landscaped Hilfiker wall system; headwall to be surfaced with a textured rock appearance and Hilfiker baskets to be planted with native vegetation consistent with surrounding bluff vegetation; the restoration area to be approximately 45 - 55 feet wide by approximately 33 - 53 feet tall; grading to be approximately 50 cubic yards cut and 740 cubic yards fill; 2) Coastal Development Permit for development on a coastal bluff; 3) Coastal Development Permit for development on slopes exceeding 30 percent; 4) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; and 5) Coastal Development Permit for development within 750 feet of known archaeological resources. The project is located at 30620 Aurora Del Mar, Carmel (Assessor's Parcel Number 243-331-010-000), Big Sur Coast Land Use Plan area (Coastal Zone). This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

**Compliance or
Monitoring
Action to be Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice which states: "A Combined Development Permit (Resolution No. _____) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 243-331-010-000 on December 12, 2012. The permit was granted subject to 11 conditions of approval including 3 mitigation measures which run with the land. A copy of the permit is on file with the Monterey County Resource Management Agency - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of 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. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of 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)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a 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.

4. PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

5. PD006 - MITIGATION MONITORING

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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. The mitigation monitoring agreement shall be recorded.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 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.
- 3) Proof of recordation of the mitigation monitoring agreement shall be submitted to the RMA-Planning Department.

6. PD016 - NOTICE OF REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:
The following report has been prepared for this parcel:
"Geotechnical and Geologic Coastal Investigation for Coastal Bluff Stabilization Project" (LIB120148) prepared by Pacific Crest Engineering Inc., Watsonville, CA, November 15, 2011, including "Engineering Geology Investigation" prepared by Zinn Geology, Soquel, CA, November 14, 2011 (included as Appendix D to LIB120148) and is on file in the Monterey County RMA - Planning Department. All development shall be in accordance with this report."
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to the RMA - Planning Department.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the RMA - Planning Department.

7. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered." When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

8. PDSP001 - OFFER TO DEDICATE LATERAL ACCESS EASEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Prior to the issuance of a grading or building permit, the applicant/owner shall offer to dedicate a lateral access easement over all sand and or rock beach areas on the property to the toe of the coastal bluff in accordance with the requirements of Section 20.145.150.C of the Big Sur Coastal Implementation Plan. The offer of dedication to a public or non-profit agency must be approved by the Board of Supervisors as valid for a period of 21 years, and recorded with the County Recorder in accordance with Section 20.64.280.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a grading or building permit, applicant owner shall submit offer to dedicate a lateral access easement as described in the condition to the Director of RMA-Planning for review and approval.

Prior to final inspection, the offer to dedicate shall be either accepted by the County or if the County is not accepting the offer, it shall be recorded in accordance with the procedures set forth in Section 20.64.280.

9. MM001 - LANDSCAPE RESTORATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 1: In order to preserve the visual and natural character of the area, all finish and landscape materials shall be designed and maintained in such a manner that blends in with the surrounding environment. The applicant shall submit landscape/restoration plan that:

- Identifies the location, species and size of the proposed landscaping material.
- Includes native species that are botanically appropriate to the area as identified by the project biologist and shall include but not be limited to Northern coastal bluff scrub species.
- Includes maintenance notes for all landscaping materials.
- Includes success criteria for replanting.
- Provides notes on the plans to eradicate invasive vegetation for areas on and near the project area.
- Work with the project biologist to identify appropriate vegetation in the removal area that could be salvaged, potted and out-planted during restoration.

Use flat, earthtone colors for all exposed Hilfiker Wall components.

Compliance or Monitoring Action to be Performed: Monitoring Action 1a: Prior to issuance of construction permits, the owner/applicant shall note and submit proposed colors and materials for the Hilfiker Wall components to the Director of RMA-Planning for review and approval.

Monitoring Action 1b: At least three weeks prior to installation of plantings, the applicant shall submit a landscape and irrigation plan to the Director of RMA-Planning for review and approval.

Monitoring Action 1c: Prior to final inspection, the owner/applicant shall provide verification from the contractor that the landscaping has been installed as shown on the approved landscape plan.

Monitoring Action 1d: Twice a year for five years following completion, the owner/applicant shall submit to the Director of RMA-Planning for review and approval a report on the status of erosion control and restoration. The reports shall be prepared by a qualified biologist and shall include performance measures and corrective measures needed. Each report shall include a report on the status of any corrective measures previously recommended.

10. MM002 - NON-NATIVE PLANT ERADICATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 2: In order to maintain and enhance the sensitive habitat in the project area:

- a. All non-native, invasive plant species shall be controlled and eradicated from areas within and immediately adjacent to the bluff restoration and replanted with native vegetation to the satisfaction of the Director of RMA-Planning.
- b. Disturbed slope areas adjacent to the project area shall require netting and reseeding with native ground cover as determined appropriate by a qualified biologist/ecologist.

Compliance or Monitoring Action to be Performed: Monitoring Action 2a: During construction, the applicant shall install and maintain silt fencing along disturbed areas. The fencing shall remain in place until the soil is stabilized.

Monitoring Action 2b: Prior to construction, the applicant shall submit a plan from a qualified biologist outlining invasive plant removal protocol and res-seeding protocol to the Director of RMA-Planning for review and approval.

Monitoring Action 2c: Prior to final inspection, the applicant shall provide the Director of RMA-Planning written certification by a qualified biologist that Mitigation Measure 2 has been completed.

Monitoring action 2d: On-going, the applicant shall maintain the bluff restoration area free of invasive vegetation to the satisfaction of the Director of RMA-Planning.

11. MM003 - EROSION CONTROL

Responsible Department: Planning Department

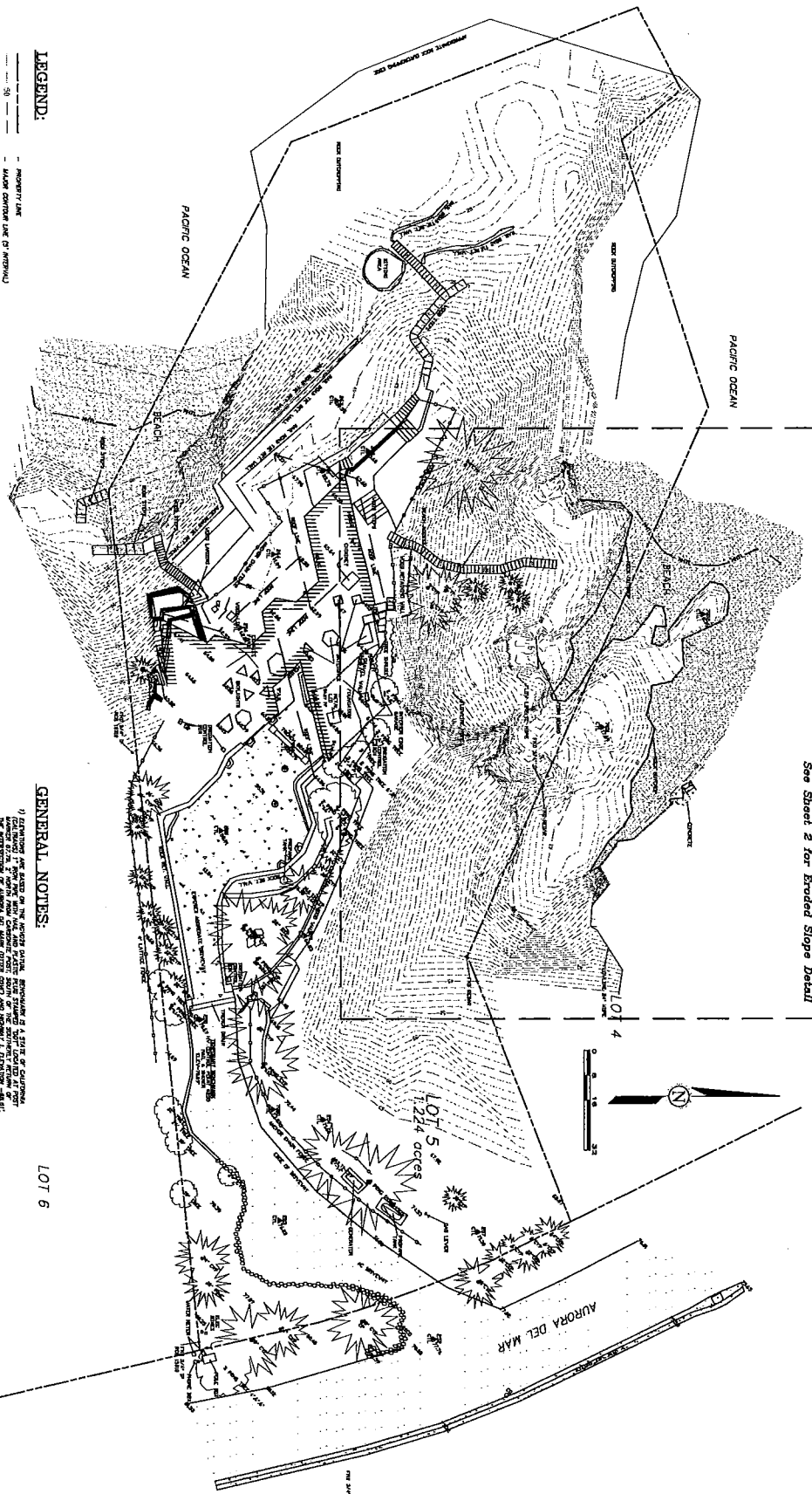
Condition/Mitigation Monitoring Measure: Mitigation Measure No. 3: In order to avoid erosion and prevent vegetation or debris from falling to the beach below, the owner/applicant shall implement Best Management Practices including but not limited to the following:

- a. Install silt-stop fencing and/or coir rolls around all areas where bare soil may be exposed including all staging and stockpile areas.
- b. Maintain coir rolls to absorb any slurry sediment and direct water flow into drainage basins designed to capture and settle water during drilling, casting and curing of concrete pier supports. Remove slurry when basins are at capacity.
- c. Dispose of materials (slurry, cut vegetation, etc.) off site in an appropriate refuse area.
- d. Stabilize areas of loose soil immediately after construction in disturbed areas is complete. Soils may be stabilized with jute netting, seeding, and/or restoration planting.
- e. Install temporary irrigation where deemed appropriate by the project biologist and project engineer to maintain restoration planting and seeded areas during the initial establishment period.

Compliance or Monitoring Action to be Performed: Monitoring Action 3a. Prior to issuance of permits, the owner applicant shall prepare an erosion control plan in accordance with Mitigation Measure No. 3 and that is coordinated with the Restoration Plan identified in Mitigation Measure No. 1.

Monitoring Action 3b. Twice a year for five years following completion, the owner/applicant shall submit to the Director of RMA-Planning for review and approval a report on the status of erosion control and restoration. The reports shall be prepared by a qualified biologist and shall include performance measures and corrective measures needed. The reports shall be coordinated with and may be included in the monitoring reports required in Monitoring Action 1d.

- LEGEND:**
- PROPERTY LINE
 - MAJOR CONTAINMENT BOUNDARY
 - MINOR CONTAINMENT BOUNDARY
 - HIGH WIND RES. LINE
 - CONCRETE SERVICE
 - SAND SERVICE
 - ASPHALT SERVICE
 - FIRE LAMPING AND OTHERS (SEE PAGE 42 SHOW)
 - CHANGES AND CHANGES
 - HOLE
 - GAS TUBING
 - SPOT ELEVATION
 - FLOOD HAZARDOUS (SEE PAGE 42 SHOW)
 - SURVEY AND CENTER POINT



See Sheet 2 for Eroded Slope Detail

GENERAL NOTES:

- 1) ELEVATIONS ARE BASED ON THE HIGHEST SPOT. ELEVATIONS IN A STATE OF CALIFORNIA ARE BASED ON THE MEAN SEA LEVEL. THE ELEVATION OF THE HIGHEST SPOT IS 100.00 FEET. THE ELEVATION OF THE MEAN SEA LEVEL IS 0.00 FEET. THE ELEVATION OF THE HIGHEST SPOT IS 100.00 FEET. THE ELEVATION OF THE MEAN SEA LEVEL IS 0.00 FEET. THE ELEVATION OF THE HIGHEST SPOT IS 100.00 FEET. THE ELEVATION OF THE MEAN SEA LEVEL IS 0.00 FEET.
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DATE: 12-14-09

BY: DANIEL NILES

FOR: MR. DANIEL NILES

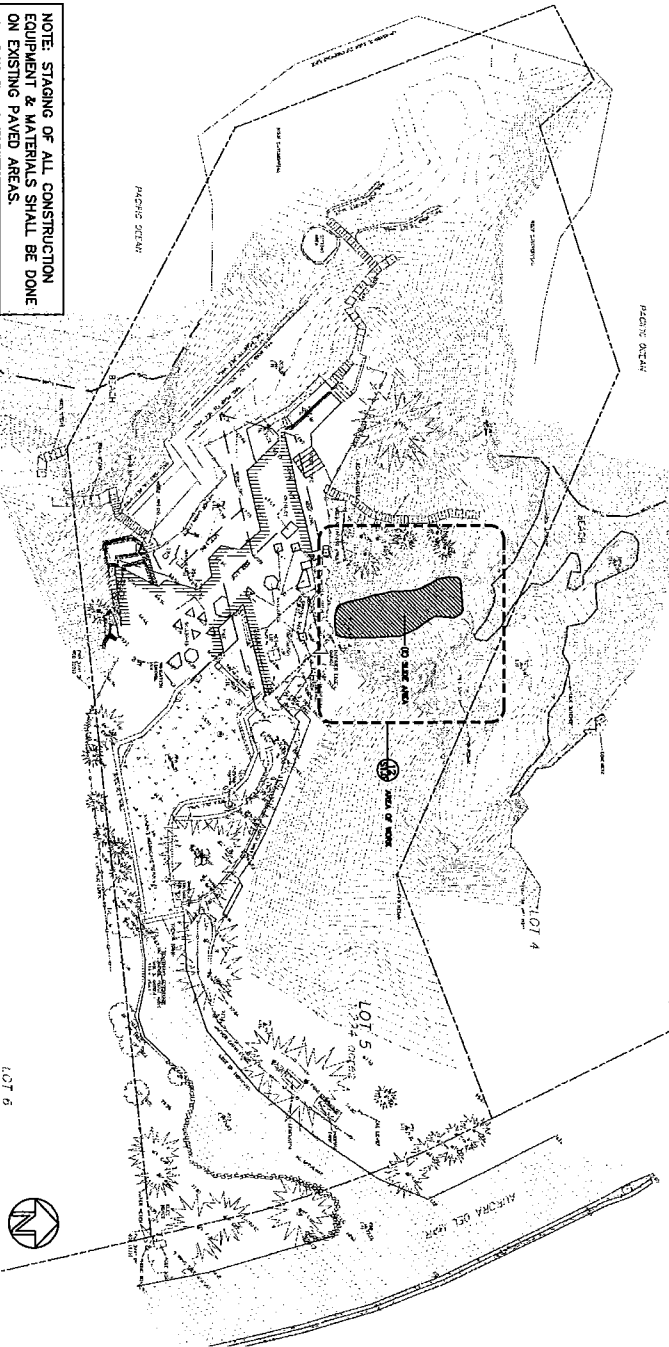
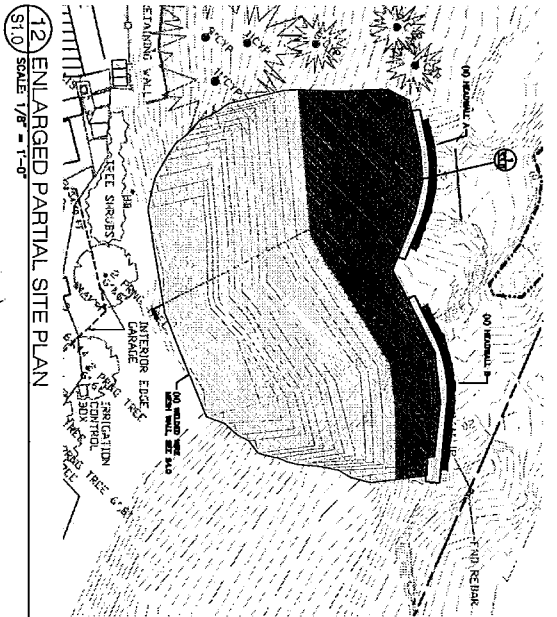
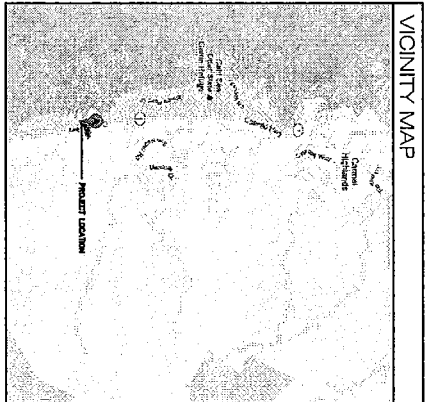
NO.	DATE	DESCRIPTION
1	12/14/09	PRELIMINARY DESIGN
2	12/17/09	FINAL DESIGN
3	12/17/09	REVISIONS TO DESIGN

OF 2 SHEETS

"SITE OVERVIEW"
SITE PLAN
 LOT 5, CARMEL SUR, TRACT No. 588
 VOL 10 C&T PG 6, COUNTY OF MONTEREY, CA.
 FOR
 MR. DANIEL NILES

LANDSET
 ENGINEERS, INC.
 5208 CRAZY HORSE CANYON ROAD, SALINAS, CALIFORNIA
 (831) 443-8870 LANDSET@AOL.COM FAX (831) 443-3401

APPROVED BY:
 GUY R. GIRAUDO R.C.E. No. 56588



NOTE: STAGING OF ALL CONSTRUCTION EQUIPMENT & MATERIALS SHALL BE DONE ON EXISTING PAVED AREAS.

9 SITE PLAN
S1.0 SCALE: 1" = 20'-0"

PROJECT DATA

OWNER:	DAVID AND ANNETTE LILES
SITE ADDRESS:	30620 AURORA DEL MAR, CARMEL, CALIFORNIA
APR:	20-23-2010
CONTRACT:	US 101, HAYWARD-CARMEL, S. AND I-580, PROJECT UNDEVELOPED & OPEN UP
DESIGNER:	PACIFIC GROUP ENGINEERING, 1000 MARIN AVENUE, SUITE 104, MENLO PARK, CA 94025-5001 Tel: (650) 725-2011 Fax: (650) 725-2011
GENERAL CONTRACTOR:	BEAN HOLDINGS INC., 101 TAYLOR AVE., MONTECITO, CA 95050
STRUCTURAL DESIGNER:	DAVID COLLIER ARCHITECTS, 1000 MARIN AVENUE, SUITE 104, MENLO PARK, CA 94025-5001 Tel: (650) 725-2011 Fax: (650) 725-2011
GEOTECHNICAL ENGINEER:	DAVID COLLIER ARCHITECTS, 1000 MARIN AVENUE, SUITE 104, MENLO PARK, CA 94025-5001 Tel: (650) 725-2011 Fax: (650) 725-2011
FOUNDATION ENGINEER:	DAVID COLLIER ARCHITECTS, 1000 MARIN AVENUE, SUITE 104, MENLO PARK, CA 94025-5001 Tel: (650) 725-2011 Fax: (650) 725-2011

PROJECT DESCRIPTION

CONVERT, BUILD & STABILIZE
S1.0 PROJECT DATA/DESCRIPTION, SITE PLAN, ELECTRICAL PARTIAL, SITE PLAN, STRUCTURAL NOTES, S1.1 EXISTING & PROPOSED LAYOUTS, S1.2 FOUNDATION NOTES, S1.3 FOUNDATION NOTES, S1.4 FOUNDATION NOTES, S1.5 FOUNDATION NOTES

SHEET INDEX

S1.0 PROJECT DATA/DESCRIPTION, SITE PLAN, ELECTRICAL PARTIAL, SITE PLAN, STRUCTURAL NOTES, S1.1 EXISTING & PROPOSED LAYOUTS, S1.2 FOUNDATION NOTES, S1.3 FOUNDATION NOTES, S1.4 FOUNDATION NOTES, S1.5 FOUNDATION NOTES

STRUCTURAL NOTES

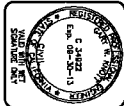
1. ALL CONSTRUCTION and materials detailed shall conform to the requirements of the 2010 California Building Code (CBC) and any local code requirements. All details, sections and notes shall conform to the requirements of the CBC and any local code requirements. All details, sections and notes shall conform to the requirements of the CBC and any local code requirements.
2. CHECK ALL DIMENSIONS in relation to site conditions before starting work. The contractor shall verify all dimensions and materials before starting work. The contractor shall verify all dimensions and materials before starting work.
3. FOUNDATION shall be as specified in Specifications, dated November 11, 2011, by Tim Gentry. The contractor shall be responsible for obtaining all necessary permits and approvals.
4. CONCRETE shall be prepared to give a minimum of 28 days compressive strength at placement. The slump shall be the minimum consistent with placing conditions but not less than 8 inches. The concrete shall be tested for a 28-day compressive strength, with appropriate corrections. The contractor shall be responsible for obtaining all necessary permits and approvals.
5. REINFORCING BARS shall be delivered from conforming to ASTM standard specifications. All bars shall be tested and approved by the engineer before use. The contractor shall be responsible for obtaining all necessary permits and approvals.

APPLICABLE CODES

CALIFORNIA BUILDING CODE	2010 Edition (2008 IBC)
CALIFORNIA PLUMBING CODE	2010 Edition
CALIFORNIA ELECTRICAL CODE	2010 Edition
CALIFORNIA MECHANICAL CODE	2010 Edition

ACTION	DATE	BY	DESCRIPTION
1	03/17/12	DC	RELEASE FOR PLAN REVIEW
2	03/27/12	DC	RELEASE FOR CONSTRUCTION PERMIT
3	04/25/12	DC	RELEASE FOR PERMIT SUBMITTAL

Pacific Engineering Group, Inc.
 6699 Sive Larkspur Lane, Ste 104 Monterey, CA 93940
 Tel: (831) 333-9944 Fax: (831) 333-9940



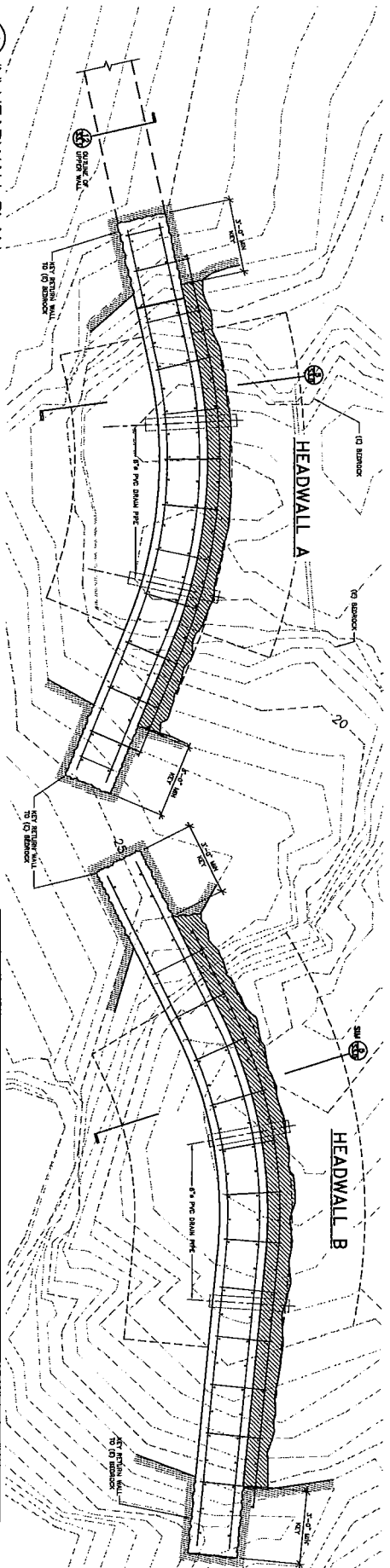
Niles Residence - Slide
 30620 Aurora Del Mar Carmel, California

DATE: 11/27/11
 SCALE: AS SHOWN
 SHEET: 62/64
 JOB: 11-113

S1.0
 1 OF 4 SHEETS

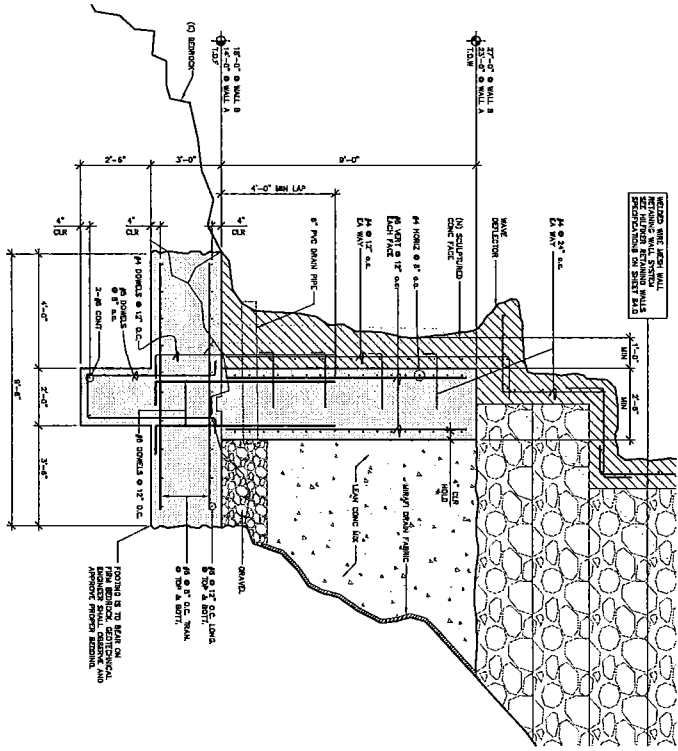
COVER SHEET

6 (N) HEADWALL PLAN
 S8.0 SCALE 1/2" = 1'-0"

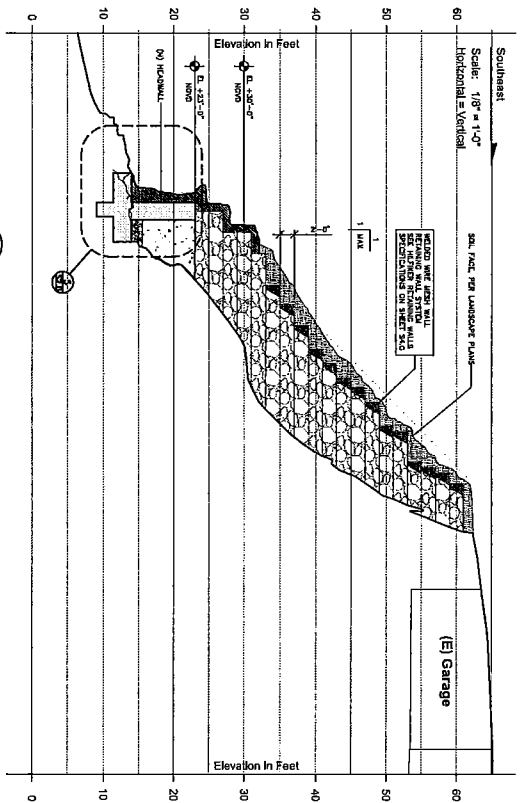


NOTE: WALL AND FOUNDATION PLACEMENT (INCLUDING KEYS) SHALL BE APPROVED BY GEOTECHNICAL ENGINEER AND GEOLOGIST PRIOR TO POURING CONCRETE.

5 (N) TYP. HEADWALL SECTION
 S8.0 SCALE 1/2" = 1'-0"



1 SITE SECTION @ WALL A (WALL B SIMILAR)
 S8.0 SCALE 1/8" = 1'-0"



SECTIONS & DETAILS

S3.0

DATE: 1/10/21
 SCALE: AS SHOWN
 SHEET: 06/14
 JOB: 11-113

Niles Residence - Slide
 30620 Aurora Del Mar
 Carmel, California



Pacific Engineering Group, Inc.
 9499 Blue Larkspur Lane, Ste 104
 Monterey, CA 93940
 Tel: (831) 333-0644 Fax: (831) 333-0645

DATE	BY	DESCRIPTION
01/10/21	AS	PREPARE FOR PLAN REVIEW
01/10/21	AS	RELEASE FOR CONSULTANT REVIEW
04/25/21	AS	RELEASE FOR PERMIT SUBMITTAL

EXHIBIT D

BIG SUR

Yankee Point

Malpaso Creek

PROJECT SITE

AURORA DEL MAR

Garrapata Beach State Park

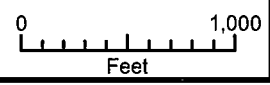
Pacific Ocean

APPLICANT: NILES

APN: 243-331-010-000

FILE # PLN110280

Water 2500' Limit 300' Limit City Limits



PLANNER: ROBINSON

EXHIBIT E
MINUTES
Big Sur Land Use Advisory Committee
Tuesday, May 22, 2012

1. Site visit at 9:00 AM at 30620 AURORA DEL MAR CARMEL (NILES)

ATTENDEES: Delinda Robinson, Mty County; Gail Hatter-Crawford, Owner Agent; Sean Houlihan, Contractor
Ned Callihan, Steve Beck, Mary Trotter, Barbara Layne, Richard Ravich, Dan Priano

2. Meeting called to order by Mary Trotter at 10:15 am

3. Roll Call

Members Present: Ned Callihan, Steve Beck, Mary Trotter, Barbara Layne, Richard Ravich and Dan Priano

Members Absent: 0

4. Approval of Minutes:

A. January 10, 2012 minutes

Motion: Steve Beck (LUAC Member's Name)

Second: Richard Ravich (LUAC Member's Name)

Ayes: Steve Beck, Richard Ravich, Mary Trotter and Dan Priano

Noes: 0

Absent: Ned Callihan, Barbara Layne did not attend January 10th meeting

Abstain: 0

B. February 14, 2012 minutes

Motion: Steve Beck (LUAC Member's Name)

Second: Richard Ravich (LUAC Member's Name)

Ayes: Barbara Layne, Ned Callihan, Steve Beck, Richard Ravich, Mary Trotter and Dan Priano

Noes: 0

Absent: 0

Abstain: 0

C. February 28, 2012 minutes - No quorum was present but minutes were prepared

Motion: Steve Beck (LUAC Member's Name)

Second: Richard Ravich (LUAC Member's Name)

Ayes: Mary Trotter, Steve Beck, Richard Ravich

Noes: 0

Absent: Barbara Layne, Ned Callihan, Dan Priano (Absent February 28, 2012)

Abstain: 0

D. March 13, 2012 minutes

Motion: _____ (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

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:** 11:30 am

Minutes taken by: Dan Priano

Minutes received via email June 4, 2012

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: **Big Sur**

Please submit your recommendations for this application by: **May 22, 2012**

Project Title: NILES DANIEL T & JENNIFER E
File Number: PLN110280
File Type: PC
Planner: ROBINSON
Location: 30620 AURORA DEL MAR CARMEL

Project Description:

Combined Development Permit consisting of: 1) Coastal Administrative Permit for restoration of a coastal bluff consisting of a concrete keyway and armored headwall with landscaped Hilfiker wall system; headwall to be surfaced with a textured rock appearance and Hilfiker baskets to be planted with native vegetation consistent with surrounding bluff vegetation; the restoration area to be approximately 45 - 55 feet wide by approximately 33 - 41 feet tall; grading to be approximately 50 cubic yards cut and 740 cubic yards fill; 2) Coastal Development Permit for development on a coastal bluff; 3) Coastal Development Permit for development on slopes exceeding 30 percent; 4) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; 5) Coastal Development Permit for development within 750 feet of known archaeological resources; and 6) Design Approval. The property is located at 30620 Aurora Del Mar, Carmel (Assessor's Parcel Number 243-331-010-000), Big Sur Land Use Plan, Coastal Zone.

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

Gail Hatter-Crawford, Owner's representative and Sean Houlihan, Contractor

Was a County Staff/Representative present at meeting? Delinda Robinson (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	

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)
Invasive species on the property and hillside		To remove from construction area as well as other areas on the property.

ADDITIONAL LUAC COMMENTS

None

RECOMMENDATION :

Motion by: Steve Beck (LUAC Member's Name)

Second by: Dan Priano (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: Barbara Layne, Mary Trotter, Richard Ravich, Steve Beck, Ned Callihan and Dan Priano

NOES: 0

ABSENT: 0

ABSTAIN: 0

County of Monterey
State of California

EXHIBIT F

MITIGATED NEGATIVE DECLARATION

FILED

NOV 06 2012

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Niles
File Number:	PLN110280
Owner:	Daniel and Jennifer Niles
Project Location:	30620 Aurora Del Mar, Carmel
Primary APN:	243-331-010-000
Project Planner:	Delinda Robinson
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of: 1) Coastal Administrative Permit for restoration of a coastal bluff consisting of a concrete keyway and armored headwall with landscaped Hilfiker wall system; headwall to be surfaced with a textured rock appearance and Hilfiker baskets to be planted with native vegetation consistent with surrounding bluff vegetation; the restoration area to be approximately 45 - 55 feet wide by approximately 33 - 53 feet tall; grading to be approximately 50 cubic yards cut and 740 cubic yards fill; 2) Coastal Development Permit for development on a coastal bluff; 3) Coastal Development Permit for development on slopes exceeding 30 percent; 4) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; 5) Coastal Development Permit for development within 750 feet of known archaeological resources; and 6) Design Approval.

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

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

Decision Making Body:	Monterey County Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	November 7, 2012
Review Period Ends:	December 7, 2012

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) 757-9516



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

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Niles, PLN110280) at 30620 Aurora Del Mar, Carmel (Assessor's Parcel Number 243-331-010-000) (see description below).

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 Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:

<http://www.co.monterey.ca.us/planning/docs/environmental/circulating.htm>.

The Monterey County Planning Commission will consider this proposal at a meeting on December 12, 2012 at 9:00 A.M. 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 November 7, 2012 to December 7, 2012. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of: 1) Coastal Administrative Permit for restoration of a coastal bluff consisting of a concrete keyway and armored headwall with landscaped Hilfiker wall system; headwall to be surfaced with a textured rock appearance and Hilfiker baskets to be planted with native vegetation consistent with surrounding bluff vegetation; the restoration area to be approximately 45 - 55 feet wide by approximately 33 - 53 feet tall; grading to be approximately 50 cubic yards cut and 740 cubic yards fill; 2) Coastal Development Permit for development on a coastal bluff; 3) Coastal Development Permit for development on slopes exceeding 30 percent; 4) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; 5) Coastal Development Permit for development within 750 feet of known archaeological resources; and 6) Design Approval. The property is located at 30620 Aurora Del Mar, Carmel (Assessor's Parcel Number 243-331-010-000), Big Sur Land Use Plan, Coastal Zone.

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

CEQAcomments@co.monterey.ca.us

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

confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at (831) 757-9516. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

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

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

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

Re: Niles Project; File Number PLN110280

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

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

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. CalTrans District 5 – San Luis Obispo office
4. California Coastal Commission
5. Monterey Bay Unified Air Pollution Control District
6. Cal-Fire (Coastal Station), Dennis King
7. California Department of Fish and Game
8. Monterey County Water Resources Agency
9. Monterey County Public Works Department
10. Monterey County Environmental Health Bureau
11. Daniel and Jennifer Niles, Owner
12. Anthony Lombardo & Associates, Agent
13. The Open Monterey Project
14. LandWatch
15. Property Owners within 300 feet (Notice of Intent only)

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

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

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



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Niles

File Number: PLN110280

Project Location: 30620 Aurora Del Mar, Carmel

Name of Property Owner: Daniel and Jennifer Niles

Name of Applicant: Anthony Lombardo & Associates/Attn: Gail Hatter-Crawford

Assessor's Parcel Number(s): 243-331-010-000

Acreage of Property: 1.14 acres

General Plan Designation: Residential, 40 acres per unit

Zoning District: RDR/40-D(CZ)

Lead Agency: Monterey County

Prepared By: Delinda Robinson and Laura Lawrence

Date Prepared: November 6, 2012

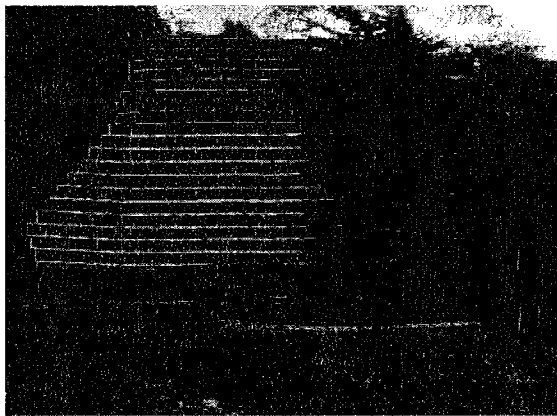
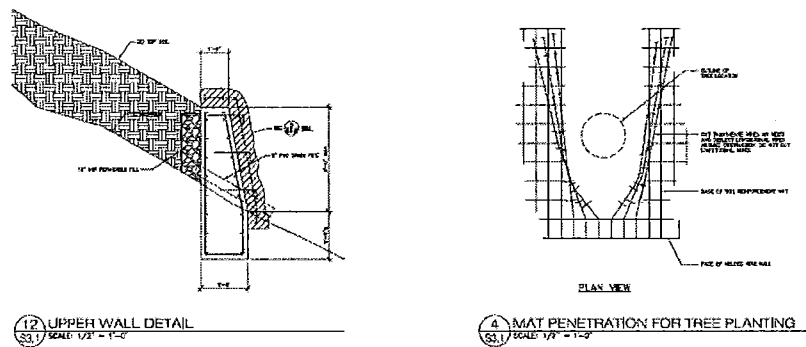
Contact Person: Delinda Robinson

Phone Number: (831) 755-5198

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The project consists of the restoration of a section of coastal bluff, utilizing a Hilfiker Wall system with a concrete keyway and armored head wall. The head wall will be surfaced with textured concrete designed to match the adjacent bluff and the Hilfiker baskets will be planted with native plants consistent with the surrounding bluff vegetation. The restoration area will be approximately 45 feet to 55 feet wide by approximately 33 feet to 53 feet tall. The project will require approximately 50 cubic yards of cut and 740 cubic yards of fill.



13 PROPOSED ELEVATION (without Landscaping Treatment)
SCALE: 1/8" = 1'-0"



9 EXISTING ELEVATION
SCALE: 1/8" = 1'-0"

Figure 1: Proposed and Existing Elevations

The bluff is about 63 feet above sea level at the garage and is comprised of marine terrace deposits overlying granite. Granite outcrops are visible around the base of the bluff above the beach and range from 10 to 15 feet above sea level in the restoration area. The existing garage is embedded into the bluff on the northern edge of the lot, with the garage floor approximately 10 feet below the bluff. The proposed project will repair an area where the bluff is failing. As stated in the Geotechnical and Geologic Coastal Investigation (Source IX.10) prepared for the project, "A recent failure of the bluff face immediately adjacent to the back wall of the garage has accelerated the advance of bluff retreat toward the structure, increasing the potential for

undermining the garage foundation. The slope failure occurred entirely within the existing terrace deposit materials and extends from the top of the bluff to the bedrock contact above the beach.” Factors contributing to the failure include perched groundwater within the terrace deposits and at the terrace deposit/granite interface and wave run-up. The Engineering Geology Report prepared for the project by Zinn Geology (Source IX.11) notes that the area of the proposed bluff stabilization is subject to occasional wave erosion and that wave scouring has undermined and oversteepened the toe of the marine deposits to an elevation of 18 to 20 feet above mean sea level. A helical anchor system was installed through the garage floor in 2011 to underpin and protect the garage. Absent intervention however, the bluff will continue to fail and will continue to threaten the garage and house.

Construction Detail

The lower end of the repair will be constructed in two sections, one (Headwall A) approximately 24 feet long and the second (Headwall B) approximately 30 feet long. The two will be separated by only about 3 feet. The concrete headwalls will be keyed 2.5 feet into granite and will have footings that are 3 feet thick and 9.5 feet wide. The walls will be 14.5 feet tall from bottom of the keyway to the top of the wall. Concrete armoring, which will be colored and sculpted to blend in with the adjacent natural bluff, will cover the wall and extend up the slope to approximately 30 feet above sea level to prevent damage due to wave runup. The armoring also includes a “wave deflector” at around 23 feet to further protect the wall from wave damage. Drainage from behind the wall will be conveyed through the wall by pipes and discharged to the rock below.

Above the armored headwalls, a Hilfiker welded wire retaining wall system will be installed to the top of the bluff. The Hilfiker retaining wall system consists of interlocking welded wire fabric mats that are placed in 2-foot lifts to create “baskets” that are back filled with base material and topsoil. The system will extend from approximately 8 feet to 24 feet out from the existing face of the bluff and will result in a slope that does not exceed 1:1. The face will be landscaped with native plants that have been propagated from local stock.

Because the base of the bluff is not accessible by large machinery, all materials utilized in the project will be temporarily stockpiled on the driveway above. As needed, the materials will be hand carried or lowered to the area being worked on at the time. Fill materials will be transported to their final location in the wall through a pipe from the top of the slope.

It is anticipated that construction will take approximately 4 months as shown below. The proposed work hours are from 7:30 am to 4:00 pm, Monday through Friday. There will be a maximum of 15 construction personnel on the site at any one time and an average of 6-8 employees daily on the site. Ample parking exists for all construction personnel vehicles on the site.

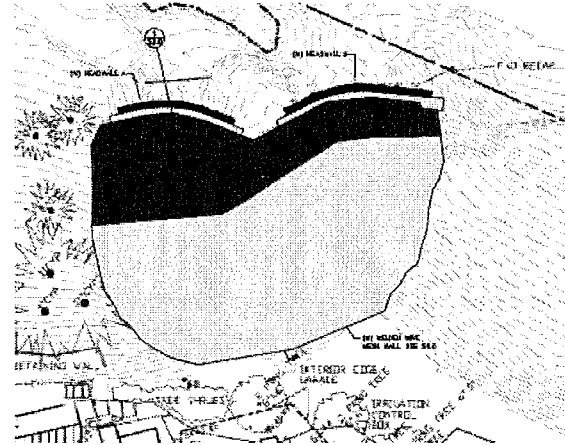
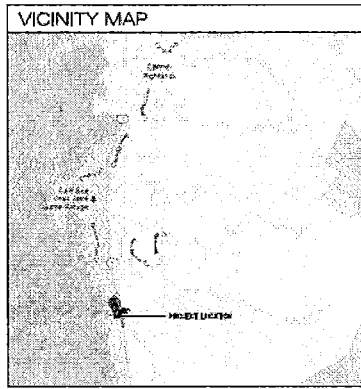
Rough Grading	10 days
Construction of keyway and headwalls	30 days
Construction of Hilfiker wall system	45 days

During rough grading, mini-excavator equipment and other equipment will be used within the project site boundaries. It is estimated that over the 4 month course of construction, there will be 12 truck trips for delivery and pick up of equipment for the rough grading operations, 30 truck trips for delivery of materials to be stored on site, 15 concrete truck trips and 75 truck trips for the importation and placement of the fill material. All deliveries will access the site through the existing entry gate onto Aurora del Mar off of Highway 1 and all loading and unloading will occur on Aurora del Mar or on the site.

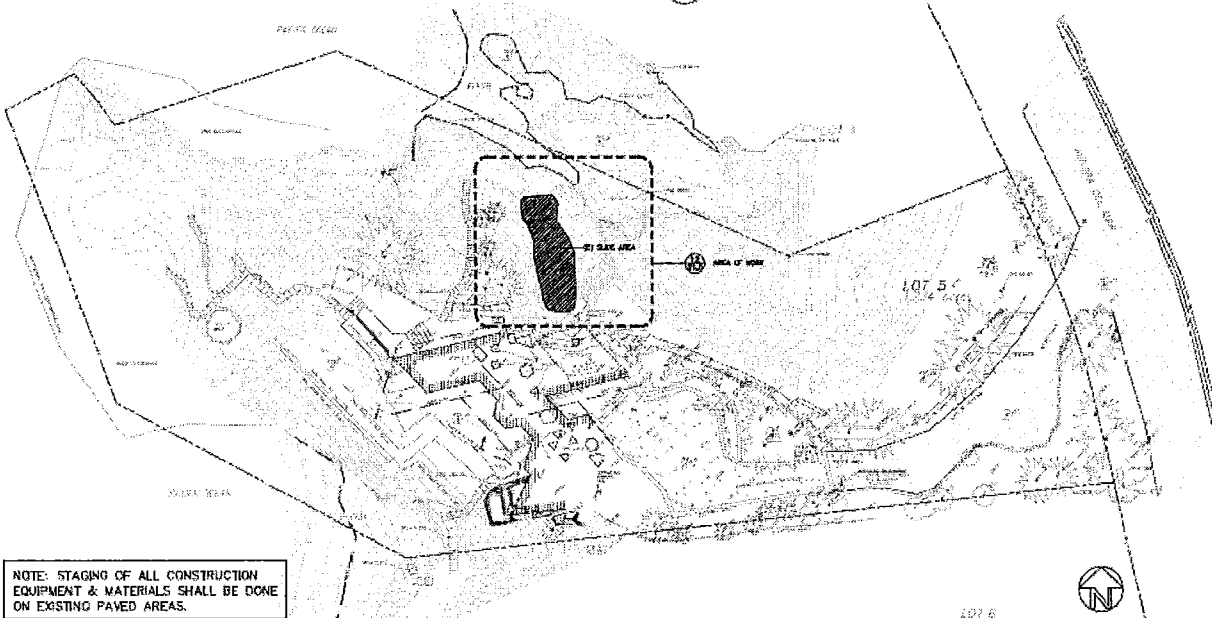
Entitlements Required

The project is a Combined Development Permit including the following entitlements:

- 1) Coastal Administrative Permit and Design Approval for restoration of a coastal bluff consisting of a concrete keyway and armored headwall with landscaped Hilfiker wall system; headwall to be surfaced with a textured rock appearance and Hilfiker baskets to be planted with native vegetation consistent with surrounding bluff vegetation; the restoration area to be approximately 45 - 55 feet wide by approximately 33 - 53 feet tall; grading to be approximately 50 cubic yards cut and 740 cubic yards fill;
- 2) Coastal Development Permit for development on a coastal bluff;
- 3) Coastal Development Permit for development on slopes exceeding 30 percent;
- 4) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; and
- 5) Coastal Development Permit for development within 750 feet of known archaeological resources;



12 ENLARGED PARTIAL SITE PLAN
S1.0 SCALE: 1/8" = 1'-0"



NOTE: STAGING OF ALL CONSTRUCTION EQUIPMENT & MATERIALS SHALL BE DONE ON EXISTING PAVED AREAS.

9 SITE PLAN
S1.0 SCALE: 1" = 70'-0"

Figure 2: Site Plan

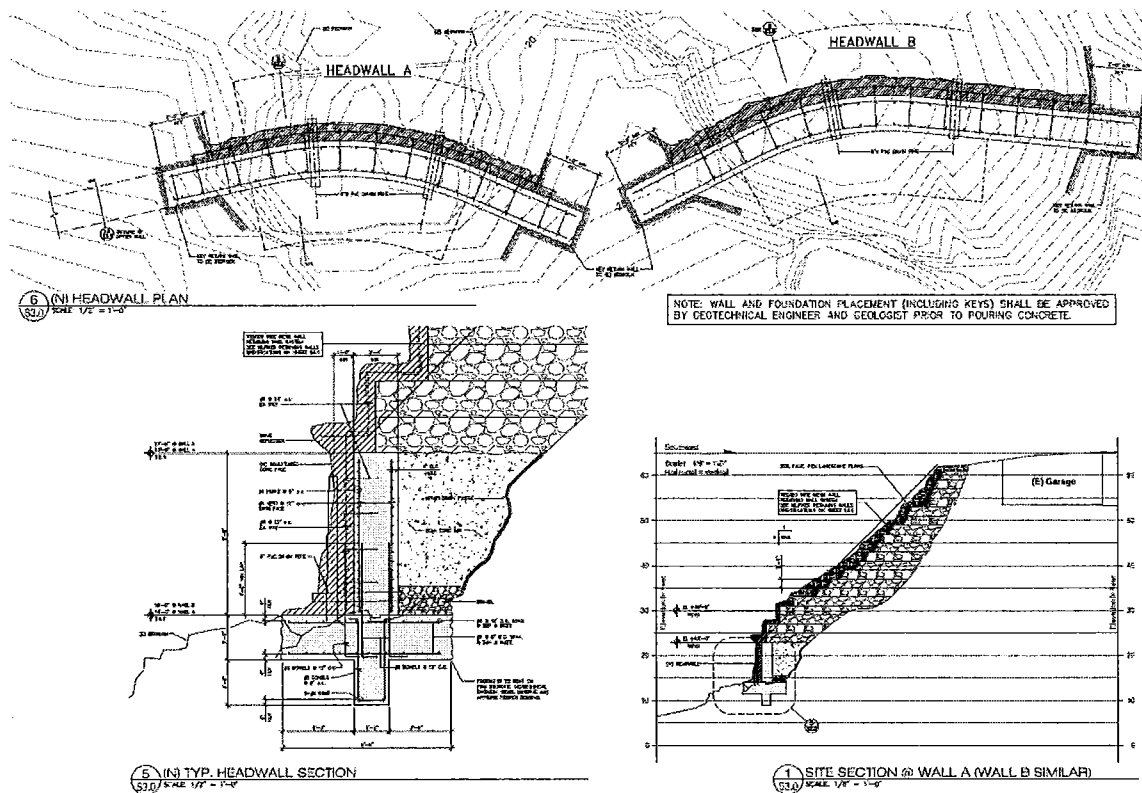


Figure 3: Headwall Plan

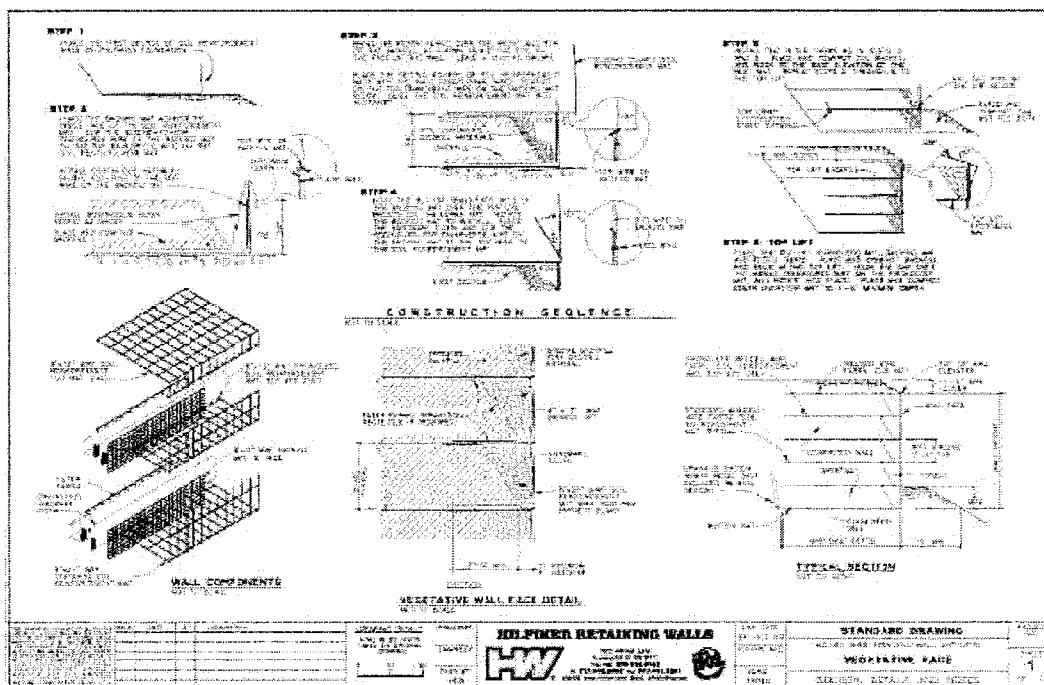


Figure 4: Hilfiker Wall Plan

B. Surrounding Land Uses and Environmental Setting:

The property is located at 30620 Aurora Del Mar, Carmel (Assessor's Parcel Number 243-331-010-000), in the northern section of the Big Sur Coast Land Use Plan area. The site is a 1.14 acre bluff top lot in a residential subdivision lying between Aurora Del Mar, a private road paralleling Highway 1 immediately to the east and the Pacific Ocean on the west. Although the zoning for the subdivision and the site is Rural Density Residential, 40 acres per unit, with Design Control overlay in the Coastal Zone, the residential lots in this area are between 1 and 2 acres in size. Residential uses are located to the north and south of the subject parcel. Located on a small coastal peninsula, the site slopes gently to the west, with steep coastal bluffs to the south, west and north. The lot is developed with a single-family dwelling and garage that were built in the late 1970s. The house and garage are built into the bluff with a green roof at ground level. There are developed paths along the bluff and a wood stairway extends part way to the beach below the bluff. Landscaping around the property is primarily non-native, drought tolerant species that are able to withstand salt spray and constant winds. Undisturbed sections of the bluff are vegetated with both native and naturalized landscape plants. The biological report prepared for the project notes that to the east of the proposed project area, the slope is densely vegetated with coastal bluff scrub species as well as native exotics such as *Echium fatuosum* and *Myoporum laetum*. To the west of the project area, the slope is densely covered with mostly native species.

C. Other public agencies whose approval is required:

The project will require Building and Grading Permits from the RMA-Building Services Department.

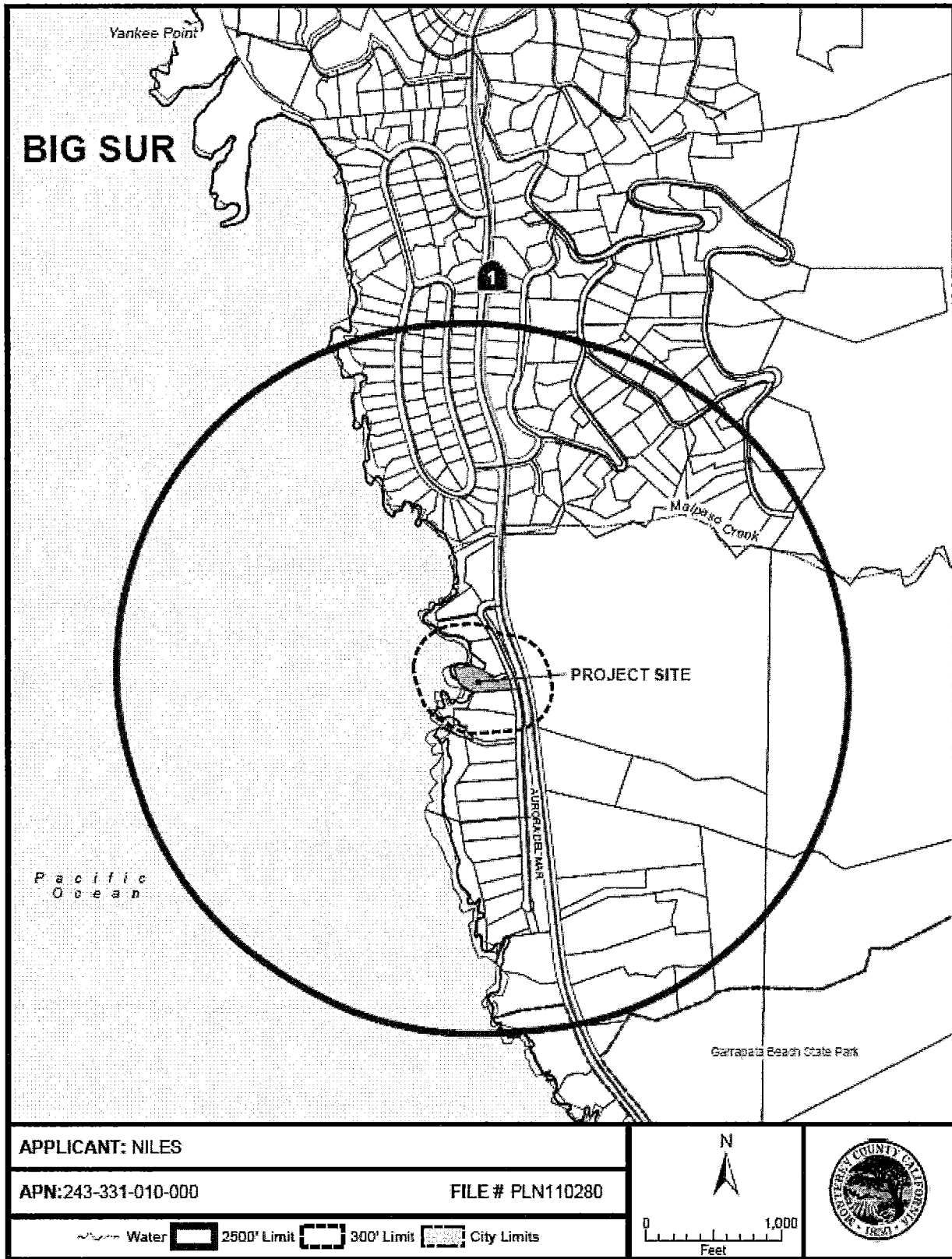


Figure 5: Vicinity Map

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

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

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

General Plan/Area Plan. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan and the Big Sur Coast Land Use Plan. Section IV.9 (Land Use and Planning) discusses whether the project physically divides and established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (refer to *Local Coastal Program-LUP* discussion below); or conflicts with any applicable habitat conservation plan or natural community conservation plan. **CONSISTENT**

Water Quality Control Plan. Monterey County is included in the Central Coast Regional Water Quality Control Board – Region 3 (CCRWCB). The CCRWCB regulates the sources of water quality related problems. Because the proposed project would not increase on-site impervious surfaces, nor include land uses that would introduce new sources of pollution, it is not expected to contribute runoff that would exceed the capacity of storm water drainage systems or provide substantial additional sources of polluted runoff. The proposed project would not result in water quality impacts or be inconsistent with objectives of this plan. **CONSISTENT**

Air Quality Management Plan (AQMP). Consistency with the AQMP is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five-year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The project is consistent with the Monterey County 1982 General Plan and with the Association of Monterey Bay Area Governments (AMBAG) regional population and employment forecast. The proposed project will not increase the population of the area nor generate additional permanent vehicle trips. Therefore, the project will be consistent with the AQMP. **CONSISTENT**

Local Coastal Program-LUP. The project was reviewed for consistency with the Big Sur Coast Land Use Plan (LUP). The LUP designates the project site as Residential, 40 acres per unit. Section VI.9 (Land Use and Planning) discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy or regulation of and agency with jurisdiction over the project or conflicts with any applicable habitat conservation plan or natural community conservation plan. The project is consistent with the Big Sur Coast Land Use Plan as explained below in section IV.A. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input checked="" 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 type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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

Check here if this finding is not applicable

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

EVIDENCE:

- 1) Aesthetics. See Section VI.1 below.
- 2) Agriculture and Forest Resources. The project site is a residentially-zoned parcel and is not designated as Prime, Unique, of Statewide Importance, or of Local Importance

Farmland. The project is a coastal bluff stabilization project that would not result in the conversion of prime agricultural lands to non-agricultural uses. The site is not under Williamson Act Contract. The project would not result in the loss of forest land or conversion of forest land to non forest use. The project site is not located near any agricultural or forest lands. Therefore, the project will not impact agricultural or forest resources. (Source: 1, 2, 3, 7, 8)

- 3) Air Quality. The project area is within the North Central Coast Air Basin and is subject to the jurisdictional regulations of the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The MBUAPCD prepared the Air Quality Management Plan (AQMP) for the Monterey Bay Region. The AQMP found that the North Central Coast Air Basin meets the Federal Air Quality standards and meets the state standards for Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), and fine particulate matter (PM_{2.5}). Monterey County is in non-attainment for inhalable particulates (PM₁₀) and for the State 1 hour ozone standard. The construction of the wall will not conflict with the implementation of the MBUAPCD AQMP, violate any air quality standard, or result in a cumulatively considerable net increase of criteria pollutants. The primary source of emissions during construction is vehicle traffic and dust. Due to the steepness of the slope, most of the work for the coastal bluff stabilization project will be done by hand. Best Management Practices for construction and erosion control will be implemented throughout the duration of construction. Consequently, the project will not result in construction-related air quality impacts, will not expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people. Therefore, the project will not result in air quality impacts. (Source: 1, 2, 6, 7, 8)
- 4) Biological Resources. See Section VI.4 below.
- 5) Cultural Resources. See Section VI.5 below.
- 6) Geology/Soils. See Section VI.6 below.
- 7) Greenhouse Gas Emissions. The primary source of greenhouse gas emissions during construction results from the use of heavy equipment. Due to the steepness of the slope, most of the work for the coastal bluff stabilization project will be done by hand with only limited use of heavy equipment. The Hilfiker wall will be replanted with native vegetation. The finished project will not create any greenhouse gas emissions beyond those associated with the residential uses on the property. Consequently, the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. In addition, the construction and implementation of the project will not conflict with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions. Therefore, the project will not result in greenhouse gas impacts. (Source: 1, 2, 6, 7)
- 8) Hazards/Hazardous Materials. The project is a coastal bluff stabilization project utilizing a Hilfiker wall system with a concrete keyway and armored head wall. The head wall

will be surfaced with a textured rock appearance and the Hilfiker baskets will be planted with native vegetation consistent with the surroundings. The project will not involve the transportation, use, or disposal of hazardous materials that would constitute the threat of explosion or other significant release of materials that would pose a threat to neighboring properties. The project does not involve stationary operations, create hazardous emissions, or handle hazardous materials. The site is a residential property that is not included on a list of hazardous materials sites, and the project or property would have no impact on emergency response or emergency evacuation. The site is not located within two miles of an airport or airstrip. The property is in a very high fire hazard area. The coastal bluff stabilization project will not expose people or structures to a significant risk of loss, injury, or death involving wildfires. Therefore, the project will result in no impacts from hazards or hazardous materials. (Source: 1, 2, 3, 7, 8)

- 9) Hydrology/Water Quality. See Section VI.9 below.
- 10) Land Use/Planning. See Section VI.10 below.
- 11) Mineral Resources. No mineral resources have been identified along the coastal bluff. If mineral resources were present, they have likely eroded away into the ocean. The coastal bluff stabilization project will stabilize the slope from further erosion. The project is residentially-zoned and is not in an area used for aggregate production. Therefore, there will be no impacts to mineral resources. (Source: 1, 2, 3, 7, 8)
- 12) Noise. See Section VI.12 below.
- 13) Population/Housing. The property is currently developed with one single-family dwelling. The coastal bluff stabilization project will not induce population growth in the area, displace existing housing, require replacement housing, or displace people. On the contrary, if the project isn't built, continued erosion of the slope could compromise the existing home and displace the residents. Therefore, the project will have no impact on population and housing. (Source: 1, 7, 8, 10)
- 14) Public Services. The proposed project will not have substantial adverse impacts associated with the provision of new or physically altered governmental facilities nor will it require new or physically altered governmental facilities. New public services such as fire, police, schools or parks are not required in order to stabilize the coastal bluff. Therefore, there will be no impacts to public services. (Source: 1, 2, 3, 7, 8)
- 15) Recreation. The coastal bluff stabilization will not impact or increase the use of existing neighborhood and regional parks and does not include the construction of regional facilities. New recreational facilities are not required in order to stabilize the coastal bluff. Therefore, there will be no impacts to recreation. (Source: 1, 2, 3, 7)
- 16) Transportation/Traffic. The temporary increase in traffic during the construction phase of the project will not cause any conflict with the goals, objectives, and policies of the 2010

Regional Transportation Plan for Monterey County. There are no airports in the project vicinity; therefore the project will have no impact on air traffic patterns. The project involves no modification of existing roads or construction of any new roads, therefore the project will not impact hazards due to a design feature. The project will not change access to the site in any way, whether by modification of the existing driveway or any other road. The construction management plan states that all offloading, staging and servicing of the construction equipment will be on site and parking will be on site. Therefore the project will have no impact on emergency access. The project does not propose to modify any public transit, bicycle or pedestrian facilities; therefore there will be no impact. (Source: 1, 2, 3, 7, 8, 9)

- 17) Utilities/Service Systems. The project will not modify the existing wastewater treatment system or require the construction of new water or wastewater treatment systems. The existing stormwater drainage system drains stormwater to rock surfaces above the beach and the proposed project will do the same. Except for construction water, no water is required for the project. Wastewater is treated by an on-site septic system that is located well away from the project site. There will be no additional solid waste generated by the project over the amount the existing residence currently generates and the project will comply with all federal, state and local statutes and regulations with regard to solid waste. (Source: 1, 2, 3, 4, 7, 9, 10, 11, 12, 13, 14)

B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately

in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Delinda Robinson
(Signature)

Delinda Robinson

November 6, 2012
Date

Senior Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

- a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
- a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 2, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Aesthetics 1(a) – Less Than Significant Impact

The Big Sur Coast Land Use Plan (LUP) defines “critical viewshed” as “everything within sight of Highway 1 and other major public viewing area including turnouts, beaches and a number of specific locations. The project for bluff stabilization will not be visible from any public viewing area however it will be within the viewshed of two residences to the north, a private beach and slightly within the viewshed of Aurora Del Mar, the gated private road that serves the subdivision. As such, the project site is not within the critical viewshed, however LUP Policy 3.2.4.A.2 requires that “new applicants, when selecting a building site, must consider the visual effects upon public views as well as the views and privacy of neighbors.” Although the project site is a developed building site, the policy clearly intends to protect private views and therefore, the view of this bluff could be considered part of a “scenic vista”. Policy 3.2.4.A.3 calls for new development to be “subordinate and blend with its environment using materials or colors that will achieve that effect. Where necessary, appropriate modifications will be required for siting, structural design, size, shape, color, textures, building materials, access and screening.” The current view is of an actively eroding bluff that is covered by a massive blue tarp to prevent further erosion. There is no alternative site for the project, which will correct a specific problem in a specific location. However, the project has been re-designed to more closely mimic the look of a natural bluff. As designed, the project incorporates keyways and headwalls that will be contoured and colored to have the appearance of the surrounding bluff faces. The area above the headwalls will be a series of terraced and shaped Hilfiker baskets that will be planted with native species consistent with vegetation in the area and at an elevation consistent with vegetation in the area. The impact will be less than significant.

Aesthetics 1(b) - No Impact

The project site is not located within a state scenic highway. There will be no impact.

Aesthetics 1(c) - Less Than Significant With Mitigation

The subject site is a coastal bluff in a small cove. As discussed above in Section VI.1 (a), the project to stabilize the bluff will be visible from two residences to the north, the private beach in the cove and visible through vegetation from the gated, private road that serves the subdivision. The visual character of the site is that of coastal bluffs eroding "badlands style" as the project geologist describes it. Where vegetation exists, it is on the upper portion of the bluffs, away from wave run up and actively eroding areas. The project has been designed to mimic the appearance of the natural bluff to the extent possible. However, the Hilfiker wall system is a man-made structure that must be properly vegetated to take on a natural appearance. The biological report for the project includes a list of appropriate species for the restoration and recommends monitoring of the installation of plantings to ensure success. Implementation of Mitigation Measure No. 1 will ensure that the vegetation will become established and provide screening for the structure.

Mitigation Measure No. 1: In order to preserve the visual and natural character of the area, all finish and landscape materials shall be designed and maintained in such a manner that blends in with the surrounding environment. The applicant shall submit landscape/restoration plan that:

- Identifies the location, species and size of the proposed landscaping material.
- Includes native species that are botanically appropriate to the area as identified by the project biologist and shall include but not be limited to Northern coastal bluff scrub species.
- Includes maintenance notes for all landscaping materials.
- Includes success criteria for replanting.
- Provides notes on the plans to eradicate invasive vegetation for areas on and near the project area.
- Work with the project biologist to identify appropriate vegetation in the removal area that could be salvaged, potted and out-planted during restoration.
- Use flat, earthtone colors for all exposed Hilfiker Wall components.

Monitoring Action 1a: Prior to issuance of construction permits, the owner/applicant shall note and submit proposed colors and materials for the Hilfiker Wall components to the Director of RMA-Planning for review and approval.

Monitoring Action 1b: At least three weeks prior to installation of plantings, the applicant shall submit a landscape and irrigation plan to the Director of RMA-Planning for review and approval.

Monitoring Action 1c: Monitoring Action 1c: Prior to final inspection, the owner/applicant shall provide verification from the contractor that the landscaping has been installed as shown on the approved landscape plan.

Monitoring Action 1d: Twice a year for five years following completion, the owner/applicant shall submit to the Director of RMA-Planning for review and approval a report on the status of erosion control and restoration. The reports shall be prepared by a qualified biologist and shall include performance measures and corrective measures needed. Each report shall include a report on the status of any corrective measures previously recommended.

Aesthetics 1(d) – No impact

The bluff stabilization project will include no new light sources. It is a retaining wall and requires no lighting and the finish materials will be a flat earthtone color that produces no glare. There will be no impact.

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV.A.2 above.

3. AIR QUALITY

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

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

Discussion/Conclusion/Mitigation:

See Section IV.A.3 above

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 3, 4, 7, 8, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 3, 4, 7, 8, 15, 21)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 7, 8, 10, 15, 22)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 2, 3, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 2, 3, 4, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 2, 3, 8, 14, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The Big Sur Coast Land Use Plan identifies that the Big Sur Coast supports a wealth and diversity of environmentally sensitive habitats. Development is to be subordinated to the protection of areas that have critical habitat. The guiding philosophy is to favor design that limits disturbance and maximizes the natural topography of the site.

Biological Resources 4(a) – Less Than Significant Impact

A biological assessment for the subject site was completed by Patrick Regan, consulting biologist on March 20, 2012, and a supplemental assessment prepared on May 31, 2012. Two special status

species were identified on the project site: Seaside painted cup (*Castilleja latifolia*), a limited distribution species that is found only along the coast in Monterey and Santa Cruz counties and Monterey cypress (*Hesperocyparis macrocarpa*), a List 1B.2 species (rare, threatened or endangered in California). The biological report prepared for the project states that the larger Monterey cypresses on the site appear to have been planted and are not native to the site, and that trees growing on the slope in the middle of the main damage area are probably volunteer seedlings that came from the landscape trees on the site. Two of the small, non-native Monterey cypress will be removed for the construction of the Hilfiker wall. Although they are not native to the site, the biologist has included 5 Monterey cypresses in the list of recommended restoration plant species, to be planted at the east edge and near the top of the wall. No specimen of Seaside painted cup was identified within the project area so no impact to this species is anticipated.

Biological Resources 4(b) – Less Than Significant Impact With Mitigation Incorporated

The site is located on the Pacific Coast, with the project area being a coastal bluff. There are no year-round or ephemeral streams on the site and, according to the biological report prepared for the project, no riparian species are present.

The project site lies adjacent to the Monterey Bay National Marine Sanctuary and the California Sea Otter Game Refuge however all of the project work will occur at least 10 feet above the beach. The biological report for the project identified no potential impacts to marine or beach species.

Although no occurrences of special status species will be impacted by the project, the biological report found that some impact to the sensitive plant community known as Northern coastal bluff scrub has already occurred as a result of the slope failure and will continue to occur if the slope failure is not abated. A small amount of native vegetation removal will occur during the repair work. Implementation of Mitigation Measure No. 1 (Section 1(c) above will ensure that the slope is replanted with native species, including Northern coastal bluff scrub and will reduce impacts to this habitat to less than significant.

Non-native, invasive exotics such as Mouse-hole tree (*Myoporum laetum*) and Pride of Madeira (*Echium fastuosum*) have colonized the slope, primarily to the east of the project site. The spread of exotic plants can disrupt native vegetation, and thus have an impact on native habitat. Construction will involve disturbing soil that can easily become infested with invasive non-native plants. Eradication of this type of plants is necessary to reduce potential impacts to Northern coastal bluff scrub to a less than significant level.

Mitigation Measure No. 2: In order to maintain and enhance the sensitive habitat in the project area:

- a. All non-native, invasive plant species shall be controlled and eradicated from areas within and immediately adjacent to the bluff restoration and replanted with native vegetation to the satisfaction of the Director of RMA-Planning.
- b. Disturbed slope areas adjacent to the project area shall require netting and reseeded with native ground cover as determined appropriate by a qualified biologist/ecologist.

Monitoring Action 2a: During construction, the applicant shall install and maintain silt fencing along disturbed areas. The fencing shall remain in place until the soil is stabilized.

Monitoring Action 2b: Prior to construction, the applicant shall submit a plan from a qualified biologist outlining invasive plant removal protocol and res-seeding protocol to the Director of RMA-Planning for review and approval.

Monitoring Action 2c: Prior to final inspection, the applicant shall provide the Director of RMA-Planning written certification by a qualified biologist that Mitigation Measure 2 has been completed.

Monitoring action 2c: On-going, the applicant shall maintain the bluff restoration area free of invasive vegetation to the satisfaction of the Director of RMA-Planning.

Biological Resources 4(c) – No Impact

The U.S. Fish and Wildlife Service Wetlands Geodatabase does not identify any wetlands on the subject site, nor are any wetlands identified in the biological or geotechnical reports prepared for the project. There will be no impact to wetlands.

Biological Resources 4(d) – No Impact

The project will restore approximately 2,250 square feet of essentially vertical coastal bluff that has collapsed. The biological report prepared for the project did not identify any native resident or migratory fish or wildlife species on the site nor did it identify the site as a migratory wildlife corridor or wildlife nursery site. As it currently exists, the bluff consists of freshly sloughed dirt and rock. There will be no impact.

Biological Resources 4(e) – No Impact

Two small non-native Monterey cypress trees will be removed as part of the project. The Big Sur Coast Land Use Plan does not require permits for the removal of non-native trees. No protected trees or other protected biological resources are proposed for removal as part of the project. There will be no impact.

Biological Resources 4(f) – No Impact

A search of the U.S. Fish and Wildlife Service and California Department of Fish and Game websites identified no adopted Habitat Conservation Plan or Natural Community Conservation Plans applicable to the area. A search of County records identified no other local habitat conservation plan. There will be no impact.

5. CULTURAL RESOURCES	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1, 2, 3, 8, 16, 17, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1, 2, 3, 8, 16, 17, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1, 2, 3, 8, 16, 17, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1, 2, 3, 8, 16, 17, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Cultural Resources 5(a), 5(c) – No Impact

The project site is a collapsed bluff. Archaeological assessments for the project site identified no historical or paleontological resources on the site. Search of County records identified no record of the site being a listed historical resource. The site does not contain a unique geological feature. The bluff being restored is similar to adjacent bluffs and other coastal bluffs along the coastline. There will be no impact.

Cultural Resources 5(b) – Less Than Significant

According to archaeological reports prepared for the site prior to the original construction of the residence, the project site does contain cultural resources. Archaeological test excavations conducted on the site in 1978 found that the resources on the site were limited to the top 50 to 60 centimeters. An archaeological monitor was on the site during vegetation clearance and initial grading for the residence. The monitoring report prepared in 1978 states that the resources were generally limited to the top 20 centimeters and that soils below that level were found to be culturally sterile. The site was determined to be primarily a temporary, abalone-processing site with limited potential for significance.

The majority of the resources on the site were removed during the original construction of the residence. The project site is an area where the bluff has collapsed and much of the soil has already washed out to sea. The remaining soils are highly disturbed.

In 2011, Gary Breschini of Archaeological Consulting performed archaeological data recovery on the bluff restoration area. The report prepared for this data recovery states that due to the shallow and disturbed nature of the cultural deposit, no radiocarbon dates will be obtained from the materials recovered in the area. As recommended by the report, the standard archaeological condition requiring that work be stopped should significant resources be uncovered during construction will be imposed on the project. The impact to cultural resources will be less than significant.

Cultural Resources 5(d) – No Impact

None of the archaeological reports or testing on the site revealed any human remains or indications that human remains exist on the site. Search of County records does not reveal any

known burial grounds or cemeteries on the site. As stated above in Section 5(b), the standard archaeological condition will be imposed on the project to require that work be stopped should resources be uncovered during construction. There will be no impact to human remains.

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1, 10, 11, 12, 13) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 1, 10, 11, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1, 10, 11, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source: 1, 10, 11, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1, 10, 11, 12, 13)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 10, 11, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: 1, 10, 11, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Geology and Soils 6 (a.i) – No Impact. Zinn Geology prepared a Geologic Report and for the proposed bluff stabilization project to determine general geologic conditions on the subject property and address geologic policies of the Monterey County Coastal Implementation Plan.

These investigations included reviewing reports, evaluating aerial photographs, topographic mapping, analysis of data from soil borings and consultation with the structural and geotechnical engineers for the project.

The homesite on the Niles property is situated about 60 to 70 feet above the ocean on a small natural point that protrudes out from the coast. The house and garage are built into the marine terrace deposits that overlie granodirite bedrock. The garage is embedded into the bluff, with the floor of the garage approximately 10 feet below the top of the bluff.

Although the project site is located within the general vicinity of a number of faults and fault zones (San Gregorio, Rinconada and Monterey Bay-Tularcitos Fault Zone), no known fault traces exist on the property. The site is not located within a State designated Alquist-Priolo fault zone nor is it located in a County of Monterey active fault zone. The bluff stabilization project does not include any habitable structures. There will be no impacts due to fault rupture.

Geology and Soils 6 (a.ii), (a.iii), (a.iv), (c) – Less than significant. The Zinn Geological Report states that the dominant process affecting the stability of the coastal bluff is mass movement associated with either earthquakes or elevated groundwater within the relatively unconsolidated marine deposits. As recommended by the project geologist and based on the geologic cross section of the coastal bluff through the existing failure surface developed by Zinn Geology and field and laboratory data, Pacific Crest Engineering performed a quantitative slope analysis to evaluate the overall stability of the bluff in its present configuration and following stabilization of the bluff as proposed. The analysis determined that the crest of the oversteepened bluff could be subjected to shallow failures, especially under saturated or partially saturated soil conditions and that continued slope retreat will eventually undermine the foundation of the garage. To minimize risk of slope failure or damage to the garage foundation, the report recommends that the garage be underpinned to supplement foundation support until the bluff can be repaired. This underpinning was completed in January of 2012. The report further recommends restoring the bluff to a more stable gradient by buttressing the slope face. The project has been designed with a stepped buttress system founded into the underlying bedrock as recommended by Pacific Crest Engineering. Zinn Geology reviewed the proposed bluff protective structure plans prepared by the Project Civil and Structural Engineer of Record and found that the proposed plans specifically address the elevated risk of the Niles residence being undermined through the process of long term coastal bluff retreat and provide a long term solution to the risk of damage to the foundation. The impacts due to seismic shaking, seismic related ground failure and landslide will be less than significant.

Geology and Soils 6 (b)- Less Than Significant With Mitigation.

The project site is located on a slope in excess of 30%. No large equipment will be utilized during construction of the proposed bluff stabilization project however, the possibility of materials falling to the beach below exists. Implementation of Mitigation Measure No. 3 will reduce the impact due to soil erosion to less than significant.

Mitigation Measure No. 3: In order to avoid erosion and prevent vegetation or debris from falling to the beach below, the owner/applicant shall implement Best Management Practices including but not limited to the following:

- Install silt-stop fencing and/or coir rolls around all areas where bare soil may be exposed including all staging and stockpile areas.

- Maintain coir rolls to absorb any slurry sediment and direct water flow into drainage basins designed to capture and settle water during drilling, casting and curing of concrete pier supports. Remove slurry when basins are at capacity.
- Dispose of materials (slurry, cut vegetation, etc.) off site in an appropriate refuse area.
- Stabilize areas of loose soil immediately after construction in disturbed areas is complete. Soils may be stabilized with jute netting, seeding, and/or restoration planting.
- Install temporary irrigation where deemed appropriate by the project biologist and project engineer to maintain restoration planting and seeded areas during the initial establishment period.

Monitoring Action 3a. Prior to issuance of permits, the owner applicant shall prepare an erosion control plan in accordance with Mitigation Measure No. 3 and that is coordinated with the Restoration Plan identified in Mitigation Measure No. 1.

Monitoring Action 3b. Twice a year for five years following completion, the owner/applicant shall submit to the Director of RMA-Planning for review and approval a report on the status of erosion control and restoration. The reports shall be prepared by a qualified biologist and shall include performance measures and corrective measures needed. The reports shall be coordinated with and may be included in the monitoring reports required in Monitoring Action 1d.

Geology and Soils (d) – No impact.

The bluff restoration project does not involve the construction of any building that would be affected by expansive soil. The Geotechnical report prepared for the project did not indicate that expansive soils are found on the site and recommends engineered fill for the construction of the proposed retaining wall. There will be no impact.

Geology and Soils (e) – No impact.

The project does not involve any modification to the existing septic system or any intensification of the use of the project site that would require modification to the existing septic system. Septic system components on the project site are located well to the west, south and east of the eroded area and will not be impacted by the bluff restoration. Site reviews performed by LandSet Engineers found that neither the septic system nor the storm drainage system on the site is a contributing factor to the bluff erosion. There will be no impact.

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

Discussion/Conclusion/Mitigation:

See Section IV.A.7 above.

8. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV.A.8 above.

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial <u>erosion or siltation</u> on- or off-site? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in <u>flooding</u> on- or off-site? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 9, 10, 12, 13, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Hydrology 9(a, b, d-i) – No Impact

As discussed above in Section II, this project is for the stabilization and restoration of a coastal bluff. The project will not result in any additional wastewater or wastewater discharge. No additional water use is proposed as part of the project. All drainage for the site is discharged to hard rock above the beach. No changes are proposed to the drainage that would result in flooding. No new runoff will result from the project. No new housing is proposed as part of the project. No new structures will be placed within a 100-year floodplain. The project site is not located in an area subject to inundation due to failure of any levee or dam. There will be no impact.

Hydrology 9(c, j) – Less Than Significant

There will be a slight change to the drainage pattern that has evolved as a result of the slope failure due to the construction of the buttress, headwalls and Hilfiker walls. The slope and contour of the bluff will be changed as a result of the project, which will cause a change in the drainage pattern across that portion of the repaired slope. Additionally, drain pipes will be installed behind the wall. The end location of the drainage, the beach below the bluff, will not change. Additional work was done by Charles E. Potter, P.E., on the septic and site drainage of the Niles property. Mr. Potter concludes that neither the septic system nor the storm drainage system contributed in any way to the slope failure. No work is required for either the septic system or the storm drainage system as part of the project.

Due to the stepped nature of the Hilfiker wall and the landscaping that will be done as part of the slope stabilization, drainage down the slope will be slowed. Bare soil will be minimal. As a result, even though there is a slight change in the drainage pattern, the amount of drainage will be slowed and erosion will be minimized.

On the coast, the site could be subject to tsunami hazards. Pacific Crest Engineering incorporated a projected 55-inch sea-level rise by the year 2100 into the wave run-up evaluation for the site. The buttress and headwalls are within the wave run-up area but have been designed to withstand the effect of potential wave run-up. The Hilfiker walls are designed to be above the run-up area. This will prevent further collapse of the bluff and consequent loss of soil and terrace deposits into the ocean.

Impacts from alteration of the drainage pattern or tsunami will be less than significant.

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1, 2, 3, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1, 2, 3, 4, 5, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 21, 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Land Use and Planning 10(a): No impact.

The project will restore a section of coastal bluff that has collapsed. The existing bluff and the bluff as it previously existed do not provide any connectivity within the community. There will be no impact.

Land Use and Planning 10(b): Less Than Significant With Mitigation Incorporated.

The project site is located within the Big Sur Coast Land Use Plan (LUP) area. The project site is located in an area identified to be environmentally sensitive habitat areas (ESHA). Section 3.3 of the LUP includes a number of policies relative to development within such areas. The Key Policy calls for ESHA to be maintained and restored where possible and for development to be subordinate to ESHA. In this case, the project site includes sensitive Northern coastal bluff scrub habitat. In order to approve development within ESHA, the finding must be made that disruption to the habitat as a result of the development will not be significant. In this case, as discussed above in Sections 4(a) and (b), ESHA has already been disturbed by the collapse of the bluff. Implementation of Mitigation Measures No. 1 and 2 will reduce impacts to ESHA to less than significant.

The LUP Visual Resources policies require that new development be subordinate to and blend in with the environment. The lower section of the retaining wall will utilize concrete facing that is colored and textured to match the adjacent bluff face and the Hilfiker wall will be planted with native plant materials that are propagated from plant materials on the site. Implementation of Mitigation Measure No. 1 will ensure that impacts to Visual Resources are less than significant.

Land Use and Planning 10(c): No impact.

As discussed above in Section 4(f), there are no known habitat conservation plans or natural community conservation plans associated with the project site. There will be no impact.

11. MINERAL RESOURCES

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

Discussion/Conclusion/Mitigation:
See Section IV.A.11 above.

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1, 2, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 1, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 2, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Noise 12(a-c & e-f) – No impact. Construction of the project will not utilize large equipment that might generate noise. The bluff restoration project will not generate any noise once built. The project site is sufficiently physically removed from adjacent homes so that any ground borne vibration or groundborne vibration noise related to the use of construction equipment would not impact neighbors. The project is not located within an airport land use plan, within two miles of any public airport or within the vicinity of any private airstrips. The project would have no permanent impact from noise, groundborne vibration, or noise related to airports.

Noise 12 (d) – Less than significant. The construction of the project will not utilize large equipment that might generate noise however there will be minor temporary noise impacts from drilling into rock for the foundation and small equipment used for moving the fill materials during construction. The construction management plan submitted for the project states that the project will take approximately 4 months to complete and work hours will be from 7:30 a.m. to 4:00 p.m., Monday through Friday. The impacts due to temporary noise will be less than significant.

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

Discussion/Conclusion/Mitigation:

See Section IV.A.13 above.

14. PUBLIC SERVICES

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

Discussion/Conclusion/Mitigation:

See Section IV.A.14 above.

15. RECREATION

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

Discussion/Conclusion/Mitigation:

See Section IV.A.15 above.

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 1, 2, 3, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways? (Source: 1, 2, 3, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? (Source: 1, 2, 3, 7, 8,)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: 1, 2, 3, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV.16 above.

17. UTILITIES AND SERVICE SYSTEMS

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

Discussion/Conclusion/Mitigation:

See Section IV.A.17 above.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: 1, 2, 3, 4, 5, 7, 8, 9, 15, 16, 17, 18, 19, 21, 22, 23 24)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source: 1-24) ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: 1-24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 19, 20, 21, 22, 23, 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance (a).

As discussed above in Section IV.2, there will be **no impact** on Agriculture and Forest Resources. As discussed above in Section VI.5, above, imposition of a standard condition of approval will result in the project having **less than significant impacts** to cultural resources. Implementation of Mitigation Measures No. 1 and 2 will reduce impacts to biological resources on the site by requiring restoration with native plants and eradication of non-native invasive species.

Mandatory Findings of Significance (b).

The project is to restore a bluff that has failed adjacent to an existing residence. The purpose of the proposed restoration is to prevent further collapse of the bluff and to protect the foundation of the existing residence, specifically, the garage. The project has been designed to mimic the adjacent natural bluff and surrounding and the resulting project is intended to blend in with the surrounding area. The project will have no impacts that are individually insignificant but cumulatively significant.

Mandatory Findings of Significance (c).

As discussed above in Sections IV.3, IV.7, IV.8, IV.13-15 and IV.17, the project will have **no impact** on Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous materials, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation/Traffic or

Utilities and Service Systems. As discussed above in Section VI.9, the project will have a **less than significant impact** on Hydrology and Water Quality. As discussed above in Section VI.1, Implementation of Mitigation Measure No. 1 will reduce impacts to Aesthetics to less than significant by requiring that all finish and landscape materials be designed in such a manner that blends in with the surrounding environment. As discussed above in Section VI.10, implementation of Mitigation Measures 1 and 2 will reduce impacts to Land Use Planning to less than significant by protecting biological and visual and scenic resources as called for in the Big Sur Coast Land Use Plan.

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

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN110280 and the attached Initial Study / Proposed (Mitigated) Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. Monterey County General Plan
3. Big Sur Coast Land Use Plan
4. Monterey County Coastal Implementation Plan, Part 3 (Regulations for Development in the Big Sur Coast Land Use Plan
5. Title 20 of the Monterey County Code (Zoning Ordinance)
6. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008
7. Site Visit conducted by the project planner May 22, 2012
8. Monterey County Geographic Information System
9. Construction Management Plan, prepared by applicant, March, 2012
10. "Geotechnical and Geologic Coastal Investigation for Coastal Bluff Stabilization Project" (LIB120148) prepared by Pacific Crest Engineering Inc., Watsonville, CA, November 15, 2011
11. Engineering Geology Investigation" prepared by Zinn Geology, Soquel, CA, November 14, 2011 (included as Appendix D to LIB120148)
12. "Geotechnical Review of Proposed Stabilization Plans" (LIB120151) prepared by Pacific Crest Engineering Inc., Watsonville, CA, April 19, 2012
13. "Plan Review Letter – Niles Bluff Repair" (LIB120402) prepared by Zinn Geology, Soquel, CA, April 19, 2012
14. "Septic and Site Drainage Systems" (LIB120154) prepared by Charles E. Potter, P.E., Pacific Grove, CA, September 15, 2011
15. "Biological Report" (LIB120149) prepared by Regan Biological and Horticultural Consulting LLC, Carmel Valley, CA, March 20, 2012 including addendum dated May 31, 2012
16. "Archaeological Test Excavations for a Specific Site on Lot 5, Otter Cove Subdivision" (LIB110043) prepared by Archaeological Resource Service, Novato, CA, May 1978
17. "Archaeological Monitoring of Preliminary Vegetation Clearance on Lot 5, Otter Cove" (LIB110042) prepared by Archaeological Resource Service, Novato, CA, August 8, 1978
18. "Archaeological Data Recovery on APN 243-331-010" (LIB120150) prepared by Archaeological Consulting, Salinas, CA, October 6, 2011
19. United States Fish and Wildlife Service Habitat Conservation Plan Page
http://ecos.fws.gov/conserv_plans/PlanReportSelect?region=1&type=HCP,
accessed October 10, 2012;

20. Letter from Chuck Potter, P.E., Salinas, CA, September 2011;
21. California Department of Fish and Game Website http://www.dfg.ca.gov/biogeodata/vegcamp/natural_communities.asp , accessed October 30, 2012;
22. U.S. Fish and Wildlife Website <http://www.fws.gov/wetlands/Data/Google-Earth.html> , accessed October 30, 2012;
23. U.S. Fish and Wildlife Website http://ecos.fws.gov/conserv_plans/PlanReport , accessed October 30, 2012;
24. California Department of Fish and Game Website <http://www.dfg.ca.gov/habcon/nccp>, accessed October 30, 2012;

Attachments Provided With Electronic Copies:

1. "Geotechnical and Geologic Coastal Investigation for Coastal Bluff Stabilization Project" (**LIB120148**) prepared by Pacific Crest Engineering Inc., Watsonville, CA, November 15, 2011, including Engineering Geology Investigation" prepared by Zinn Geology, Soquel, CA, November 14, 2011 (included as Appendix D to **LIB120148**)
2. "Geotechnical Review of Proposed Stabilization Plans" (**LIB120151**) prepared by Pacific Crest Engineering Inc., Watsonville, CA, April 19, 2012
3. "Plan Review Letter – Niles Bluff Repair" (**LIB120402**) prepared by Zinn Geology, Soquel, CA, April 19, 2012;
4. "Septic and Site Drainage Systems" (**LIB120154**) prepared by Charles E. Potter, P.E., Pacific Grove, CA, September 15, 2011
5. "Biological Report" (**LIB120149**) prepared by Regan Biological and Horticultural Consulting LLC, Carmel Valley, CA, March 20, 2012 including addendum dated May 31, 2012

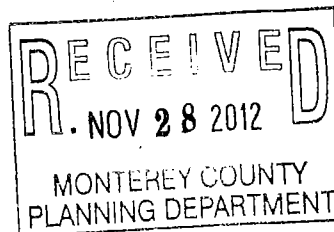
To access the reports prepared for the project, please follow these steps:

- 1) Go to the Quick Link "Citizen Access – Look up Permits On-line" at <https://aca.accela.com/monterey/Default.aspx>
- 2) Click on Search Applications under Planning
- 3) Fill in the Library Number (LIB) and select the Permit Type (Library), then click Search
- 4) When the result appears, click on the Library Number (LIB)
- 5) Click on Attachments and select/view documents

Please note that archaeological reports are confidential and are not available to the public.

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
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<http://www.dot.ca.gov/dist05/>

EXHIBIT G

*Flex your power!
Be energy efficient!*

November 26, 2012

MON-1-67.80
SCH# 2012111017

Delinda Robinson
Monterey County Planning Department
168 West Alisal, 2nd Floor
Salinas, CA 93902

Dear Ms. Robinson:

COMMENTS TO NILES RESIDENCE – APN 243-331-010-000

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced project and offers the following comments in response to your summary of impacts.

- Any work within the State right-of-way will require an encroachment permit issued from Caltrans. Detailed information such as complete drawings, biological and cultural resource findings, hydraulic calculations, environmental reports, traffic study, etc., may need to be submitted as part of the encroachment permit process.

If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Olejnik".

JOHN J. OLEJNIK
Associate Transportation Planner
District 5 Development Review Coordinator
john.olejnik@dot.ca.gov