

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 14, 2015	Time: 10:00 AM	Agenda Item No.: 4
Project Description: Continued from December 10, 2014. Consider a Minor Subdivision Tentative Map to allow the division of a 940.272 acre parcel into six (6) parcels (Parcel 1, 142.36 acres; Parcel 2, 395.15 acres; Parcel 3, 171.44 acres; Parcel 4, 134.52 acres; Parcel 5, 52.933 acres; and Parcel 6, 43.869 acres).		
Project Location: 581 River Road, south of Parker and Corey Roads, Salinas		APNs: 139-083-002-000, 139-083-004-000, 139-084-003-000, and 139-084-008-000
Planning File Number: PLN130552		Owner/Applicant: Pedrazzi James N TR et al Agent/Court-Appointed Referee: James Cook, Esq., and Mark Blum, Esq., Horan/Lloyd
Planning Area: Toro Area Plan		Flagged and staked: NA
Zoning Designation: F/40-D (Farmland, 40 acre minimum lot size, with a Design Control Overlay)		
CEQA Action: Negative Declaration per Section 15074 of the CEQA Guidelines		
Department: RMA-Planning		

RECOMMENDATION:

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

- 1) Adopt a Negative Declaration;
- 2) Approve the Minor Subdivision (PLN130552), based on the findings and evidence and subject to the conditions of approval (**Exhibit C**); and
- 3) Waive the requirement to file a Parcel Map, pursuant to MCC 19.04.005.B.

PROJECT OVERVIEW:

This item was continued from the December 10, 2014, Planning Commission public hearing to allow staff additional time to prepare and coordinate a policy discussion regarding the proposed project and the applicability of the Development Evaluation System directed by 2010 General Plan Policy LU-1.19.

The Applicant proposes to subdivide an approximately 940 acre legal lot of record into six parcels ranging in size from approximately 44 to 395 acres. The proposed agricultural subdivision does not include any changes to the existing land/agricultural uses or any development of structures. The site would remain in active agricultural production, and the subdivided parcels would remain viable agricultural units. Furthermore, by improving financing opportunities, the proposed subdivision could preserve and enhance the agricultural viability of the subject land, consistent with 2010 General Plan policies that allow subdivision of agricultural lands (Policy AG-1.3) and promote agriculturally-related housing (Policies AG-1.6 and AG-1.7). Consideration of this subdivision does involve balancing the General Plan Policy LU-1.19 requirement for a Development Evaluation System and the General Plan policies protecting agriculture by allowing agricultural subdivisions and agriculturally-related housing. Staff is recommending that the Planning Commission find this consistent with Policy AG-1.3 which allows agricultural subdivisions, and that this is not the type of development regulated by Policy LU-1.19 which discourages development outside of Community Areas, Rural Centers, and Affordable Housing Overlays. See **Exhibit B** for a more detailed discussion of the proposed project.

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

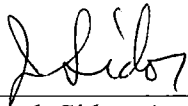
- √ RMA-Public Works Department
- RMA-Environmental Services
- √ Environmental Health Bureau
- Water Resources Agency
- Monterey County Regional Fire Protection District
- Economic Development Department
- √ Parks Department

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by RMA-Public Works, Environmental Health, and Parks have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

The Toro Land Use Advisory Committee (LUAC) heard the matter on February 10, 2014, and voted unanimously (5 – 0) to support the project as proposed (**Exhibit E-1**).

The Agricultural Advisory Committee (AAC) heard the matter on March 27, 2014, and voted unanimously (7 – 0) to support the project as proposed (**Exhibit E-2**).

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



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January 6, 2015

cc: Front Counter Copy; Planning Commission; Monterey County Regional Fire Protection District; RMA-Public Works; RMA-Environmental Services; Parks Department; Environmental Health Bureau; Economic Development Department (Housing); Water Resources Agency; John Ford, RMA Services Manager; Joseph Sidor, Project Planner; Pedrazzi James N TR et al, Owner; Mark Blum, Agent; Milton Pedrazzi, Interested Party; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); Planning File PLN130552

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:

- Conditions of Approval
- Tentative Parcel Map

Exhibit D Vicinity Map
Exhibit E Advisory Committee Minutes (Toro LUAC and AAC)
Exhibit F Negative Declaration
Exhibit G Comments on Negative Declaration

This report was reviewed by John Ford, RMA Services Manager.



EXHIBIT A

Project Information for PLN130552

Application Name: Pedrazzi James N Tr Et Al
Location: 581 River Rd, Salinas
Applicable Plan: Toro
Advisory Committee: Toro Advisory Committee
Permit Type: Minor Subdivision
Environmental Status: Negative Declaration
Zoning: F/40-D

Primary APN: 139-083-002-000
Coastal Zone: No
Final Action Deadline (884): 8/11/2014
Land Use Designation: Farmlands 40 - 160 Ac Min

Project Site Data:

Lot Size:	940	Coverage Allowed:	5%
Existing Structures (sf):	2940	Coverage Proposed:	0
Proposed Structures (sf):	0	Height Allowed:	35
Total Sq. Ft.:	2940	Height Proposed:	0
Special Setbacks on Parcel:	N	FAR Allowed:	NA
		FAR Proposed:	NA

Resource Zones and Reports:

Seismic Hazard Zone:	IV	Soils Report #:	NA
Erosion Hazard Zone:	Low	Biological Report #:	NA
Fire Hazard Zone:	Moderate High	Forest Management Rpt. #:	NA
Flood Hazard Zone:	A / X	Geologic Report #:	NA
Archaeological Sensitivity:	Low	Archaeological Report #:	NA
Visual Sensitivity:	Sensitive	Traffic Report #:	NA

Other Information:

Water Source:	WELLS	Grading (cubic yds.):	0
Water Purveyor:	NA	Sewage Disposal (method):	NA
Fire District:	Monterey County Regional FPD	Sewer District Name:	NA
Tree Removal:	0		

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EXHIBIT B DISCUSSION

Project Description and Background

The Pedrazzi project (RMA-Planning File No. PLN130552) proposes to subdivide an approximately 940 acre legal lot of record into six parcels ranging in size from approximately 44 to 395 acres. The proposed agricultural subdivision does not include any changes to the existing land/agricultural uses or any development of structures. The subject property, comprised of ranchlands (the Corey Ranch Hills), farmlands and potential farmlands (the Corey Ranch Farmlands), were ordered subdivided in response to a judicial partition action. The sole purpose of this proposed subdivision is to separate the ownership of the lands. The court's order does not contemplate any change in existing use or intensification of existing use. Should any of the owners desire to change or intensify uses in the future, they would need to independently apply for the appropriate entitlement following completion of the subdivision.

The approximately 940 acre parcel straddles River Road south of Parker and Corey Roads, in the Toro Area Plan of Monterey County. The entire property is located within the Monterey County Water Resources Agency's Zone 2C benefitted assessment zone of the Salinas Valley Water Project. The portion of the property located west of River Road consists of approximately 537 acres of oak woodland and grassland used for cattle grazing, and this area is also under Williamson Act contract (Land Conservation Contract No. 73-13). The portion of the property located east of River Road consists of approximately 403 acres, with approximately 306 acres in row crop production and approximately 97 acres not currently in agricultural use. The eastern portion also contains the only existing structural development - a 2,940 square foot non-habitable accessory structure for agricultural equipment. The eastern portion also includes areas located in Zone A, 100-year floodplain, of the Salinas River (i.e.; small portions of proposed Parcels C and D, a major portion of proposed Parcel F, and all of proposed Parcel E – a total of approximately 110 acres). The Monterey County Water Resources Agency (WRA), Environmental Health Bureau (EHB), and Resource Management Agency-Environmental Services (RMA-ES) reviewed the project application and, as conditioned, deemed that the project complies with applicable ordinances and regulations.

Project Issues

The County received a letter from LandWatch Monterey County (**Exhibit G-2**) which identified concerns related to lack of environmental review of foreseeable uses allowed by right and inconsistency with General Plan Policy LU-1.19. County staff responds to these stated concerns as follows:

Environmental review of foreseeable uses allowed by right

LandWatch asserts that the environmental document prepared by the County did not evaluate allowed and foreseeable uses of the proposed parcels; including residential uses, water supply, wastewater feasibility, and potential impacts to biological resources. On property zoned Farmland, the Monterey County Code (zoning ordinance) allows up to 3 single-family dwellings for an owner or farm worker in support of the agricultural use. The Initial Study/Negative Declaration prepared by staff considered that the proposed subdivision would allow construction of residential units which would be accessory to the agricultural use of the property. The Negative Declaration determined the potential impacts associated with this type of accessory residential development would be less than significant or none. An agricultural subdivision by itself does not constitute a de facto intensification of use because the lots are economically viable as farmland. Residential development could potentially decrease the economic productivity of

the property and may not be in the economic interest of the owner(s). Therefore, equating an agricultural subdivision with residential development is not an appropriate conclusion. Consistent with the County's past practice for agricultural subdivisions where no development is foreseeable, the County has applied conditions of approval to assure any future residential development would ensure the long-term agricultural viability of each parcel (Condition No. 7), and that wastewater feasibility and water quality/quantity be demonstrated prior to any structural development beyond that required for the existing agricultural operations (Condition Nos. 8 and 9).

The conditions regarding wastewater feasibility and demonstration of water quality/quantity at a future date are not deferred mitigation because this agricultural subdivision does not propose any structural development and residential development is not a de facto foreseeable use on the property for the reasons stated above. The intended use of the property is the existing agricultural use. If there is a future desire to construct a residence, but it is not possible to obtain adequate water or provide for wastewater treatment, no residence would be allowed and the beneficial use of the property would continue to be for agricultural production. In addition, all sensitive biological resources on the subject property are located in the Salinas River floodplain; therefore, pursuant to Monterey County Code, any potential residential or other structural development would not be allowed near the resources.

Consistency with General Plan Policy LU-1.19

LandWatch asserts that the subdivision may not be approved until the County implements a Development Evaluation System (DES) pursuant to Policy LU-1.19. This policy directs the County to establish a DES for any subdivision creating five or more lots. LandWatch also asserts that this "... is the kind of project that the Development Evaluation System was intended to scrutinize closely ...", because it allows "... intensification of residential uses within a rural farmland setting ...". LandWatch's basic contention is that the proposed project is a residential subdivision subject to Policy LU-1.19.

Policy LU-1.19 directs that "Community Areas, Rural Centers, and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity. The system shall be a pass-fail system and shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development." The intended purpose of Policy LU-1.19 and the DES would be to direct most residential development (i.e., small-lot or unit residential subdivisions) to Community Areas, Rural Centers, and Affordable Housing Overlay districts.

Policy AG-1.3, which states that subdivision of Important Farmland shall be allowed only for exclusive agricultural purposes, allows agricultural subdivisions and should be balanced against the requirements of the DES. Furthermore, Policy LU-3.2 directs that land use in areas designated for agricultural use shall be guided by the policies of the Agricultural Element of the 2010 General Plan. Agricultural subdivisions would not be located within a Community Area, Rural Center, or an Affordable Housing Overlay district because they are by nature located on large land holdings where the use of the property is for agriculture. Agricultural subdivisions also do not necessarily result in new development, except that subordinate to the agricultural use of the property. Clearly, there are competing policy goals between Policies AG-1.3 and LU-

1.19; therefore, any DES adopted by the County must consider these competing goals and should not be construed to prohibit agricultural subdivisions under Policies AG-1.3 and LU-3.2.

The General Plan promotes accessory agricultural uses, including residences for employee and family housing in agricultural areas (Policies AG-1.6 and AG-1.7). Agricultural subdivisions will allow housing, if needed; however, the purpose is not to create separate residential lots. Moreover, housing that is accessory to an agricultural use is not something the County would force into a Community Area, Rural Center, or an Affordable Housing Overlay district. These subordinate residential structures do not create small-lot residential subdivisions, but are considered development that is accessory to, and in support of, the continued agricultural use of the property. Again, this raises the issue of competing policy goals, and a DES should not be construed to prohibit accessory uses on agriculturally-viable parcels.

Given these competing policy goals, the County will need to differentiate between residential and agricultural subdivisions, and should not evaluate agricultural subdivisions in a similar vein to residential development the County wants to encourage to locate in Community Areas, Rural Centers, and Affordable Housing Overlay districts. They are different. LandWatch's contention views this as a residential subdivision and does not balance the policy implications for agricultural subdivisions, pursuant to Policies LU-1.19, LU-3.2, and AG-1.3. The intent of Policy LU-1.19 is clearly to direct development to designated Community Areas, Rural Centers, and Affordable Housing Overlay districts, but it does not differentiate between agricultural subdivisions and other types of development.

The evaluation and review of agricultural subdivisions needs to take into account competing agricultural policies of the 2010 General Plan, particularly Policy AG-1.3. The proposed project is a court-ordered agricultural subdivision that does not involve any structural development, and the site would remain in active agricultural production for the foreseeable future. Policies LU-1.19 and AG-1.3 should be interpreted to address different types of applications. An agricultural subdivision should not be subject to the provisions of LU-1.19 because an agricultural subdivision will not be found in a Community Area, Rural Center, or Affordable Housing district. This will need to be addressed as part of development of the County's DES. Until the DES is completed, agricultural subdivisions will need to be considered on a case by case basis based upon the policy direction of the 2010 General Plan. If the Planning Commission finds that this is an agricultural subdivision, it would be consistent with AG-1.3, and then the Planning Commission could find it consistent with LU-1.19 because it is not the type of development intended to be regulated.

In support of the finding that the proposed project is an agricultural subdivision, County staff provides the following: Although the proposed subdivision is court-ordered, retention of the current agricultural operations on subdivided parcels would be capable of remaining as viable agricultural units. Prime agricultural land is presumed to be on parcels large enough to sustain their agricultural use if the land is at least 10 acres, and non-prime agricultural land is presumed to be in parcels large enough to sustain their agricultural use if the land is at least 40 acres (California Government Code Section 66474.4). Therefore, the four proposed parcels east of River Road, as well as the two proposed parcels west of River Road, would be capable of remaining viable agricultural units. The County has processed several agricultural-related lot line adjustments and subdivisions, primarily for financing purposes. Applicants have reported that lenders have stricter lending guidelines such as configuring lots to reflect crop patterns. The County has found it appropriate to allow agricultural subdivisions for financing purposes where the economically viable use of the new lot is production of a distinct crop. By improving financing opportunities, the proposed subdivision could preserve and enhance the agricultural

viability of the subject land, consistent with 2010 General Plan policies that allow subdivision of agricultural lands (Policy AG-1.3) and promote agriculturally-related housing (Policies AG-1.6 and AG-1.7).

Creation of parcels entirely within a floodplain

Proposed Parcels E and F (totaling approximately 97 acres) are located almost entirely in Zone A, 100-year floodplain, of the Salinas River. County staff would not normally recommend approval of parcels or new structural development (residential, commercial, or industrial) in a floodplain. However, the proposal involves an agricultural subdivision, and the current zoning allows agricultural production that would not require discretionary review. This 97 acre area includes approximately 36 acres of non-native grassland that appears to have been previously farmed and another 27 acres (for a total of 63 of the 97 acres) that could potentially be cultivated under allowed agricultural uses. Therefore, the parcels would retain economically viable uses for agriculture.

Upon consideration of these allowed agricultural uses, and acknowledging that the County has no draft regulations that would preclude these types of allowed agricultural uses, staff has recommended conditions of approval (Condition Nos. 7 and 12) to ensure that existing allowed uses under the Farmland zoning do not result in potential resource impacts. These two conditions would restrict structural development and protect riparian forest habitat on Parcels E and F, as well as ensure consistency with General Plan Policy OS-5.22.

Furthermore, the Monterey County Water Resources Agency (WRA), Environmental Health Bureau (EHB), and Resource Management Agency-Environmental Services (RMA-ES) reviewed the project application and, as conditioned, deemed that the project complies with applicable ordinances and regulations. The proposed agricultural subdivision does not involve new construction, so the project would not violate water quality standards or waste discharge requirements, would not expose people or structures to a significant risk involving flooding, nor conflict with Monterey County Code (MCC) Chapter 16.16, Regulations for Floodplains in Monterey County. Also, the proposed agricultural subdivision would not create additional sources of polluted runoff or degrade water quality, impede or redirect flood flows, result in increased flood heights or velocities; nor alter natural floodplains, stream channels, or natural protective barriers.

Subdivision on Land under Williamson Act Contract

The approximately 537 acre portion of the project area located west of River Road is under Williamson Act contract (Land Conservation Contract No. 73-13) and therefore subject to Section 66474.4 of the California Government Code (Subdivision Map Act) and County-adopted Rules and Regulations for the Administration of Agricultural Preserves. The project, as proposed and conditioned, meets the required findings: consistency with the general plan policies and objectives, and zoning classification; compliance with the rules regarding agricultural use, minimum lot size per contract, income requirement, and parcels/land remaining under contract; and compliance with Section 66474.4 of the Subdivision Map Act regarding compatible uses (see Finding No. 9).

Waiver of the Requirement to File a Parcel Map

Pursuant to MCC 19.04.005.B, the Applicant requested a waiver of the requirement to file a parcel map. The County may waive this requirement upon making the finding that all applicable requirements of Title 19 and the Subdivision Map Act have been met. The County has found that the proposed subdivision meets all applicable requirements (Finding No. 7), and no County departments or agencies objected to this request. In lieu of a parcel map, County staff has

applied a condition of approval to require the Applicant to file a record of survey (Condition No. 11). In addition, the County would issue Conditional Certificates of Compliance (Condition No. 6).

Environmental Review

Monterey County, as Lead Agency, prepared an Initial Study and Negative Declaration (ND) for this project (**Exhibit F**). The ND was filed with the County Clerk on September 22, 2014, and circulated for public review and comment from September 23 through October 24, 2014 (SCH#: 2014091062). No comments from state agencies were received by the County during the 32-day circulation period. The County received a letter from LandWatch Monterey County (**Exhibit G-2**) which identified concerns related to lack of environmental review of foreseeable uses allowed by right and inconsistency with General Plan Policy LU-1.19. These concerns are addressed above under Project Issues.

Recommendation

Staff recommends that the Planning Commission consider and adopt the Negative Declaration; approve the Minor Subdivision, based on the findings and evidence and subject to the conditions of approval; and waive the requirement to file a parcel map, pursuant to MCC 19.04.005.B.

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**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:

PEDRAZZI JAMES N TR ET AL (PLN130552)

RESOLUTION NO. 15 -

Resolution by the Monterey County Planning
Commission:

- 1) Adopting a Negative Declaration;
- 2) Approving a Minor Subdivision Tentative Map to allow the division of a 940.272 acre parcel into six (6) parcels (Parcel 1, 142.36 acres; Parcel 2, 395.15 acres; Parcel 3, 171.44 acres; Parcel 4, 134.52 acres; Parcel 5, 52.933 acres; and Parcel 6, 43.869 acres); and
- 3) Waiving the requirement to file a parcel map, pursuant to MCC 19.04.005.B.

[PLN130552, Pedrazzi, along River Road, south of Parker and Corey Roads, Salinas, Toro Area Plan (APNs: 139-083-002-000, 139-083-004-000, 139-084-003-000, and 139-084-008-000)]

The Pedrazzi application (PLN130552) came on for public hearing before the Monterey County Planning Commission on January 14, 2015. 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:** **PROJECT DESCRIPTION** – The proposed project is a Minor Subdivision of a 940.272 acre parcel into six (6) parcels (Parcel 1, 142.36 acres; Parcel 2, 395.15 acres; Parcel 3, 171.44 acres; Parcel 4, 134.52 acres; Parcel 5, 52.933 acres; and Parcel 6, 43.869 acres).
EVIDENCE: The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN130552.
2. **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 2010 Monterey County General Plan;
 - Toro Area Plan;
 - Agricultural and Winery Corridor Plan;
 - Monterey County Zoning Ordinance (Title 21); and
 - Monterey County Subdivision Ordinance (Title 19 - Inland).

No conflicts were found to exist. The County received communications during the course of review of the project indicating inconsistencies with the text, policies, and regulations in these documents; however, the County finds that the project is consistent with the text, policies, and regulations in the applicable documents above.

- b) The property is located along River Road, south of Parker and Corey Roads, Salinas (Assessor's Parcel Numbers 139-083-002-000, 139-083-004-000, 139-084-003-000, and 139-084-008-000), Toro Area Plan. The property is zoned Farmland, 40 acre minimum lot size, with a Design Control Overlay (F/40-D), which allows for a subdivision with a minimum lot size of 40 acres. The proposed lots would range in size from approximately 44 to 395 acres. Therefore, the subdivision is consistent with land use and zoning requirements.
- c) The project planner conducted a site inspection on August 9, 2013, to verify that the project on the subject parcel conforms to the plans listed above.
- d) Subdivision: See Finding No. 7.
- e) Long-Term Sustainable Water Supply and Adequate Water Supply System: See Finding No. 8.
- f) Williamson Act: See Finding No. 9.
- g) 2010 Monterey County General Plan Policies LU-1.19, LU-3.2, and AG-1.3: The parcels under this agricultural subdivision would remain in active agricultural production, and the subdivided parcels would be capable of remaining as viable agricultural units. The project does not involve any structural or infrastructure improvements for residential development. By improving financing opportunities, the proposed subdivision could preserve and enhance the agricultural viability of the subject land, consistent with 2010 General Plan policies that allow subdivision of agricultural lands (Policy AG-1.3) and promote agriculturally-related housing (Policies AG-1.6 and AG-1.7). Therefore, the County finds that this is an agricultural subdivision, consistent with Policies AG-1.3 and LU-3.2, and that Policy LU-1.19 is not applicable because this is not the type of development intended to be regulated by the DES.
- h) Approximately 843 acres of the existing 940 acre property are in active agricultural production. The Farmlands Zoning District allows for single family dwellings accessory to the agricultural use of the property, not exceeding three in total for an owner, operator and employees employed on site (Title 21, Section 21.30.030.B). The subject application does not include the construction of infrastructure, accessory structures, or single-family dwellings, and it is not anticipated that new accessory structures or single-family dwellings would be proposed in the foreseeable future. However, the project has the potential of accommodating a total of 12 residential units (3 units on 4 of the 6 proposed lots). Single-family dwellings would be required to be consistent with the development regulations of Title 21 and the requirement of Section 21.30.030.B (Condition No. 7), which requires any residential use to be accessory to the ongoing agricultural use of the property. Furthermore, residential use accessory to the agricultural use of the properties is consistent with 2010 Monterey County General Plan

policies that promote agriculturally-related housing (Policies AG-1.6 and AG-1.7).

- i) The project was referred to the Toro Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because it involved development requiring CEQA review. The Toro LUAC, at a public meeting on February 10, 2014, voted unanimously (5 – 0) to support the project as proposed.
- j) The project was referred to the Monterey County Agricultural Advisory Committee (AAC) for review. Based on the 2010 Monterey County General Plan Policy AG-1.8, projects on lands designated for agricultural use that require a discretionary permit shall be referred to the County’s AAC for review and recommendation to the decision-making body. The AAC, at a public meeting on March 27, 2014, voted unanimously (7 – 0) to support the project as proposed.
- k) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN130552.

3. **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, Monterey County Regional Fire Protection District, Parks Department, RMA-Public Works, RMA-Environmental Services, 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) No site disturbance, grading, protected tree removal, or structural development is proposed as part of the subject application. Therefore, no biological or other natural resource impacts are anticipated, and the project site is suitable for the proposed minor subdivision. See also Finding No. 6 and supporting evidence.
 - c) Approximately 537 acres of oak woodland and grassland (the Corey Ranch Hills area located west of River Road) is under Williamson Act contract (Land Conservation Contract No. 73-13). The contract and the land use designation for the site requires that each subdivided parcel be capable of remaining a viable agricultural unit. The area under contract is identified in the County’s Geographic Information System as “Grazing” and “Other” land, and is proposed to be subdivided into two lots of 395.15 acres and 142.36 acres. Non-prime agricultural land is presumed to be in parcels large enough to sustain their agricultural use if the land is at least 40 acres (California Government Code § 66474.4). Therefore, the two proposed parcels would be capable of remaining viable agricultural units.
 - d) Proposed Parcels E and F (totaling approximately 97 acres) are located almost entirely in Zone A, 100-year floodplain, of the Salinas River. This 97 acre area includes approximately 36 acres of non-native grassland that appears to have been previously farmed and another 27

acres (for a total of 63 of the 97 acres) that could potentially be cultivated under allowed agricultural uses. Therefore, the parcels would retain economically viable uses for agriculture. To ensure that existing allowed uses under the Farmland zoning do not result in potential resource impacts, and consistency with General Plan Policy OS-5.22, the County has applied conditions of approval to restrict structural development and protect riparian forest habitat on proposed Parcels E and F (Condition Nos. 7 and 12).

- e) Staff conducted a site inspection on August 9, 2013, 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 for the proposed development found in Project File PLN130552.

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

- EVIDENCE:**
- a) The project was reviewed by RMA - Planning, Monterey County Regional Fire Protection District, Parks Department, RMA-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) Refer to Finding No. 7, Subdivision, and supporting evidence.
 - c) Staff conducted a site inspection on August 9, 2013, 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 for the proposed development found in Project File PLN130552.

5. **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 and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on August 9, 2013, 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 Monterey County RMA-Planning for the proposed development found in Project File PLN130552.

6. **FINDING:** **CEQA (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 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) Monterey County RMA-Planning prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of RMA-Planning and is hereby incorporated by reference (PLN130552).
 - c) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Negative Declaration.
 - d) The Draft Negative Declaration (“ND”) for PLN130552 was prepared in accordance with CEQA and circulated for public review from September 23 through October 24, 2014 (SCH#: 2014091062).
 - e) Issues that were analyzed in the Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, and utility/service systems.
 - f) Evidence that has been received and considered includes: the application, technical studies/reports (Biological Assessment – LIB090484), staff reports that reflect the County’s independent judgment, and information and testimony presented during public meetings and hearings. These documents are on file in RMA-Planning (PLN130552) and are hereby incorporated herein by reference.
 - g) 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 Wildlife (CDFW) 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 Wildlife determines that the project will have no effect on fish and wildlife resources. The site supports or has the potential to support riparian forest habitat, the two-striped garter snake, nesting raptors, and the dusky-footed woodrat (the only sensitive wildlife species observed in the area). 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 Wildlife 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 (Condition No. 3).
 - h) The County considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Negative Declaration. The County received comments from

LandWatch Monterey County regarding a lack of environmental review of foreseeable uses allowed by right and inconsistency with General Plan Policy LU-1.19. The County reviewed the development that the proposed subdivision would allow as ministerial actions in the Initial Study prepared for the project, and determined the potential impacts associated with this type of accessory residential development would be less than significant or none. An agricultural subdivision, with no other development proposed, does not constitute a de facto intensification of use because the lots are economically viable as farmland. Conditions of approval have been applied to require that any future residential development ensure the long-term agricultural viability of each parcel (Condition No. 7), and that wastewater feasibility and water quality/quantity be demonstrated prior to any structural development beyond that required for the existing agricultural operations (Condition Nos. 8 and 9). Also, the County does not view the application of the conditions regarding wastewater feasibility and demonstration of water quality/quantity as deferred mitigation because the subdivision does not propose any structural development and residential development is not a de facto foreseeable use on the property. The County has also applied Condition No. 12 to protect riparian forest habitat on proposed Parcels E and F. The County also finds that this is an agricultural subdivision, consistent with Policy AG-1.3 and LU-3.2, and consistent with Policy LU-1.19 because it is not the type of development intended to be regulated under this policy (see also Finding No. 2, Evidence h).

- i) Monterey County RMA-Planning, 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.

7. FINDING:

SUBDIVISION – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code (MCC) requires that a request for subdivision be denied if any of the following findings are made:

1. That the proposed map is not consistent with the applicable general plan and specific plans.
2. That the design or improvement of the proposed subdivision is not consistent with the applicable general plan and specific plans.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

- EVIDENCE:** a) Consistency. The project as designed and conditioned is consistent with the 2010 Monterey County General Plan and Toro Area Plan (see Finding

No. 2).

- b) Design. The lot design is consistent with the Lot Design Standards of MCC Section 19.10.030. All proposed lots will meet the minimum lot width and depth requirement. Section 19.10.030.B establishes minimum and maximum lot dimensions for newly created parcels unless they are created as part of a planned unit development. The minimum lot width required is 60 feet and the minimum depth required is 85 feet, but not more than three times the width. All proposed lots will meet the minimum lot width and depth requirement. There are no hardships or unusual circumstances imposed by allowing a parcel of the sizes and dimensions requested. Also, all lots will exceed the minimum size requirement of 40 acres.
- c) Site Suitability. The site is suitable for the proposed project including the type and density of the development (see Finding No. 3).
- d) Environment. The subdivision design and improvements will not cause environmental damage to fish or wildlife habitat (see Finding No. 6).
- e) Health and Safety. The proposed project as designed and conditioned will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County (see Finding No. 4).
- f) Water Supply. MCC Section 19.10.070 requires provision be made for domestic water supply as may be necessary to protect public health, safety, or welfare, and that the source of supply is adequate and potable. MCC Sections 19.03.015.L and 19.07.020.K require Water Supply and Nitrate Loading Information in order to assess these conditions and proof that there is a long term water supply. The Monterey County Environmental Health Bureau (EHB) reviewed the proposed subdivision and determined that water quality and quantity testing would not be required for an agricultural subdivision; however, conditions have been applied requiring a deed restriction to inform any potential buyers (or future owners) that water quality/quantity must be demonstrated prior to any structural development beyond that required for the existing agricultural operations (Condition No. 8) (see also Finding Nos. 4 and 8, and supporting evidence).
- g) Sewage Disposal. MCC Sections 19.03.015.K and 19.07.020.J require that provision be made for adequate sewage disposal. The proposed agricultural subdivision would not add any new structures or uses that would require increases to service from existing utility systems. Utilities required for the agricultural use of the site are already in place, and the proposed project would not generate additional demand nor warrant the expansion of the current infrastructure. The proposed subdivision would not contribute to any existing wastewater treatment facilities and would not generate any increase in solid waste. The Monterey County Environmental Health Bureau (EHB) reviewed the proposed project and determined that wastewater feasibility studies would not be required; however, EHB applied a requirement for deed restrictions to inform any potential buyers (or future owners) that wastewater feasibility and water quality/quantity must be demonstrated prior to any structural development beyond that required for the existing agricultural

operations (Condition No. 9). See also Finding No. 4 and supporting evidence.

- h) Easements. The subdivision will not conflict with easements. The County has reviewed the existing and proposed easements shown on the tentative map, and no conflicts were found.
- i) Traffic. The subject property has existing access from River Road, and the proposed agricultural subdivision involves the creation of five new parcels located on this relatively low-traffic county road. No new structural development or uses are proposed that would generate new traffic or increase the number of vehicle trips above the existing baseline; therefore, no change in roadway level of service is anticipated. The roadways in the immediate area are not at degraded levels of service, and the proposed subdivision would not cause any roadway or intersection level of service to be degraded. Access to the proposed parcels would remain unchanged, so the subdivision would not increase hazards due to a design feature, nor exacerbate any conflicts due to incompatible uses (i.e., the site is zoned for farming uses and the continued use of existing farm equipment/vehicles). Monterey County RMA-Public Works reviewed the proposed project and did not apply any conditions of approval related to traffic. Also, Regional and/or County fees are not required for this project application.
- j) Access. The subject property has existing access from River Road, and four of the resulting parcels (Parcels A, B, C, and D as shown on the Tentative Parcel Map) will continue to have direct access from County roads (i.e., River Road, Parker Road, and/or Abbott Road). Due to the waiver of the requirement to file a Parcel Map, the County will require the owner of Parcel D to convey an access easement to Parcels E and F (Condition No. 13).
- k) Affordable Housing. Subdivisions in Monterey County are subject to review by the Housing Office of the Economic Development Department (EDD) for conformance to the Inclusionary Housing Ordinance as codified in Chapter 18.40 of the Monterey County Code. EDD reviewed the project application and determined the project is exempt under the Inclusionary Housing Ordinance, per Chapter 18.40.060.B. RMA-Planning received a memorandum from the Housing Office, dated November 24, 2014, confirming this exemption. A copy of this memorandum is in the project file for PLN130552.
- l) Parks and Recreation. The Monterey County Parks Department reviewed the project application and determined that the applicant shall comply with Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by recording a deed restriction stating: "The subdivision is subject to recreation fees based on Section 19.12.010 E. (2.) Recreation Requirements of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication if a property owner requests building permits for the construction of a residential structure or structures on one or more of the parcels created by the subdivision within four (4) years after the approval of the subdivision" (Condition No. 10).
- m) Waiver of Requirement to File a Parcel Map. Pursuant to MCC 19.04.005.B, the Applicant requested a waiver of the requirement to file

a parcel map. The County may waive this requirement upon making the finding that all applicable requirements of Title 19 and the Subdivision Map Act have been met. The County has found that the proposed subdivision meets all applicable requirements, and in lieu of a parcel map will require the Applicant to file a record of survey (Condition No. 11). In addition, the County will issue Conditional Certificates of Compliance (Condition No. 6).

- n) Subdivision of Important Farmland. The approximately 403 acre project area located east of River Road is identified in the County's Geographic Information System as "Prime Farmland" and "Other" land, and is proposed to be subdivided into four lots of 171.44 acres, 134.52 acres, 52.933 acres, and 43.869 acres. Prime agricultural land is presumed to be in parcels large enough to sustain agricultural use if the land is at least 10 acres (California Government Code Section 66474.4). Therefore, the four proposed parcels east of River Road would be capable of remaining viable agricultural units (see also Finding No. 3, Evidence c). The 2010 Monterey County General Plan Policy AG-1.3 allows subdivision of Important Farmland, as mapped by the California Department of Conservation Farmland Mapping and Monitoring Program, and designated by the County as "Farmland," only for exclusive agricultural purposes. The parcels under this agricultural subdivision would remain in active agricultural production, and the subdivided parcels would be capable of remaining as viable agricultural units. In addition, the project does not involve any structural or infrastructure improvements. Therefore, the County finds the proposed agricultural subdivision consistent with Policy AG-1.3. Furthermore, the County acknowledges that supporting these types of projects is integral to the preservation and enhancement of all viable agricultural lands, consistent with the 2010 General Plan.
- o) The project planner conducted a site inspection on August 9, 2013.
- p) The application, tentative map and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN130552.

8. **FINDING:**

LONG-TERM SUSTAINABLE WATER SUPPLY AND

ADEQUATE WATER SUPPLY SYSTEM: The project has an adequate water supply system to serve the development. The project is not required to provide proof of a Long-Term Sustainable Water Supply under General Plan Policy PS-3.1.

EVIDENCE:

- a) The proposed project consists of the subdivision of an approximately 940 acre parcel into six parcels ranging in size from approximately 44 to 395 acres. The proposed agricultural subdivision does not include any changes to the existing agricultural uses, nor any infrastructure or structural development.
- b) The proposed project is not required to provide proof of a Long-Term Sustainable Water Supply under General Plan Policy PS-3.1 because the proposed project is related to agricultural land uses within Zone 2C of the Salinas Valley groundwater basin, and the proposed development meets the exceptions for development within Zone 2C of the Salinas Valley groundwater basin.

- c) The proposed project will not result in intensification of the existing agricultural use of the property, and will not result in intensification of use of water.
- d) The water source for the proposed development is four on-site wells that support the existing agricultural operations. The current use of water for agricultural irrigation would continue without any anticipated increase in withdrawal.
- e) The Monterey County Environmental Health Bureau (EHB) reviewed the proposed project and determined that water quality and quantity testing would not be required; however, EHB has applied a requirement for deed a restriction to inform any potential buyers (or future owners) that water quality/quantity must be demonstrated prior to any structural development beyond that required for the existing agricultural operations (Condition No. 8).
- g) The proposed project is in Zone 2C and is otherwise consistent with the policies applicable thereto. The proposed project is consistent with all applicable General Plan Policies. See Evidence a in Finding No. 2 (Consistency).
- h) The application, tentative map and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN130552.

9. **FINDING:**

SUBDIVISION ON LAND UNDER WILLIAMSON ACT

CONTRACT – The approximately 537 acre portion of the project area located west of River Road is under Williamson Act contract (Land Conservation Contract No. 73-13) and therefore subject to Section 66474.4 of the California Government Code (Subdivision Map Act) and County-adopted Rules and Regulations for the Administration of Agricultural Preserves. The project is required to meet the following findings:

- a. That the proposed map is consistent with the applicable general plan policies and objectives.
- b. That the subdivision is consistent with the land use/zoning designation and minimum parcel size requirements of the zoning district.
- c. That the subdivision complies with County-adopted Rules and Regulations for the Administration of Agricultural Preserves because it has been demonstrated that:
 - i. Each parcel will be devoted to a qualifying agricultural use;
 - ii. Each parcel will meet the minimum parcel size of 10 to 40 acres or the minimum lot size, whichever is more restrictive for the type of contract;
 - iii. Each parcel will individually meet the minimum income requirement for a (Type I/Type II) Williamson Act contract, which is \$200 per acre for a Type I; or \$1.99 per acre or \$1,999.99 per farm operation for a Type II Williamson Act contract, whichever total is larger;
 - iv. Each parcel will remain under a Williamson Act contract and complies with the restrictions to agricultural and

- compatible uses; and
- v. No land would be removed from the Williamson Act Program.
- d. That the subdivision complies with Section 66474.4 of the Subdivision Map Act pertaining to land under an existing California Land Conservation contract, referred to as Williamson Act contract, because the subdivision would not result in residential development that is not incidental to the agricultural operation.

- EVIDENCE:**
- a) Consistency with General Plan. The project, as designed and conditioned, is consistent with the applicable policies and objectives of the 2010 Monterey County General Plan and Toro Area Plan. See Finding No. 2 (Consistency).
 - b) Consistency with Zoning. The property is zoned Farmland, 40 acre minimum lot size, with a Design Control Overlay (F/40-D), which allows agricultural uses/development, and subdivision with a minimum lot size of 40 acres. The area under contract is proposed to be subdivided into two lots of 395.15 acres and 142.36 acres. Therefore, the project is consistent with the minimum parcel size requirement of the zoning district and an allowed land use for this site.
 - c) Compliance with County-adopted Rules and Regulations for the Administration of Agricultural Preserves:
 - i. Agricultural Use: The Applicant proposes to continue the existing agricultural (i.e., cattle grazing) use of the property, and no structural development is proposed under the subject application. Therefore, each proposed parcel would be devoted to a qualifying agricultural use. In addition, the Monterey County Agricultural Advisory Committee reviewed the project at a public meeting on March 27, 2014, and voted unanimously (7 – 0) to support the project and recommend approval as proposed.
 - ii. Minimum Lot Size per Contract. The proposed parcels of 395.15 acres and 142.36 acres exceed the minimum lot size requirement for this soil (“Grazing” and “Other” land) and contract type (Type I). Refer also to Finding No. 3, Evidence c.
 - iii. Income Requirement. Each proposed parcel is large enough to meet the income requirement for the type of soil and contract. Non-prime agricultural land is presumed to be in parcels large enough to sustain their agricultural use if the land is at least 40 acres (California Government Code § 66474.4). Therefore, the two proposed parcels would be capable of remaining economically viable agricultural units.
 - iv. Remain under Williamson Act Contract with Compatible Uses. The project does not involve cancellation of the existing contract (Land Conservation Contract No. 73-13). Condition No. 5 has been applied to require the Applicant to amend the current Williamson Act contract.
 - v. Removal of Land from Contract. No land currently under contract is proposed for removal from the Williamson Act

Program.

- d) Compliance with Section 66474.4 of the Subdivision Map Act. The subdivision would not result in residential development that is not incidental to the agricultural operation. The project area under contract is in active agricultural production (i.e., cattle grazing). The Farmlands Zoning District allows for single family dwellings accessory to the agricultural use of the property, not exceeding three in total for an owner, operator and employees employed on site (Title 21, Section 21.30.030.B). The subject application does not include the construction of infrastructure, accessory structures, or single-family dwellings, and it is not anticipated that new accessory structures or single-family dwellings would be proposed in the foreseeable future. However, the project has the potential of accommodating a total of 6 residential units on the 2 proposed parcels under contract (3 units on 2 of the 6 proposed lots). Single-family dwellings would be required to be consistent with the development regulations of Title 21 and the requirement of Section 21.30.030.B. To avoid agricultural resource impacts and to ensure the long-term agricultural viability of each parcel, the County will issue Conditional Certificates of Compliance directing that future placement of dwellings or structures on the parcel not obstruct agricultural operations (Condition Nos. 6 and 7).

10. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
- EVIDENCE:** a) Board of Supervisors: Section 19.16.020.B of the Monterey County Subdivision Ordinance (Title 19) designates the Board of Supervisors as the Appeal Authority to consider appeals from the discretionary decisions of the Planning Commission, and Section 19.16.025.A allows an appeal to be made to the Appeal Authority by any person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.

DECISION

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

1. Adopt a Negative Declaration;
2. Approve a Minor Subdivision, per MCC 19.03.005.4, of a 940.272 acre parcel into six (6) parcels (Parcel 1, 142.36 acres; Parcel 2, 395.15 acres; Parcel 3, 171.44 acres; Parcel 4, 134.52 acres; Parcel 5, 52.933 acres; and Parcel 6, 43.869 acres), in general conformance with the attached tentative map and subject to the attached conditions, all being attached hereto and incorporated herein by reference; and
3. Waive the requirement to file a parcel map, pursuant to MCC 19.04.005.B.

PASSED AND ADOPTED this 14th day of January, 2015, upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:

ABSTAIN:

Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

This 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.

NOTE

This permit expires 2 years after the above date of granting thereof unless the Record of Survey is recorded within this period.

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Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN130552

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

This Minor Subdivision (PLN130552) allows the division of a 940.272 acre parcel into six (6) parcels (Parcel 1, 142.36 acres; Parcel 2, 395.15 acres; Parcel 3, 171.44 acres; Parcel 4, 134.52 acres; Parcel 5, 52.933 acres; and Parcel 6, 43.869 acres). The property is located at 581 River Road (Assessor's Parcel Numbers 139-083-002-000, 139-083-004-000, 139-084-003-000, and 139-084-008-000), Toro Area Plan. 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 RMA - Planning. 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)

**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: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

The applicant shall record a Permit Approval Notice. This notice shall state: "A Minor Subdivision (Resolution Number 15 - ___) was approved by the Planning Commission for Assessor's Parcel Numbers 139-083-002-000, 139-083-004-000, 139-084-003-000, and 139-084-008-000 on January 14, 2015. The permit was granted subject to thirteen (13) conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to recordation of the Record of Survey. (RMA - Planning)

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

Prior to recordation of the Record of Survey, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

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

Responsible Department: RMA-Planning

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)

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 RMA - Planning.

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 RMA - Planning prior to the recordation of the Record of Survey.

4. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval. (RMA-Planning)

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

5. PD037 - WILLIAMSON ACT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner shall enter into a new or amended Land Conservation contract or contracts with the Board of Supervisors of the County of Monterey for the subdivision of Williamson Act lands deemed necessary by the Office of the County Counsel. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel, the property owners of record shall execute a new or amended contract or contracts to be prepared by the Office of the County Counsel, which shall be recorded concurrent with the recordation of the Certificate of Compliance.

6. PDSP001 - CONDITIONAL CERTIFICATES OF COMPLIANCE (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall request conditional certificates of compliance for the newly configured parcels. The conditions shall be as follows: 1) The property owner shall enter into a new or amended Land Conservation contract or contracts with the Board of Supervisors of the County of Monterey for the subdivision of Williamson Act lands; 2) The property owner shall record a deed restriction regarding water quality and quantity as directed by the Monterey County Environmental Health Bureau; 3) The property owner shall record a deed restriction regarding an onsite wastewater disposal system as directed by the Monterey County Environmental Health Bureau; 4) The property owner shall record a deed restriction regarding payment of recreation fees as directed by the Monterey County Parks Department; 5) The property owner shall record a deed restriction regarding single-family dwellings and structural development as directed by Monterey County RMA-Planning; 6) The property owner shall submit a conservation and scenic easement for that area of Parcel E and Parcel F that contain riparian forest habitat; and 7) The property owner shall record a Record of Survey as directed by Monterey County RMA-Public Works. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the certificates.

7. PDSP002 - SINGLE-FAMILY DWELLINGS ACCESSORY TO AGRICULTURAL USE (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall record a deed restriction that states: "All future single-family dwelling(s) proposed for each lot of record shall be located in areas that minimize the removal of agriculturally-productive land to maintain the agricultural viability of each lot of record. The location of each proposed single-family dwelling(s) shall be approved by the Director of Planning prior to issuance of any construction permit. No structural development is envisioned on either Parcel E or Parcel F." (RMA-Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall submit a signed and notarized deed restriction document to the Director of RMA-Planning for review and signature by the County.

Concurrent with filing the record of survey, record the County approved Deed Restriction on each parcel/lot created by the subdivision and provide proof of recordation to RMA-Planning.

8. EHSP01 - DEED RESTRICTION / MAP RECORDATION - AGRICULTURAL SUBDIVISIONS: WATER (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: 1. A note shall be placed on the Conditional Certificate of Compliance and record of survey in substantially the following form:

"The current property owners of record and all future buyers of any parcel/lot created by this subdivision are hereby notified that the parcels/lots created by this subdivision are not guaranteed to have water of sufficient quality or quantity to meet state standards and local drinking water standards set forth in the Monterey County Code (MCC) Title 15, Chapters 15.04 and 15.08, and MCC Title 19. At the time of the subdivision, the subject property was utilized for agricultural production, and no development of the parcels/lots for other purposes was projected. Therefore, the County has not verified that each parcel/lot has water quality and quantity meeting state and local drinking water standards. The current property owners of record and all future buyers of any parcel/lot created by this subdivision are hereby further notified that no development will be permitted and no building permit will be issued for development on any parcel/lot in this subdivision until the owner of that parcel/lot proposed for development demonstrates to the satisfaction of the County that the parcel/lot has a water source meeting all state and local drinking water quality and quantity standards, without treatment, as set forth in MCC Title 15, Chapters 15.04 and 15.08, and Title 19. For the purpose of this restriction, the term development includes any land improvement or entitlement that would utilize water for non-irrigation purposes and require onsite wastewater disposal."

2. Concurrent with the recordation of the parcel map or record of survey, the property owners of record shall record a Deed Restriction on all proposed parcels/lots created by this subdivision which includes the provision stated below. The property owners of record shall also include such provision in any grant deed or other instrument conveying any right, title, or interest in each parcel/lot created by this subdivision. The provision is as follows:

"The current property owners of record and all future buyers of any parcel/lot created by this subdivision are hereby notified that the parcels/lots created by this subdivision are not guaranteed to have water of sufficient quality or quantity to meet state standards and local drinking water standards set forth in the Monterey County Code (MCC) Title 15, Chapters 15.04 and 15.08, and MCC Title 19. At the time of the subdivision, the subject property was utilized for agricultural production, and no development of the parcels/lots for other purposes was projected. Therefore, the County has not verified that each parcel/lot has water quality and quantity meeting state and local drinking water standards. The current property owners of record and all future buyers of any parcel/lot created by this subdivision are hereby further notified that no development will be permitted and no building permit will be issued for development on any parcel/lot in this subdivision until the owner of that parcel/lot proposed for development demonstrates to the satisfaction of the County that the parcel/lot has a water source meeting all state and local drinking water quality and quantity standards, without treatment, as set forth in MCC Title 15, Chapters 15.04 and 15.08, and Title 19. For the purpose of this restriction, the term development includes any land improvement or entitlement that would utilize water for non-irrigation purposes and require onsite wastewater disposal." (Environmental Health Bureau)

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

Prior to filing the record of survey, submit a draft of the note to be placed on the record of survey for review and approval by the Environmental Health Bureau, Department of Public Works and the Office of the County Counsel.

Prior to the filing of the record of survey, execute a County form Deed Restriction for review and approval by the Environmental Health Bureau and the Office of the County Counsel.

Concurrent with filing the record of survey, record the County approved Deed Restriction on each parcel/lot created by the subdivision and provide proof of recordation to the Environmental Health Bureau and Planning Department.

At the time of sale of any parcel/lot, include the same provision in any instrument conveying right, title, or interest in each parcel/lot created by this subdivision.

9. EHSP02 - DEED RESTRICTION / MAP RECORDATION - AGRICULTURAL SUBDIVISIONS: ONSITE WASTEWATER DISPOS

Responsible Department: Health Department

**Condition/Mitigation
Monitoring Measure:**

1. A note shall be placed on the Conditional Certificate of Compliance and record of survey in substantially the following form:

"The current property owners of record and all future buyers of any of the parcels/lots created by this subdivision are hereby notified that, at the time of the subdivision creating these parcels/lots, the subject property was not guaranteed to have a viable site for an onsite wastewater disposal system. No Soils or Percolation Report by a qualified Soils Engineer has been completed which demonstrates that the subject property meets state standards and local standards set forth in the Monterey County Code (MCC), Title 15, Chapter 15.20. At the time of the subdivision creating the subject parcels/lots, the subject property was utilized for agricultural production, and no development of the parcels/lots for other purposes was projected. Therefore, the County has not verified that the subject parcels/lots created by this subdivision have an onsite wastewater site meeting all state standards and local standards set forth in MCC Chapter 15.20. The current property owners of record and all future buyers of the subject property are hereby further notified that no development will be permitted and no building permit will be issued for development on these parcels/lots until the owner(s) of a parcel/lot proposed for development demonstrates to the satisfaction of the County that the subject parcel/lot proposed for development has a suitable onsite wastewater site meeting all state standards and all local standards set forth in MCC Chapter 15.20. For the purpose of this restriction, the term development includes any land improvement or entitlement that would utilize water for non-irrigation purposes and require onsite wastewater disposal."

2. Concurrent with the recordation of the parcel map or record of survey, the property owners of record shall record a Deed Restriction on all proposed parcels/lots created by this subdivision which includes the provision stated below. The property owners of record shall also include such provision in any grant deed or other instrument conveying any right, title, or interest in each parcel/lot created by this subdivision. The provision is as follows:

"The current property owners of record and all future buyers of any of the parcels/lots created by this subdivision are hereby notified that, at the time of the subdivision creating these parcels/lots, the subject property was not guaranteed to have a viable site for an onsite wastewater disposal system. No Soils or Percolation Report by a qualified Soils Engineer has been completed which demonstrates that the subject property meets state standards and local standards set forth in the Monterey County Code (MCC), Title 15, Chapter 15.20. At the time of the subdivision creating the subject parcels/lots, the subject property was utilized for agricultural production, and no development of the parcels/lots for other purposes was projected. Therefore, the County has not verified that the subject parcels/lots created by this subdivision have an onsite wastewater site meeting all state standards and local standards set forth in MCC Chapter 15.20. The current property owners of record and all future buyers of the subject property are hereby further notified that no development will be permitted and no building permit will be issued for development on these parcels/lots until the owner(s) of a parcel/lot proposed for development demonstrates to the satisfaction of the County that the subject parcel/lot proposed for development has a suitable onsite wastewater site meeting all state standards and all local standards set forth in MCC Chapter 15.20. For the purpose of this restriction, the term development includes any land improvement or entitlement that would utilize water for non-irrigation purposes

and require onsite wastewater disposal.” (Environmental Health Bureau)

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

Prior to filing the record of survey, submit a draft of note to be placed on the parcel map or record of survey for review and approval by the Environmental Health Bureau, the Public Works Department, and the Office of the County Counsel.

Prior to the filing of the record of survey, execute a County form Deed Restriction for review and approval by the Environmental Health Bureau and the Office of the County Counsel.

Concurrent with filing the record of survey, record the County approved Deed Restriction for all parcels/lots created by the subdivision and provide proof of recordation to the Environmental Health Bureau.

At the time of sale of any parcel, include the same provision in any instrument conveying right, title, or interest in each parcel created by this subdivision

10. PKS002 - RECREATION IN-LIEU FEE (NON-STANDARD)

Responsible Department: Parks Enforcement

**Condition/Mitigation
Monitoring Measure:**

The applicant shall record a deed restriction as a condition of project approval stating: "The subdivision is subject to recreation fees based on Section 19.12.010 E. (2.) Recreation Requirements of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication if the property owner requests building permits for the construction of a residential structure or structures on one or more of the parcels created by the subdivision within four (4) years after the approval of the subdivision".

Proof of the recordation of a deed restriction shall be furnished to the Director of Parks and RMA-Planning.

The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D). (Parks Department)

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

Proof of the recordation of a deed restriction shall be furnished to the Directors of Parks and RMA-Planning.

11. PW0035 - RECORD OF SURVEY

Responsible Department: RMA-Public Works

**Condition/Mitigation
Monitoring Measure:**

File a Record of Survey showing the new line and it's monumentation. (RMA-Public Works)

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

Owner's Surveyor to prepare record of survey and submit to DPW for review and approval prior to recordation of survey.

12. PD022(A) - EASEMENT-CONSERVATION & SCENIC

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A conservation and scenic easement shall be conveyed to the County over those portions of Parcels E and F that contain riparian forest habitat. The easement shall be developed in consultation with certified professionals. An easement deed shall be submitted to, reviewed and approved by, the Director of RMA - Planning and accepted by the Board of Supervisors prior to recording the record of survey. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to recordation of the record of survey, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to RMA - Planning for review and approval.

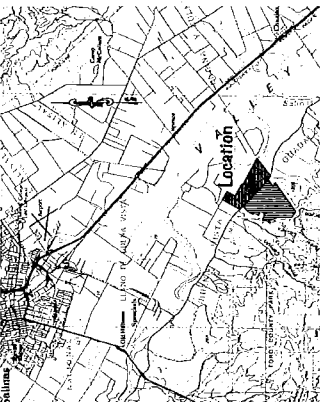
Prior to or concurrent with recording the record of survey, the County shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to RMA-Planning.

13. PDSP003 - EASEMENT - ACCESS (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner of Parcel D shall convey an access easement to the Owners of Parcels E and F. The access easement shall be developed in consultation with certified professionals, and a recorded copy submitted to RMA-Planning prior to recordation of the record of survey. (RMA-Planning)

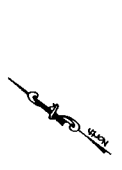
Compliance or Monitoring Action to be Performed: Prior to recordation of the record of survey, the Owner/Applicant/Certified Professional shall submit a copy of the recorded access easement to RMA-Planning.



VICINITY MAP
No Scale

EXISTING PARCEL 2 HAS LAND CONSERVATION AGREEMENT RESTRICTIONS PER MONTEREY COUNTY SUPERVISORS' RESOLUTION 73.34.13 FILED FOR RECORD IN REEL 830 AT PAGES 659.632 OF MONTEREY COUNTY RECORDS.

FORTIONS OF PARCELS 3 & 4, ALL OF PARCELS 5 & MAJOR PORTION OF PARCELS 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



0 400 800
(IN FEET)
1 inch = 400 ft.

SURVEYOR'S STATEMENT
THIS MAP WAS PREPARED BY ME OR JAMES J. COOK IN APRIL 2008.

PHILIP L. PEARSON, LS 4446
LICENSE EXPIRES 4/30/2025

INSUFFICIENT INFORMATION TO ESTABLISH LOCATION IN EXISTING PARCEL 1;

20 FOOT WIDE ROADWAY EASEMENT IN LOTS 105, 106, 107 AND 108 AS SAID LOTS TO MONTEREY COUNTY RECORDS;

ELECTRICAL FACILITIES EASEMENT PER BOOK 4, PAGE 42 OF OFFICIAL RECORDS OF MONTEREY COUNTY

TENTATIVE PARCEL MAP

THE AGRICULTURAL SUBDIVISION OF THE "COREY HILLS", "COREY FARMLANDS" AND "COREY BENCHLANDS" CONSISTING OF LOTS 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107 AND 108 AS SAID LOTS ARE SHOWN AND SO DELINEATED ON THE MAP ENTITLED "MAP OF THE AGRICULTURAL SUBDIVISION OF THE 'COREY HILLS', 'COREY FARMLANDS' AND 'COREY BENCHLANDS' ETC." FILED MARCH 18, 1983 IN THE OFFICE OF THE COUNTY RECORDER IN MAP BOOK ONE, MAPS AND GRANTS, (OUTSIDE LANDS) SITUATE IN THE STATE OF CALIFORNIA, RANCHO BUENA VISTA, CALIFORNIA

APPLICANT & REPRESENTATIVE: JAMES J. COOK
HORAN & LLOYD, ATTORNEYS AT LAW
26365 CARMEL RANCHO BLVD., SUITE 200
CARMEL, CA 95008
TELEPHONE NO. (831) 373-4131

OWNERS: EXISTING PARCEL 1; DEBRA SHORT, ELLA L. MORAN, MILTON E. PEDRAZZI, ROBERT P. PEDRAZZI, SANDRA L. DAY, PETER N. PEDRAZZI, JAMES N. PEDRAZZI, DAVID M. PEDRAZZI AS THEIR RESPECTIVE INTERESTS APPEAR OF RECORD. EXISTING PARCEL 2; DEBRA SHORT, LOREN CLONINGER, ELLA L. MORAN, MILTON E. PEDRAZZI, ROBERT P. PEDRAZZI, JAMES N. PEDRAZZI & DONNA C. PEDRAZZI, ROBERT P. PEDRAZZI & DEBRA J. PEDRAZZI, PETER N. PEDRAZZI AS THEIR RESPECTIVE INTERESTS APPEAR OF RECORD.

SURVEYOR: SALINAS VALLEY SURVEYORS
210 CAPITOL ST., SUITE 15
SALINAS, CA 93901

APNS: 139.095.002, 139.095.004, 139.094.003 & 139.094.004
WATER: EXISTING AGRICULTURAL WELLS
ELECTRICAL: EXISTING PG&E TELEPHONE; EXISTING AT&T STREET IMPROVEMENTS; WASTEWATER/SEWAGE DISPOSAL; DRAINAGE;

AGRICULTURAL SUBDIVISION
NONE PROPOSED.



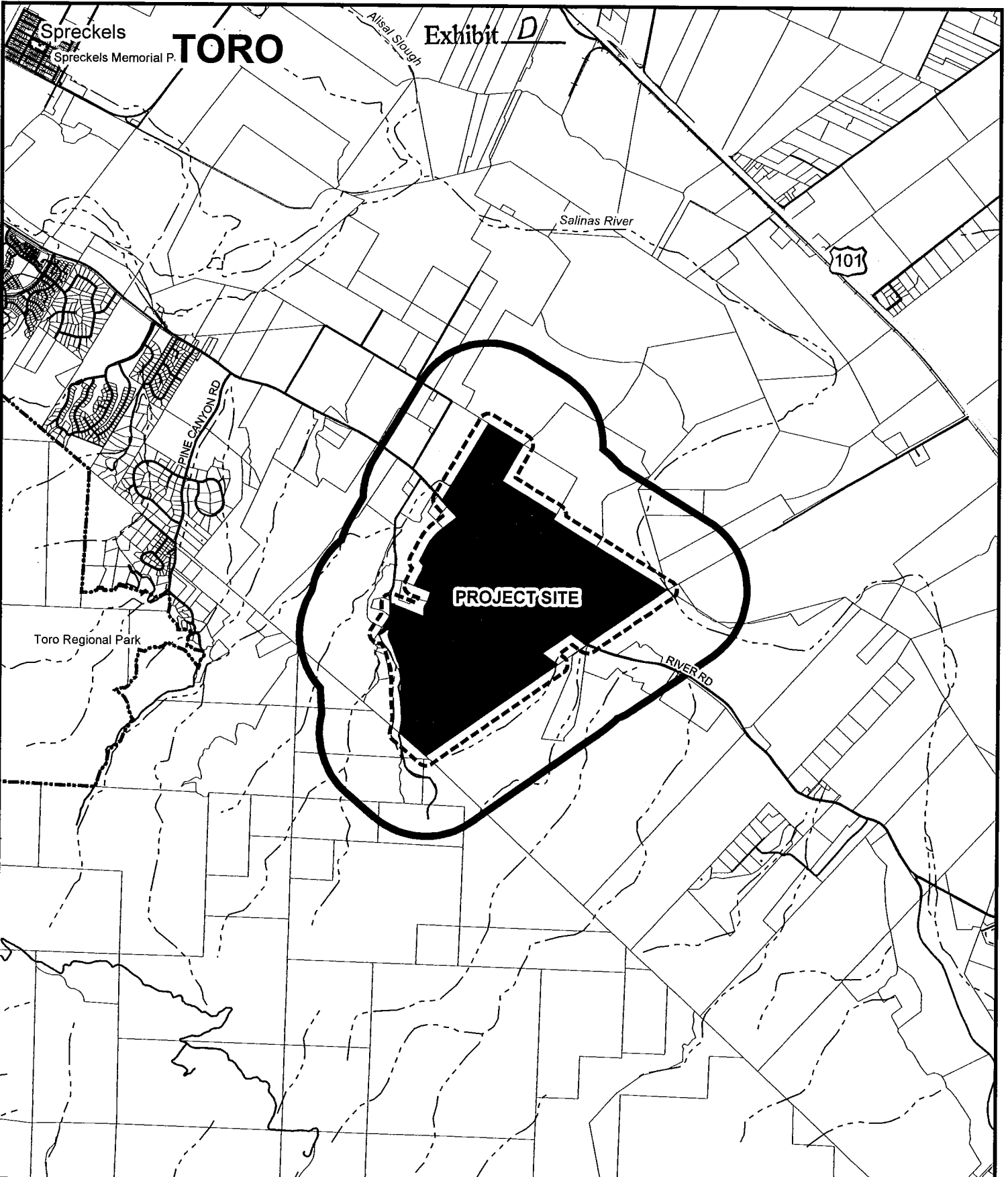
SCALE: 1" = 400' SHEET NO. 1 OF 1
DATE: 04/23/08 DESIGNED BY: FILE NO.

TENTATIVE PARCEL MAP
SHOWING THE AGRICULTURAL SUBDIVISION OF THE "COREY HILLS", "COREY FARMLANDS" AND "COREY BENCHLANDS" AS SAID LOTS ARE SHOWN AND SO DELINEATED ON THE MAP ENTITLED "MAP OF THE AGRICULTURAL SUBDIVISION OF THE 'COREY HILLS', 'COREY FARMLANDS' AND 'COREY BENCHLANDS' ETC." FILED MARCH 18, 1983 IN THE OFFICE OF THE COUNTY RECORDER IN MAP BOOK ONE, MAPS AND GRANTS, (OUTSIDE LANDS) SITUATE IN THE STATE OF CALIFORNIA, RANCHO BUENA VISTA, CALIFORNIA

PREPARED FOR:
Applicant & Representative:
Mr. James J. Cook
Horan / Lloyd, Attorneys at Law
26365 Carmel Rancho Blvd., Suite 200
Carmel, CA 95008 Phone: 831 - 373 - 4131

BOUNDARY & TOPOGRAPHIC SURVEYING
CONSTRUCTION STAKING & SUBDIVISION DESIGN
SALINAS VALLEY SURVEYORS

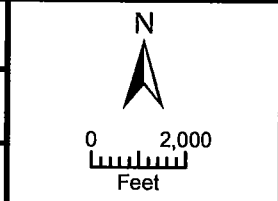
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APPLICANT: PEDRAZZI

APN: 139-083-002-000M FILE # PLN130552

2500' Limit
 300' Limit
 ~ ~ ~ Water



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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: **Toro**

Please submit your recommendations for this application by: **February 10, 2014**

Project Title: PEDRAZZI JAMES N TR ET AL

File Number: PLN130552

Planner: SIDOR

Location: ALONG RIVER RD AT ABBOTT RD & PARKER RD SALINAS

Project Description:

Tentative Parcel Map (per MCC 19.03.005.4) to allow the subdivision of a 940.272 acre parcel into six parcels consisting of 142.36 acres (Parcel 1), 395.15 acres (Parcel 2), 171.44 acres (Parcel 3), 134.52 acres (Parcel 4), 52.933 acres (Parcel 5), and 43.869 acres (Parcel 6). The property is located along River Road at Abbott Road and Parker Road, Salinas (Assessor's Parcel Numbers 139-083-002-000, 139-083-004-000, and 139-084-002-000), Toro Area Plan.

Was the Owner/Applicant/Representative present at meeting? Yes X No _____

Mark Blum

Also acknowledged as present were Phil Pearman, Surveyor, as well as Debbie and Dave Pedrazzi, family members involved with the split of the land aforementioned.

Was a County Staff/Representative present at meeting? Joe Sidor (Name)

Chair Kerry Varney asked the planner, Joe Sidor, and Mark Blum, attorney and special referee set by the court, to explain project PLN130552. Mr. Blum said that the 940.272 acre parcel is to be split into six parcels within the Pedrazzi family due to "irreconcilable differences". The parcel size differences equate to the value of each parcel and the recipients portion of the split.

Both Mr. Sidor and Mr. Blum stated that the parcel (per MCC 19.03.005.4) is currently exclusively used for agricultural uses (some grazing, some row crops) and will be maintained for agricultural uses only.

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Debbie and Dave Pedrazzi		X	Said they attended to observe the process; were grateful the issue of the split is now closer to a resolution
Joe Sidor, county planner		X	Showed map of Pedrazzi parcel (MCC 19.03.005.4); stated land would remain 100% in ag use, as it is currently zoned/used.
Mark Blum, attorney with Horan/Lloyd; special referee set by the court.		X	Explained legal reasons for the six way split of the Pedrazzi parcel (MCC 19.03.005.4). See 6 A

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)
Bob Rieger asked if there was to be a land use change from its present use?		No land use changes requested; land is to remain ag so there is no concern/change to address.

ADDITIONAL LUAC COMMENTS

Chair Kerry Varney asked the county planner, Joe Sidor, to explain why LUAC was involved in this issue. Mr. Sidor explained that because there had been an initial environmental review with CEQA involvement, legally LUAC had to be alerted and involved in the subdivision of the Pedrazzi 940.272 acre parcel, file number PLN130552.

RECOMMENDATION:

Motion by: Mike Mueller (LUAC Member's Name)

Second by: Bonnie Baker (LUAC Member's Name)

Support Project as proposed

Support Project with changes

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: Kerry Varney, Bob Rieger, Lauren Keenan, Bonnie Baker, Mike Mueller (5)

NOES: 0

ABSENT: Mike Weaver, Beverly Bean, Mark Kennedy, Ron Vandergrift (4)

ABSTAIN: 0

Exhibit E-2

**MONTEREY COUNTY
AGRICULTURAL ADVISORY COMMITTEE (AAC)**
Grower-Shipper Association Office
512 Pajaro Street, Salinas, CA 93901

**March 27, 2014
2:30 p.m. to 4:30 p.m.**

MINUTES

Members	Present	Guests & Staff	Affiliation
David Costa	-	Joe Sidor	RMA-Planning Department
Steve de Lorimier	-	Nadia Amador	RMA-Planning Department
Alexandra Eastman	-	Mary Grace Perry	Office of the County Counsel
Kurt Gollnick	-	Eric Lauritzen	Agricultural Commissioner
Bill Hammond	✓	Bob Roach	Agricultural Commissioner's Office
Bill Lipe	✓	Christina McGinnis	Agricultural Commissioner's Office
Mike Manfre	-	Kathy Nielsen	Agricultural Commissioner's Office
Steve McIntyre	✓		
Manuel Morales	✓		
Steve Ray	✓		
Scott Violini	✓		
Ridge Watson	✓		

I. Call to Order

The meeting was called to order at 2:58 p.m.

II. Approvals

The meeting minutes of February 27, 2014, were approved unanimously.

III. Public Comments (items not on the agenda)

None

IV. Agricultural Commissioner's Update

- AgKnowledge is starting on Friday, March 28. There are 23 fellows with varying backgrounds. The new year will start with a kick-off reception at the Grower-Shipper Association office.
- A new bill, SB1411, has been introduced regarding regulation of pesticides around schools and would give additional authority for agricultural commissioners to limit restricted pesticide use near school. . It is set to go before the Senate Ag Committee next week. It would also greatly expand posting requirements. CACASA is pushing for formation of a stakeholder group to discuss.

- I am working with Juan Uranga and the Center for Community Advocacy to launch a farmworker advisory committee. We have met with the majority of supervisors and have a target launch date of April. The purpose is to bring farmworker leaders together to talk and work more directly with each other. First meeting to meet and greet, then work on developing an agenda.
- The 2013 Crop report is scheduled for release on June 17. The theme this year is stewardship.

V. Resource Management Agency

A. Pedrazzi Parcel Subdivision

Joe Sidor, Associate Planner

Tentative Parcel Map (per MCC 19.03.005.4) to allow the subdivision of a 940.273 acre parcel into six parcels consisting of 142.36 acres (Parcel 1), 395.15 acres (Parcel 2), 171.44 acres (Parcel 3), 134.52 acres (Parcel 4), 52.933 acres (Parcel 5), and 43.869 acres (Parcel 6). The property is located along River Road [NO ADDRESS ASSIGNED BY PUBLIC WORKS] Toro Area Plan.

The project currently has area in an existing Williamson Act (WA) contract on the west side of River Road, in grazing. The existing WA contract covers 537.51 acres and would continue to do so under two amended contracts. There would be no change in the amount of WA acreage, just reconfiguration. The project does not propose any structural development, as the properties are proposed solely for an agricultural subdivision. Nonetheless, the Planning Department is preparing an Initial Study. Planning is not requiring an Agricultural Viability Study.

LandWatch Letter: Planning staff will consider this letter in review of the minor subdivision application; however, the issues raised by this letter do not apply to the Ag Advisory Committee's review of the proposed subdivision.

ACTION: Receive Ag Advisory Committee comments regarding compliance with applicable Williamson Act contract policies and the agricultural viability of the proposed subdivided parcels.

MOTION: A motion was made by Bill Hammond and seconded by Bill Lipe to recommend the Ag Advisory Committee support the subdivision of the Pedrazzi property as presented on the map on both sides of River Road as one side meets the Williamson Act and the other side meets the 40-acre minimum and ag viability.

AYES: 7

NOES: 0

ABSENT: 4 (Costa, de Lorimier, Eastman, Gollnick, Manfre)

B. Right-to-Farm Ordinance (Draft)

Nadia Amador, Associate Planner

This item was continued from the February 27, 2014, AAC meeting to March 27, 2014, in order to incorporate additional changes to the draft Ordinance including but not limited to: a third form of disclosure method (disclosure through Building Permit applications); and revisions clarifying types of agricultural activities.

The RTF would amend Chapter 16.40 of Monterey County Code entitled Protection of Agricultural Activities commonly referred to as the "Right to Farm" Chapter. A descriptive purpose of the chapter is being added. A dispute resolution procedure is also being established that is less formal and less costly than court proceedings. The dispute procedure has always been in the chapter, but it is being updated to be more current and fair. Applicability will be added thus making the ordinance applicable on a countywide basis. An error under Section 5, which has an incorrect reference, will be fixed.

Establishing disclosure through the following:

1. Notice in property tax bills for every property owner in county. Added sentence for property owner to advise tenants;
2. Through real estate transactions to notify buyers;
3. County building department – adding information at the building permit stage on the application.

An informational pamphlet will be developed for local law enforcement agencies to use when there is a complaint from the public. In addition, a website will be developed, but not required as a formal part of the ordinance.

Requested Action: Recommend approval of the draft "Right to Farm" Ordinance, in substantially the same form as presented, by the Monterey County Planning Commission and the Board of Supervisors.

MOTION: A motion was made by Bill Lipe and seconded by Steve McIntyre to recommend that the Monterey County Planning Commission and Board of Supervisors approve the draft Right to Farm Ordinance in substantially the same form as presented to the Ag Advisory Committee.

AYES: 7
NOES: 0
ABSENT: 4 (Costa, de Lorimier, Eastman, Gollnick, Manfre)

VI. Administrative Matters

Nothing to report.

VII. Adjournment

There being no further business before the Committee, the meeting was adjourned at 3:35 p.m.

Respectfully submitted,

Monterey County Agricultural Commissioner's Office

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County of Monterey
 State of California
NEGATIVE DECLARATION

FILED
 SEP 22 2014
 STEPHEN L. VAGNINI
 MONTEREY COUNTY CLERK
 DEPUTY

Project Title:	Pedrazzi
File Number:	PLN130552
Owners:	Pedrazzi James N TR et al
Project Location:	River Road, south of Parker and Corey Roads, Salinas, Toro Area Plan, Monterey County Unincorporated Area
Primary APNs:	139-083-002/004-000 and 139-084-003/008-000
Project Planner:	Joseph Sidor, Associate Planner
Permit Type:	Combined Development Permit
Project Description:	Minor Subdivision, per Monterey County Code Section 19.03.005.4, to allow the division of a 940.272 acre parcel into six (6) parcels (Parcel A, 142.36 acres; Parcel B, 395.15 acres; Parcel C, 171.44 acres; Parcel D, 134.52 acres; Parcel E, 52.933 acres; and Parcel F, 43.869 acres).

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 Resource Management Agency – Planning
Review Period Begins:	September 23, 2014
Review Period Ends:	October 24, 2014

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

POSTED 30 DAYS

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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: Pedrazzi Subdivision (Agricultural)

File No.: PLN130552

Project Location: River Road, south of Parker and Corey Roads, Salinas, Toro Area Plan

Name of Property Owner/Applicant: Pedrazzi James N TR et al

Name of Agent: James J. Cook, Esq., and Mark A. Blum, Esq., Horan Lloyd

Assessor's Parcel Number(s): 139-083-002-000, 139-083-004-000, 139-084-003-000 and 139-084-008-000

Acreage of Property: Approximately 940.3 acres

General Plan Designation: Farmlands 40-160 Ac Min

Zoning District: F/40-D and F/40

Lead Agency: County of Monterey Resource Management Agency (RMA) – Planning

Prepared By: Joseph Sidor, Associate Planner

Date Prepared: September 12, 2014

Contact Person: Joe Sidor

Phone Number: 831-755-5262
sidorj@co.monterey.ca.us

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

The Pedrazzi project (RMA-Planning File No. PLN130552) proposes to subdivide an approximately 940 acre legal lot of record into six parcels ranging in size from approximately 44 to 395 acres. The proposed agricultural subdivision does not include any changes to the existing land/agricultural uses or any development of structures. The Applicant submitted an initial application package on January 13, 2014, to request the following entitlement: Minor Subdivision Tentative Map, per Monterey County Code (MCC) Section 19.03.005.4, to allow the division of a 940.272 acre parcel into six (6) parcels (Parcel A, 142.36 acres; Parcel B, 395.15 acres; Parcel C, 171.44 acres; Parcel D, 134.52 acres; Parcel E, 52.933 acres; and Parcel F, 43.869 acres).

B. Environmental Setting and Surrounding Land Uses:

The approximately 940 acre parcel straddles River Road south of Parker and Corey Roads, in the Toro Area Plan of Monterey County. The topography of the property varies from flat alluvial lands east of River Road to rolling hills west of River Road. Existing structural development includes a 2,940 square foot non-habitable accessory structure for agricultural equipment located on the portion of the property east of River Road. The subject and surrounding properties support ongoing agricultural operations (i.e., a mix of row crop fields and grazing areas, as well as accessory residential use). The entire property is located within the Monterey County Water Resources Agency's Zone 2C benefitted assessment zone of the Salinas Valley Water Project. Small portions of proposed Parcels C and D, a major portion of proposed Parcel F, and all of proposed Parcel E are located in Zone A, 100-year floodplain, of FEMA Map 0653C0380. The property is also identified or referred to as the Corey Ranch Hills and the Corey Ranch Farmland.

The Corey Ranch Hills area is located west of River Road and consists of approximately 537 acres of oak woodland and grassland utilized for cattle grazing. The Corey Ranch Hills area is also under Williamson Act contract (Land Conservation Contract No. 73-13).

The Corey Ranch Farmland area is located east of River Road and consists of approximately 403 acres, with approximately 306 acres in row crop production and approximately 97 acres not currently in agricultural use. This 97 acre area includes approximately 36 acres of non-native grassland that appears to have been previously farmed and another 27 acres (for a total of 63 of the 97 acres) that could potentially be cultivated for agricultural uses. The area not in current agricultural use contains a mix of habitats (e.g.; riparian scrub, central coast scrub, non-native grassland, and riparian forest habitat). A biological report was prepared in 2009 for a proposal to cultivate a major portion of the 97 acre area (i.e., proposed Parcels E and F). That proposal was never completed. No new survey was performed for this application as no development or ground disturbance is proposed as part of this project.

C. Other public agencies whose approval is required:

Subsequent to approval of the required discretionary permit (entitlement) identified above in Section A, the Applicant would not require other approvals from agencies outside the County of

Monterey. Condition compliance would include a requirement for new unconditional certificates of compliance and an amended Williamson Act contract.

D. Application Background:

The lands proposed for subdivision were court ordered to be subdivided on March 29, 2013. The Order resulted from a judicial partition action filed by one of the owners. The subject property, comprised of ranchlands (the Corey Ranch Hills), farmlands and potential farmlands (the Corey Ranch Farmlands), were ordered subdivided in response to the judicial partition action. The sole purpose of the partition and this proposed subdivision is to separate the ownership of the lands. The court's order does not contemplate nor authorize an application by the court-appointed Referee for any change in existing use or intensification of existing use. Should any of the owners desire to change or intensify uses in the future, they would need to independently apply for the appropriate entitlement following the completion of the subdivision.

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 type="checkbox"/>

General Plan/Area Plan. The proposed agricultural subdivision was reviewed for consistency with the 2010 General Plan and the Toro Area Plan. The project proposal consists of subdividing agricultural land for continued agricultural purposes, and the proposed lots would range in size from approximately 44 to 395 acres. The project proposal involves no new structural development. County staff reviewed the project plans and visited the site to analyze possible development alternatives. The proposed lots have also been reviewed for consistency with the design/development standards listed in Monterey County Code Section 19.10, Title 19, Subdivision Ordinance - Inland. The subdivision proposal is consistent with the land use categories, policies, and standards of the plans and ordinance identified above. See Sections IV and VI below for additional information regarding policy consistency. **CONSISTENT**

Air Quality Management Plan.

The applicable Air Quality Management Plan (AQMP) addresses the attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB). The Monterey Bay Unified Air Pollution Control District (MBUAPCD) incorporates the Association of Monterey Bay Area Governments (AMBAG) population and housing forecasts in its preparation of regional air quality plans, and consistency of a project with the regional population and employment forecast would result in consistency of the project with the applicable AQMP. AMBAG prepares new population and employment forecasts for the three-county area approximately every 3-4 years. The three-county area includes San Benito, Monterey and Santa Cruz counties. These forecasts provide a common planning base for the regional air quality management plan, regional transportation plans, regional water quality improvement plans, and other regional planning programs. The current AMBAG forecast, air quality guidelines, and AQMP are the following: 2014 Regional Growth Forecast, adopted by AMBAG on June 11, 2014 [(also known as the Regional Growth Forecast for Population, Housing, and Employment (2014)]; CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008; and the 2009 – 2011 Triennial Plan Revision to the *2008 Air Quality Management Plan for the Monterey Bay Region*, adopted April 17, 2013. Section IV.3 of this Initial Study (Air Quality) discusses whether this particular project conflicts or obstructs implementation of air quality plans, violates any standard or contributes to air quality violations, results in cumulative non-attainment of ambient air quality standards, exposes sensitive receptors to pollutant concentrations or creates objectionable odors affecting many people. Based on the county's population information and land use categories, pending, and approved projects, the proposed project is considered consistent with AMBAG'S 2014 Regional Growth Forecast. The proposed project would not increase the population of the area nor generate additional permanent vehicle trips. Therefore, the proposal would not alter any

population or housing forecasts, also making the proposed project consistent with the applicable AQMP. **CONSISTENT**

Water Quality Control Plan.

The project is consistent with the 2010 General Plan and AMBAG'S 2014 regional population and employment forecast. The Regional Water Quality Control Board (RWQCB) incorporates these documents in its preparation of regional water quality plans; therefore, the proposed project is consistent with the Regional Water Quality Control Plan. Section IV.9. (Hydrology and Water Quality) discusses whether this particular project violates any water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes substantially with groundwater recharge, substantially alters the existing drainage pattern of the site or area or creates or contributes runoff water which would exceed the capacity of existing or planned storm water drainage. **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 type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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

- Check here if this finding is not applicable

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

EVIDENCE: Due to prior disturbance of the site from agricultural activities, and no construction associated with the subdivision proposal, many of the above topics on the checklist do not apply. No impacts are identified for aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, public services, recreation, transportation/traffic, and utilities/service systems.

The subdivision of this agricultural land into six parcels of no less than 40 acres each could result in up to twelve future residences under the F/40 zoning classification. However, speculation regarding future development potential from the subdivision is considered inconsequential to the environmental analysis because:

- a) No such development is proposed, and is not necessarily foreseeable. The intent and objective of the proposed agricultural subdivision is to divide the property for estate settlement purposes. There is no proposal to change the existing agricultural use of the property.
- b) Forty-acre minimum parcels are a size recognized by the County of Monterey as large enough to preserve and maintain agriculture in the County, while minimizing impacts to urban service systems. Forty acre minimums presume the continued agricultural use of the land, and allowable residential development is considered accessory to the agricultural use in Farmland or "F" districts. "F" districts do not support urban densities and associated urban impacts.
- c) Any specific proposals for future residential uses on the resulting parcels would be required to undergo site-specific environmental review where a meaningful evaluation of potential impacts could be made. Typical impacts of rural development at this density involve the water wells and wastewater systems, both of which are regulated by state law as well as county standards.

The bases for the "No Impact" conclusions are stated below:

1. Aesthetics. The project proposal consists of subdividing agricultural land for continued agricultural purposes, and would not alter the physical appearance of the landscape. The proposed lots would range in size from approximately 44 to 395 acres, and the proposal involves no new structural development. The existing visual character would remain unchanged as a result of this project, or what is allowed under the current conditions and zoning. Although the project increases the potential for residential development, development of up to three main dwelling units would only be allowed associated with the commercial agricultural use of the site. In addition, an existing Williamson Act contract would also limit incompatible land uses (see also Sections IV.2 and IV.10). The proposed subdivision will not impact any scenic vista and will not damage scenic resources. The proposed subdivision is not intended for urban densities, and therefore will not degrade existing visual character or create any new sources of light or glare. (Source: IX.1, 2, 6)
2. Agriculture and Forest Resources. Current agricultural uses on the property include row crop production (approximately 306 acres east of River Road) and grazing (approximately 537.5 acres west of River Road). Approximately 96.8 acres east of River Road are not currently in agricultural use; however, this area includes approximately 36 acres of non-native grassland that appears to have been previously farmed and another 27 acres (for a total of 63 acres, or 65 percent, of the 96.8 acres not in current use) that could be cultivated for agricultural uses. The portion of the property located west of River Road (approximately 537.5 acres) is under Williamson Act contract (Land Conservation Contract No. 73-13). The proposed subdivision is consistent with the restrictions of the

Williamson Act because the subject contract area and the two proposed parcels of approximately 395 acres and 142 acres are large enough to remain economically viable for agricultural use. Resource Management Agency (RMA)-Planning staff has reviewed the proposed subdivision and applied a standard condition requirement to amend the current Williamson Act contract. Moreover, forty-acre minimum parcels are a size recognized by the County of Monterey as large enough to preserve and maintain viable agricultural operations. The County's GIS database identifies the area now under row crop production (approximately 306 acres east of River Road) as "Prime Farmland", and the approximately 537.5 acres west of River Road as "Grazing" land. Although the property does contain "Prime Farmland", the project does not propose to convert any farmland to non-agricultural use. The proposed agricultural subdivision would not result in impacts to "Prime" or other types of farmland. (Source: IX.1, 2, 4, 6)

3. Air Quality. The project will not conflict with or obstruct the implementation of an applicable air quality plan or guidelines. The project is consistent with the *Monterey County 2010 General Plan*, the *Toro Area Plan*, the Monterey Bay Unified Air Pollution Control District (MBUAPCD) *CEQA Air Quality Guidelines*, and the *2009 – 2011 Triennial Plan Revision to the 2008 Air Quality Management Plan for the Monterey Bay Region*. The project does not propose the construction of any structures; therefore, this project results in no impact to implementation of the air quality management plan, and would result in no changes to population. No significant traffic related air quality thresholds will be met and no violations will occur as a result of this subdivision, either cumulatively or individually. The project would not result in any construction-related air quality impacts, and the land is proposed to remain in agricultural use. The project would not create objectionable odors affecting a substantial number of people or expose sensitive receptors to substantial pollutant concentrations. As such, the project would not result in a net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standards. (Source: IX.1, 5, 6)
4. Biological Resources. Current agricultural uses on the property include row crop production (approximately 306 acres east of River Road) and grazing (approximately 537.5 acres west of River Road). Approximately 96.8 acres east of River Road are not currently in agricultural use; however, this area includes approximately 36 acres of non-native grassland that appears to have been previously farmed and another 27 acres (for a total of 63 acres, or 65 percent, of the 96.8 acres not in current use) that could be cultivated for agricultural uses. The area not in use contains a mix of habitats (e.g.; riparian scrub, central coast scrub, non-native grassland, and riparian forest habitat). The approximately 17.8 acres of riparian forest habitat is considered sensitive habitat, although no individual sensitive plant species were identified. The riparian forest habitat also provides a high potential for the two-striped garter snake and nesting raptors, including the Cooper's hawk; however, the dusky-footed woodrat is the only sensitive wildlife species observed in the area. The proposed subdivision involves no tree removal, no structural development (e.g., demolition or construction), and no clearing and/or grading. Therefore, as proposed, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species, or have a substantial adverse effect on any riparian habitat or other sensitive natural community. Any future development proposal

would require review and evaluation of potential impacts to biological resources. The project would have no impacts on biological resources. (Source: IX.1, 2, 4, 6, 7)

5. Cultural Resources. The project would not cause any change in a significant historical or cultural resource, directly or indirectly destroy a unique paleontological resource, or disturb any human remains. The project site is in an area identified in County records as having a low archaeological sensitivity, and is not within an existing cultural resources buffer zone. Approximately ninety percent of the property is already extensively developed for agricultural or grazing purposes. No changes or modifications are proposed to the existing structure or agricultural uses. The project as proposed will have no impacts related to historic or prehistoric cultural resources, paleontological resources or a unique geologic feature, nor will it disturb any human remains. (Source: IX.1, 6)
6. Geology/Soils. According to the County's GIS database, the project area has a low risk for landslides and low to moderate risk for liquefaction. Also, the majority of the project area has a low to moderate risk from erosion, and approximately 10 percent of the site along the southwestern border has a high risk of erosion. The database identifies the seismic nature of the site to be risk-level IV, with a risk-level VI near the southwestern corner of the property. In addition, the Reliz fault and 660-foot buffer transit the center of the property area west of River Road. Although the project site would be exposed to ground-shaking from any of the faults that traverse Monterey County, the project does not propose any new structural development and would not place persons at risk. Therefore, the project would not result in impacts to geology and soils regarding landslides, liquefaction, expansive soils, erosion, or disposal of wastewater. See also Section VI.13, Population and Housing, regarding the Monterey County Environmental Health Bureau requirement for a deed restriction to inform any potential buyer (or future owner) that wastewater feasibility must be demonstrated prior to any structural development beyond that required for the existing agricultural operations. (Source: IX.1, 2, 6)
7. Greenhouse Gas Emissions. The proposed project would not create any new air/pollutant emissions beyond those associated with current agricultural uses established on the property. Therefore, the project would not conflict with any local or state GHG plans or goals, would not result in a net increase of greenhouse gas emissions, either directly or indirectly, and would not create any new impacts to greenhouse gas emissions. (Source: IX.1, 2)
8. Hazards/Hazardous Materials. The project does not propose any change to the existing agricultural uses, so it does not propose any additional transportation, use or disposal of hazardous materials that would constitute a threat of explosion or other significant release of materials that would pose a threat to neighboring properties above the existing baseline agricultural uses. Pesticides, herbicides, and fertilizers have likely been used on the site for ongoing agricultural operations; however, the use of such products is consistent with commercial agricultural, and the proposed subdivision will not conflict with such use or result in any hazardous materials conflicts above the existing baseline condition. The proposed project would not involve stationary operations, create hazardous emissions, or handle hazardous materials. The site is not included on a list of hazardous materials sites, and the site location would have no impact on emergency response or emergency

evacuation. The site is not located within two miles of an airport or airstrip. Although the portion of the parcel west of River Road is in an area identified in County records as having a high fire risk, the project does not propose any new structural development. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildfires. The project would not result in impacts from hazards or hazardous materials. (Source: IX.1, 2, 6, 7)

9. Hydrology/Water Quality. The proposed subdivision does not involve any new construction, so the project would not violate water quality standards or waste discharge requirements, nor conflict with Monterey County Code (MCC) Chapter 16.16, Regulations for Floodplains in Monterey County. Approximately 110 acres in the southeastern area of the property is located within the 100-year floodplain of the Salinas River (Zone A). The Monterey County Water Resources Agency (WRA), Environmental Health Bureau (EHB), and Resource Management Agency-Environmental Services (RMA-ES) have reviewed the project application and, as conditioned, deemed that the project complies with applicable ordinances and regulations. As proposed, the project would not expose people or structures to a significant risk involving flooding. The proposed agricultural subdivision would not alter the existing drainage pattern of the site or area, nor create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. Since the project proposes no structural development, it would not create additional sources of polluted runoff or degrade water quality, or place a structure within an area that would impede or redirect flood flows. The proposed subdivision would not result in increased flood heights or velocities; nor alteration of natural floodplains, stream channels, or natural protective barriers. The project, as proposed, would also not deplete groundwater supplies or interfere with groundwater recharge. The parcel is currently served by four private wells that support the existing agricultural operations. The current use of water for agricultural irrigation would continue without any anticipated increase in withdrawal (see also Section VI.13, Population and Housing). The property is located approximately 12.5 miles inland from the coast and would not be subject to inundation by a tsunami, nor is it located near a body of water that is anticipated to threaten a seiche. The area of the property east of River Road could be subject to dam inundation; however, no persons would be subject to risk since the project does not propose the construction of any structures. The proposed subdivision would have no impacts related to hydrology and water quality. (Source: IX.1, 6)
10. Land Use. The approximately 940.3 acre parcel is zoned Farmland, 40 acres per unit, with a Design Control District Overlay (F/40-D). All surrounding parcels have the same zoning classification and land use designation, with the exception of one adjacent parcel zoned Permanent Grazing at the southwest corner of the project parcel. The proposed agricultural subdivision is consistent with, and would have no impact on, the land use designation, zoning classification, or existing land use. The subject property and surrounding properties currently support ongoing agricultural operations; therefore, the proposed subdivision would not physically divide, disrupt, or otherwise have a negative impact upon an established community, the existing neighborhood, or adjacent properties. Also, the project would not conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site. Existing structural development on the property includes a 2,940 square foot non-habitable

accessory structure for agricultural equipment located on the portion of the property east of River Road. The proposed subdivision into six parcels of approximately 142.36 acres, 395.15 acres, 171.44 acres, 134.52 acres, 52.933 acres, and 43.869 acres, would meet the development standards in the Monterey County Code (MCC) Subdivision Ordinance (Title 19 - Inland) and MCC Zoning Ordinance (Title 21), and the policies of the 2010 General Plan and Toro Area Plan. The portion of the property located west of River Road (approximately 537.5 acres) is under Williamson Act contract (Land Conservation Contract No. 73-13). The proposed subdivision is consistent with the restrictions of the Williamson Act because the subject contract area and the two proposed parcels of approximately 395 acres and 142 acres are large enough to remain economically viable for agricultural use. RMA-Planning staff has reviewed the proposed subdivision and applied a standard condition requirement to amend the current Williamson Act contract. The entire property is located within the Monterey County Water Resources Agency's Zone 2C benefitted assessment zone of the Salinas Valley Water Project. Since the project does not propose any intensification of existing agricultural use, County staff has determined that the proposed subdivision falls under the exemption regarding a long-term sustainable water supply provided by 2010 General Plan Policy PS-3.1c, as amended March 11, 2013 (see also Section VI.13, Population and Housing). Also, Monterey County 2010 General Plan Policy LU-1.19, while identifying a requirement to establish a Development Evaluation System for projects involving five or more lots or units, is intended to address urban-type development that could introduce or result in a concentrated population center in an area without adequate support infrastructure. Policy LU-1.19 is not intended to prohibit agricultural subdivisions that could allow and benefit continued agricultural use of the property. Allowing agricultural subdivisions can also contribute to the protection of prime farmlands and grazing lands by affording farmers and ranchers the opportunity to obtain re-financing in support of existing agricultural operations. Furthermore, Policy LU-3.2 directs that land use in areas designated for agricultural use shall be guided by the policies of the Agricultural Element of the 2010 General Plan, and Policy AG-1.7 encourages housing related to the agricultural use of the property. Therefore, the project would not result in impacts to land use and planning regarding an established community or conservation plan. (Source: IX.1, 2, 3, 4, 6)

11. Mineral Resources. The project site has no known significant mineral resources; therefore, no mineral resources would be affected by the proposed project. (Source: IX.1, 2, 6)
12. Noise. The project does not propose to change the existing agricultural uses of the property, would not expose the surrounding properties to noise levels that exceed standards or to vibration from construction activity, and would not result in an increase to permanent or temporary ambient noise levels. The project site is not located in the vicinity of an airport or private airstrip. The proposed project would not result in noise impacts. (Source: IX.1, 2, 6)
13. Population/Housing. See Section VI.13.
14. Public Services. The project involves the subdivision of agricultural lands and does not propose any change in the agricultural uses served by existing services and utilities following subdivision. The project would have no measurable effect on existing public

services and would not require expansion of any services to serve the project. As proposed, the project would have no substantial adverse physical impacts associated with the provision of 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. Emergency response is provided by the Monterey Regional Fire Protection District and the Monterey County Sheriff's Department. The County departments and/or service providers who reviewed the project application did not identify any impacts, and applied standard Conditions of Approval as necessary. The project would not result in impacts to public services. (Source: IX.1, 2, 6)

15. Recreation. Based on review of County records and a County RMA-Planning staff site visit on August 9, 2013, the proposed project does not include any new development that would result in an increase in the use of existing recreational facilities causing substantial physical deterioration, nor create any demand for the construction of new recreation facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project. Therefore, the proposed project would have no impacts related to recreation. However, per the Monterey County Subdivision Ordinance, Inland (Title 19), Section 19.12.010, the project would be required to pay a standard in-lieu fee for recreation requirements. (Source: IX.1, 2, 3)
16. Transportation/Traffic. The proposed agricultural subdivision involves the creation of five new parcels located on a relatively low-traffic county road, yet does not involve new structural development or uses that would generate new traffic or increase the number of vehicle trips above the existing baseline (i.e., no change in roadway level of service is anticipated). The roadways in the immediate area are not at degraded levels of service, and the proposed project would not cause any roadway or intersection level of service to be degraded. The project would also not result in a change in air traffic patterns. Access to the proposed parcels would remain unchanged, so the subdivision would not increase hazards due to a design feature (e.g., there are no sharp curves or dangerous intersections near the project site), nor exacerbate any conflicts due to incompatible uses (i.e., the site is zoned for farming uses and the continued use of existing farm equipment/vehicles). The proposed subdivision would not impact emergency access, nor result in inadequate parking. The project also would not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g.; public transit, bicycle, or pedestrian facilities), or otherwise decrease the performance or safety of such facilities. The proposed project would have no impacts related to transportation or traffic. (Source: IX.1, 2, 3, 6)
17. Utilities/Service Systems. The proposed agricultural subdivision would not add any new structures or uses that would require increases to service from existing utility systems. Utilities (i.e., electricity and water) are already in place, and the proposed project would not generate additional demand nor warrant the expansion of the current infrastructure. The property is currently served by four private wells that support the existing agricultural operations. Three wells provide water for irrigated agricultural operations with no associated storage tanks, and one well provides water for livestock grazing. The proposed subdivision would not contribute to any existing wastewater treatment facilities, would not require any additional water supply, and would not generate any increase in solid waste. The Monterey County Environmental Health Bureau (EHB) reviewed the

proposed project and determined that wastewater feasibility studies, as well as water quality and quantity testing, would not be required; however, EHB has applied a requirement for deed restrictions (see Section VI.13, Population and Housing) to inform any potential buyers (or future owners) that wastewater feasibility and water quality/quantity must be demonstrated prior to any structural development beyond that required for the existing agricultural operations. The project would have no impacts related to utilities and service systems. (Source: IX.1, 2)

B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Joseph Sidor

September 12, 2014

Date

Associate Planner

V. *EVALUATION OF ENVIRONMENTAL IMPACTS*

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

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

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX.1, 2, 6)	<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: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

2. AGRICULTURAL AND FOREST RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p>					
Would the project:					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX.1, 4, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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
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))? (Source: IX.1, 2, 4, 6)	<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? (Source: IX.1, 6)	<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? (Source: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX.5)	<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? (Source: IX.1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: IX.1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX.1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX.1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: IX.1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX.1, 6, 7)	<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: IX.1, 2, 4)	<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: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

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

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX.1, 2, 6) 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: IX.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: IX.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: IX.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: IX.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: IX.6)	<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: IX.6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

7. GREENHOUSE GAS EMISSIONS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: IX.1)	<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? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: IX.1, 2, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

9. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements? (Source: IX.1)	<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: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: IX.1, 6)	<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: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
f)	Otherwise substantially degrade water quality? (Source: IX.1)	<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: IX.1, 6)	<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: IX.1, 6)	<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: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow? (Source: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

10. LAND USE AND PLANNING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Physically divide an established community? (Source: IX.1, 2, 6)	<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: IX.1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

11. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX.1, 2, 6,)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

12. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: IX.1)	<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: IX.1)	<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: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX.1, 2, 6)	<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: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX.1, 2, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: IX.1)	<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? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Population and Housing 13(a) – Less than Significant.

The proposed agricultural subdivision into six parcels of no less than 40 acres each could result in up to twelve future residences or habitable structures under the F/40 zoning classification (proposed Parcels E and F are located in the Salinas River floodplain, and habitable structures would not likely be permitted on these two parcels under current development regulations). However, the intent and objective of the project is to divide the property for estate settlement purposes, and there is no proposal to change the existing agricultural use of the property. Furthermore, the forty acre minimum presumes the continued agricultural use of the land, and allowable residential development is considered accessory to the agricultural use in the F/40 zoning district. In addition, the 537.5 acres west of River Road and under Williamson Act contract would be limited to residential development that supports the agricultural operations.

Any specific proposal for future residential uses on the resulting parcels would be required to undergo site-specific environmental review where a meaningful evaluation of potential impacts could be made. Typical impacts of rural development at this density involve the water wells and wastewater systems, both of which are regulated by state law as well as county standards. The Monterey County Environmental Health Bureau (EHB) reviewed the proposed project and determined that wastewater feasibility studies, as well as water quality and quantity testing, would not be required; however, EHB applied a non-standard condition requirement for deed restrictions to inform any potential buyers (or future owners) that wastewater feasibility and water quality/quantity must be demonstrated prior to any structural development beyond that required for the existing agricultural operations. The proposed subdivision would not directly induce substantial population growth, and is intended to allow continued agricultural use of the property. Therefore, the project would result in less than significant impacts to population growth. (Source: IX.1, 2, 4)

Population and Housing 13 (b and c) – No Impact.

The proposed agricultural subdivision would not displace, alter the location, distribution, or density of human population in the area in any significant way, or create a demand for additional

or replacement housing. The project would not result in impacts to existing housing or people. (Source: IX.1)

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? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (Source: IX.1, 2, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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? (Source: IX.1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX.1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

16.	TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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: IX.1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Source: IX.1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: IX.1, 2, 6)	<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: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access? (Source: IX.1, 2)	<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: IX.1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

17. UTILITIES AND SERVICE SYSTEMS

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

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

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

Discussion/Conclusion/Mitigation:

Based on the analysis throughout this Initial Study, the project does not have the potential to degrade the quality of the environment or substantially reduce the habitat or population 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. Although not proposed, the project could result in less than significant impacts regarding population and housing. The proposed project does not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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 WILDLIFE 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 (now Fish and Wildlife). 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 Wildlife 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 Wildlife. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at www.dfw.ca.gov.

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

Evidence: Based on the record as a whole as embodied in the RMA-Planning files pertaining to PLN130552 and the attached Initial Study / Proposed Negative Declaration.

IX. REFERENCES

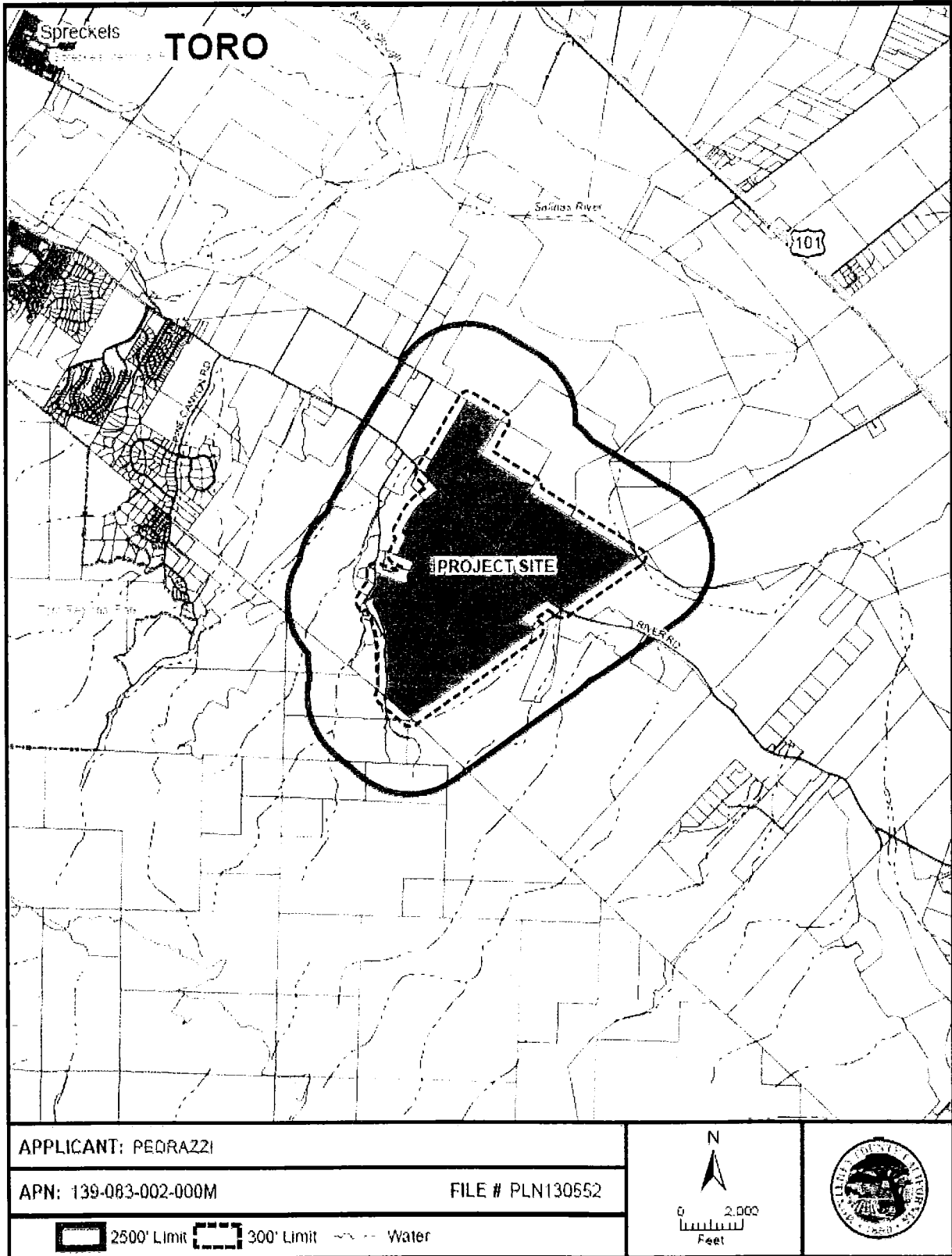
1. Project Application/Tentative Parcel Map
2. Monterey County 2010 General Plan and Toro Area Plan
3. Title 19 (Inland) of the Monterey County Code (Subdivision Ordinance)
4. Title 21 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008; and the 2009 – 2011 Triennial Plan Revision to the *2008 Air Quality Management Plan for the Monterey Bay Region*, adopted April 17, 2013
6. Monterey County Geographic Information System (GIS)
7. Biological Assessment (LIB090484) prepared by Denise Duffy & Associates, Inc., Monterey, California, August 2009.

X. EXHIBITS

1. Vicinity Map
2. Tentative Parcel Map

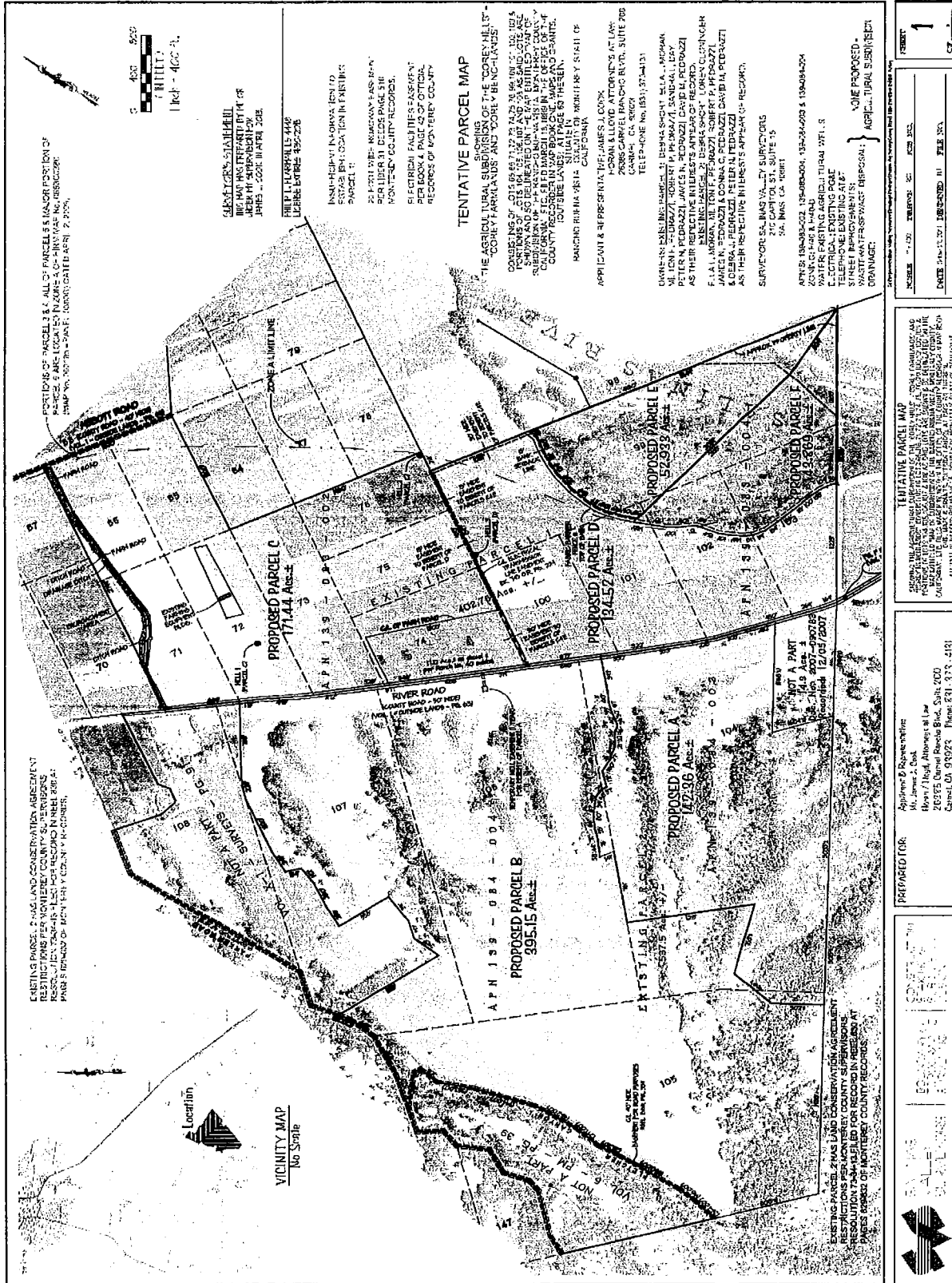
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Exhibit 1 – Vicinity Map



PLANNER: S:OOR

Exhibit 2 – Tentative Parcel Map

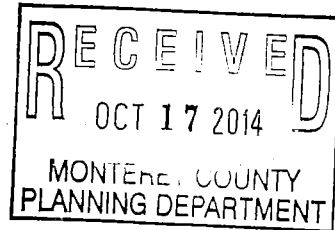


Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g., number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted below at (831) 757-9516. To ensure a complete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

For reviewing agencies: RMA – Planning 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 RMA-Planning if a fee needs to be collected to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

Address all written comments on the Initial Study to:

County of Monterey
Resource Management Agency – Planning
Attn: Joe Sidor, Associate Planner
168 West Alisal, 2nd Floor
Salinas, CA 93901



Re: Pedrazzi, RMA-Planning File Number PLN130552

From: Agency Name: ANNETTE LEEKE
Contact Person: ANAL LEEKE
Phone Number: 435-2006

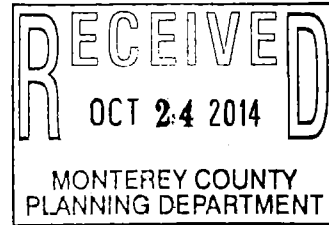
- No Comments provided
- Comments noted below
- Comments provided in separate letter

COMMENTS: GIVEN THE DROUGHT SITUATION I AM NOT KIND TO ANY DEVELOPMENT THAT JEOPARDIZES MY WELL-

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Founded in 1997
LandWatch
monterey county

Post Office Box 1876
Salinas, CA 93902-1876
831-759-2824
Website: www.landwatch.org
Email: landwatch@mclw.org
Fax: 831-759-2825



County of Monterey
Resource Management Agency – Planning
Attn: Joe Sidor, Associate Planner
168 West Alisal, 2nd Floor
Salinas, CA 93901
CEQAcomments@co.monterey.ca.us

Re: Pedrazzi, RMA-Planning File Number PLN130552

Dear Mr. Sidor:

LandWatch Monterey County has reviewed the Negative Declaration for the proposed project and has the following comments:

Project description: The project is the subdivision of 940.272 acres into six parcels under a court order. The Corey Ranch Hills area (approximately 537 acres) is under the Williamson Act. The Core Ranch Farmland is approximately 403 acres, with about 306 acres in row crop production and approximately 97 acres not currently in agricultural use. This 97 acres includes about 36 acres of non-native grassland that appears to have been previously farmed and 27 acres that could potentially be cultivated for agricultural uses. The area not in current agricultural use includes a mix of habitats (e.g., riparian scrub, central coast scrub, non-native grassland and riparian forest habitat). The Initial Study states (p. 11), “RMA-Planning staff has reviewed the proposed subdivision and applied a standard condition requirement to amend the current Williamson Act contract.” The parcels are zone F/40-D and F/40 and the area is designated as Farmlands 40-160 Ac Min.

The Initial Study further states (p. 11), “Also, Monterey County 2010 General Plan Policy LU-1.19, while identifying a requirement to establish a Development Evaluation System for projects involving five or more lots or units, is intended to address urban-type development that could introduce or result in a concentrated population center in an area without adequate support infrastructure. Policy LU-1.19 is not intended to prohibit agricultural subdivisions that could allow and benefit continued agricultural use of the property. Allowing agricultural subdivisions can also contribute to the protection of prime farmlands and grazing lands by affording farmers and rancher the opportunity to obtain re-financing in support of existing agricultural operations...”

Lack of environmental review of foreseeable uses allowed by right: The Initial Study states that the project does not propose to change the existing agricultural uses of the property. The Initial Study also claims that future owners would have to apply independently to intensify or change uses in the future. IS, p. 3. However, this statement ignores the fact that the subdivision itself constitutes an intensification of use because it permits additional development on each of the parcels beyond the level of development that would be permitted absent the subdivision. Substantial development would be allowed by right subject only to ministerial review and without any further environmental review.

Nothing in the proposed entitlements would prevent development of all of the uses allowed by right for the six new parcels that are consistent with its zoning classification. For example, parcels zoned as farmland may develop, without any further discretionary review, three single family dwellings, guesthouses, and agricultural employee housing. Monterey County Code § 21.30.030.

The Initial Study admits that future uses may include structures. It states that “the project increases the potential for residential development,” noting that “development of up to three main dwelling units” would be allowed for each parcel. IS, p. 7. It also discusses the need for a deed restriction to inform buyers “that wastewater feasibility and water quality/quantity must be demonstrated prior to any structural development beyond that required for the existing agricultural operations.” IS, p. 13.

However, the Initial Study has not evaluated permitted and foreseeable uses of the six new parcels, including residential use. It is critical that the environmental review of foreseeable residential use be conducted now because there may be no further opportunity for discretionary or environmental review of uses allowed by right by the zoning classification.

It is clear that development of uses permitted by right in the proposed 6-unit rural subdivision could have environmental impacts that were not evaluated in the Initial Study. For example, no wastewater feasibility or water supply analysis was performed for residential uses. No analysis of impacts to biological resources from residential uses was provided, even though the Initial Study admits that the property includes sensitive riparian habitat with a high potential for the two-striped garter snake and nesting raptors, and that the dusky footed woodrat has been observed in the area. IS, p. 8. The stated rationale for concluding that there would be no adverse impacts to biological resources was that the project does not involve any structural development or clearing and grading. The same rationale was applied to impacts with regard to other resources, including noise, air quality, cultural resources, geology and soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, noise, public services, transportation/traffic, and utilities/service systems.

The initial study is simply inadequate as an analysis of foreseeable impacts because it is premised on the legally erroneous assumption that no further development could be permitted without environmental review.

Inconsistency with General Plan Policy LU-1.19: Because the County has not implemented the Development Evaluation System mandated by General Plan Policy LU-1.19, applicable to all

subdivisions of five or more units, it has failed to apply criteria from a development evaluation system to the project. LU 1.19 was an important form of mitigation to avoid impacts associated with rural sprawl development. The announced purpose of LU 1.19 was also to ensure that the Community Areas and Rural Centers remain the priority areas for growth and that only 20% of future growth occurs outside these designated growth areas. See, e.g., 2010 General Plan FEIR, Master Response 2.1.2.

While the staff report states that Policy LU-1.19 was not intended to prohibit agricultural subdivisions, the language does not provide any exceptions:

LU-1.19 Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity. The system shall be a pass-fail system and shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to:

- a. Site Suitability
- b. Infrastructure
- c. Resource Management
- d. Proximity to a City, Community Area, or Rural Center
- e. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element
- f. Environmental Impacts and Potential Mitigation
- g. Proximity to multiple modes of transportation
- h. Jobs-Housing balance within the community and between the community and surrounding areas
- i. Minimum passing score

Residential development shall incorporate the following minimum requirements for developments in Rural Centers prior to the preparation of an Infrastructure and Financing Study, or outside of a Community Area or Rural Center:

- 1) 35% affordable/Workforce housing (25% inclusionary; 10% Workforce) for projects of five or more units to be considered.
- 2) If the project is designed with at least 15% farmworker inclusionary housing, the minimum requirement may be reduced to 30% total.

This Development Evaluation System (DES) shall be established within 12 months of adopting this General Plan.

LandWatch submits that this project, a subdivision that clearly permits intensification of residential uses within a rural farmland setting, is the kind of project that the Development Evaluation System was intended to scrutinize closely. LandWatch also submits that had the Development Evaluation System been adopted within 12 months of General Plan adoption as required, the issue would be moot since the proposed subdivision could have been evaluated under its criteria.

The County has a mandatory duty to establish the DES, and to do so timely, since Policy LU-1.19 states that it "shall be established within 12 months." Pending the establishment of the DES, the County should not allow projects to avoid the development constraints that are supposed to be implemented through the DES.

The County cannot apply evaluation criteria without actually implementing the DES because it cannot apply the DES criteria as a "systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments." Accordingly, the County may not approve projects subject to the DES without actually implementing the DES and systematically applying its criteria. The suggestion in the Initial Study that the DES should exempt agricultural developments is just the kind of ad hoc judgment that does not meet the requirement for a "systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments."

If the County believes that it is appropriate to allow agricultural subdivisions notwithstanding LU-1.19, it has two options. First, it may amend the policy to exempt agricultural subdivisions. We note that this would require a definition of qualifying "agricultural subdivisions," and we believe that it would be inconsistent with the goal of preventing rural sprawl. Second, it may implement the DES with criteria that expressly permit qualifying agricultural subdivisions. In this event, we suggest that qualifying subdivisions include deed restrictions that would limit or preclude structural development.

Thank you for the opportunity to review the referenced document.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy White".

Amy White
Executive Director