

MONTEREY COUNTY PLANNING COMMISSION

Meeting: March 11, 2015	Agenda Item No.: 3
Project Description: Consider a Minor Subdivision Tentative Map to allow the division of an existing 354.12 acre parcel into five (5) parcels (Parcel 1, 56.01 acres; Parcel 2, 55.98 acres; Parcel 3, 55.95 acres; Parcel 4, 55.78 acres; and Parcel 5, 130.40 acres).	
Project Location: 38740 Los Coches Road, Soledad	APN: 183-021-035-000
Planning File Number: PLN100065	Owner/Applicant: Ventana Property Holdings LLC Agent: Salinas Valley Surveyors, Inc.
Planning Area: Central Salinas Valley Area Plan	Flagged and staked: NA
Zoning Designation: F/40 (Farmland, 40 acre minimum lot size)	
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; and
- 2) Approve the Minor Subdivision (PLN130552), based on the findings and evidence and subject to the conditions of approval (**Exhibit C**).

PROJECT OVERVIEW:

The Applicant proposes to subdivide an approximately 354 acre legal lot of record into five parcels ranging in size from approximately 56 to 130 acres. The proposed subdivision of agricultural lands 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). See **Exhibit B** for a more detailed discussion of the proposed project.

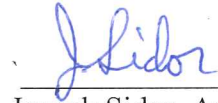
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA-Public Works Department
- √ RMA-Environmental Services
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Mission Soledad Rural Fire Protection District
- √ Economic Development Department
- √ Parks Department

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

The Agricultural Advisory Committee (AAC) heard the matter on February 26, 2015, and voted unanimously (8 – 0) to support the project as proposed (Minutes of the February 26, 2015, AAC meeting are not yet available).

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



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March 4, 2015

cc: Front Counter Copy; Planning Commission; Mission Soledad Rural 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; Ventana Property Holdings LLC, Owner; Salinas Valley Surveyors, Inc., Agent; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); Planning File PLN100065

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 Negative Declaration

This report was reviewed by John Ford, RMA Services Manager



EXHIBIT A

Project Information for PLN100065

Application Name: Ventana Property Holdings Llc
Location: 9999 To Be Assigned, To Be Assigned
Applicable Plan: Central Salinas Valley
Primary APN: 183-021-035-000
Advisory Committee: None
Coastal Zone: No
Permit Type: Minor Subdivision
Final Action Deadline (884): 10/5/2014
Environmental Status: Negative Declaration
Zoning: F/40
Land Use Designation: Farmlands 40 - 160 Ac Min / Rivers and Water Bodies

Project Site Data:

Lot Size: 354.12
Coverage Allowed: 5%
Coverage Proposed: NA
Existing Structures (sf): 0
Height Allowed: 35
Proposed Structures (sf): 0
Height Proposed: NA
Total Sq. Ft.: 0
FAR Allowed: NA
Special Setbacks on Parcel: N
FAR Proposed: NA

Resource Zones and Reports:

Seismic Hazard Zone: UNDETERMINED / TERRACE DEPOSITS / RECI
Soils Report #: NA
Erosion Hazard Zone: High / Moderate / Low
Biological Report #: NA
Fire Hazard Zone: N
Forest Management Rpt. #: NA
Flood Hazard Zone: A / X
Geologic Report #: NA
Archaeological Sensitivity: Low
Archaeological Report #: NA
Visual Sensitivity: None
Traffic Report #: NA

Other Information:

Water Source: WELL
Grading (cubic yds.): 0
Water Purveyor: NA
Sewage Disposal (method): NA
Fire District: Mission Soledad Rural FPD
Sewer District Name: NA
Tree Removal: 0

EXHIBIT B DISCUSSION

Project Description and Background

The Ventana Property Holdings LLC project (RMA-Planning File No. PLN100065) proposes to subdivide an approximately 354 acre legal lot of record into five parcels ranging in size from approximately 56 to 130 acres. The proposed subdivision does not include any changes to the existing land/agricultural uses or any development of structures. The approximately 354 acre parcel lies between Los Coches Road and the Arroyo Seco River, equidistant from Soledad and Greenfield, in the Central Salinas Valley 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. Approximately 290 acres of the existing parcel is in vineyard production, and approximately 64 acres is not in agricultural use. Each proposed parcel contains area located in Zone A, 100-year floodplain, of the Salinas River. 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

Consistency with General Plan Policies AG-1.3 and LU-1.19

Policy AG-1.3 states that subdivision of Important Farmland shall be allowed only for exclusive agricultural purposes. The Applicant has requested this subdivision of agricultural lands for operation and financing flexibility, thereby preserving and enhancing the agricultural viability of the subject property; therefore, the proposed subdivision is consistent with Policy AG-1.3.

At its public hearing on January 14, 2015, the Monterey County Planning Commission considered and approved the Pedrazzi subdivision of agricultural lands (RMA-Planning File No. PLN130552), a project similar to the current Applicant's proposal. In addition, at its public hearing on February 11, 2015, the Planning Commission held a workshop to provide direction to County staff regarding the Policy LU-1.19 and the Development Evaluation System (DES) (RMA-Planning File No. REF120030). The Planning Commission found the Pedrazzi subdivision consistent with Policy LU-1.19 based on the specific circumstances of the proposed subdivision. Furthermore, the Planning Commission's guidance to County staff regarding the DES was consistent with the decision for the Pedrazzi subdivision.

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. 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 shall be established within 12 months of adopting this General Plan.”

In this specific case, the proposed subdivision of agricultural lands is consistent with General Plan Policy LU-1.19. The site is suitable because it proposes to continue an existing agricultural use. No new infrastructure is proposed or required per the proposed subdivision. As proposed, the site would continue to be managed as an agricultural property. The criteria related to proximity to a city, Community Area, or Rural Center, and proximity to multiple modes of transportation is not applicable because the project involves the subdivision of agricultural lands for continued agricultural uses. No affordable housing is proposed because the project does not propose new housing. Potential environmental impacts have been considered and analyzed, and conditions of approval applied as required.

The County also finds this subdivision consistent with this policy based on the following factors:

1) the proposed subdivision of agricultural lands and associated tentative map are consistent with the minimum lot size (i.e., 40 acres) specified in both the 2010 General Plan and the underlying zoning, which regulates parcel size and allowed use of the property; 2) the proposed lot sizes would preclude future subdivision of 4 of the 5 proposed lots; 3) the proposed lots are configured to reflect existing crop patterns; 4) the proposed parcel sizes are recognized by the County as large enough to preserve and maintain the subdivided properties as viable agriculture units (the approximately 354 acre project area is identified in the County’s Geographic Information System as “Prime Farmland” or “Farmland of Statewide Importance” [310 acres] and “Other” land [44 acres]; 5) there are existing agricultural uses on the property, and the project does not propose to change the existing agricultural production or uses; 6) the Applicant has requested the subdivision for agricultural operation and financing flexibility, thereby preserving and enhancing the agricultural viability of the subject property; 7) the proposed subdivision of agricultural lands involves no tree removal, no structural development (e.g., demolition or construction), and no clearing and/or grading; and 8) any future development of habitable structures would be considered accessory to the agricultural use of the property, and would require discretionary review pursuant to 2010 General Plan Policy AG-1.7.

Environmental Review

Monterey County, as Lead Agency, prepared an Initial Study and Negative Declaration (ND) for this project (**Exhibit E**). The ND was filed with the County Clerk on November 17, 2014, and circulated for public review and comment from November 18 through December 22, 2014

(SCH#: 2014111046). No comments from state agencies were received by the County during the 35-day circulation period.

Recommendation

Staff recommends that the Planning Commission consider and adopt the Negative Declaration and approve the Minor Subdivision, based on the findings and evidence and subject to the conditions of approval.

**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:

VENTANA PROPERTY HOLDINGS LLC (PLN100065)

RESOLUTION NO. 15 -

Resolution by the Monterey County Planning
Commission:

- 1) Adopting a Negative Declaration; and
- 2) Approving a Minor Subdivision Tentative Map to allow the division of an existing 354.12 acre parcel into five (5) parcels (Parcel 1, 56.01 acres; Parcel 2, 55.98 acres; Parcel 3, 55.95 acres; Parcel 4, 55.78 acres; and Parcel 5, 130.40 acres).

[PLN100065, Ventana Property Holdings LLC,
38740 Los Coches Road, Soledad, Central Salinas
Valley Area Plan (APN: 183-021-035-000)]

The Ventana Property Holdings LLC application (PLN100065) came on for public hearing before the Monterey County Planning Commission on March 11, 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 an existing 354.12 acre parcel into five (5) parcels (Parcel 1, 56.01 acres; Parcel 2, 55.98 acres; Parcel 3, 55.95 acres; Parcel 4, 55.78 acres; and Parcel 5, 130.40 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 PLN100065.

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;
 - Central Salinas Valley 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. No communications were received during the course of review of the project indicating any inconsistencies

with the text, policies, and regulations in these documents. See also Finding No. 10.

- b) The property is located at 38740 Los Coches Road, Soledad (Assessor's Parcel Number 183-021-035-000), Central Salinas Valley Area Plan. The property is zoned Farmland, 40 acre minimum lot size (F/40), which allows for a subdivision with a minimum lot size of 40 acres. The proposed lots would range in size from approximately 56 to 130 acres. Therefore, the subdivision is consistent with land use and zoning requirements.
- c) The legality of the subject parcel identified as Assessor's Parcel Number 183-021-035-000 is supported by an Unconditional Certificate of Compliance issued on February 10, 2012 (DOC No. 2012009286)(RMA-Planning File No. CC110025).
- d) The project planner conducted site inspections on March 18, 2010, and February 9, 2015, to verify that the project on the subject parcel conforms to the plans listed above.
- e) Subdivision: See Finding No. 7.
- f) Long-Term Sustainable Water Supply and Adequate Water Supply System: See Finding No. 8.
- g) Approximately 290 acres of the existing 354 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 15 residential units (3 units on each of the 5 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, 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). Policy AG-1.7 further requires discretionary review of accessory housing facilities on properties with agricultural land use designations to ensure such housing minimizes the conversion of viable agricultural lands (Condition No. 5).
- h) 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 February 26, 2015, voted unanimously (8 – 0) to support the project as proposed.
- i) 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 PLN100065.

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, Mission Soledad Rural Fire Protection District, Parks Department, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, Water Resources Agency, and Economic Development Department (Housing). 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) The site is suitable because, as proposed, the site would continue to be managed as an agricultural property. The proposed subdivision of agricultural lands and the associated tentative map are consistent with the minimum lot size specified in both the 2010 General Plan and the underlying zoning which regulates parcel size and allowed use of the property, and would allow the viable continuation of the existing agricultural uses on the property.
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, Mission Soledad Rural Fire Protection District, Parks Department, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, Water Resources Agency, and Economic Development Department (Housing). 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.
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) There are no known violations on the subject parcel.

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) Pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines Section 15063.a and 15063.b.2, the Lead Agency shall conduct an Initial Study to determine if the project may have a significant effect on the environment, and shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause 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 (PLN100065).
 - 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 PLN100065 was prepared in accordance with CEQA and circulated for public review from November 18 through December 22, 2014 (SCH#: 2014111046).
 - e) Resource areas that were reviewed and/or analyzed in the Negative Declaration included: 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 and staff report 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 (PLN100065) and are hereby incorporated herein by reference. There is no proposal to change the existing agricultural use of the property. The proposed parcel sizes are recognized by the County as large enough to preserve and maintain the subdivided properties as viable agriculture units, and any allowable structural development would be considered accessory to the agricultural use. In addition, the proposed subdivision involves no tree removal, no structural development (e.g., demolition or construction), and no clearing and/or grading.
 - 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. 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. 4).

- h) No comments from the public were received.
- 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 Central Salinas Valley Area Plan (see Finding Nos. 2, 8, and 9, and supporting evidence).
- 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 this subdivision of agricultural lands; 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. 6) (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 a deed restriction to inform any potential buyers (or future owners) that wastewater feasibility must be demonstrated prior to any structural development beyond that required for the existing agricultural operations (Condition No. 7). 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 Los Coches Road, and the proposed subdivision involves the creation of five 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. Any future development of habitable structures would be considered accessory to the agricultural use of the property, and would require discretionary review pursuant to 2010 General Plan Policy AG-1.7. 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 Los Coches Road, a County road, and all five of the resulting parcels (Parcels 1, 2, 3, 4, and 5 as shown on the Tentative Parcel Map) will continue to have direct access from Los Coches Road.
- 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 February 23, 2015, confirming this exemption. A copy of this memorandum is in the project file for PLN100065.
- l) Parks and Recreation. The Monterey County Parks Department reviewed the project application and determined that the applicant will 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 by the Monterey County Planning Commission.” (Condition No. 8).
- m) Subdivision of Important Farmland. The approximately 354 acre parcel is identified in the County’s Geographic Information System as “Prime Farmland” or “Farmland or Statewide Importance” (310 acres), and “Other” land (44 acres), and is proposed to be subdivided into five lots of 56.01 acres, 55.98 acres, 55.95 acres, 55.78 acres, and 130.40 acres. Agricultural land designated Prime or of Statewide Importance is presumed to be on parcels large enough to sustain agricultural use if the land is at least 10 acres (California Government Code Section 66474.4). The five lots would have the following approximate acreages of area designated either Prime or of Statewide Importance: 51 acres, 53 acres, 52 acres, 48 acres, and 90 acres, respectively. Therefore, the five proposed parcels 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 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.

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 354 acre parcel into five parcels ranging in size from approximately 56 to 130 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, as amended March 11, 2013 (by Board Resolution No. 13-028), because the proposed project is within Zone 2C of the Salinas Valley groundwater basin, and there is no evidence to rebut the presumption of a long-term sustainable water supply.
 - 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 two 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 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. 6).
 - 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 PLN100065.

9. **FINDING: CONSISTENCY (2010 MONTEREY COUNTY GENERAL PLAN POLICY LU-1.19)** – The Project, as conditioned, is consistent with the applicable 2010 General Plan policies. The proposed subdivision would be considered under Policy LU-1.19 and is being considered in advance of adoption of the Development Evaluation System (DES), but based on

the specific facts associated with this application it is determined that the proposed subdivision would pass the DES.

- EVIDENCE:** a) 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. 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 shall be established within 12 months of adopting this General Plan.”*

In this specific case, the proposed subdivision of agricultural lands is consistent with General Plan Policy LU-1.19. The site is suitable because it proposes to continue an existing agricultural use. No new infrastructure is proposed or required per the proposed subdivision. As proposed, the site would continue to be managed as an agricultural property. The criteria related to proximity to a city, Community Area, or Rural Center, and proximity to multiple modes of transportation is not applicable because the project involves the subdivision of agricultural lands for continued agricultural uses. No affordable housing is proposed because the project does not propose new housing. Potential environmental impacts have been considered and analyzed, and conditions of approval applied as required.

The County also finds this subdivision consistent with this policy based on the following factors: 1) the proposed subdivision of agricultural lands and associated tentative map are consistent with the minimum lot size (i.e., 40 acres) specified in both the 2010 General Plan and the underlying zoning, which regulates parcel size and allowed use of the property; 2) the proposed lot sizes would preclude future subdivision of 4 of the 5 proposed lots; 3) the proposed lots are configured to reflect existing crop patterns; 4) the proposed parcel sizes are recognized by the County as large enough to preserve and maintain the subdivided properties as viable agriculture units (the approximately 354 acre project area is identified in the County's Geographic Information System as "Prime Farmland" or "Farmland of Statewide Importance" [310 acres] and "Other" land [44 acres]; 5) there are existing agricultural uses on the property, and the project does not proposed to change the existing agricultural production or uses; 6) the Applicant has requested the subdivision for agricultural operation and financing flexibility, thereby preserving and enhancing the agricultural viability of the subject property; 7) the proposed subdivision of agricultural lands involves no tree removal, no structural development (e.g., demolition or construction), and no clearing and/or grading; and 8) any future development of habitable structures would be considered accessory to the agricultural use of the property, and would require discretionary review pursuant to 2010 General Plan Policy AG-1.7.

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; and
2. Approve a Minor Subdivision Tentative Map to allow the division of an existing 354.12 acre parcel into five (5) parcels (Parcel 1, 56.01 acres; Parcel 2, 55.98 acres; Parcel 3, 55.95 acres; Parcel 4, 55.78 acres; and Parcel 5, 130.40 acres), in general conformance with the tentative map and subject to the conditions of approval, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of March, 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 Parcel Map is recorded within this period.

Monterey County RMA Planning

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

PLN100065

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Minor Subdivision Tentative Map (PLN100065) allows the division of a 354.12 acre parcel into five (5) parcels (Parcel 1, 56.01 acres; Parcel 2, 55.98 acres; Parcel 3, 55.95 acres; Parcel 4, 55.78 acres; and Parcel 5, 130.40 acres). The property is located adjacent to 38740 Los Coches Road, Soledad (Assessor's Parcel Number 183-021-035-000), Central Salinas Valley 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 Tentative Map (Resolution Number 15 -) was approved by the Planning Commission for Assessor's Parcel Number 183-021-035-000 on March 11, 2015. The permit was granted subject to ten (10) 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 Parcel Map. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the recordation of the Parcel Map, the Owner/Applicant shall provide proof of recordation of this notice to RMA - Planning.

3. PD004 - INDEMNIFICATION AGREE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Submit signed and notarized Indemnification Agreement to the Director of RMA - Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning.

4. 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 final/parcel map, the start of use, or the issuance of building permits or grading permits.

5. PDSP001 - STRUCTURES ACCESSORY TO AGRICULTURAL USE (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall place a note on the Parcel Map that states: "All future structures accessory to the agricultural use of the property 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 structure shall be approved by the Director of Planning prior to issuance of any construction permit.." (RMA-Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall prepare a Parcel Map and submit it to RMA-PW and RMA-Planning for review and approval.

6. EHSP01 - DEED RESTRICTION / MAP RECORDATION - AGRICULTURAL SUBDIVISIONS: WATER

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Concurrent with the filing of the Parcel Map, the Owner/Applicant 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, and shall also place a note on the Parcel Map. 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 Parcel Map, the Owner/Applicant shall submit a draft of the note to be placed on the Parcel Map 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 Parcel Map, the Owner/Applicant shall 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 Parcel Map, the Owner/Applicant shall submit evidence of recordation of the County-approved Deed Restriction to the Environmental Health Bureau and RMA-Planning.

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.

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

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Concurrent with the filing of the Parcel Map, the Owner/Applicant 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, and shall also place a note on the Parcel Map. 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 Parcel Map, the Owner/Applicant shall submit a draft of the note to be placed on the Parcel Map 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 Parcel Map, the Owner/Applicant shall 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 Parcel Map, the Owner/Applicant shall submit evidence of recordation of the County-approved Deed Restriction to the Environmental Health Bureau and RMA-Planning.

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.

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

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: The applicant shall place a note on the Parcel Map and 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 by the Monterey County Planning Commission".

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: Prior to recordation of the Parcel Map, the Owner/Applicant shall submit evidence of recordation of the deed restriction to the Directors of Parks and RMA-Planning.

9. PW0031 - PARCEL MAP

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: File a Parcel Map delineating all existing and required easements or rights-of-way and monument new lines. (RMA-Public Works)

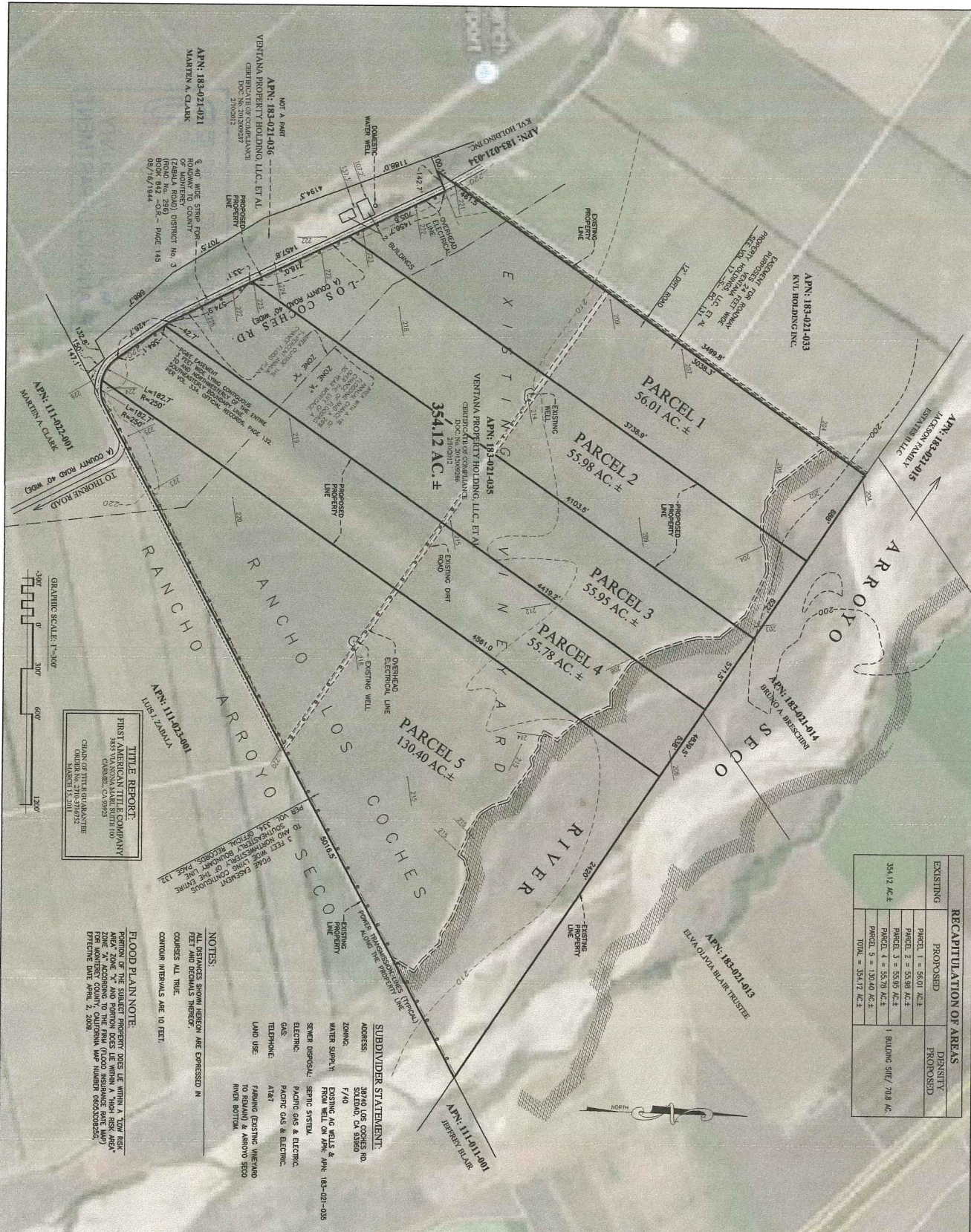
Compliance or Monitoring Action to be Performed: Applicant's surveyor shall prepare Parcel Map and submit it to RMA-PW for review and approval.

10. PW0036 - EXISTING EASEMENTS AND ROW

Responsible Department: RMA-Public Works

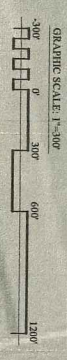
Condition/Mitigation Monitoring Measure: Provide for all existing and required easements or rights of way. (RMA-Public Works)

Compliance or Monitoring Action to be Performed: Subdivider's Surveyor shall include all existing and required easements or rights of way on Parcel Map.



RECAPITULATION OF AREAS		
EXISTING	PROPOSED	DENSITY PROPOSED
354.12 AC ±	PARCEL 1 = 56.01 AC ± PARCEL 2 = 55.98 AC ± PARCEL 3 = 55.95 AC ± PARCEL 4 = 55.78 AC ± PARCEL 5 = 130.40 AC ± TOTAL = 354.12 AC ±	1 BUILDING SITE/ 70.8 AC

TITLE REPORT:
FIRST AMERICAN TITLE COMPANY
 3855 VIA ANTONIARI DRIVE 100
 COSTA MESA, CA 92626
 CHAIRS OF TITLE GUARANTEE
 ORDER NO. 2716370212
 MARKET 15.2011



FLOOD PLAIN NOTE:
 PORTION OF THE SUBJECT PROPERTY DOES LE WITHIN A LOW RISK AREA ZONE "X" AND PORTION DOES LE WITHIN A HIGH RISK AREA FOR MONTEZUMA CANYON TO CALIFORNIA AND MOUNTAIN CREEK CREEK. ERECTION DATE APRIL 2, 2009.

NOTES:
 1. ALL DIMENSIONS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL THEREOF.
 2. COURSE INTERVALS ARE 10 FEET.

SUBDIVIDER STATEMENT:
 ADDRESS: 38740 LOS COCHEROS RD, SALINAS, CA 93901
 ZONING: F/40
 WATER SUPPLY: EXISTING 40 IN DIA. & FROM WELL ON APN: 183-021-035
 SEWER DISPOSAL: SEPTIC SYSTEM.
 GAS: PACIFIC GAS & ELECTRIC.
 TELEPHONE: AIRTEL
 LAND USE: FARMING EXISTING WINTERED TO RETURN TO ARROYO SECO WREN BOTTOM.

LEGEND:
 - - - - - 200'
 - - - - - 100'
 - - - - - 50'
 - - - - - 25'
 - - - - - 12.5'
 - - - - - 6.25'
 - - - - - 3.125'
 - - - - - 1.5625'
 - - - - - 0.78125'
 - - - - - 0.390625'
 - - - - - 0.1953125'
 - - - - - 0.09765625'

NOTE:
 THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AT THE REQUEST OF THE PROPERTY OWNER, ET AL. IN JANUARY 2014.
 PHILIP T. PERAZICH, L.S. 4448
 LICENSE EXPIRES 9/30/15

NOTE:
 THE COUNTY OF MONTEZUMA SUBDIVISION ORDINANCE (TITLE 19) REQUIRES THAT ALL SUBDIVISIONS BE RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF MONTEZUMA, CALIFORNIA.
 THIS PROJECT:
TENTATIVE PARCEL MAP
PLAN 100065
 APN: 183-021-035

NOTICE:
 DURING THAT CERTAIN 354.12 ACRE TRACT OF LAND ASSIGNED IN THE TENTATIVE PARCEL MAP, MONTEZUMA COUNTY RESIGNED AS THE MANAGING AGENCY - PLANNING DEPARTMENT RECORDS IN DOCUMENT 100065 IN FEBRUARY 10, 2012. RECORDS OF MONTEZUMA COUNTY, CALIFORNIA.

STATED BY:
 RANDY D. COOKES
 COUNTY OF MONTEZUMA
 STATE OF CALIFORNIA

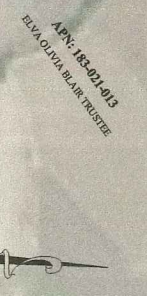
WITNESSED BY:
 VENTANA PROPERTY HOLDINGS, LLC, ET AL
 1172 S. HOVINGOS
 SALINAS, CA 93901
 PH: (831) 591-0826

PREPARED BY:
 SALINAS VALLEY SURVEYORS, INC.
 PHILIP PERAZICH
 210 CENTRAL ST., SUITE NO.15
 SALINAS, CALIFORNIA 93901
 E-MAIL: smp@salvalley.com

DATE: 2/27/2014
SHEET ONE OF ONE

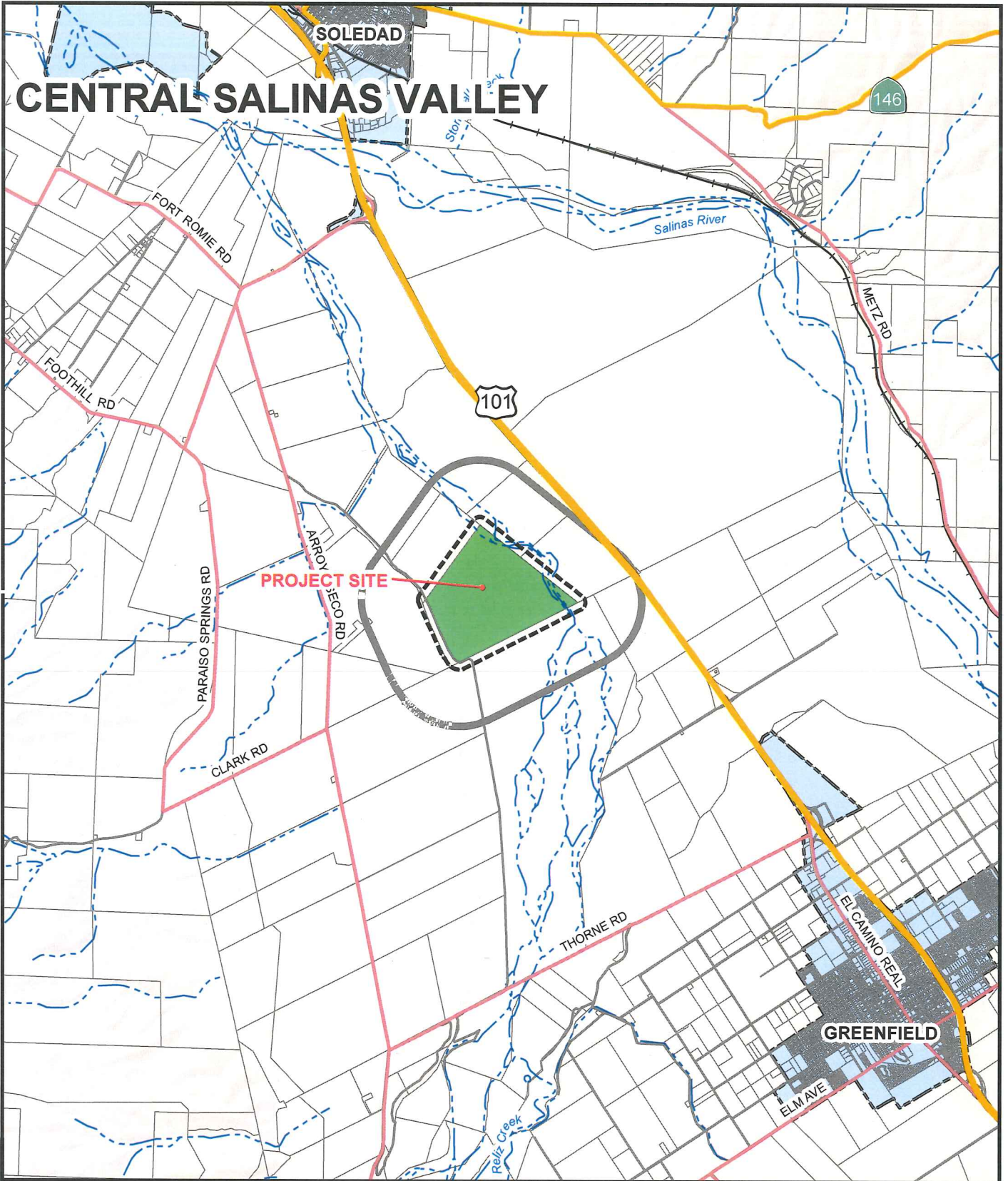
SCALE: 1"=300'
REVISED: 4/09/2014

VICINITY MAP
 NOT TO SCALE



PROJECT SITE
 38740 LOS COCHEROS ROAD





CENTRAL SALINAS VALLEY

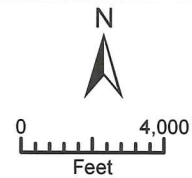


APPLICANT: VENTANA PROPERTY HOLDINGS LLC

APN: 183-021-035-000

FILE # PLN100065

 2500' Limit  300' Limit  Water  City Limits



PLANNER: SIDOR

County of Monterey
 State of California
NEGATIVE DECLARATION

FILED
 NOV 17 2014
 STEPHEN L. VAGNINI
 MONTEREY COUNTY CLERK
 DEPUTY

Project Title:	Ventana Property Holdings LLC
File Number:	PLN100065
Owner:	Ventana Property Holdings LLC
Project Location:	38740 Los Coches Road, Soledad, Monterey County, CA
Primary APNs:	183-021-035-000
Project Planner:	Joseph Sidor, Associate Planner
Permit Type:	Minor Subdivision
Project Description:	Minor Subdivision to allow the division of a 354.12 acre parcel into five (5) parcels (Parcel 1, 56.01 acres; Parcel 2, 55.98 acres; Parcel 3, 55.95 acres; Parcel 4, 55.78 acres; and Parcel 5, 130.40 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:	November 18, 2014
Review Period Ends:	December 22, 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.

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: Ventana Property Holdings LLC (Agricultural Subdivision)

File No.: PLN100065

Project Location: 38740 Los Coches Road, Soledad, Central Salinas Area Plan

Name of Property Owner/Applicant: Ventana Property Holdings LLC, et al

Name of Agent: Salinas Valley Surveyors, Inc. (Philip Pearman)

Assessor's Parcel Number(s): 183-021-035-000

Acreage of Property: Approximately 354 acres

General Plan Designation: Farmlands 40-160 Ac Min

Zoning District: F/40

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

Prepared By: Joseph Sidor, Associate Planner

Date Prepared: November 17, 2014

Contact Person: Joseph Sidor

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

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

The Ventana Property Holdings LLC (Ventana) project (RMA-Planning File No. PLN100065) proposes to subdivide an approximately 354 acre legal lot of record into five parcels ranging in size from approximately 56 to 130 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 March 11, 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 354.12 acre parcel into five (5) parcels (Parcel 1, 56.01 acres; Parcel 2, 55.98 acres; Parcel 3, 55.95 acres; Parcel 4, 55.78 acres; and Parcel 5, 130.40 acres).

B. Environmental Setting and Surrounding Land Uses:

The approximately 354 acre parcel is located next to 38740 Los Coches Road (i.e., the Ventana Winery), Soledad (Assessor's Parcel Number 183-021-035-000), Central Salinas Valley Area Plan. The subject parcel is flat alluvial land east of Los Coches Road and west of the Arroyo Seco River. There is no existing structural development on the parcel. The subject and surrounding properties support ongoing agricultural operations (i.e., a mix of vineyards, row crop fields, and 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. Approximately 90 percent of the existing parcel is located in Zone A, 100-year floodplain, of the Arroyo Seco River (FEMA Map 06053C0825G).

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.

D. Application Background:

The sole purpose of the proposed subdivision is to separate the ownership of the lands. 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 Central Salinas Valley Area Plan. The project proposal consists of subdividing agricultural land for continued agricultural purposes, and the proposed lots would range in size from approximately 56 to 130 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.
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 five parcels of no less than 40 acres each could result in up to fifteen 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 ownership 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 accessory to the agricultural use of the property. The proposed subdivision is for agricultural purposes and not development. Development of residential units, accessory to the agricultural use of the property, would likely decrease the economic productivity of the property and would not be in the economic interest of the owner(s). Therefore, residential development is not a de facto foreseeable use on the property.

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 56 to 130 acres, and the proposal involves no 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 per parcel would only be allowed associated with the commercial agricultural use of the site. 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 new sources of light or glare. (Source: IX.1, 2, 6)
2. Agriculture and Forest Resources. The current agricultural use on the property includes approximately 290 acres of vineyard and approximately 64 acres not in agricultural use. Each proposed parcel would contain at least 40 acres of existing vineyard, and 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 vineyard cultivation as "Prime Farmland" and "Farmland of Statewide Importance". The project does not propose to convert any farmland to non-agricultural use; therefore, 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*, *Central Salinas Valley Area Plan*, 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 would be met and no violations would 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 use on the property includes approximately 290 acres of vineyard cultivation. Approximately 64 acres are not in agricultural use, are designated as “Other Land” in the County’s GIS database, and are adjacent to or part of the Arroyo Seco River. The area not in use appears to contain primarily riparian scrub habitat. The proposed subdivision involves no tree removal, no structural development (e.g., demolition or construction), and no clearing and/or grading. Due to the existing developed area on the property, any sensitive biological resources would be located in the Arroyo Seco River floodway or floodplain immediately adjacent to the river. If any residential or other structural uses were proposed in the future, they not be allowed in the floodway or floodplain, would not be allowed to disturb any sensitive biological resources without applicable mitigation, and would likely require subsequent environmental review if proposed near the uncultivated area. 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)
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 eighty-two percent of the property is already extensively developed for agricultural purposes. No changes or modifications are proposed to the existing 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, a high risk for liquefaction, and a low to moderate risk from erosion. The database identifies the seismic nature of the site to be recent alluvium and undetermined, with a small area of terraced deposits adjacent to Los Coches Road. The County's GIS database also shows no faults or 660-foot fault buffers transiting the property. Although the project site would likely 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 agriculture, and the proposed subdivision will not conflict with such use or result in any hazardous material 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. The project does not propose any 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)
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 321 acres of the property are located within the 100-year floodplain of the Arroyo Seco River (Zone A), as shown on the County's GIS database. 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 alter 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 two private wells that support the existing agricultural operations. The wells are located on proposed parcels 2 and 5. 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 36 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 property 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 354 acre parcel is zoned Farmland, 40 acre minimum lot size (F/40), and all surrounding parcels have the same zoning classification and land use designation. 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. There is no existing structural development on the property. The proposed subdivision into five parcels of approximately 56.01 acres, 55.98 acres, 55.95 acres, 55.78 acres, and 130.40 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 Central Salinas Valley Area Plan. 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 Mission Soledad Rural 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 the project application, review of County records, a County RMA-Planning staff site visit on March 18, 2010, and subsequent review of aerial imagery, 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, as determined by the Parks Department. (Source: IX.1, 2, 3)
16. Transportation/Traffic. The proposed agricultural subdivision involves the creation of four additional 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 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 two private wells that support the existing agricultural operations. 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)

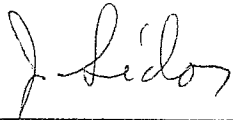
B. DETERMINATION

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

November 17, 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

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.

2. AGRICULTURAL AND FOREST RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)	<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)	<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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (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		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (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		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (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)	<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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 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, 6)	<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, 6)	<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 five parcels of no less than 40 acres each could result in up to fifteen future residences or habitable structures under the F/40 zoning classification. However, the intent and objective of the project is to divide the property for ownership 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. Any specific proposal for future residential uses on the resulting parcels would be accessory to the agricultural use of the property. The proposed subdivision is for agricultural purposes and not development. As such, the new lots have not been required to prove a long-term water supply or septic feasibility. 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, and applied a condition requiring 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. Development of residential units, accessory to the agricultural use of the property, would likely decrease the economic productivity of the property and would not be in the economic interest of the owner(s). Therefore, residential development is not a de facto foreseeable use on the property. Also, the limited number of potential residential units, accessory to any agricultural use, would not induce rural sprawl. The proposed project does not create small residential lots on land designated for residential uses. Rather, the proposed project would create/retain large agricultural parcels, with residential development as an accessory use. The potential for three single-family dwellings on a 40+ acre lot, accessory to the agricultural use of the property, does not constitute sprawl. Future structural development is already limited by Monterey County Code requirements, so there is no need for further deed restrictions. 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, 6)

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 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)	<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 PLN100065 and the attached Initial Study / Proposed Negative Declaration.

IX. REFERENCES

1. Project Application/Tentative Parcel Map
2. Monterey County 2010 General Plan and Central Salinas Valley 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)

X. EXHIBITS

1. Vicinity Map
2. Tentative Parcel Map

Exhibit 1 – Vicinity Map

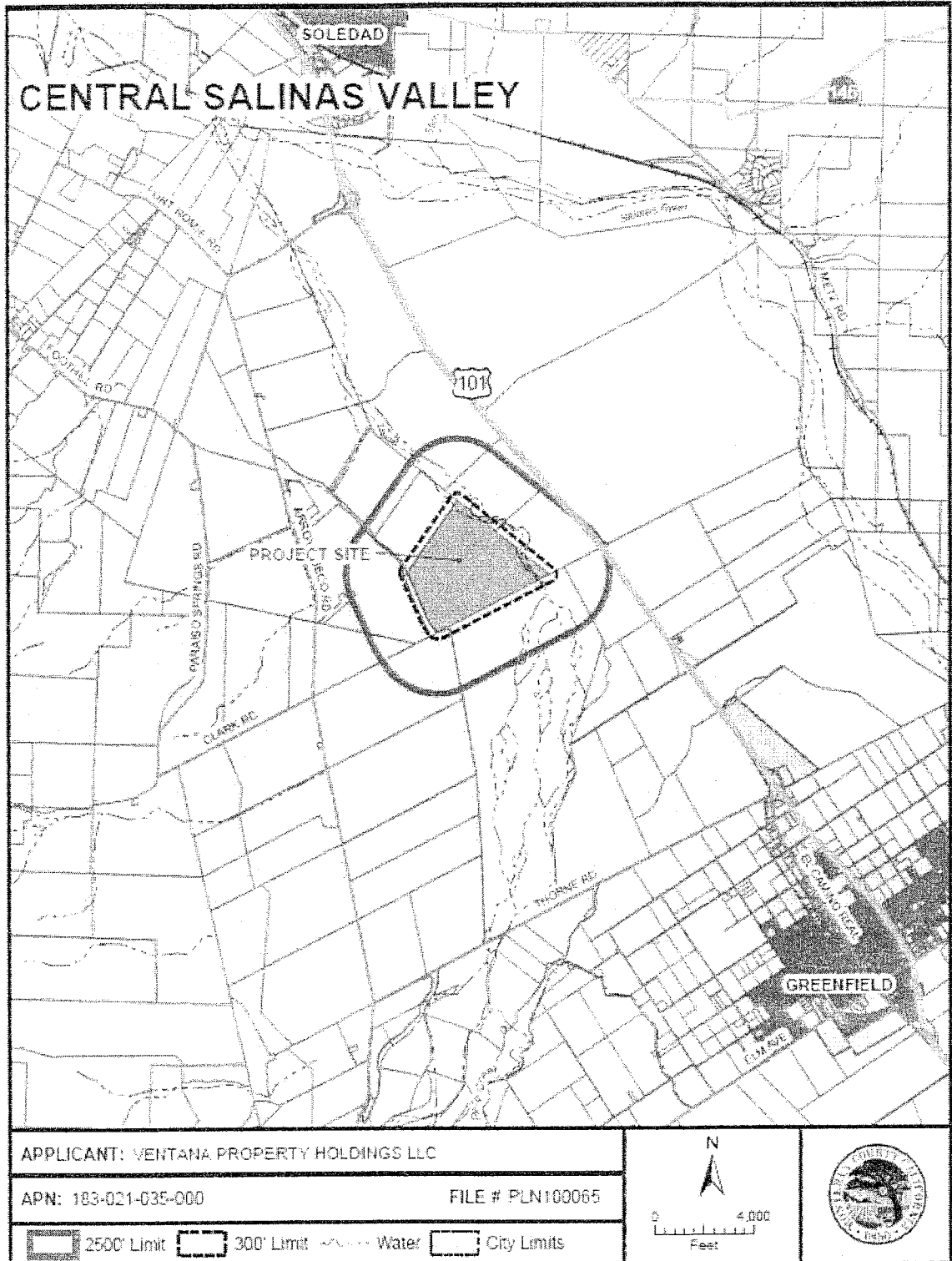


Exhibit 2 – Tentative Parcel Map

