

## MONTEREY COUNTY MINOR SUBDIVISION COMMITTEE

<b>Meeting:</b> July 29, 2010 Time: 9:00 A.M.	<b>Agenda Item No.:</b> <u>1</u>
<b>Project Description:</b> Minor Subdivision Tentative Map to allow the division (Resubdivision) of twelve parcels, totaling approximately 14,085 acres, into twelve parcels with the same amount of acres. No development is proposed. The majority of the property is currently under an Agricultural Preserve Contract (Williamson Act).	
<b>Project Location:</b> 35351 East Carmel Valley Road (mile marker 19.2), Carmel Valley	<b>APNs:</b> See Exhibit D
<b>Planning File Number:</b> PLN090117	<b>Owner:</b> A.C. Jr. and Linda Markkula, for Arlin Trust <b>Agent:</b> Lombardo and Gilles
<b>Planning Area:</b> Cachagua Area Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> "PG/160" and "PG/160-D" [Permanent Grazing, with a minimum building site of 160 acres, and a Design Control overlay district]	
<b>CEQA Action:</b> Mitigated Negative Declaration	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Minor Subdivision Committee adopt a resolution (**Exhibit C**) to:

- 1) Adopt the Mitigated Negative Declaration; and
- 2) Approve PLN090117, based on the findings and evidence and subject to the conditions of approval and the adoption of the Mitigation Monitoring and/or Reporting Program; and
- 3) Direct County Counsel to prepare amended Williamson Act Contracts for Land Conservation Contract Nos. 595-304, 595-322, 1649-329, 1649-847, 1650-338 and 1650-347, subject to Condition No. 9, for approval by the Board of Supervisors.

### PROJECT OVERVIEW:

The project involves the resubdivision of 12 parcels, designated as Permanent Grazing, the vast majority of which is under a Williamson Act Contract. The parcels will be resubdivided to allow reconfiguration of the parcels such that ten of the parcels will be located to provide some of each parcel with flatter, Prime Farmland areas. These parcels will range in size from 165 acres to 174 acres (all acreages are approximate), all of which qualify for Williamson Act contracts. The parcel that currently has the majority of the ranch buildings will be reduced in size from 1767 acres to 732 acres. The largest parcel will be increased in size from 7,167 to 11,552 acres.

Currently the property is in active agriculture production of irrigated pasture, nursery crops, and cattle grazing. The applicant is proposing the Minor Subdivision for estate planning purposes and will continue with the agricultural operations.

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

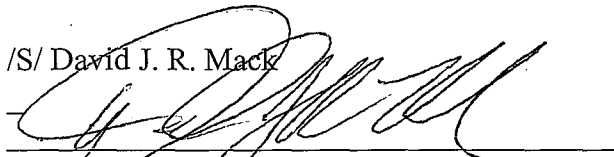
- ✓ RMA - Public Works Department
- ✓ Environmental Health Bureau
- ✓ Water Resources Agency
- ✓ Cachagua Fire Protection District
- ✓ Parks Department
- ✓ Agricultural Commissioner
- ✓ Redevelopment and Housing Office

Agencies that submitted comments are noted with a check mark (“✓”). Conditions recommended by the RMA-Public Works Department, the Fire District, the Environmental Health Bureau have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The project was not referred to the Cachagua Land Use Advisory Committee (LUAC) for review; as the LUAC is not currently active. The project was not referred to the Agricultural Advisory Committee (AAC) as no changes in use are proposed and the movement of parcels would not adversely affect the agricultural uses or opportunities on any of the proposed parcels.

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

/S/ David J. R. Mack

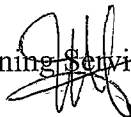


David J. R. Mack, Assistant Planner  
(831) 755-5096, mackd@co.monterey.ca.us  
July 20, 2010

cc: Front Counter Copy; Minor Subdivision Committee; Cachagua Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; Agricultural Commissioner (Bob Roach); Housing and Redevelopment; David Mack, Project Planner; John Ford, Planning Manager; Carol Allen, Senior Secretary; Arlin Trust, Owner; Rasmussen Land Surveying; Lombardo and Gilles, Agent; Planning File PLN090117.

Attachments: Exhibit A Project Data Sheet  
Exhibit B Discussion  
Exhibit C Draft Resolution, including:  
1. Conditions of Approval and Mitigation Monitoring and Reporting Program  
2. Tentative Map  
Exhibit D List of Assessor’s Parcel Numbers  
Exhibit E Vicinity Map  
Exhibit F Mitigated Negative Declaration  
Exhibit G *Application for Resubdivision*, August 10, 2009

This report was reviewed by John Ford, Planning Services Manager



# EXHIBIT A

## PROJECT DATA SHEET

# EXHIBIT A

## Project Data Sheet for PLN090117

Project Title: MARRKULA (RANA CREEK)

Location: 35351 East Carmel  
Valley Road (mile marker  
19.2), Carmel Valley

Primary APN: See Exhibit D

Applicable Plan: Cachuagua Area Plan

Coastal Zone: NO

Permit Type: Minor Subdivision  
Tentative Map

Zoning: Permanent Grazing

Environmental Status: Mitigated Negative  
Declaration

Plan Designation: Permanent Grazing

Advisory Committee: N/A

### Project Site Data:

Lot Size: 14,085 Acres

Coverage Allowed: N/A

Coverage Proposed: N/A

Existing Structures (SF): N/A

Height Allowed: N/A

Proposed Structures (SF): N/A

Height Proposed: N/A

Total SF: N/A

Floor Area Ratio Allowed: N/A

Floor Area Ratio Proposed: N/A

### Resource Zones and Reports:

Environmentally Sensitive Habitat: YES

Erosion Hazard Zone: MODERATE/HIGH

Biological Report #: LIB100193

Soils Report #: LIB100193

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: III/IV

Archaeological Report #: LIB100193

Geologic Report #: LIB100193

Fire Hazard Zone: VERY HIGH

Traffic Report #: N/A

### Other Information:

Water Source: Well

Sewage Disposal (method): Septic

Water Dist/Co: N/A

Sewer District Name: N/A

Fire District: Cachagua Fire

Total Grading (cubic yds.): N/A

Tree Removal: N/A

# EXHIBIT B

## DISCUSSION

## **EXHIBIT B DISCUSSION**

The project involves the resubdivision of 12 parcels, designated as Prime Farmlands and Grazing Land, the vast majority of which is under a Williamson Act Contract. The parcels will be resubdivided to allow reconfiguration of the parcels such that ten of the parcels will be located to provide some of each parcel with flatter, Prime Farmland areas. These parcels will range in size from 165 acres to 174 acres (all acreages are approximate), all of which qualify for Williamson Act contracts. The parcel that currently has the ranch buildings will be reduced in size from 1767 acres to 732 acres. The largest parcel will be increased in size from 7,167 to 11,552 acres. Currently the property is in active agriculture production of irrigated pasture, nursery crops, and cattle grazing. The applicant is proposing the Minor Subdivision for estate planning purposes and will continue with the agricultural operations.

The applicant submitted a detailed "Application for Resubdivision" document (see **Exhibit G**) which was reviewed by county staff in analyzing the project. In this document, the applicant describes the project and provides information related to specific environmental resources found on the site. Staff has also consulted with the State Department of Conservation as the resubdivision involves the adjustment of parcels that include Williamson Act contracts to ensure compatibility with findings required for such an adjustment.

### **Land Uses**

#### **Project Site**

The property is in agricultural and open space uses, with irrigated pasture on proposed parcels 4 through 10, a native plant nursery on proposed parcel 11, and cattle grazing on all parcels. Surrounding property is used for rural residential, open space, and agricultural uses. Proposed parcel 4 also has an airstrip, approved by Use Permit (PC06848) in 1994. The 2,500 foot airstrip is used for agricultural and ranching purposes, including the cattle husbandry and breeding. Proposed parcel 4 will also contain previously constructed horse stalls, which are an allowed use under the Permanent Grazing zoning land use designation.

No construction is proposed or anticipated at this time and the total number of residences allowed on the parcels will not change as a result of this resubdivision. Each of the parcels has the potential for a total of three single family dwellings so long as each of the residents, beyond the first residence on any of the parcels, is used accessory to on-site agricultural purposes. The Permanent Grazing zoning designation (Section 21.34.030.B) allows: "Single family dwellings accessory to the agricultural use of the property, not exceeding three in total, for an owner, operator or employees employed on-site." The following is the breakdown of the potential single family dwellings allowed on each proposed parcel:

- 1) **Proposed Parcel 1- 173 acres**: No structures; potential for three dwellings.
- 2) **Proposed Parcel 2- 174 acres**: No structures; potential for three dwellings.
- 3) **Proposed Parcel 3- 172 acres**: No structures; potential for three dwellings.
- 4) **Proposed Parcel 4- 172 acres**: Horse stalls; potential for three dwellings.
- 5) **Proposed Parcel 5- 173 acres**: Proposed parcel will inherit an existing single family dwelling with the potential of two additional dwellings. One barn.
- 6) **Proposed Parcel 6- 170 acres**: No structures; potential for three dwellings.
- 7) **Proposed Parcel 7- 165 acres**: No structures; potential for three dwellings.
- 8) **Proposed Parcel 8- 172 acres**: Horse stalls; potential for three dwellings.

- 9) **Proposed Parcel 9- 173 acres**: No structures; potential for three dwellings.
- 10) **Proposed Parcel 10- 172 acres**: No structures; potential for three dwellings.
- 11) **Proposed Parcel 11- 732 acres**: Ranch headquarters with multiple dwellings, outbuildings, and barns. All these structures were located on one parcel and will remain on one parcel.
- 12) **Proposed Parcel 12- 11,552 acres**: Proposed parcel will inherit an existing single family dwelling with the potential of two additional dwellings.

Each parcel will meet zoning requirements as a result of the proposed project. Setbacks will be met for all structures. Density and lot coverage will be well below required limits. Proposed parcel 11 will have the majority of the ranch's existing development, including three residences, one guest residence, several barns and other outbuildings. These uses exist on one legal lot and will remain on one legal lot. The use of the property for four residential units exceeds the zoning requirements for the number of dwellings, but is considered a legal, non-conforming use. The resubdivision of the property will not affect the legal, non-conforming status in any way and all other zoning requirements will be met as a result of this application.

#### Adjacent Land Uses

- North: The properties located to the north are zoned Permanent Grazing (PG) and may be used for residential uses relative to the agricultural and/or grazing uses of the land.
- East: The properties located to the east are zoned Permanent Grazing (PG) and Farmlands (F); each zoning designation allows residential uses relative to the agricultural and/or grazing uses of the land.
- South: The properties located to the south are zoned Permanent Grazing (PG); Public/Quasi-Public (PQP); Resource Conservation (RC); Rural Grazing (RG). The PG, PQP, RC, and RG zoning designations all allow residential uses relative to the agricultural and/or grazing uses of the land. The PQP designation allows public uses such as schools, parks, regional parks, recreation areas, and uses which serve the public at large.
- West: The properties located to the west are zoned Permanent Grazing (PG) and Rural Density Residential (RDR). The PG zoning designation allows residential uses relative to agricultural and/or grazing uses of the land, while the RDR zoning designation allows residential development of a rural nature in those areas of the County where adequate services and facilities exist or could be developed.

#### Access

Minor Subdivision 88-34 approved by Monterey County Planning Commission by resolution no. 90-252, created existing parcels D, E, and F. At the time of subdivision, a non-access strip was recorded over the lands adjacent to and southern of Carmel Valley Road. Three access exemption areas were provided; one for each parcel. These access exemption areas are shown on the recorded map (Record of Survey Volume 17 page 7) as "Detail One Access", "Detail Three Access", and "Detail Five Access".

The proposal will not create additional parcels; however will reconfigure 12 legal lots into 12 new legal lots. As part of this reconfiguration existing parcels D, E, and F will be become Parcels 6, 7, 8, 9, 10, and a portion of Parcel 5. As a result of the new configuration, access

easements to each reconfigured lot will need to be provided, using the existing access exception areas, as shown in MS 88-34 (ROS Vol 17 page 7).

The applicant is not proposing any new development, including the construction of any new roads access roads as part of this application; and the Cachagua Fire Protection District has not required conditions relative to parcel access, as each reconfigured parcel will be required to provide adequate fire access (roads) at the time of subsequent development. A condition of approval has been applied to the project requiring that access easement will provided for each reconfigured parcel (Condition No.10)

### Easements

The site has many easements relating to access and resource protection. Some conservation easements have been granted to Monterey County to protect cultural resources found on the site during earlier discretionary entitlement applications. No new survey was performed for this application as no development or ground disturbance is proposed as part of this project.

Easements will be required by the Environmental Health Bureau to ensure access is provided to the well and for pipelines from the well on parcel 3 that will serve proposed parcel 5. The Public Works Department will require easements on the parcel map for existing and as necessary to serve the purposes of the reconfigured twelve parcels.

### Resource Constraints

#### Floodplain

Parcels 1-10 are located south of Carmel Valley Road, which is paralleled by Tularcitos Creek. The majority of each of these proposed parcels is located across the creek from Carmel Valley Road. The floodplain of Tularcitos Creek overlies a small portion of each of these parcels. Three existing bridges provide access from Carmel Valley Road to ranch roads located on the opposite side of Tularcitos Creek.

The site has existing easements relating to access and resource protection. Some conservation easements have been granted to Monterey County to protect archaeological resources found on the site during earlier discretionary entitlement applications. No new survey was performed for this application as no development or ground disturbance is proposed as part of this project.

#### Biology

This site has a varied landscape that includes streams, stock ponds, wetlands, irrigated pasture, grazing lands, and wildlife habitat. There are four general plant communities within the project area:

- 1) Annual Grassland (55%).
- 2) Oak Woodland (34%).
- 3) Scrub (8%).
- 4) Riparian/Wetland (3%).

The Initial Study prepared for the project outlines the potential impacts that future development could cause on the property. With the mitigation measures identified in the Initial Study, the

potential for development to cause environmental impacts to biological resources was determined to be less than significant. The mitigation measure (condition no. 6) requires that a review be conducted of any proposed structure prior to issuance of building permits. The Zoning Ordinance requires that development proposed within biologically sensitive areas follow the requirements of a site specific biological report. These ordinance requirements will ensure that future development avoids or minimizes impacts to biological resources.

For a detailed discussion on biological resources on the site, and potential effects of the project, please see the Initial Study.

### Slopes

The proposed parcels each have significant area that is relatively flat and is not encumbered by floodplain, resource constraints or easements. Each of these areas is accessible by existing ranch roads. A slope density map was provided with the application and demonstrates that the subdivision meets the slope density requirements of the Monterey County Code for a subdivision with almost 2600 acres of the property with slopes less than 20 percent and over 5000 acres with slopes less than 30 percent.

### Agricultural Viability

The property is 14,085 acres and has a variety of land uses, including open space, irrigated pasture, nursery production of native plant species, and grazing land. The topography of the site varies from flat alluvial lands along Carmel Valley Road to steep, rocky mountains. The site has been used for grazing for over 100 years.

All but approximately 523 acres of the property are under an existing Williamson Act contract. The property consists of two soil types (Danville sandy clay loam and Gorgonio sandy loam) that are categorized as Prime Farmland and one soil type (Chamise shaly loam) categorized as Farmland of Statewide Significance. Much of the rest of the site is grazing land. Each of the proposed parcels 1-10 will each have between 8 and 77 acres categorized as prime agricultural land. Parcel 11 will have both grazing and nursery production of native plants. Parcel 12 will be a large property used for cattle grazing.

### Water Supply

The use of the property is not expected to change as a result of this resubdivision. The existing water system, Carmel Valley Road water system No. 8, can be closed as a water system is not required for these large agricultural properties. A well on proposed lot 3 currently serves the residence that will be on proposed lot 5. A deed restriction condition will be required to memorialize this off-site well. As the project is a resubdivision of 12 existing parcels used in agriculture and open space, with the same result, the Environmental Health Bureau did not require water quality and quantity testing. A required deed notification will inform any potential buyers (or future owners) to be aware that no analysis has been conducted, just as is the case if they were buying one of the existing 12 parcels. No changes in use are proposed.

### Wastewater

No development is proposed as part of this application. The Environmental Health Bureau visited the site on September 28, 2009 to determine that the proposed adjusting of lot lines (resubdivision) would not separate septic systems from existing structures. The Bureau staff

Arlin Trust Minor Subdivision (PLN090117) Page 7

determined that the septic systems, including leachfields, will remain on the same lot as any related structure, and that adequate area for future repair of the systems would exist. In addition, the smaller parcels south of Carmel Valley Road were determined to have ample area for future development of homes and septic systems. No detailed septic feasibility studies were conducted for this resubdivision; therefore, the Environmental Health Bureau is requiring a deed notice to inform any potential buyers (or future owners) to be aware that septic feasibility must be proven prior to any development.

### **Environmental Review**

A Mitigated Negative Declaration (MND)/Initial Study was prepared and circulated for this project (see **Exhibit F**). The MND/Initial Study identified potential significant effects relative to *Agricultural Resources* and *Biological Resources*. Therefore, in order to mitigate the physical impacts of the project to a less than significant effect, Mitigation Measures (See Condition Nos. 20 and 21 in **Exhibit B, Item 1**) have been incorporated. These Mitigation Measures will ensure that all future family dwellings proposed on each newly created parcel will be located in an area that would minimize the removal of agricultural production (Mitigation Measure AG-1) and avoid impacts to significant biological resources (Mitigation Measure BIO-1).

As of the date of this report, no comments to the circulated MND/Initial Study were received. No unusual circumstances, unresolved issues, or adverse environmental impacts have been identified. The proposed project, as described, conditioned and mitigated, is consistent with the General Plan, the Cachagua Area Plan, the Monterey County Zoning Ordinance (Title 21) and the Monterey County Subdivision Ordinance (Title 19).

# EXHIBIT C

## DRAFT RESOLUTION, INCLUDING:

1. CONDITIONS OF APPROVAL AND  
MITIGATION MONITORING AND  
REPORTING PROGRAM
2. TENTATIVE MAP

**EXHIBIT C  
DRAFT RESOLUTION**

**Before the Minor Subdivision Committee in and for the  
County of Monterey, State of California**

In the matter of the application of:  
A.C. Jr. and Linda Markkula, for Arlin Trust  
(PLN090117)

**RESOLUTION NO. \_\_\_\_\_**

Resolution by the Monterey County Minor  
Subdivision Committee:

- 1) Adopting the Mitigated Negative Declaration;  
and
- 2) Approving the Minor Subdivision Tentative Map  
to allow the division (Resubdivision) of twelve  
parcels, totaling approximately 14,085 acres, into  
twelve parcels with the same amount of acres;
- 3) Directing County Counsel to prepare amended  
Williamson Act Contracts for Land Conservation  
Contract Nos. 595-304, 595-322, 1649-329,  
1649-847, 1650-338 and 1650-347, subject to  
Condition No. 9, for approval by the Board of  
Supervisors.

(PLN090117, A.C. Jr. and Linda Markkula, for Arlin  
Trust, 35351 E. Carmel Valley Road, Carmel Valley,  
Cachagua Area Plan (APN: 416-451-018; 416-461-  
011; 416-461-018, -019, -020, -029, and -030; 417-  
061-003 and -004; 417-121-001, -002, -003, -015, -  
016, -017, and -018; 197-061-042, -043, -044, -045, -  
046, -047, -048, -049, -052, -053, and -054; 197-241-  
002, -003, -004, -005, -006))

**The Minor Subdivision application (PLN090117) came on for public hearing before the Monterey County Minor Subdivision Committee on July 29, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Minor Subdivision Committee finds and decides as follows:**

**FINDINGS**

1. **FINDING:**       **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:**   a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
  - the Monterey County General Plan,
  - the Cachagua Area Plan,
  - the Cachagua Area Plan Inventory and Analysis,

- Monterey County Zoning Ordinance (Title 21)
- Monterey County Subdivision Ordinance (Title 19)

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

- b) The property is located at 35351 E. Carmel Valley Road, Carmel Valley, Cachagua Area Plan. "PG/160" and "PG/160-D" [Permanent Grazing, with a minimum building site of 160 acres, and a Design Control overlay district], which allows agriculture development. The proposed Minor Subdivision is for the resubdivision of 14,085 acres, in twelve parcels, into twelve reconfigured parcels ranging in size from 165 acres to 11,552 acres. Therefore, the project is consistent with the minimum lot size requirements of the zoning district and an allowed land use for this site.
- c) The proposal is consistent with the Lot Design Standards of Section 19.10.030 A, B and C by conforming to zoning regulations of Title 21, lot width and depth and side lines of the lots running at right angles.
- d) The project planner conducted a site inspection on September 28, 2009, to verify that the project on the subject parcel conforms to the plans listed above.
- e) The proposed Minor Subdivision is for agricultural and estate planning purposes. The Permanent Grazing zoning district allows for single family dwellings accessory to the agricultural use of the property, not exceeding three in total (Section 21.30.030.B of Title 21 (Inland Ordinance)). The subject application does not include the construction of any infrastructure, outbuildings, or single family dwellings at this time. However, the project has the potential of accommodating 3 residential units on each resubdivided parcel, for a total of up to 36 residential units. Currently the existing 1,767 acre parcel has 4 existing single family dwellings on site. The following is the breakdown of the potential single family dwellings allowed on each proposed parcel:
  - 1) **Proposed Parcel 1- 173 acres**: No structures; potential for three dwellings.
  - 2) **Proposed Parcel 2- 174 acres**: No structures; potential for three dwellings.
  - 3) **Proposed Parcel 3- 172 acres**: No structures; potential for three dwellings.
  - 4) **Proposed Parcel 4- 172 acres**: Horse stalls; potential for three dwellings.
  - 5) **Proposed Parcel 5- 173 acres**: Proposed parcel will inherit an existing single family dwelling with the potential of two additional dwellings. One barn.
  - 6) **Proposed Parcel 6- 170 acres**: No structures; potential for three dwellings.
  - 7) **Proposed Parcel 7- 165 acres**: No structures; potential for three dwellings.
  - 8) **Proposed Parcel 8- 172 acres**: Horse stalls; potential for three dwellings.
  - 9) **Proposed Parcel 9- 173 acres**: No structures; potential for three dwellings.
  - 10) **Proposed Parcel 10- 172 acres**: No structures; potential for

three dwellings.

- 11) **Proposed Parcel 11- 732 acres:** Ranch headquarters with multiple dwellings, outbuildings, and barns. All these structures were located on one parcel and will remain on one parcel.
- 12) **Proposed Parcel 12- 11,552 acres:** Proposed parcel will inherit an existing single family dwelling with the potential of two additional dwellings.

Any additional dwelling units, as described above, would be consistent with Title 21 (Inland Ordinance), as long as the uses meet the requirements of Section 21.34.030.B.

- f) The project was not referred to a Land Use Advisory Committee (LUAC) for review because no active LUAC exists for this area of the County of Monterey.
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090117.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Cachagua Fire Protection District, Parks, Public Works, Environmental Health Bureau, Agricultural Commissioner's Office, Redevelopment and Housing Office, and the Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - b) According to the materials filed with the project application, the project site does contain occurrences of sensitive biological communities and/or resources. The majority of the site has been grazed and used for open space uses for many years. Proposed lots 4-10 are located across Tularcitos Creek from Carmel Valley Road, but are served by three existing bridges. Future road and/or site improvements could be located outside of undisturbed natural areas and would be subject to standard runoff and erosion control measures. No significant site disturbance is proposed with this project and no biological impacts are anticipated. Therefore, the project site is suitable for the proposed use. See Finding 5 for discussion of potential environmental effects.
  - c) The site has varied topography, from flat valley floor lands to rocky mountains. Each proposed parcel has extensive areas between 0% to 19.9% percent slopes. Any future residences and/or driveway approaches would be reviewed for consistency with *Section 21.64.230, Development of Slopes in Excess of 30%* (Title 21- Inland Ordinance). See Slope Density Map dated 7/28/09 found in the project file. Therefore, the site is suitable for the proposed use.
  - d) Staff identified potential environmental impacts to agricultural resources and biological resources. Application materials included information prepared by qualified biologists relating to resources found on the project site. This information was analyzed as part of the project review and in the Initial Study and staff determined that there are no

physical or environmental constraints that would indicate that the site is not suitable for the use proposed.

- e) The property is located at 35351 E. Carmel Valley Road, Carmel Valley, Cachagua Area Plan. "PG/160" and "PG/160-D" [Permanent Grazing, with a minimum building site of 160 acres, and a Design Control overlay district], which allows agriculture development. The proposed Minor Subdivision is for the resubdivision of 14,085 acres, in twelve parcels, into twelve reconfigured parcels ranging in size from 165 acres to 11,552 acres. Therefore, the project site is suitable for the proposed project.
- f) Nine of the 12 legal lots (approximately 13,600 acres) are currently under Williamson Act Contract beginning with Contract Nos. 595-R-304 and 595-R-322 in 1969, and amended through Contract Nos. 1649-R-329, 1649-R-847 and 1650-R-347 in 1983. Three existing parcels (J, K, L) totaling 480 acres and a 43.2 acre portion of parcel 197-241-004-000 are not currently part of any contract at this time. The Contract and the land use designation for the site requires that each subdivided parcel must be capable of remaining a viable agricultural unit. The subdivided lots have the potential of constructing additional dwelling units only when these are accessory to the agricultural use of the property, pursuant to *Section 21.34.030.B.* of the Permanent Grazing zoning designation in Title 21 (Inland Ordinance). The intent of the subdivision is for estate and agricultural purposes. The agricultural operation will continue. There are no requests for residential development at this time. However, the potential for a total of 36 residential units was analyzed thru the environmental review in order to identify any impacts to agricultural resources. A mitigation measure was prepared to address the potential that additional residential units could be built and could remove agricultural land from production. *Mitigation Measure No. 1* will ensure that all future single family dwellings proposed on each lot of record, shall be located in area that would minimize the removal of agriculture production. A note shall be placed on the recorded parcel map as disclosure to potential property owners that location of the homes shall be subject to the approval of the Planning Department.
- g) Staff conducted a site inspection on September 28, 2009, to verify that the site is suitable for this use.
- h) The Environmental Health Bureau staff conducted a site visit on September 28, 2009 to review the water supply and septic systems. They determined that the resubdivision of the property does not intensify the potential use of the site, that adequate area exists for existing and proposed wastewater (septic) systems, and that conditions should be added relating to the necessity to identify water sources and prove septic capability prior to issuance of any future building permit requiring such infrastructure, and that deed notices be required to notify future owners of these requirements. In addition, an existing well on proposed parcel 3 would serve proposed parcel 5. The Environmental Health Bureau requires that a condition be placed on this project to require a deed notification for that circumstance, informing any future owners of parcels 3 and 5. Easements must also be shown on the parcel map.

- i) No protected tree removal, grading, or development of infrastructure or structures is proposed as part of the project.
- j) The project will have adequate wastewater treatment by virtue of individual septic systems at the time of future parcel development. Demonstration of site suitability would be required to obtain a building permit for uses that require septic systems. If the site cannot be found suitable, uses of the site may not occur.
- k) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090117.

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

- EVIDENCE:**
- a) The project was reviewed by RMA - Planning Department, Cachagua Fire Protection District, Parks, Public Works, Environmental Health Bureau, Agricultural Commissioner's Office, Redevelopment and Housing Office, and the Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities will be provided. The proposed parcels will have sustainable, long-term water supply provided by a new water system. The project will have adequate wastewater treatment by virtue of individual septic systems at the time of future parcel development.
  - c) Preceding findings and supporting evidence for PLN090117.

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

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on September 28, 2009, and researched County records to assess if any violation exists on the subject property. The Title Report identified a Notice of Pendency from 1983, but upon further research of county records, the violation was cleared years ago and the Notice of Pendency is in the process of being released.
  - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090117.

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

- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
  - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN090117).
  - c) The Initial Study identified potentially significant effects, but the applicant has agreed to proposed mitigation measures, which mitigate the effects to a point where clearly no significant effects would occur. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN090117).
  - d) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetic resources, agricultural and forest resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use planning, mineral resources, noise, population/housing, public services, recreation, traffic and transportation, and utilities/service systems. From the above list, only the agricultural and biological resources may be potentially significantly impacted by the project. Mitigation measures have been proposed to reduce potential impacts to a less than significant level.
  - e) In order to avoid or minimize agricultural resource impacts and to ensure the long-term agricultural viability of each parcel, the project shall be required to place a note on the parcel map which ensures that the future placement of single family dwellings would minimize the removal of agricultural production. *Mitigation Measure No. AG-1 (Condition 20)* has been incorporated to the project:

**Mitigation Measure #AG-1:** *Prior to Recording the Parcel Map, the applicant shall place the following note on said Map: "All future single family dwelling(s) proposed on each lot of record, shall be located in areas that would minimize the removal of agricultural production in order to maintain the agricultural viability of portion(s) of lots which are designated as Prime Farmland."*

- f) In order to minimize impact to special status species, the applicant shall develop in areas that would minimize impacts to biological species, and shall require adequate biological assessments prior to any future development. *Mitigation Measure No. BIO-1 (Condition 21)* has been incorporated to the project:

**Mitigation Measure #BIO-1:** *Prior to Recording the Parcel Map, the applicant shall place the following note on said Map: "Prior to development of any new structure, an assessment of biological resources shall be conducted at the appropriate time(s) of year to*

*establish presence within 50 feet of the development impact area(s) and within areas of fire fuel modification. New structures shall be sited to avoid impact to species identifies in the biological assessment.”*

- g) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference as **Exhibit 1**. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval (Condition No. 6).
- h) The Draft Mitigated Negative Declaration (MND) for PLN090117 was prepared in accordance with CEQA and circulated for public review from June 29, 2010 through July 28, 2010. Issues that were analyzed in the Draft Mitigated Negative Declaration (MND) include: aesthetic resources, agricultural and forest resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use planning, mineral resources, noise, population/housing, public services, recreation, traffic and transportation, and utilities/service systems.
- i) Evidence that has been received and considered includes: the application, technical studies/reports (see *Finding 2/Site Suitability*), staff reports that reflect the County’s independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN090117) and are hereby incorporated herein by reference.
- j) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in a less than significant impact to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
- k) No comments from the public were received.
- l) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

6. **FINDING:** **SUBDIVISION** – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code 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 1982 Monterey County General Plan and the Central Cachagua Area Plan (*Finding 1*).
  - b) Design. The lot design is consistent with the Lot Design Standards of Section 19.10.030 County Codes. Lot width and depth and side lines of the lots running at right angles.
  - c) Site Suitability. The site is suitable for the proposed project including the type and density of the development (see *Finding 2 and following evidence*).
  - d) 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 3 and following evidence*).
  - e) Easements. The subdivision or the type of improvements will not conflict with easements. The Title Report and easements shown on the tentative map have been reviewed by county staff. No conflicts with existing easements were found. The proposal will not create additional parcels; however will reconfigure 12 legal lots into 12 new legal lots. As part of this reconfiguration existing parcels D, E, and F will be become Parcels 6, 7, 8, 9, 10, and a portion of Parcel 5. As a result of the new configuration, access easements to each reconfigured lot will need to be provided, using the existing access exception areas, as shown in MS 88-34 (ROS Vol 17 page 7). A condition of approval has been applied to the project requiring that access easement will provided for each reconfigured parcel (Condition No.10)
  - f) Water Supply. Section 19.10.070 MCC 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 prove there is along term water supply with the proposed project. Sections 19.03.015.L and 19.07.020.K MCC require Water Supply and Nitrate Loading Information in order to assess these conditions (see *Findings 2 and 5*).
  - g) Sewage Disposal (Sections 19.03.015.K and 19.07.020.J MCC). See *Finding 3*.
  - h) Traffic (Conditions 11-13). The RMA-Public Works Department has reviewed and conditioned this project. The project will adjust 12

parcels into 12 reconfigured parcels with the potential of up to 3 single family dwellings on each parcel. Therefore, the project would have the net potential for 31 additional single family dwellings. The site has an existing 20-foot wide road easement on Proposed Parcel 4 that will be widened to a 30-foot wide road easement. Future development on the property would be no more than the existing condition allowing up to three residences per parcel if all were involved with on-site agricultural operations. This number will not cause an increase in traffic which is substantial in relation to existing traffic load and capacity of the road system. The roadways in this area are not at degraded levels of service. The project will not significantly exceed individually or cumulatively a level of service standards established by the County.

- i) Affordable Housing. The project was referred to the Monterey County Housing and Redevelopment Office for review. Pursuant to Section 18.40.050.B.2 of Chapter 18.40 of the Monterey County Code, the proposed application is exempt from the requirements of the County's Inclusionary Housing Ordinance. The County's Inclusionary Housing Ordinance, codified in Section 18.40 of the County Code, requires that new development that would create three or more new or additional units or lots provide an Inclusionary Housing contribution as specified in the Ordinance. Section 18.40.050.B.2 provides an exception whereby the development is not required to comply with the provisions of the Ordinance if the applicant demonstrates that there is no reasonable relationship between the development and the requirements. The proposed application is for a subdivision to allow the reconfiguration of 12 existing lots of record and does not result in either the creation of additional lots or the potential for additional residential units. Because the subdivision merely reconfigures lot lines without adding any development potential, there is no reasonable relationship between the proposed development and the requirements of the Inclusionary Housing Ordinance. Therefore, the proposed application is not subject to an Inclusionary contribution.
- j) The application, tentative map and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090117.
- k) The project planner conducted a site inspection on September 28, 2009.

8. **FINDING:**

**SUBDIVISION ON LAND UNDER WILLIAMSON ACT**

**CONTRACT** – The property is currently under a Williamson Act Contract (beginning with Contract Nos. 595-R-304 and 595-R-322 in 1969, and amended through Contract Nos. 1649-R-329, 1649-R-847, 1650-R-338, and 1650-R-347 in 1983) and is therefore subject to Section 66474.4 of the Subdivision Map Act and County-adopted rules and regulations for the Administration of Agricultural Preserves. The project is required to meet the following findings:

1. That the proposed map is consistent with the applicable general plan policies and objectives.
2. That the subdivision is consistent with the zoning designation and minimum parcel size requirements of the zoning district.
3. That the subdivision complies with County-adopted Rules and Regulations for Administration of Agricultural Preserves because it

has been demonstrated that:

- a. Each parcel will be devoted to a qualifying agricultural use (specify the agricultural use);
- b. Each parcel will meet the minimum parcel size of 10 to 40 acres or the minimum lot size whichever is more restrictive for the type of contract;
- c. Each parcel will individually meet the minimum income requirement for a (Type I/ Type II) Williamson Act contract, which is \$200 per acre for a Type I. For a Type II Williamson Act Contract \$1.99 per acre or \$1,999.99 per farm operation, whichever total is larger.
- d. Each parcel will remain under a Williamson Act contract and complies with the restrictions to agricultural and compatible uses;
- e. No land would be removed from the Williamson Act Program.

4. That the subdivision complies with Section 66474.4 of the Subdivision Map Act pertaining to land under an existing California Land Conservation contract, referred to as Williamson Act contract, because:

- a. The subdivision would not result in residential development that is not incidental to the agricultural operation.

- EVIDENCE:**
- a) Consistency with General Plan. The project as designed and conditioned is consistent with the 1982 Monterey County General Plan (see *Finding 1*).
  - b) Consistency with Zoning. “PG/160” and “PG/160-D” [Permanent Grazing, with a minimum building site of 160 acres, and a Design Control overlay district], which allows agriculture development. The proposed Minor Subdivision is for the resubdivision of 14,085 acres, in twelve parcels, into twelve reconfigured parcels ranging in size from 165 acres to 11,552 acres. Therefore, the project is consistent with the minimum lot size requirements of the zoning district and an allowed land use for this site.
  - c) County Adopted Rules and Regulations.
    - a. ***Agricultural Use-*** The applicant proposes to continue agricultural uses on all proposed parcels and has submitted a detailed “Application for Resubdivision” statement.
    - b. ***Minimum Lot Size per Contract-*** The project meets and exceeds the minimum lot size requirement for this soil type and contract. The minimum lot size is 10 acres for proposed parcels 1 through 10 and 100 acres for parcels 11 and 12; the proposed parcels are all over 160 acres in size. Therefore, the project meets the minimum lot size requirements for the specific type of contract.
    - c. ***Income Requirement-*** The ranch operates as a single unit under the Williamson Act contracts and easily meets income requirements. Each proposed parcel is large enough to meet income requirements with the ten ‘smaller’ parcels of over 160 acres each having substantial land area with Prime or Statewide Importance soil types and historically irrigated land.
    - d. ***Remain in the Contract with Compatible Uses-*** The project does not involve the cancellation of the Williamson Act Contract in place on the

property. The applicant intends to continue the agricultural operation of the site. No Notice of Non-Renewal has been filed for this property.

**e. Removal of land from Contract-** The subject Contract is for a term of 20 years, renewing annually for a twenty year term each January. For the purposes of this project, the Contract is in effect and no land has been removed from the Contract.

d) Section 66474.4 of the Subdivision Map Act

a. The applicant is proposing the Minor Subdivision for estate planning purposes and the applicant will continue with the agricultural operation as it exists currently. No residential construction is anticipated at this time. However, once subdivided, the project has the potential for a total of 31 additional single family dwellings. That is the same potential as the existing setting. The Permanent Grazing zoning designation (Section 21.34.030.B) allows: "Single family dwellings accessory to the agricultural use of the property, not exceeding three in total, for an owner, operator or employees employed on-site." The following would be the breakdown of potential single family dwellings allowed on each proposed parcel:

- 1) **Proposed Parcel 1- 173 acres**: No structures; potential for three dwellings.
- 2) **Proposed Parcel 2- 174 acres**: No structures; potential for three dwellings.
- 3) **Proposed Parcel 3- 172 acres**: No structures; potential for three dwellings.
- 4) **Proposed Parcel 4- 172 acres**: Horse stalls; potential for three dwellings.
- 5) **Proposed Parcel 5- 173 acres**: Proposed parcel will inherit an existing single family dwelling with the potential of two additional dwellings. One barn.
- 6) **Proposed Parcel 6- 170 acres**: No structures; potential for three dwellings.
- 7) **Proposed Parcel 7- 165 acres**: No structures; potential for three dwellings.
- 8) **Proposed Parcel 8- 172 acres**: Horse stalls; potential for three dwellings.
- 9) **Proposed Parcel 9- 173 acres**: No structures; potential for three dwellings.
- 10) **Proposed Parcel 10- 172 acres**: No structures; potential for three dwellings.
- 11) **Proposed Parcel 11- 732 acres**: Ranch headquarters with multiple dwellings, outbuildings, and barns. All these structures were located on one parcel and will remain on one parcel.
- 12) **Proposed Parcel 12- 11,552 acres**: Proposed parcel will inherit an existing single family dwelling with the potential of two additional dwellings.

In order to avoid or minimize agricultural resource impacts and to ensure the long-term agricultural viability of each parcel, the project shall be required to place a note on the parcel map which ensures that the future placement of single family dwellings would minimize the removal of agricultural production. *Mitigation Measure No. AG-1 (Condition 20)* has been incorporated to the project:

**Mitigation Measure #AG-1:** *Prior to Recording the Parcel Map, the applicant shall place the following note on said Map: "All future single family dwelling(s) proposed on each lot of record, shall be located in areas that would minimize the removal of agricultural production in order to maintain the agricultural viability of portion(s) of lots which are designated as Prime Farmland".*

The applicant shall provide a copy of the Parcel Map to the Director of Planning with the above note, for review and approval, prior to recording the Parcel Map. Therefore, the subdivision would not result in residential development that is not incidental to the agricultural operation.

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

**EVIDENCE:** a) Section 19.16.020.B of the Monterey County Subdivision Ordinance (Title 19).

### **DECISION**

**NOW, THEREFORE,** based on the above findings and evidence, the Minor Subdivision Committee does hereby:

- A. Adopt the Mitigated Negative Declaration;
- B. Approve the Minor Subdivision, in general conformance with the attached tentative map and subject to the conditions (**Exhibit 1**), said exhibit being attached hereto and incorporated herein by reference; and
- C. Adopt the Mitigation Monitoring and Reporting Program (**Exhibit 1**); and
- D. Direct County Counsel to prepare amended Williamson Act Contracts for Land Conservation Contract Nos. 595-304, 595-322, 1649-329, 1649-847, 1650-338 and 1650-347, subject to Condition No. 9, for approval by the Board of Supervisors.

**PASSED AND ADOPTED** this 29<sup>th</sup> day of July, 2010 upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_ by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Jacqueline R. Onciano, Minor Subdivision Committee

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

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

NOTES

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

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

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

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

Project Name: Markkula (Arlyn Trust)  
 File No: PLN090117 APNs: Various  
 Approved by: Minor Subdivision Date: July 29, 2010

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
<b>RMA – Planning Department</b>						
1.		<p><b>PD001 - SPECIFIC USES ONLY</b>            This Minor Subdivision Tentative Map (PLN090117) allows the resubdivision of twelve parcels totaling approximately 14,085 acres into twelve (12) parcels. The project proposes the resubdivision of twelve legal lots of record on 14,085 acres into twelve lots. No development is proposed. The property is located at 35351 E. Carmel Valley Road, Carmel Valley, Cachagua Area Plan (APN: 416-451-018; 416-461-011; 416-461-018, -019, -020, -029, and -030; 417-061-003 and -004; 417-121-001, -002, -003, -015, -016, -017, and -018; 197-061-042, -043, -044, -045, -046, -047, -048, -049, -052, -053, and -054; 197-241-002, -003, -004, -005, -006), Cachagua Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.</p> <p>To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>WRA  RMA - Planning</p>	<p>Ongoing unless otherwise stated</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		permits are approved by the appropriate authorities. <b>(RMA-Planning Department)</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Minor Subdivision Committee for Assessor's Parcel Numbers 416-451-018; 416-461-011; 416-461-018, -019, -020, -029, and -030; 417-061-003 and -004; 417-121-001, -002, -003, -015, -016, -017, and -018; 197-061-042, -043, -044, -045, -046, -047, -048, -049, -052, -053, and -054; 197-241-002, -003, -004, -005, -006 on July 29, 2010. The permit was granted subject to 21 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." <b>(RMA-Planning Department)</b>	Obtain appropriate form from the RMA-Planning Department.  The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant  RMA- Planning	Prior to filing the parcel map	
3.		<b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures	The condition language shall be included as a note on an additional sheet of the Parcel Map or on a document recorded concurrently with the Parcel Map and indicating its relationship to the Parcel Map.  Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist	Owner/ Applicant  Owner/ Applicant/ Archaeo- logist	Prior to recordation of Parcel Map  Ongoing	

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		Department)				
5.		<p><b>PD005 - FISH AND GAME FEE-NEG DEC/EIR</b>  Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. <b>(RMA - Planning Department)</b></p>	<p>The applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	Owner/Applicant	Within 5 working days of project approval.	
			<p>If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	Owner/Applicant	Prior to the recordation of the parcel map, the start of use or the issuance of building or grading permits	
6.		<p><b>PD006 - MITIGATION MONITORING PROGRAM</b>  The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <b>(RMA - Planning Department)</b></p>	<ol style="list-style-type: none"> <li>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</li> <li>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</li> </ol>	Owner/Applicant	Within 60 days after project approval or prior to the recordation of the parcel map, whichever occurs first	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
7.		<b>PD036 – UTILITIES – SUBDIVISION</b> A note shall be placed on the parcel map or a separate sheet to be recorded with the parcel map indicating that "Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code." Such facilities shall be installed or bonded prior to filing the parcel map. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. <b>(RMA – Planning Department)</b>	Place note on map or a separate sheet and submit to the RMA - Planning Department for review and approval. Install or bond for the underground utility facilities.	Owner/ Applicant	Prior to the recordation of parcel map	
8.		<b>PDSP001 – SETBACKS (NON-STANDARD)</b> The applicant shall provide information that all structures will meet zoning and septic requirements for each of the proposed parcels. <b>(RMA – Planning Department)</b>	Provide site maps showing the relationships of all existing structures to proposed property lines to ensure that setbacks are maintained in conformance with the zoning ordinance and that septic systems meet requirements of the County Code.	Owner/ Applicant	Prior to the recordation of parcel map	
9.		<b>PDSP002 – AMEND WILLIAMSON ACT CONTRACT (NON-STANDARD)</b> The applicant shall amend Land Conservation Contract Nos. 595-R-304 and 595-R-322 in 1969, and amended through Contract Nos. 1649-R-329, 1649-R-847, 1650-R-338, and 1650-R-347 in 1983 (Williamson Act Contract). <b>(RMA – Planning Department)</b>	Submit new contracts to the RMA – Planning Department for review and approval by County Counsel and final approval by the Board of Supervisors.	Owner/ Applicant	Concurrent with the Recordation of the Parcel Map	
10.		<b>PDSP003 – ACCESS EASEMENTS (NON-STANDARD)</b> Access easements shall be provided to parcels 5, 6, 7, 8, 9, and 10, as shown on the tentative map, utilizing the three existing access areas along Carmel Valley Road, as shown on Record of Survey Volume 17 page 7 (MS 88-34).	Either show easements on the Final Map and/or record easement by separate instrument.	Owner/ Applicant/ Surveyor	Prior to recordation of the Parcel Map	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
<b>RMA – Public Works Department</b>						
11.		<b>PW0015 – UTILITY’S COMMENTS</b> Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. <b>(Public Works)</b>	Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW	Owner/ Applicant	Prior to Recordation of Map	
12.		<b>PW0031 – PARCEL MAP</b> File a parcel map delineating all existing and required easements or rights-of-way and monument new lines. <b>(Public Works)</b>	Applicant’s surveyor shall prepare parcel map, submit to DPW for review and approval.	Owner/ Applicant/ Engineer	Prior to Recordation of Parcel Map	
13.		<b>PW0036 – EXISTING EASEMENTS AND ROW</b> Provide for all existing and required easements or rights of way. <b>(Public Works)</b>	Subdivider’s Surveyor shall include all existing and required easements or rights of way on Parcel Map.	Subdivider/ Surveyor	Prior to Recordation of Parcel Map	
<b>Health Department Environmental Health Bureau</b>						
14.		<b>EHSP001 – ACTION PLAN TO DISCONTINUE USE OF CHEMICAL TOILET (NON-STANDARD)</b> The chemical toilet in use on site does not meet an approved exception for a flush toilet per Monterey County Code 15.20.020. Provide a plan to correct this by discontinuing the use and remove the chemical toilet from the property as soon as possible. If a toilet facility is desired for the nursery uses the owner/applicant shall apply for a building permit and septic permit for a restroom structure. <b>(Environmental Health)</b>	Discontinue use of the chemical toilet. Submit evidence of removal of the chemical toilet to EHD within two months of the issuance of this tentative parcel map.	Owner / Applicant	Within two months of the issuance of this tentative parcel map.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
15.		<p><b>EHSP002 – DEED NOTIFICATION/MAP RECORDATION – AGRICULTURAL SUBDIVISIONS – WATER (NON-STANDARD)</b></p> <p>1. A note shall be placed on the parcel map in substantially the following form: All future buyers of any parcel created by this subdivision are hereby notified that the parcels created by this subdivision are not guaranteed to have water of sufficient quality or quantity to meet state and local drinking water standards set forth in county Codes 15.04 and 15.08. At the time of the subdivision, the subject property was under a Williamson Act contract and utilized for agricultural production, and no development of the lots for other purposes was projected. Therefore, the County has not verified that each lot has water quality and quantity meeting state and local drinking water standards. All future buyers of any parcel created by this subdivision are hereby further notified that no development will be permitted and no building permit will be issued for development on a parcel in this subdivision until the owner of that parcel demonstrates to the satisfaction of the County that the parcel has a water source meeting all state and local drinking water quality and quantity standards, with out treatment, set forth in county Codes 15.04 and 15.08.</p> <p>2. Concurrent with the recordation of the parcel map, the owner shall record a deed restriction on each parcel created by this subdivision which includes the provision stated below. The owner shall also include such provision in any grant deed or other instrument conveying any right, title, or interest in each parcel created by this subdivision. The provision is as follows: All buyers of this parcel are hereby notified that, at the time of the subdivision creating this lot, the parcel was</p>	<p>Submit a draft parcel map and draft deed restriction for the review and approval by the Director of Environmental Health prior to filing the final map/parcel map.</p> <p>Record the deed restriction on each lot created by the subdivision and provide proof of recordation to the Environmental Health Division and Planning Department.</p> <p>At the time of sale of any parcel, include the same provision in any instrument conveying right, title or interest in each parcel created by this subdivision.</p>	<p>Owner/ Applicant/ Engineer</p> <p>Owner/ Applicant</p>	<p>Prior to filing of the final/parcel map.</p> <p>Concurrent with recordation of the parcel map.</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>not guaranteed to have water of sufficient quality or quantity to meet state and local drinking water standards set forth in county Codes 15.04 and 15.08. At the time of the subdivision creating this parcel, the subject property was under a Williamson Act contract.</p> <p><b>(Environmental Health)</b></p>				
16.		<p><b>EHSP003 – DEED NOTIFICATION/MAP RECORDATION – AGRICULTURAL SUBDIVISIONS – SEPTIC – ONSITE WASTEWATER SYSTEM (NON-STANDARD)</b></p> <p>1. A note shall be placed on the parcel map in substantially the following form: All future buyers of any parcel created by this subdivision are hereby notified that the parcels created by this subdivision are not guaranteed to have viable sites for an onsite wastewater disposal system. No Soils or Percolation Report by a qualified Soils Engineer has been completed. At the time of the subdivision, the subject property was under a Williamson Act contract and utilized for agricultural production and no development of the parcels, for other purposes, was projected. Therefore, the County has not verified that each lot has viable site for an onsite wastewater system meeting state and local onsite wastewater standards. All future buyers of any parcel created by this subdivision are hereby further notified that no building permit will be issued for development on a parcel in this subdivision until the owner of that parcel demonstrates to the satisfaction of the County that the parcel has an onsite wastewater site meeting all state and local standards set forth in county Code 15.20</p> <p>2. Concurrent with the recordation of the parcel map, the owner shall record a deed restriction on each parcel created by this subdivision which includes the</p>	<p>Submit a draft parcel map and deed restriction for review and approval by the Environmental Health Division prior to filing the final map/parcel map.</p> <p>Record the deed restriction on each lot created by the subdivision and provide proof of recordation to the Environmental Health Division and Planning Department.</p> <p>At the time of sale of any parcel, include the same provision in any instrument conveying right, title or interest in each parcel created by this subdivision.</p>	Owner/ Applicant/ Engineer	Prior to filing the final map / parcel map.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>provisions stated below:  The owner shall also include such provision in any grant deed or other instrument conveying any right, title or interest in each parcel created by this subdivision. The provision is as follows: All buyers of this parcel are hereby notified that, at the time of the subdivision creating these lots, the parcels were not guaranteed to have viable sites for an onsite wastewater disposal system. No Soils or Percolation Report by a qualified Soils Engineer has been completed. At the time of the subdivision creating these parcels, the subject property was under a Williamson Act contract and utilized for agricultural production, and no development of the lots for other purposes were projected. Therefore, the County has not verified that these parcels have an onsite wastewater site meeting all state and local standards set forth in County Code 15.20. All future buyers of this parcel are hereby further notified that no development will be permitted and no building permit will be issued for development on these parcels until the owner of a parcel demonstrates to the satisfaction of the County that the parcel has a suitable onsite wastewater site meeting all state and local standards set forth in County Code 15.20. <b>(Environmental Health)</b></p>				
17.		<p><b>EHSP04 – DEED NOTICE; WELL ON LOT 3 AND LOT 5 (NON-STANDARD)</b>  A note shall be placed on the parcel map in substantially the following form: All future buyers of lot 3 and lot 5 created by this subdivision are hereby notified that the well on lot 3 is solely for lot 5. No additional connections may served by the well on lot 3 without prior approval from the Monterey County Health Department, Environmental Health Division and the current owner of lot 5.</p>	<p>Submit a draft parcel map and deed notice for review and approval by the Environmental Health Division prior to filing the final map / parcel map.</p> <p>Record the deed notice and provide proof of recordation to the Environmental Health Division and Planning Department.</p> <p>At the time of sale of Lot 3 or Lot 5,</p>	Owner/ Applicant/ Engineer	Concurrent with recordation of the parcel map.	

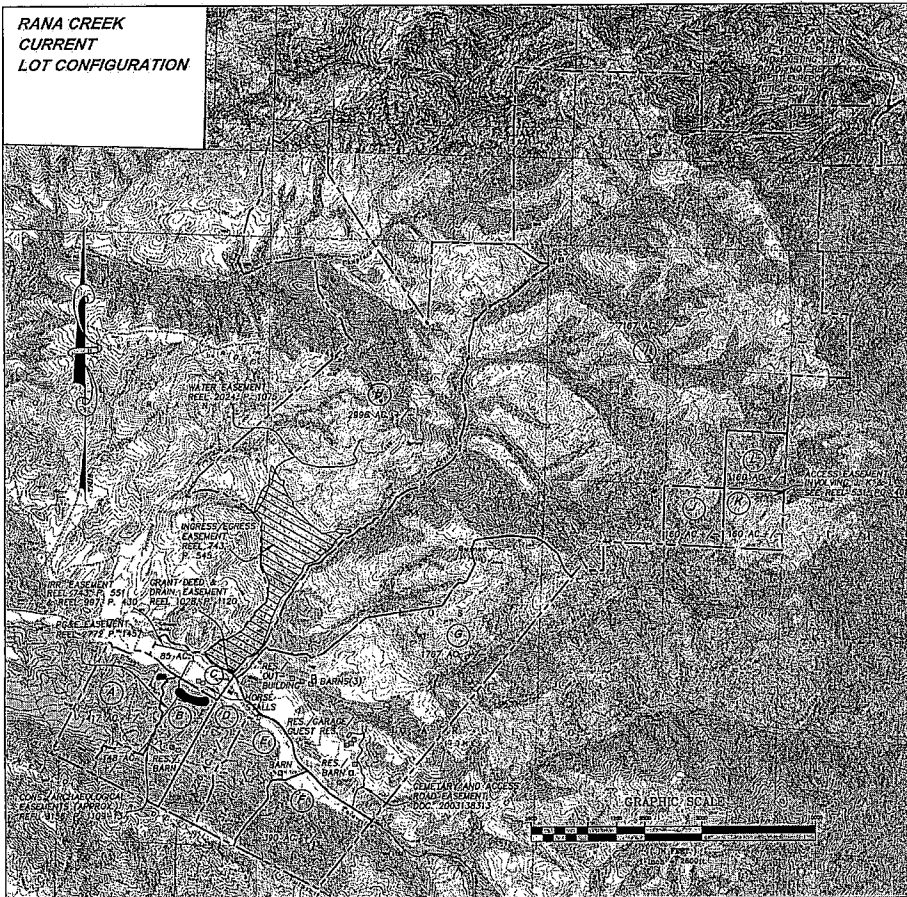
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		At the time of the subdivision, the subject property was under a Williamson Act contract and utilized for agricultural production, and no further development of the lots for other purposes was projected. Therefore, the County has not verified that the well on lot 3 has water quality and quantity meeting state and local drinking water standards. All future buyers of lot 5 created by this subdivision are hereby further notified that no further development will be permitted and no building permit will be issued for development on lot 5 until the owner of that parcel demonstrates to the satisfaction of the County that the parcel has a water source meeting all state and local drinking water quality and quantity standards set forth in county Codes 15.04 and 15.08. <b>(Environmental Health)</b>	include the same provisions in any instrument conveying right, title, or interest in each parcel created by this subdivision.			
18.		<b>EHSP05 – WELL OR EASEMENT LOT ON LOT 3 (NON-STANDARD)</b> Submit a tentative map indicating the proposed well lot or easement for the well on lot 3, water distribution, and access easements for the water lines serving lot 5 to the Director of Environmental Health for review and approval. Once approved, well lots and/or easements shall appear as part of the parcel map. <b>(Environmental Health)</b>	Submit plans to the Environmental Health Division for review and approval.	CA Licensed Engineer/ Owner/ Applicant	Prior to filing the parcel map.	
<b>Water Resources Agency</b>						
19.		<b>WRASP001 – FLOODPLAIN RECORDATION (NON-STANDARD)</b> The owner shall provide the Water Resources Agency a recorded floodplain Notice for the newly created “parcels 1 and 4-12” stating: “The property is located	Submit a floodplain notice, to be recorded concurrently with the parcel map, to the Water Resources Agency for review and approval. (A copy of the County’s standard notice can be	Owner/ Applicant	Prior to filing parcel map	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		within or partially within a floodplain and may be subject to building and/or land use restrictions.” (Water Resources Agency)	obtained at the Water Resources Agency.)			
<b>Mitigation Measures</b>						
20.	AG-1	<p><b>AGRICULTURAL RESOURCES – AGRICULTURAL VIABILITY</b></p> <p>In order to preserve the agricultural viability of the proposed lots, the applicant shall place the following note on the Parcel Map: <i>“All future single family dwelling(s) proposed on each lot of record, shall be located in areas that would minimize the removal of agricultural production in order to maintain the agricultural viability of portion(s) of lots which are designated as Prime Farmland.”</i></p> <p>The applicant shall provide a copy of the Parcel Map to the Director of Planning with the above note, for review and approval, prior to recording the Parcel Map. (RMA - Planning Department)</p>	<p>The applicant shall place this specific language as a note on the Parcel Map, for review and approval, prior to recording the Parcel Map.</p> <p>Immediately after the recordation of the Parcel Map so it will be recorded on each new parcel and prior to the issuance of any grading or building permits, the applicant shall record a Deed Restriction with the Monterey County Recorder’s Office which states that the parcel is subject to this mitigation measure. The RMA-Planning Department will furnish the language of the Deed Restriction to applicant for recordation.</p>	Owner/ Applicant	Prior to Recordation of Parcel Map	
21.	BIO-1	<p><b>BIOLOGICAL RESOURCES</b></p> <p>In order to preserve the agricultural viability of the proposed lots, the applicant shall place the following note on the Parcel Map: <i>“Prior to development of any new structure, an assessment of biological resources</i></p>	The applicant shall place this specific language as a note on the Parcel Map, for review and approval, prior to recording the Parcel Map.	Owner/ Applicant	Prior to Recordation of Parcel Map	

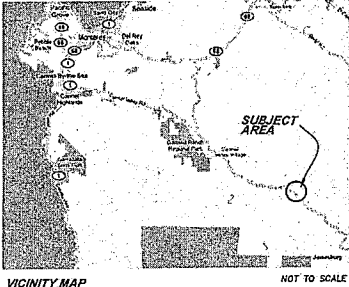
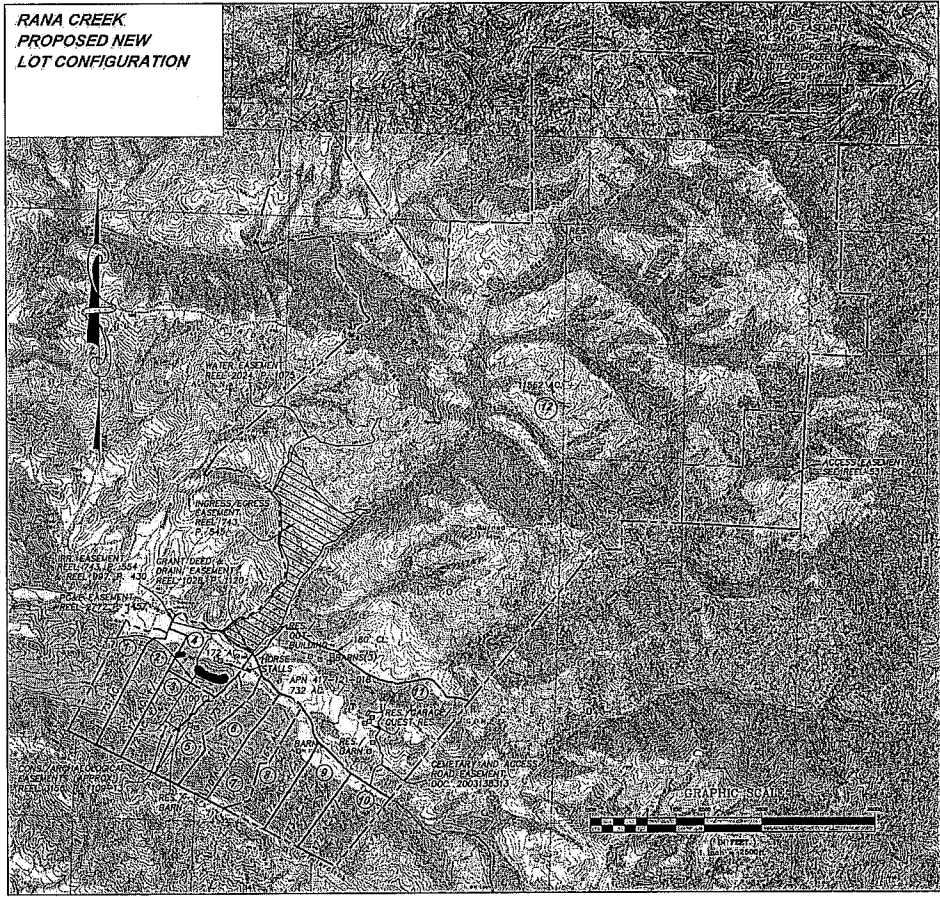
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p><i>shall be conducted at the appropriate time(s) of year to establish presence within 50 feet of the development impact area(s) and within areas of fire fuel modification. New structures shall be sited to avoid impact to species identifies in the biological assessment.”</i></p> <p>The applicant shall provide a copy of the Parcel Map to the Director of Planning with the above note, for review and approval, prior to recording the Parcel Map. <b>(RMA - Planning Department)</b></p>	<p>Immediately after the recordation of the Parcel Map so it will be recorded on each new parcel and prior to the issuance of any grading or building permits, the applicant shall record a Deed Restriction with the Monterey County Recorder's Office which states that the parcel is subject to this mitigation measure. The RMA-Planning Department will furnish the language of the Deed Restriction to applicant for recordation.</p>	<p>Owner/ Applicant</p>	<p>Immediately after the recordation of the Parcel Map so it will be recorded on each new parcel and prior to the issuance of any grading or building permits</p>	

**END OF CONDITIONS**

**RANA CREEK  
CURRENT  
LOT CONFIGURATION**



**RANA CREEK  
PROPOSED NEW  
LOT CONFIGURATION**



VICINITY MAP  
NOT TO SCALE

APHS COMPRISING THIS LOT LINE ADJUSTMENT:

416-451-018 (I)	197-061-043 (C)
416-461-011 (I)	197-061-043 (C)
416-461-018 (I)	197-061-044 (G)
416-461-019 (I)	197-061-045 (B)
416-481-020 (I)	197-061-046 (A)
416-461-025 (I)	197-061-047 (A)
416-461-030 (I)	197-061-048 (I)
417-061-003 (I)	197-061-049 (C)
417-061-004 (I)	197-061-052 (C)
417-121-001 (I)	197-061-053 (E)
417-121-002 (I)	197-061-054 (F)
417-121-003 (I)	197-241-005 (H)
417-121-015 (I)	197-241-003 (H)
417-121-016 (I)	197-241-004 (H)
417-121-017 (I)	197-241-008 (H)
417-121-018 (A, K, L)	197-241-008 (H)

**NOTES**  
 □ BUILDINGS (APPROXIMATE LOCATION)  
 ALL DOCUMENT, REEL AND PAGE NUMBERS REFER TO MONTEREY COUNTY RECORDS  
 ● SHADED AREAS REPRESENT APPROXIMATE LOCATION OF ARCH. EASEMENT SITES  
 CL = APPROX. CLEARANCE FROM BOUNDARY LINE LOCATION FOR ALL FEATURES, EASEMENTS, AND BOUNDARIES WERE TAKEN FROM RECORDED DEEDS, USGS QUAD, MAPS, AND PREVIOUS SURVEY MAPS, AND ARE APPROXIMATE ONLY.

**LOT CONFIGURATION**

EXISTING ACREAGE (APPROX.)	PROPOSED ACREAGE (APPROX.)
A = 417	1 = 173
B = 148	2 = 174
C = 85	3 = 172
D = 226	4 = 172
E = 314	5 = 173
F = 390	6 = 170
G = 1787	7 = 165
H = 2998	8 = 172
I = 7167	9 = 173
J = 180	10 = 172
K = 180	11 = 173
L = 180	12 = 11522
<b>TOTAL: 14000</b>	<b>TOTAL: 14000</b>

**NOTES (CONT.)**  
 APHS 197-061-042 AND 197-061-043 (PARCELS C OF CURRENT LOT CONFIGURATION) ARE LOCATED WITHIN OR PARTIALLY WITHIN A FLOOD PLAIN (SEE REEL 3168, P. 341, MONTEREY COUNTY RECORDS).  
 AN EASEMENT RECORDED 2/24/1896, BOOK 11, PAGE 151, GRANTS A "RIGHT OF WAY" DOWN ALONG THE BED OF THE CUBBER'S CREEK TO THE COUNTY ROAD; DESCRIPTION IS VAGUE AND NOT PLOTTABLE.

**OWNERS:**  
 A.C. JR. & LINDA K. MARKKULA  
 35151 E. CARMEL VALLEY ROAD  
 CARMEL VALLEY, CA 93924  
 TEL: 831-859-3620

**REPRESENTATIVE:**  
 ANTHONY LOUABARDO  
 318 CAYUGA STREET  
 SALINAS, CA 93901  
 TEL: 831-754-2444

**TENTATIVE MAP**  
 FOR A PROPOSED RE-SUBDIVISION OF PARCELS SITUATE IN PORTIONS OF RANCHO TULAROTOS AND A PORTION OF SECTIONS IN T 16 & 17 S. R 3 E, AND T 16 & 17 S. R 4 E, ALSO KNOWN AS RANA CREEK RANCH, MONTEREY COUNTY, CALIFORNIA.

PREPARED FOR:  
 A.C. JR. & LINDA K. MARKKULA

PREPARED BY:  
**RASMUSSEN LAND SURVEYING, INC.**  
 P.O. BOX 3135  
 MONTEREY, CALIFORNIA 93942  
 (831)373-7240 (831)375-2545 FAX

JULY 23, 2009  
 REV DATE: JUNE 08, 2010

PROJECT NO. 28010



EXHIBIT C.2

# EXHIBIT D

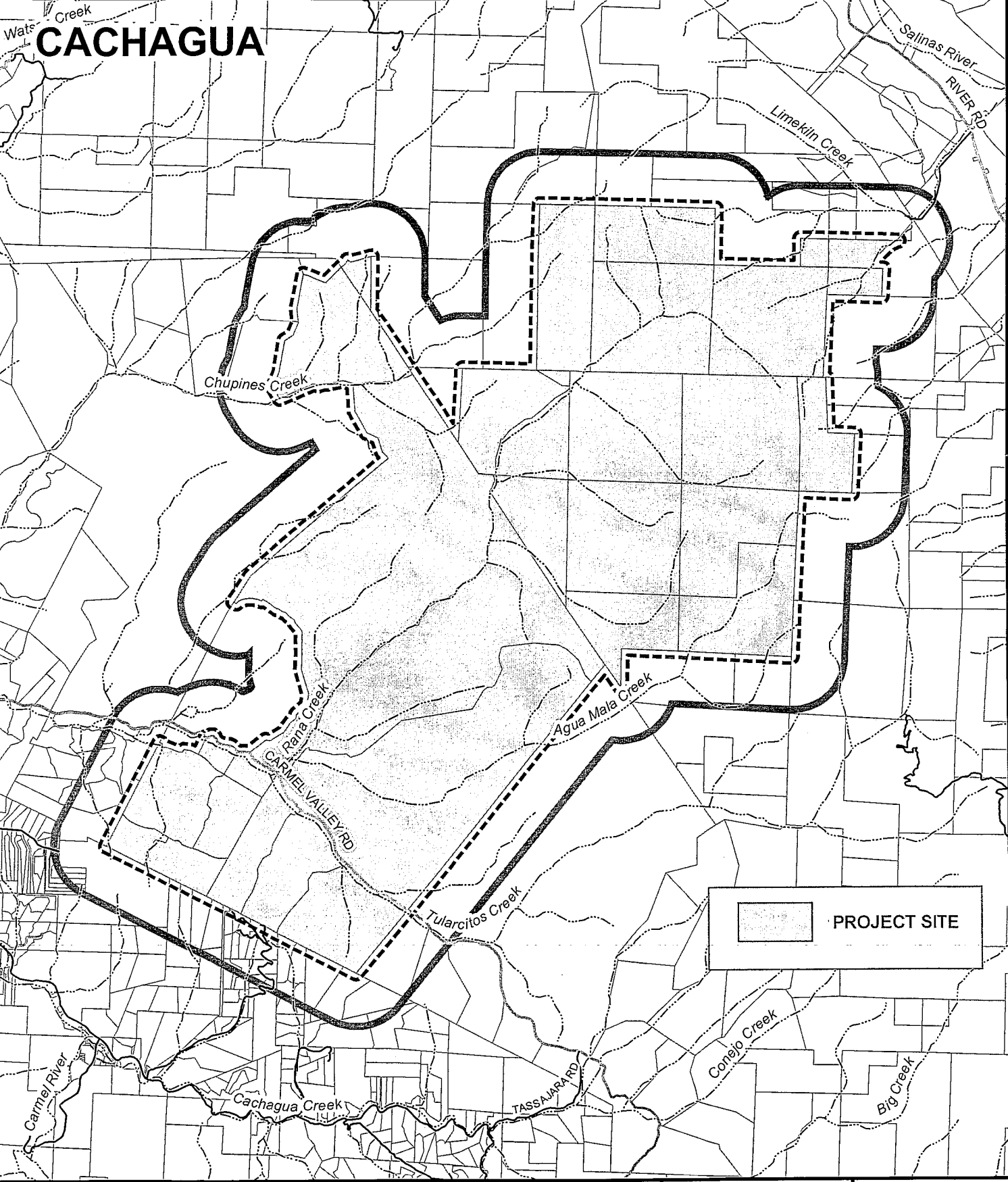
## LIST OF ASSESSOR'S PARCEL NUMBERS

**EXHIBIT D**  
**List of Assessor's Parcel Numbers**

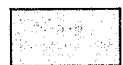
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197-061-044-000	416-461-011-000
197-061-045-000	416-461-018-000
197-061-046-000	416-461-019-000
197-061-047-000	416-461-020-000
197-061-048-000	416-461-029-000
197-061-049-000	416-461-030-000
197-061-052-000	
197-061-053-000	417-061-003-000
197-061-054-000	417-061-004-000
197-241-002-000	417-121-001-000
197-241-003-000	417-121-002-000
197-241-004-000	417-121-003-000
197-241-005-000	417-121-015-000
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	417-121-017-000
	417-121-018-000

# EXHIBIT E

## VICINITY MAP



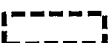
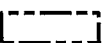


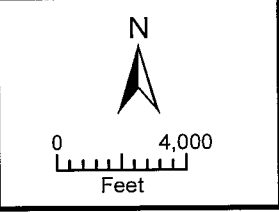
# CACHAGUA

 PROJECT SITE

**APPLICANT: MARKULA (RANA CREEK)**

**APN: 197-061-042-000M**      **FILE # PLN090117**

 Water     
  2500' Limit     
  300' Limit     
  City Limits



PLANNER: MACK

# EXHIBIT F

## MITIGATED NEGATIVE DECLARATION

County of Monterey  
 State of California  
MITIGATED NEGATIVE DECLARATION

**FILED**  
 JUN 29 2010  
 STEPHEN L. VAGNINI  
 MONTEREY COUNTY CLERK  
 DEPUTY

<b>Project Title:</b>	MARKKULA (RANA CREEK)
<b>File Number:</b>	PLN090117
<b>Owner:</b>	A.C. Jr. and Linda K. Markkula
<b>Project Location:</b>	35351 E. Carmel Valley Road, Carmel Valley, CA 93924
<b>Primary APN:</b>	197-061-042-000 M
<b>Project Planner:</b>	David J. R. Mack
<b>Permit Type:</b>	Minor Subdivision
<b>Project Description:</b>	Minor Subdivision Parcel Map to allow a reconfiguration of approximately 14,000 acres consisting of 12 existing legal lots of record ranging in size from 162 to 11,552 acres, processing pursuant to Section 19.04 (19.03.005.4) of Title 19. The properties are located at Rana Creek Ranch near the 19.2 mile marker on Carmel Valley Road (Assessor's Parcel Numbers 197-061-042-000, 197-061-044-000, 197-061-046-000, 197-061-048-000, 197-061-049-000, 197-061-052-000, 197-061-053-000, 197-061-054-000, 197-241-005-000, and 417-121-018-000), Cachagua area.

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.

<b>Decision Making Body:</b>	Monterey County Subdivision Committee
<b>Responsible Agency:</b>	County of Monterey
<b>Review Period Begins:</b>	June 29, 2010
<b>Review Period Ends:</b>	July 28, 2010

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

# MONTEREY COUNTY

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



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

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Subdivision (Markkula (Rana Creek), File Number 090117) at 35351 E. Carmel Valley Road, Carmel Valley (APN 416-451-018-000 M) (see description below). The Mitigated Negative Declaration and Initial Study is available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2<sup>nd</sup> Floor, Salinas, California, and the Carmel Valley Branch Library at 65 W. Carmel Valley Road, Carmel Valley, California. The Subdivision Committee will consider this proposal at a meeting on **July 29, 2010 at 9:00 am** in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2<sup>nd</sup> Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from June 29, 2010 to July 28, 2010. Comments can also be made during the public hearing.

### Project Description:

Minor Subdivision Parcel Map to allow a reconfiguration of approximately 14,000 acres consisting of 12 existing legal lots of record ranging in size from 162 to 11,552 acres, processing pursuant to Section 19.04 (19.03.005.4) of Title 19. The properties are located at Rana Creek Ranch near the 19.2 mile marker on Carmel Valley Road (Assessor's Parcel Numbers 197-061-042-000, 197-061-044-000, 197-061-046-000, 197-061-048-000, 197-061-049-000, 197-061-052-000, 197-061-053-000, 197-061-054-000, 197-241-005-000, and 417-121-018-000), Cachagua area.

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

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

From: Agency Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

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

COMMENTS: \_\_\_\_\_

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

**CEQAcomments@co.monterey.ca.us.**

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

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

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

#### **DISTRIBUTION**

1. State Clearinghouse (15 copies)—include Notice of Completion
2. County Clerk's Office
3. Monterey Bay Unified Air Pollution Control District
4. Cachagua Fire Protection District
5. Monterey County Agricultural Commissioner
6. Monterey County Water Resources Agency
7. Monterey County Public Works Department
8. Monterey County Parks Department
9. Monterey County Division of Environmental Health
10. Carmel Valley Branch Library
11. A.C Jr. and Linda K. Markkula, Owner
12. Lombardo and Gilles, c/o Shandell Brunk, Agent
13. Property Owners within 300 feet (Notice of Intent only)

# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2<sup>nd</sup> FLOOR, SALINAS, CA 93901

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



## *INITIAL STUDY*

### *I. BACKGROUND INFORMATION*

**Project Title:** Markkula (Rana Creek Ranch) Resubdivision

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**File No.:** PLN090117

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**Project Location:** 35351 E. Carmel Valley Road

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**Name of Property Owner:** A.C. Jr and Linda K Markkula, Trustees for Arlin Trust

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**Name of Applicant:** A.C. Jr and Linda K Markkula

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**Assessor's Parcel Number(s):** 416-451-018-000, 416-461-011-000, 416-461-018-000,  
416-461-019-000, 416-461-020-000, 416-461-029-000,  
416-461-030-000, 417-061-003-000, 417-061-004-000,  
417-121-001-000, 417-121-002-000, 417-121-003-000,  
417-121-015-000, 417-121-016-000, 417-121-017-000,  
417-121-018-000, 197-061-042-000, 197-061-043-000,  
197-061-044-000, 197-061-045-000, 197-061-046-000,  
197-061-047-000, 197-061-048-000, 197-061-049-000,  
197-061-052-000, 197-061-053-000, 197-061-054-000,  
197-241-002-000, 197-241-003-000, 197-241-004-000,  
197-241-005-000, 197-241-006-000

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**Acreage of Property:** 14,085 Acres

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**General Plan Designation:** Permanent Grazing (PG)

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**Zoning District:** PG/160-D

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**Lead Agency:** RMA – Planning Department

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**Prepared By:** Carl P. Holm, AICP

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**Date Prepared:** June 7, 2010

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**Contact Person:** David J. R. Mack

**Phone Number:** 831-755-5096  
mackd@co.monterey.ca.us

## II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

### A. Project Description:

The subject site consists of 12 legal lots (32 parcels) ranging in size from 85 acres to 7,167 acres (totaling approximately 14,085 acres) in the Cachagua Planning Area of unincorporated Monterey County. All of the lands are designated as Permanent Grazing (PG), with a minimum density of 160 acres. Nine of the 12 legal lots (approximately 13,600 acres) are currently under Williamson Act Contract beginning with Contract Nos. 595-R-304 and 595-R-322 in 1969, and amended through Contract Nos. 1649-R-329, 1649-R-847 and 1650-R-347 in 1983. Three existing parcels (J, K, L) totaling 480 acres and a 43.2 acre portion of parcel 197-241-004-000 are not currently part of any contract at this time.

The 12 existing legal lots will be reconfigured into 12 new lots such that ten of the lots will be located in the lower area along Carmel Valley Road to create lots with flatter areas suitable for farming (**Exhibit 1**). Ten lots would range in size from 165 acres to 174 acres (all acreages are approximate), all of which qualify for Williamson Act contracts. The parcel that currently has the ranch buildings (Parcel G) will be reduced in size from 1767 acres to 732 acres (Parcel 11). The largest parcel will be increased in size from 7,167 acres (Parcel I) to 11,552 acres (Parcel 12). Currently the property is in active agriculture production of irrigated pasture, nursery crops, and cattle grazing. The applicant is proposing the Minor Subdivision for estate planning purposes and will continue with the agricultural operations.

There are 16 existing structures including living quarters, outbuildings, barns, and stables. No construction is proposed or anticipated at this time (**Exhibit 2**). The property is in agricultural and open space uses, with irrigated pasture on proposed Parcels 4 through 10, a native plant nursery on proposed Parcel 11, and cattle grazing on all parcels. Carmel Valley Road divides existing Parcels A through F (6 lots/1,580 acres) from Parcels G through L (6 lots/12,420 acres). Parcels A through F currently range in size from 85 to 417 acres, and Parcels G through L range in size from 160 to 7,167 acres. The following is the breakdown of the existing and potential density allowed on each proposed parcel:

- 1) **Proposed Parcel 1- 173 acres**: No structures; potential for three dwellings.
- 2) **Proposed Parcel 2- 174 acres**: No structures; potential for three dwellings.
- 3) **Proposed Parcel 3- 172 acres**: No structures; potential for three dwellings.
- 4) **Proposed Parcel 4- 172 acres**: Proposed parcel will inherit an existing private airstrip for transporting agricultural product (Use Permit, PC06848) and two horse stalls. Potential for three dwellings.
- 5) **Proposed Parcel 5- 173 acres**: Proposed parcel will inherit an existing single family dwelling with the potential of two additional dwellings. One barn and one horse stall.
- 6) **Proposed Parcel 6- 170 acres**: No structures; potential for three dwellings.
- 7) **Proposed Parcel 7- 165 acres**: No structures; potential for three dwellings.
- 8) **Proposed Parcel 8- 172 acres**: One barn; potential for three dwellings.
- 9) **Proposed Parcel 9- 173 acres**: No structures; potential for three dwellings.
- 10) **Proposed Parcel 10- 172 acres**: No structures; potential for three dwellings.

- 11) **Proposed Parcel 11- 732 acres:** Ranch headquarters with four dwellings, one garage, one outbuilding, and four barns. All these structures were located on one parcel and will remain on one parcel.
- 12) **Proposed Parcel 12- 11,552 acres:** Proposed parcel will inherit an existing single family dwelling with the potential of two additional dwellings.

**B. Environmental Setting and Surrounding Land Uses:**

The property is about 14,000 acres and has a variety of land uses, including open space, irrigated pasture, nursery production of native plant species, and grazing land. The topography of the site varies from flat alluvial lands along Carmel Valley Road to steep rocky mountains. According to the Planning Department's Geographic Information System (GIS), the project is located in a moderate seismic zone (Zone III/IV). Landslide risk is low to moderate and potential liquefaction is low. Erosion risk is high within some steep slope areas, and no active earthquake fault zones are located on the property.

The property lies within the Carmel River and Salinas River Watersheds, with 90% being located within the Carmel River Watershed, which flows to the Carmel lagoon and eventually the Pacific Ocean. Several drainages and four intermittent creeks (Agua Mala Creek, Rana Creek, Tularcitos Creek, and Chupines Creek) meander through the property. Rana Creek and Agua Mala Creek flow down from the larger ranch (Proposed Parcel 12) crossing under Carmel Valley Road and connecting into Tularcitos Creek. Carmel Valley Road is located in the lower portion of the valley with Tularcitos Creek along the south/west side that flows parallel to the roadway. Three existing bridges provide access from Carmel Valley Road to ranch roads located on the opposite side of Tularcitos Creek.

The property includes an existing water system, Carmel Valley Road water system No. 8 that is delivered by 14 private wells that support existing agricultural operations and incidental domestic use throughout the project area. Dwellings within this project area are served by individual wastewater treatment systems. The site has existing easements relating to access and resource protection. Some conservation easements have been granted to Monterey County to protect archaeological resources found on the site during earlier discretionary entitlement applications. No new survey was performed for this application as no development or ground disturbance is proposed as part of this project.

This site has a varied landscape that includes streams, stock ponds, wetlands, irrigated pasture, grazing lands, and wildlife habitat. There are four general plant communities within the project area:

- 1) Annual Grassland (55%).
- 2) Oak Woodland (34%).
- 3) Scrub (8%).
- 4) Riparian/Wetland (3%).

Most of the property is designated in Flood Zone X (determined to be located outside the 0.2% annual chance flood), but the lower reaches of Rana Creek and Agua Mala Creek as well as portions of the valley floor along Tularcitos Creek are designated as Zone A (subject to inundation by the 1% annual chance flood).

All but approximately 524 acres of the property is under an existing Williamson Act contract. Parcels under Williamson Act contract are limited to residential development that supports the agricultural operations. Surrounding property is used for rural residential, open space, and agricultural uses.

### ***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 type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

General Plan. This area is subject to policies of the Monterey County General Plan and the Cachagua Area Plan. The project is designed to retain existing agricultural operations. There is no new development proposed at this time and the lot line adjustments result in parcels consistent with the established density for this area. 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 checked="" type="checkbox"/> Agriculture and Forest Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input checked="" type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

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

Check here if this finding is not applicable

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

**EVIDENCE:**

1. Aesthetics. The project consists of adjusting lot lines for 12 existing legal lots with four lots being relocated along the valley floor, along Carmel Valley Road. Lots are a minimum of 160 acres and no new development is proposed. The existing visual character would remain unchanged as a result of this project or what is allowed under the current conditions and zoning. Although more residential development could occur closer to Carmel Valley Road with more parcels along the road, development of up to three dwellings would only be allowed associated with commercial agricultural use of the site. The existing Williamson Act contracts also help to protect the site from incompatible land uses, (Project Description; Reference # 1, 2, 3)
2. Air Quality. There is no change in land use beyond what would be allowed under the existing zoning and no new development is proposed. As such, there is no net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (Project Description; Reference # 5)
3. Geology/Soils. Standard erosion control practices (a.k.a. Best Management Practices) are required in order to fulfill the requirements of the County's Grading and Erosion Control Ordinances (Chapters 16.08 and 16.12 MCC). Future development can be placed in areas where there are no steep slopes with limited tree removal and minimal disturbance to sensitive plants or environments. As such, geotechnical conditions of the site are suitable for development and no geological hazard exists relative to CEQA. (Project Description; Reference # 6)
4. Greenhouse Gas Emission. There is no change in land use beyond what would be allowed under the existing zoning and no new development is proposed. As such, there is no net increase of greenhouse gas emissions, either directly or indirectly (Project Description; Reference # 5)

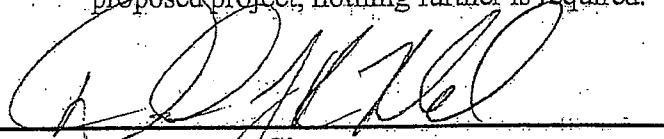
5. Hazards/Hazardous Materials. There is no change in land use. As such, the project will not create a new need to use or transport hazardous materials. (Project Description; Reference #1)
6. Land Use. The Permanent Grazing zoning designation (Section 21.34.030.B) allows: "Single family dwellings accessory to the agricultural use of the property, not exceeding three in total, for an owner, operator or employees employed on-site." Each parcel in the PG zone is allowed the potential for up to three single family dwellings so long as each of the residents, beyond the first residence on any of the parcels, is used accessory to on-site agricultural purposes. Parcels under Williamson Act contract are limited to residential development that supports the agricultural operations. Since the total number of lots is not changed, the total number of residences allowed on the parcels will not change as a result of this resubdivision. The project does not conflict with any applicable land use plan, policy, or regulation (Project Description; Reference # 1, 2, 3)
7. Mineral Resources. The project site does not have any known significant mineral resources that would be affected by this application. (Project Description; Reference # 6)
8. Noise. Adjusting lot lines with no increase in the number of lots would not contribute additional noise to the area. A new noise source would be created if a new single family residence were developed on any of the lots. However, such use is considered compatible with the Monterey County noise standards. (Project Description; Reference #1, 2)
9. Population/Housing. The project does not affect population or housing. It does not destroy any housing or affect the population anticipated in the approved County General Plan. (Project Description; Reference #1)
10. Public Service. There would be no increase in need for emergency services as a result of reconfiguring the lots. Accessibility of the lots to and by public agencies would be improved by locating lots closer to Carmel Valley Road. (Project Description; Reference # 1, 2, 3)
11. Recreation. The project does not create any additional need for recreation facilities nor does it disturb any existing facilities. (Project Description; Reference #1, 3)
12. Transportation. No new lots are being created so that there would be no increase in potential traffic beyond the existing configuration. Access for the area would remain unchanged so there is no increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). The Cachagua Fire District has requested that the subdivider provide limited, consolidated access across Tularcitos Creek for parcels south of Carmel Valley Road (Proposed Parcels 1-10). Although the project increases the number of lots south of Carmel Valley Road from six to 10, there would be no new access impact since the number of access points would not increase. See Section 4 for discussion of Biological Resources and Section 9 for discussion of Hydrology as it relates to said access. (Project Description; Reference # 1, 2, 3)

13. Mandatory Findings of Significance. The project involves reconfiguring 12 existing lots into 12 lots where most are located closer to the fertile valley lands and Carmel Valley Road. Although the potential development of four lots would increase by being located closer to infrastructure, there would be no increase in the allowed use that currently exists. In addition, the zoning and Williamson Act contract restrictions limit the use of all 12 parcels to agriculture and agriculturally compatible uses listed in the contracts. (Project Description; Reference # 1, 2, 3, 6)

**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.



David J. R. Mack

Signature

*Insert Printed Name*

June 28, 2010

Date

Assistant Planner

*Insert Title*

## 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
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1.)	<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: 2,3)	<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: 2,3)	<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: 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.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 2,6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 4,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: 3,4)	<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: 2,3)	<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: 1,6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:**

All but approximately 524 acres of the property is under an existing Williamson Act contract. The property consists of approximately 415 acres of soil types that, if irrigated, would be considered Prime Farmland and grazing land. This area has been historically irrigated for pasture crops. Proposed Parcels 1-10 are located in the lower valley where the potential Prime Farmland is located. Proposed Parcel 11 will have both grazing and nursery production of native plants. Proposed Parcel 12 will be a large property used for cattle grazing.

**CONCLUSION:**

2(a, e): **Less than significant with mitigation.** Each parcel in the Permanent Grazing (PG) zone is allowed the potential for up to three single family dwellings so long as each of the

residents, beyond the first residence on any of the parcels, is used accessory to on-site agricultural purposes. Parcels under Williamson Act contract are limited to residential development that supports the agricultural operations. There is no development proposed at this time; however, the new configuration would add four new parcels in the lower areas where the soil type could be considered Prime farmland if irrigated. As such, future proposed single family dwelling(s) should be sited in areas that would minimize the removal of agricultural production and to maintain the agricultural viability of the lots in areas of existing or potential designation as "Prime Farmland."

**2(b): Less than significant.** Proposed Parcels 1-10 individually would not each have adequate crop, pasture or grazing land to provide enough agricultural use that qualifies for the Williamson Act. However, Williamson Act contracts are allowed to incorporate multiple properties and consider the total agricultural production of all properties to qualify. All 12 of the proposed properties have some level of agricultural production. The applicant has stated their intent to continue operating under the Williamson Act contract limits, which includes the entire project area except existing parcels J, K and L (480 acres). If approved, the applicant has indicated an intention to amend the Contract to include the 480 acres currently not under any contract.

**2(c, d): No impact.** The project area is currently designated as Permanent Grazing (PG), and is in agricultural and open space uses, with irrigated pasture on proposed Parcels 4 through 10, a native plant nursery on proposed Parcel 11, and cattle grazing on all parcels. There are existing structures to support the agricultural operations and no new construction is proposed or anticipated at this time. No changes to the existing use are proposed with the reconfiguration of parcel lines.

#### **MITIGATION:**

**Mitigation Measure AG-1:** In order to preserve the agricultural viability of the proposed Parcels 1-10, the applicant shall develop in areas that would minimize the removal of agricultural production and maintain the agricultural viability of the lots in areas of existing or potential designation as "Prime Farmland."

**Monitoring Action AG-1:** *Prior to Recording the Parcel Map, the applicant shall place the following note on said Map: "All future single family dwelling(s) proposed on each lot of record, shall be located in areas that would minimize the removal of agricultural production in order to maintain the agricultural viability of portion(s) of lots which are designated as Prime Farmland. The location of each proposed single family dwelling(s) shall be approved by the Director of Planning, prior to the issuance of any building permit(s)".*

Also see Mitigation Measure BIO-1 for avoiding impact to Prime Farmlands from potential future development on Parcels 1-10.

**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: 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: 1,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 2,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 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: 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. **BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: 6,7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 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: 2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:**

There are four general plant communities within the project area commonly found throughout the inland portions of Monterey County that support a great abundance and diversity of wildlife:

Oak Woodland; This is a sub-dominant habitat type on the Rana Creek Ranch that varies in density from open areas with low canopy cover to densely wooded areas with nearly closed canopies. Approximately 4,770 acres (34%) of the ranch is in oak woodland. Tree density as well as the density of shrub and ground cover is correlated to the amount of available water, topography and aspect. They are most common in the foothill and valley areas with deep, well drained alluvial soils. Oak woodlands provide wildlife with an array of resources such as cover, foraging, nesting and roosting sites. In Monterey County, this plant community is known to support 26 species of mammal, over 85 bird species, and 18 species of reptile. Notable species include acorn woodpeckers, black-tailed deer, Virginia opossum, yellow-billed magpie, arboreal salamander, and Monterey ring-necked snake. On the ranch, this plant community is found along the intermittent streams in the foothills with some habitat located closer to the valley floor.

Scrub/Shrub; This is a sub-dominant habitat type on the Rana Creek Ranch that is composed of coastal sage scrub and chamise scrub species. Approximately 1,150 acres (8%) of the ranch is in scrub/shrub. Openings along the periphery of this habitat may support annual grasslands and forbes. The scrub community provides food and cover for a wide array of wildlife. In Monterey County, this plant community is known to support 16 species of mammal, over 45 bird species, and 9 species of reptile. Notable species include Monterey dusky-footed woodrat, brush rabbit, California thrasher, wrentit, coast range fence lizard, and pacific gopher snake. Habitats on site

are located primarily on steep west and south facing slopes throughout the property. On the ranch, this includes relatively small patches throughout the ranch with the largest area located in the northern portion of the property.

Annual Grassland: Grassland is the largest plant community located on all portions of the ranch, and is indicative of lands that have been grazed. Approximately 7,820 acres (55%) of the ranch is in annual grassland. This habitat provides wildlife cover, foraging, nesting and burrowing locations. In Monterey County, this plant community is known to support 16 species of mammal, over 50 bird species, and 18 species of reptile. Notable species include northern pacific rattlesnake, California tiger salamander, grasshopper sparrow, horned lark, California ground squirrel, and American badger. It is composed primarily of annual plant species with soils primarily consisting of entisols and alfisols situated mostly in the valley floor and at slightly higher elevations.

Riparian/Wetland: This habitat community is typical for the lower reaches of intermittent drainages and Rana Creek. Riparian woodlands are found in the valleys bordered by annual grasslands or oak woodlands. Approximately 350 acres (3%) of the ranch is in riparian/wetlands including creeks, intermittent streams, stock ponds, and wetlands. In Monterey County, this plant community is known to support 20 species of mammal, over 50 bird species, and 15 species of reptile. Notable species include California red-legged frog, Monterey ensatina, brush rabbit, yellow warbler, raccoon, and hermit thrush.

#### CONCLUSION:

**4(a, b, c): Less than significant with mitigation.** According to the California Natural Diversity Database (CNDDDB), there are eleven special status plant species, one sensitive plant community, and 12 special status wildlife species that occur within five miles of the property. Due to the presence of suitable habitat, there is potential for seven of the 11 special plant species, and for presence of 10 of the 12 special status species (three amphibians, two reptiles, two birds, and three mammals) to occur on site. There is no development proposed at this time; however, the new configuration adds four new parcels in the lower areas where the soil type could be considered Prime farmland if irrigated. If more intensive agriculture than the current agricultural uses occurs in this property, or if the property owner(s) need more workers to support the current agricultural activities, additional dwellings could be constructed on the property. As such, future proposed single family dwelling(s) should be sited in areas that would avoid impact to special status species.

Access to Parcels 1-10 requires crossing Tularcitos Creek. There are three existing crossing locations, and the Fire District is requesting that to be reduced. Existing bridges are adequate for the existing agricultural operations, but any future change could result in a requirement to remove or expand one or more existing bridge. Removing or altering a bridge would require a Streambed Alteration Agreement from the California Department of Fish and Game to address potential impact to Tularcitos Creek.

**4(d, f): No impact.** No Habitat Conservation Plan exists, nor is one required. The proposed project would pose no significant impacts to the intermittent creek. There are existing structures

to support the agricultural operations and no new construction is proposed or anticipated at this time. No changes to the existing use are proposed with the reconfiguration of parcel lines.

4(e): **Less than significant.** No changes to the existing use are proposed with the reconfiguration of parcel lines. Any future development must comply with local policies or ordinances in effect at that time.

**MITIGATION:**

**Mitigation Measure BIO-1:** In order to minimize impact to special status species, the applicant shall develop in areas that would minimize impacts to biological species, and shall require adequate biological assessments prior to any future development.

**Monitoring Action BIO-1:** *Prior to Recording the Parcel Map, the applicant shall place the following note on said Map: "Prior to development of any new structure, an assessment of biological resources shall be conducted at the appropriate time(s) of year to establish presence within 50 feet of the development impact area(s) and within areas of fire fuel modification. New structures shall be sited to avoid impact to species identifies in the biological assessment. The location of any proposed structure shall be approved by the Director of Planning, prior to the issuance of any building permit(s)."*

Said note shall be placed on the map prior to recordation in order to avoid impact from potential future development to biological resources, Prime farmland areas, or cultural resources. Any alteration to bridge access across Tularcitos Creek shall require a Streambed Alteration Agreement from the California Department of Fish and Game.

5. CULTURAL RESOURCES	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 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: 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: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:**

The property is located within the 26,581-acre Rancho Los Tularcitos land grant. The original land grant was sold off with the exception of approximately 2,000 acres that is located adjacent

to the subject property and is the location of the former Tularcitos Adobe on what is known as the Ranchos los Tularcitos or Marble Ranch.

Lands of the Esselen tribe of Native Americans encompasses an area of approximately 800 to 850 square miles ranging from the upper Carmel Valley and rugged interior portions of the Santa Lucia Range to the Big Sur coast. The project site is located near the northwestern boundary of this range. The Excelen district of this tribe would have included the area currently occupied by Rana Creek Ranch property with the northwestern border of the district occurring somewhere between Chupines Creek and Buckeye Ridge. Northwest of this boundary, located off the subject property, is the southeastern extent of the estimated range of the Ohlone Rumsen people, who generally occupied lower Carmel Valley. The nearest village site to the subject property is approximately 0.23 miles away.

**CONCLUSION:**

**5(a, b): No impact.** No changes to the existing use are proposed with the reconfiguration of parcel lines. Any future development must comply with local policies or ordinances in effect at that time.

**5(c, d): Less than significant.** Existing archaeological easements are located within the subject property. The property has been designated on Monterey County maps as moderate to high archaeological sensitivity. Focused archaeological studies would be required if and when any ground disturbance activities are proposed. As such, adequate protections are in place to evaluate potential impacts of future development. In addition, mitigation BIO-1 establishes an "S" District overlay that requires discretionary review of siting new structures.

<b>6. GEOLOGY AND SOILS</b>		Less Than Significant	Less Than Significant	No Impact
<b>Would the project:</b>	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: 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: 3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**6. GEOLOGY AND SOILS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil? (Source: 7)	<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: 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: 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: 6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

**7. GREENHOUSE GAS EMISSIONS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 5)	<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: 5)	<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
<b>Would the project:</b>					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1,6)	<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: 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: 1)	<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: 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: 2)	<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: 2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 2,7)	<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: 2,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: 7)	<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: 6,7)	<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: 1,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1,7)	<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: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 6,7)	<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: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source:2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### DISCUSSION:

According to the National Wetland Inventory, approximately 3% of the property's terrain is comprised of wetlands and deep water habitats, and the National Hydrologic Dataset calculates close to 50 miles of meandering drainage and creeks. The property lies within the Carmel River and Salinas River Watersheds, with 90% being located within the Carmel River Watershed, which flows to the Carmel lagoon and eventually the Pacific Ocean. Several drainages and four intermittent creeks meander through the property:

- *Agua Mala Creek* – flows 4.26 miles within the eastern portions of the property and in a generally southwesterly direction meandering on and off the subject property, and ultimately converging with Rana Creek north of Carmel Valley Road.
- *Rana Creek* – is a 7.2 mile long intermittent creek that flows in a generally southwesterly direction through the middle of the property and converges with Tularcitos Creek on the property south of Carmel Valley Road.
- *Tularcitos Creek* – has a 2.5-mile portion flowing west-northwest along Carmel Valley Road.
- *Chupines Creek* – flows in a generally southwesterly direction on the northwestern portion of the property meandering on and off the property for about 1.6 miles before leaving the property completely and converging with Tularcitos Creek about three miles away.

Proposed Parcels 1-10 are located south of Carmel Valley Road, which is paralleled by Tularcitos Creek. The majority of each of these proposed parcels is located across the creek to the south from Carmel Valley Road.

The property lies within six Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM); FM06053C0400G, FM06053C0535G, FM06053C0545G, FM06053C0555G, FM06053C0560G, and FM06053C0565G. Most of the property is designated in Zone X (meaning determined to be located outside the 0.2% annual chance flood), but several areas in Panels 0535G, 0545G, 0555G, and 0565G are designated as Zone A (subject to inundation by the 1% annual chance flood). These areas are confined to the lower reaches of Rana Creek and Agua Mala Creek as well as the valley floor along Tularcitos Creek. No base flood elevations have been determined.

### CONCLUSION:

**9(a, b, d, e, and h-j): No impact.** The project consists of reconfiguring parcel lines, which would not alter the drainage pattern of the site to substantially increase erosion or runoff. No changes to the existing use are proposed with the reconfiguration of parcel lines. Any future development must comply with local policies or ordinances in effect at that time.

**9(c, f, g): Less than significant.** Proposed Parcels 1-10 are located along Carmel Valley Road, where Tularcitos Creek is located. Access to future building sites would likely require crossing Tularcitos Creek from Carmel Valley Road. There are three existing stream crossings that could be utilized with an easement granted to each of the parcels that is out of the floodplain. Adequate protections are in place to evaluate potential impacts of future development. Mitigation BIO-1 establishes an "S" District overlay that requires discretionary review of siting new structures, and requires discretionary review that would be subject to CEQA at that time.

10. LAND USE AND PLANNING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Physically divide an established community? (Source: 1,2,3)	<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: 2,3)	<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: 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
<b>Would the project:</b>					
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: 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: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 2,4)	<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: 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1)	<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: 2)	<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: 2)	<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
<b>Would the project:</b>				
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: 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

**14. PUBLIC SERVICES**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
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: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 7)	<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
<b>Would the project:</b>				
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: 7)	<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: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

16. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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: 2,3,7)	<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: 7)	<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: 7)	<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: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: 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: 7)	<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: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 7)	<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: 6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 7)	<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: 7)	<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: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### DISCUSSION:

The property includes an existing water system, Carmel Valley Road water system No. 8 that is delivered by private wells that support existing agricultural operations and incidental domestic use. There are a total of 14 wells throughout the project area:

- Seven wells provide water for livestock, with 12 above-ground storage tanks ranging in size from 3,500 to 10,000 gallons and located throughout the pastures.
- Seven additional wells provide water for irrigated agricultural operations with no associated storage tanks.
- Three well provide domestic water for the residential units. Two of these wells provide water through a 10,000 gallon storage tank to serve the Vista Rana residence (proposed lot 5) and one well provides water through two 10,000 gallon storage tanks to serve residences in the Main House area and the Office Building (proposed lot 11).

Dwellings within this project area are served by individual wastewater treatment systems. During a site visit on September 28, 2009, Monterey County Environmental Health Bureau (EHB) discovered that the Native Plant Nursery does not have flush toilets for employees and visitors. The applicant was required to correct this condition.

### CONCLUSION:

**17(a, c, e-g): No impact.** No development is proposed as part of this application, and no changes in use are proposed. The Environmental Health Bureau (EHB) visited the site on September 28, 2009 and determined that the septic systems, including leachfields, will remain on the same lot as any related structure, and that adequate area for future repair of the systems would exist. Smaller parcels south of Carmel Valley Road were determined to have ample area for future development of homes and septic systems. No detailed septic feasibility studies were conducted, nor determined necessary by EHB, for this resubdivision; therefore, the EHB will be requiring a deed notice to inform any potential buyers (or future owners) to be aware that septic feasibility must be proven prior to any development.

**17(b, d): Less than significant.** The existing water system, Carmel Valley Road water system No. 8, can be closed as a water system is not required for these large agricultural properties. A well on proposed Parcel 3 currently serves the residence that will be on proposed Parcel 5. To ensure that the water supplies are not separated from dwellings, either water easements will be included on the Parcel Map and a standard requirement for deed restriction will be required to memorialize this off-site well, or the line may be adjusted to include the serving well on the same lot as the dwelling. As the project is a resubdivision of 12 existing parcels used in agriculture and open space, with the same result, the EHB did not require water quality and quantity testing. A standard requirement for deed notification will be imposed to inform any potential buyers (or future owners) to be aware that no analysis has been conducted, just as is the case if they were buying one of the existing 12 parcels.

The Public Works Department will require easements on the parcel map for utilities and/or access that extends across property lines. Easements are required by the EHB to ensure access is provided to the well and for pipelines from the well on proposed Parcel 3 that will serve proposed Parcel 5. The use of the property is not expected to change as a result of this resubdivision.

## 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: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

See Sections II and IV.

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

## VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

### Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a "de minimis" (minimal)

effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a "de minimis" effect were exempt from payment of the filing fees.

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

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

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

**Evidence:** Based on the record as a whole as embodied in the Planning Department files pertaining to PLN090117 and the attached Initial Study / Proposed Mitigated Negative Declaration.

There is the potential for presence of multiple special status species within the project area. Although the project does not involve any ground disturbance, the existing zoning allows ministerial approval for up to three residential units on each lot and the project includes relocating four lots to the lower valley area.

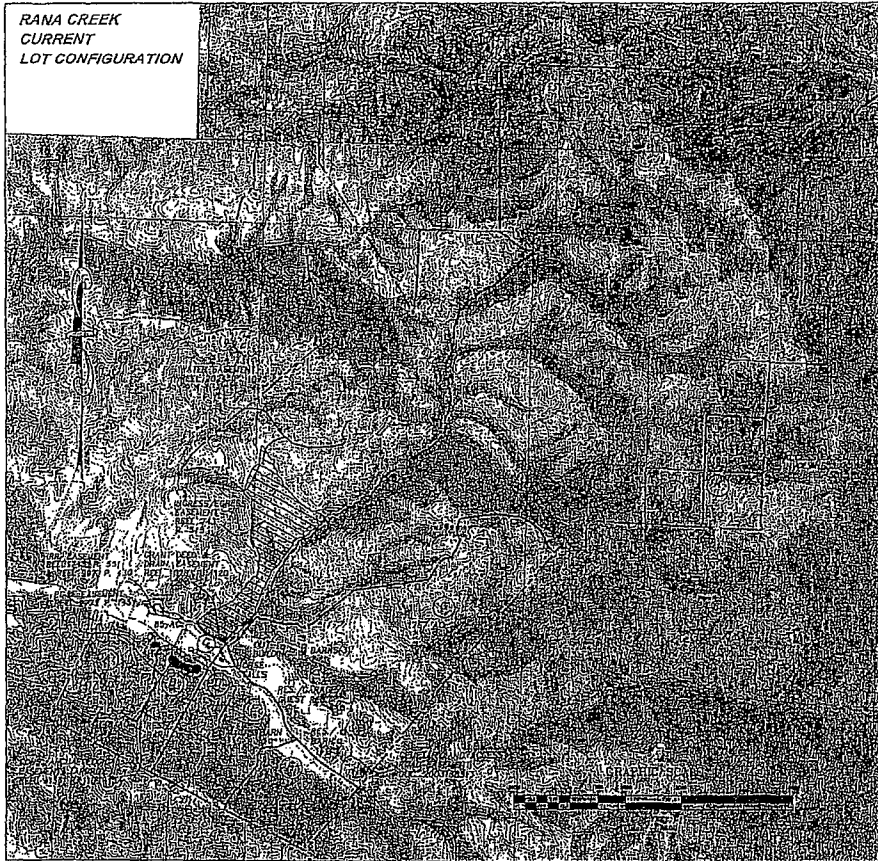
## ***IX. REFERENCES***

1. Project Application/Plans
2. Monterey County General Plan
3. Cahcagua Area Plan
4. Title 21 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2004.
6. Supporting Document, Application for Resubdivision, PLN090117. Prepared by Rana Creek. Dated August 10, 2009.
7. Comments from County departments found in the project file.

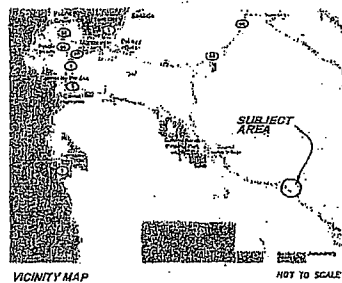
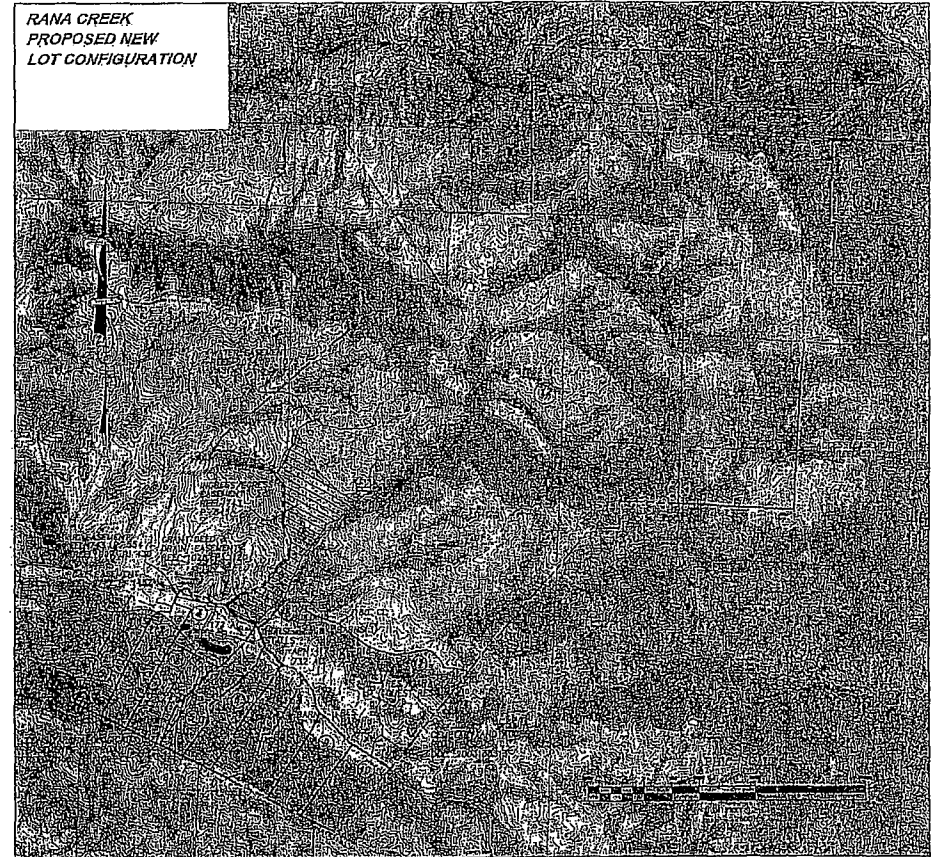
## ***X. EXHIBITS***

1. Proposed LLA - Final Outcome
2. Project Work Plan
3. Supporting Document

RANA CREEK  
CURRENT  
LOT CONFIGURATION



RANA CREEK  
PROPOSED NEW  
LOT CONFIGURATION



APNs COMPRISING THIS LOT LINE ADJUSTMENT:

418-451-018 (O)	197-061-042 (O)
418-461-011 (O)	197-061-043 (O)
418-461-014 (O)	197-061-044 (O)
418-461-019 (O)	197-061-045 (O)
418-461-022 (O)	197-061-046 (A)
418-461-029 (O)	197-061-047 (A)
418-461-030 (O)	197-061-048 (O)
417-061-001 (O)	197-061-049 (O)
417-061-004 (O)	197-061-050 (O)
417-121-001 (O)	197-061-054 (F)
417-121-002 (O)	197-241-003 (H)
417-121-003 (O)	197-241-004 (H)
417-121-013 (O)	197-241-004 (H)
417-121-014 (O)	197-241-004 (H)
417-121-017 (O)	197-241-008 (H)
417-121-012 (A, K, L)	197-241-008 (H)

**NOTES**

- BUILDINGS (APPROXIMATE LOCATION)
- ALL DOCUMENT, REEL AND PAGE NUMBERS REFER TO MONTEREY COUNTY RECORDS
- SHADDED AREAS REPRESENT APPROXIMATE LOCATION OF ARCH EASEMENT SITES
- CL - APPROX. CLEARANCE FROM BOUNDARY LINE LOCATION FOR ALL FEATURES, EASEMENTS, AND BOUNDARIES WERE TAKEN FROM RECORDED DEEDS, USGS DEMO. MAPS, AND PREVIOUS SURVEY MAPS, AND ARE APPROXIMATE ONLY.

**LQT CONFIGURATION**

EXISTING ACREAGE (APPROX)	PROPOSED ACREAGE (APPROX)
A - 417	4 - 173
B - 146	2 - 174
C - 85	3 - 172
D - 226	4 - 172
E - 314	5 - 173
F - 350	6 - 170
G - 1767	7 - 165
H - 2050	8 - 172
I - 7127	9 - 173
J - 160	10 - 172
K - 160	11 - 173
L - 160	12 - 165
<b>TOTAL: 14000</b>	<b>TOTAL: 14000</b>

**NOTES (CONT)**

APNs 197-061-042 and 197-061-043 (PARCELS 2) OF CURRENT LOT CONFIGURATION ARE LOCATED WITHIN OR PARTIALLY WITHIN A FLOOD PLAIN (SEE REEL 3156, P. 341, MONTEREY COUNTY RECORDS). AN EASEMENT RECORDED 2/24/1988, BOOK 11, PAGE 151, GRANTS A "RIGHT OF WAY" DOWN ALONG THE SID OF THE CHURCHES CREEK TO THE COUNTY ROAD; DESCRIPTION IS VAGUE AND NOT PLOTTABLE.

**OWNERS:**

A.C. JR. & LINDA K. MARIKKULA  
38551 E. CAROL VALLEY ROAD  
CAROL VALLEY, CA 93924  
TEL: 831-958-3820

**REPRESENTATIVE:**

ANTHONY LOUARDO  
316 CALVEA STREET  
SALINAS, CA 93901  
TEL: 831-241-2444

**TENTATIVE MAP**

FOR A PROPOSED RESUBDIVISION OF PARCELS SITUATE IN PORTIONS OF RANCHO TRULANCO AND A PORTION OF SECTIONS 11 T 18 S 17 E, R 3 E, AND T 16 S 17 E, 6 1 4 E, ALSO KNOWN AS RANA CREEK RANCHO, MONTEREY COUNTY, CALIFORNIA.

PREPARED FOR:  
A.C. JR. & LINDA K. MARIKKULA

PREPARED BY:  
**RASMUSSEN LAND SURVEYING, INC.**  
P.O. BOX 3135  
MONTEREY, CALIFORNIA 93942  
(831)372-7240 (831)372-2545 FAX

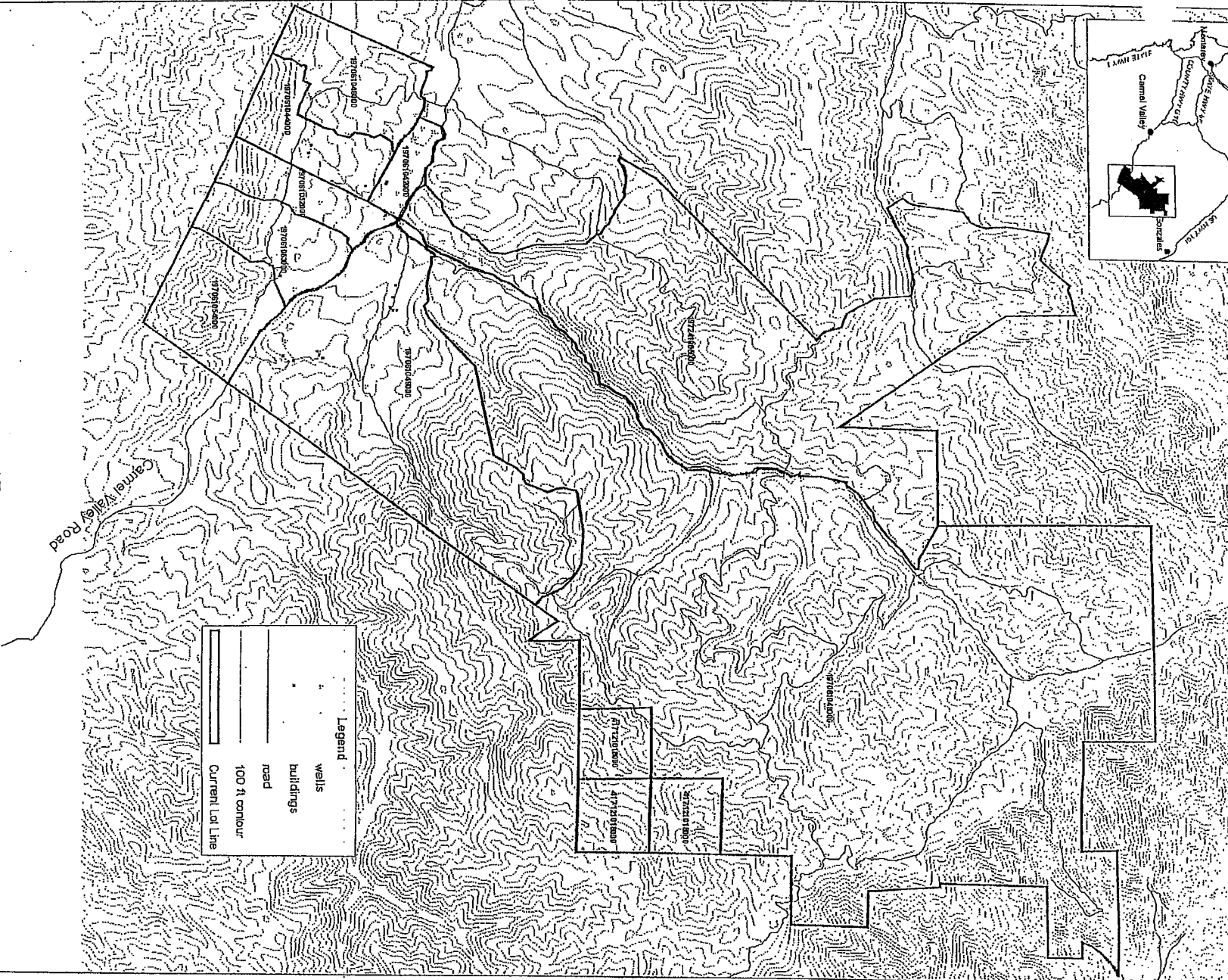
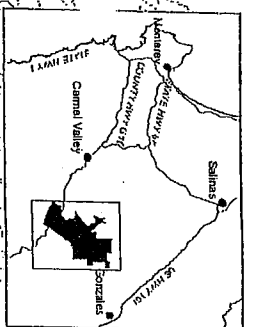
JULY 23, 2009  
REV. DATE: JUNE 03, 2010

PROJECT NO. 28010



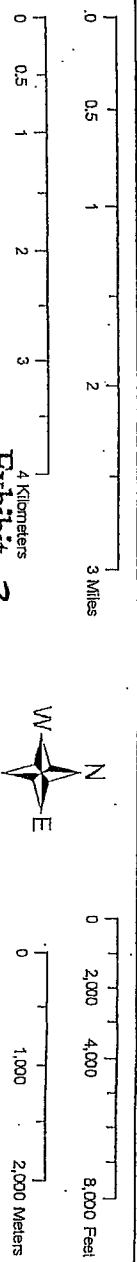
Exhibit 1

APPLICANT SUBMITTAL



**Legend**

- wells
- buildings
- road
- 100 ft contour
- Current Lot Line



Sheet No.  
**A**

Prepared for: **AG Jr. & Linda K Markkula TRS**

Date: **March 25, 2009**

Scale: **1:45,000**

Coordinate System: **NAD\_1983\_UTM\_Zone\_10N\_Meters**

**Rana Creek Habitat Restoration**  
 39251 East Carmel Valley Road  
 Carmel Valley, California 93924  
 Tel: (831) 659-3820 Fax: (831) 659-4851

**Rana Creek Ranch  
 Project Work Plan  
 Current Lot Lines**

Map compiled by Rana Creek Habitat Restoration using data believed to be accurate. However, a degree of error is inherent in all maps. This map is not to be used for any purpose other than that for which it was prepared. It is not to be used as a substitute for field conditions or as a substitute for the actual location of features in the field.

# EXHIBIT G

APPLICATION FOR  
RESUBDIVISION,  
AUGUST 10, 2009

**SUPPORTING DOCUMENT**  
**APPLICATION FOR RE-SUBDIVISION**  
**PLN090117**

Rana Creek Ranch  
35351 East Carmel Valley Road  
Carmel Valley, California

Prepared for

Lombardo & Gilles  
318 Cayuga Street  
Salinas, CA 93901

Prepared by Rana Creek



August 10, 2009

**RECEIVED**

AUG 20 2009

MONTEREY COUNTY  
PLANNING & BUILDING  
INSPECTION DEPT.

---

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- MAP 4 – Plant Communities Map

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  - APPENDIX B – Threatened, Endangered, and Special Status Species
-

## 1.0 PROJECT SUMMARY

This report was prepared for the applicant as a supporting document for inclusion in the re-subdivision application package for Rana Creek Ranch (the property), Carmel Valley, Monterey County, California. The purpose of this re-subdivision application is to achieve a “modified” lotline adjustment for the twelve (12) existing lots of record associated with the property in a single step with the enclosed documentation that supports current Monterey County regulations. The purpose of the lot line adjustment is to bring all legal lots of record into compliance with zoning regulations. This document has been provided along with the re-subdivision application for review and processing of the request. The applicant does not propose to conduct any development activities, site disturbance, or modification of the existing features of the property.

### 1.1 Project Applicant

Applicant:

A C Jr. & Linda K Markkula  
35351 East Carmel Valley Road  
Carmel Valley California 93924  
Tel. (831) 659-3820  
Fax. (831) 659-4851

Applicant Representative:

Mr. Anthony Lombardo  
318 Cayuga St  
Salinas, CA 93901  
Tel. (831) 754-2444  
Fax. (831) 754-2011

### 1.2 Site Location

The property is located in eastern Monterey County, California, approximately 3 miles northeast of Carmel Valley Village on Carmel Valley Road (Map 1).

### 1.3 Regulatory Background

All parcels comprise twelve (12) legal lots of record under the Cachagua Area Plan and are zoned PG/160 and PG/160-D. The proposed reconfigured lots shall meet the requirements of the zoning district and Williamson Act contracts.

**APN's comprising this Lot Line Adjustment:**

197-061-042	197-061-049	197-241-002	416-461-011	417-061-003	417-121-001
197-061-043	197-061-052	197-241-003	416-461-018	417-061-004	417-121-002
197-061-044	197-061-053	197-241-004	416-461-019		417-121-003
197-061-045	197-061-054	197-241-005	416-461-020		417-121-015
197-061-046		197-241-006	416-461-029		417-121-016
197-061-047			416-461-030		417-121-017
197-061-048		416-451-018			417-121-018

**Table 1-1.** Approximate acreages of current and proposed lots.

Current Lots	Current Zoning	Current Approx. Acreage	Proposed Lots	Reconfigured Approx. Acreage
A	PG/160/PG/160-D	417	1	173
B	PG/160-D/PG/160	148	2	174
C	PG/160-D/PG/160	85	3	172
D	PG/160	226	4	172
E	PG/160-D	314	5	173
F	PG/160-D/PG/160	390	6	170
G	PG/160-D/PG/160	1,767	7	165
H	PG/160-D/PG/160	2,996	8	172
I	PG/160	7,167	9	173
J	PG/160	160	10	172
K	PG/160	160	11	732
L	PG/160	160	12	11,552
<b>Total</b>		<b>14,000</b>		<b>14,000</b>

#### 1.4 Land use

The current primary land use for the property is cattle ranching. The property contains developed areas that include buildings, corrals, and vegetated areas that support such agricultural use. Table 2-3 lists the Williamson Act contracts for the current lot configuration.

#### 1.5 Utilities Description/Property Attributes

##### 1.5.1 Water [19.03.015 K & L]

Current water systems support the agricultural operations of the ranch and are supplied by private wells. Seven (7) wells provide for livestock water, with twelve (12) above-ground water storage tanks ranging from 3,500 gallons to 10,000 gallons located throughout pastures on the property. Seven (7) additional wells provide irrigation water for agricultural purposes, with no associated water storage tanks.

Three (3) wells provide for domestic (residence) water, with two (2) of those wells providing water through one (1) 10,000 gallon water storage tank to the Vista Rana residence, and one (1) of those wells providing water through two (2) 10,000 gallon water storage tanks to the residences in the Main House area and to the Office Building.

*The proposed re-subdivision will have no impacts/effects on the existing water system as no development is proposed. No additional wells or water systems are proposed for the property.*

**1.5.2 Sewage [19.03.015 K & L]**

All sewage is currently contained within individual septic tanks that support the residences and the office building on the property.

*The proposed re-subdivision will have no impacts/effects on the existing sewage system as no development is proposed. No additional sewage facilities are proposed for the property.*

**1.5.3 Access [MoCo Checklist]**

The property has existing access points, with primary access occurring from Carmel Valley Road (see Tentative Map).

*The proposed re-subdivision will have no impacts/effects on the existing access as no development is proposed. Existing access points will continue to service the property.*

**1.5.3 Deeds, Rights of Way, Easements [MoCo Checklist]**

Existing conditions associated with deeds, rights of way, and easements will not be affected by the proposed re-subdivision.

*The proposed re-subdivision will have no impacts/effects on the existing conditions associated with deeds, rights of way, and easements as no development or modification of existing roads is proposed.*

**1.6 Prior Development Activity [19.03.015 P; MoCo Checklist]**

The prior development activities of the ranch are limited to agricultural operations and will not affect the proposed re-subdivision.

## 2.0 ENVIRONMENTAL AND CULTURAL RESOURCES

This section includes general descriptions of geological, biological, and archaeological resources associated with the property. The descriptive and graphic information included in this section has been acquired from various agency databases and published documents. This information has not been verified by site-specific surveys but is believed to be sufficient for the processing and approval of the re-subdivision application by the Monterey County Planning Department. This assumption is based upon the fact that the applicant does not propose to conduct any development activities on the property or modify the existing infrastructure. If, in the future, the applicant should propose to develop or physically modify the property, additional focused surveys would then be required in order to avoid impacts to environmental and cultural resources and ensure that any development or modification is sited safely, appropriately, and in accordance with applicable regulations.

### 2.1 Generalized Geologic Description [19.03.015 M; MoCo Checklist]

The majority of Rana Creek Ranch (the property) is situated along the ridges and southwestern flank of the Sierra de Salinas, a series of northwest-southeast trending ridgelines associated with the Southern Coast Ranges Geomorphic Province. These ridges denote the western edge of the Salinas Valley and the eastern edge of Carmel Valley, which is bounded in the west by the rugged Santa Lucia Range. A small area in the northeast corner of the property is located on the eastern slope of the Sierra de Salinas. Elevations across the property range from approximately 920 feet above mean sea level (amsl) at Tularcitos Creek to approximately 3,455 feet amsl along the higher ridges of the Sierra de Salinas.

Landforms across the majority of the property generally consist of rounded hills that are incised by ephemeral drainages. Rana Creek, a second order stream, flows in a generally southwesterly direction through the middle of the property and forms a minor valley with associated fluvial terrace deposits. In the vicinity of Carmel Valley Road, Rana Creek joins Tularcitos Creek, which flows west-northwest along the valley floor and ultimately joins the Carmel River. West of Carmel Valley Road and Tularcitos Creek, the southwestern-most portion of the property is associated with fluvial terraces and the northeastern flank of Tularcitos Ridge, a northwest-southeast trending ridgeline that forms the western edge of outer Carmel Valley (Rosenberg, 2005).

Crystalline and metamorphic basement rocks beneath the property are associated with the Salinian Block, which in the site vicinity is bounded by the San Gregorio Fault to the southwest and the San Andreas Fault to the northeast. Two high-angle faults and their associated splays and sub-parallel faults cross the property and are mapped as the Tularcitos and Chupines faults. Both of these faults are associated with the Monterey Bay fault zone, which is a 10-kilometer wide series of discontinuous faults and fault segments that are either truncated by or merge with the San Gregorio fault northwest of the Monterey Peninsula. Both the Tularcitos and Chupines faults have a right-lateral strike slip component and trend in a northwest-southeasterly direction, which is consistent with many of the faults and associated landforms in the Southern Coast Range Geomorphic Province (Rosenberg, 2005). The annual slip rate of individual faults within

the Monterey Bay fault zone is estimated to be approximately 0.1 millimeters per year (Frankel, A.D., 1996). According to the Monterey County Geologic Hazard Map for the Cachagua Planning Area (1988), the property lies within two classes of landslide and erosion susceptibility. Approximately the northeastern quarter of the property is classified as Class II, while the remainder of the property, which is crossed by the Tularcitos and Chupines faults is classified as Class VI. The property is also characterized by several seismic hazard classes on the Monterey County Seismic Hazard Map with the majority of the property classified as Class III. Higher seismic hazard classes that occur on the property (IV, V, VI) occur in narrow bands along the Tularcitos and Chupines Faults.

Multiple distinct bedrock formations occur across the property. The approximately northeastern half of the property is underlain by the Cretaceous Schist of the Sierra de Salinas, a fine-to-medium-grained quartz plagioclase biotite schist (Clark et al, 1997). Southwest of the northwest-southeast trending Chupines fault, which bisects the property, the schist of the Sierra de Salinas is bounded by the Cretaceous hornblende-biotite quartz diorite of Corral de Tierra. This unit generally occurs near the ridge tops of the Sierra de Salinas in the vicinity of the property. Along the upper elevations of the western flank of the Sierra de Salinas, the property is underlain by the Cretaceous hornblende-biotite quartz diorite of Corral de Tierra. Other crystalline bedrock of Cretaceous age beneath the property includes the porphyritic granodiorite of Monterey, which occurs in several narrow bands along the eastern flank of Tularcitos Ridge in the southwestern area of the property (Rosenberg, 2001).

In the lower elevation areas of the property along Tularcitos Creek and the lower flanks of the Sierra de Salinas, bedrock material consists of younger sedimentary formations. The majority of the younger sedimentary units consist of middle-Miocene marine sandstone, which is characterized as a buff to light grey, poorly sorted, arkosic sandstone. This sandstone has localized occurrences of conglomerate and is locally friable. A lesser area of late-Miocene marine sandstone of the Santa Margarita Formation occurs along Carmel Valley Road in the southwestern corner of the property. This unit is characterized as white, friable, fine-to-coarse-grained, arkosic sandstone. On the east side of Carmel Valley Road and Tularcitos Creek these Miocene sediments extend to the edge of the valley floor and the Tularcitos Fault, where they become covered by alluvium (Rosenberg, 2001).

Unconsolidated deposits on the property generally consist of Quaternary (Holocene) undifferentiated alluvial deposits that fill the lower reaches of the Rana Creek and Aqua Mala drainages and the valley floor along Tularcitos Creek. These alluvial sediments generally are composed of heterogeneous, moderately sorted sand and silt with discontinuous lenses of silt and clay. Other unconsolidated deposits that occur southwest of Tularcitos Creek on the flank of Tularcitos Ridge are characterized as Quaternary landslide deposits, which consist of indurated bedrock material and semi-consolidated sand and clay (Rosenberg, 2001). Surface soils across the property are grouped into 24 distinct units and are listed in Section 2.2 below, described in detail in Appendix A, and presented graphically on Map 2.

*The proposed re-subdivision will not have an affect on or be affected by the geologic characteristics of the site, as no development is proposed.*

**2.2 Soils [MoCo Checklist; 19.03.015 J]**

Soils on the property include 18 different associations comprised of 24 distinct soil series. The most predominant soil associations are Sheridan and Vista Associations, occupying over 70% the property (Table 2-1). None of the general soil types on the property are classified as hydric. The geographic location of soil types within the property are presented on Map 2 and are described in Appendix A.

*The proposed re-subdivision will not have an affect on or be affected by the soils found on the property, as no development is proposed.*

**Table 2-1.** Approximate acreages of general soil associations found on the property.

Map Symbol	General Soil Association	Approximate Area (m <sup>2</sup> )	Approximate Acreage	Percent Cover
CaD	Chamise	54,855.28	14	0.10%
CcG	Cieneba	4,322,555.74	1,067	7.57%
DaC	Danville	21,569.38	5	0.04%
DbE, DbF	Diablo	831,987.68	206	1.46%
GkB	Gorgonio	1,668,200.60	411	2.92%
HaE	Haire	7,293.92	2	0.01%
JbG	Junipero	19,971.42	5	0.04%
Jc	Junipero/Sur	51,171.84	13	0.09%
MaE, MaG	McCoy	151,389.23	37	0.26%
Pr	Psamments/Fluvents	95,126.06	23	0.16%
ScG	San Andreas	10,164.44	3	0.02%
SdF	San Benito	945,964.52	234	1.66%
SfD, SfE, SfF	Santa Lucia	3,609,308.96	892	6.33%
Sg	Santa Lucia/Reliz/Lopez	2,924,965.15	725	5.15%
ShE	Santa Ynez	298,341.03	74	0.53%
SoE, SoG	Sheridan	25,039,750.29	6,188	43.93%
VaE, VaG	Vista	16,099,685.40	3,978	28.24%
Vb	Vista/Rock Outcrop	848,138.85	209	1.48%
<b>Totals</b>		<b>57,000,439.79</b>	<b>14,086</b>	

Source: Acreage derived from the NRCS Monterey County Soil Map.

### **2.3 Hydrology/Water Resources [19.03.015 B3]**

The property, which lies within the Carmel and Salinas Watersheds, has a varied landscape, which includes streams, stock ponds, wetlands and wildlife habitats. According to the National Wetland Inventory, three (3) percent of the property's terrain is comprised of wetlands and deep-water habitats while the National Hydrologic Dataset calculates close to 50 miles of meandering drainages and creeks. The Hydrologic Resources map (Map 3) provides the locations of all streams and wetlands provided by the NWI and NHD data sets and delineates watershed boundaries within the property.

Over 90 percent of the property falls within the Carmel Watershed. The Carmel watershed is the northernmost of a series of northwest-southeast trending valleys dissecting the rugged Santa Lucia Mountains of the California Coast Ranges. The Sierra de Salinas forms the northeastern divide of the watershed and the northern terminus of the Santa Lucia Mountains forms the southwestern divide. The Carmel Watershed consists of countless small tributaries that feed the Carmel River, which flows to the Carmel lagoon, and eventually the Pacific Ocean.

Several drainages and four (4) intermittent creeks meander through the property. Agua Mala Creek flows 4.26 miles within the eastern portions of the property in a generally southwesterly direction. Although Agua Mala Creek's headwaters are off of the property, it meanders on and off the property before converging with Rana Creek north of Carmel Valley Road. Rana Creek, a 7.2-mile long intermittent creek, flows in a generally southwesterly direction through the middle of the property and converges with Tularcitos Creek on the property south of Carmel Valley Road. A 2.5-mile portion of Tularcitos Creek flows west-northwest along the Carmel Valley Road and cuts the area of the property approximately in half. Chupines Creek flows in a generally southwesterly direction on the northwestern portion of the property. With its headwaters on the property, Chupines Creek meanders on and off of the property for about 1.6 miles before leaving the property completely and converging with Tularcitos Creek south of Carmel Valley Road approximately 3 miles distant.

In addition, approximately 4.5 miles of intermittent drainages within the northeastern corner of the property feed the headwaters of various tributaries off property and along the northeastern flank of the Sierra de Salinas. These intermittent drainages eventually flow into the Salinas River.

The property lies within six Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) (FM06053C0400G, FM06053C0535G, FM06053C0545G, FM06053C0555G, FM06053C0560G, FM06053C0565G). According to the FIRMs, the majority of the property is designated as Zone X ("Areas determined to be outside the 0.2% annual chance floodplain). Panels 0535G, 0545G, 0555G, 0565G depict several areas that are designated as Zone A ("Special flood hazard areas subject to inundation by the 1% annual chance flood. No base flood elevations determined. [100 year flood]). These areas are confined to the lower reaches of Rana Creek and Agua Mala Creek and the valley floor along Tularcitos Creek.

*The proposed re-subdivision will have no impacts/effects on the existing hydrology of the property, as no development is proposed.*

## 2.4 Biological Resources [MoCo Checklist]

The property maintains a diverse vegetated cover consisting of a variety of plant communities commonly found throughout the inland portions of Monterey County. These diverse plant communities also support a great abundance and diversity of wildlife.

*The proposed lot line adjustment will have no impacts/effects on the biological resources of the property, as there is no development proposed with the lot line adjustment.*

### 2.4.1 General Plant Communities and Habitat Types

There are four (4) general plant communities found within the property. The most predominant community, which is annual grassland, covers the ridgelines and rolling hillsides while thick patches of scrub and scattered oak woodland occupy the steeper slopes. The drainages and streams are lined with riparian communities while oak woodlands typically occupy the valley floor (Map 4). Characteristics, which include descriptions of both plant and wildlife species, of the four general plant communities and habitat types found on the property are described in Sections 2.4.2 through 2.4.5.

**Table 2-2.** Approximate acreages of general plant communities found on the property.

General Plant Communities	Approximate Area (m <sup>2</sup> )	Approximate Acreage	Percent
annual grassland	31,640,700	7,819	55%
oak woodland	19,308,300	4,771	34%
scrub/shrub	4,631,730	1,145	8%
riparian/wetland/open water	1,435,700	355	3%
<b>TOTALS:</b>	<b>57,016,430</b>	<b>14,089</b>	<b>100%</b>

### 2.4.2 Oak Woodland

Oak woodland is a sub-dominant habitat type on the Rana Creek Ranch. The habitat is composed of a mixture of stands of coast live oak (*Quercus agrifolia*), blue oak (*Quercus douglasii*), and valley oak (*Quercus lobata*) woodlands. Oak woodlands present on the ranch vary in density from open areas with low canopy cover to densely wooded areas with nearly closed canopies. In addition to oaks, deciduous trees such as California buckeye (*Aesculus californica*) may be found in the canopy. Site characteristics such as soil, slope, and precipitation influence the species composition and density of the woodland. Oak woodlands are most commonly found in areas with deep, well-drained alluvial soils in foothill and valley areas. Tree density as well as the density of the shrub and ground cover layers is correlated to the amount of available water, topography, and aspect.

### Vegetation

Oak woodland habitat is dominated by various species of oak (i.e., coast live, valley, and blue oaks) with sub-dominant canopy species including California buckeye, California bay (*Umbellularia californica*), and Pacific madrone (*Arbutus menziesii*) present in the canopy. The understory of oak woodlands are well developed and are composed of a sparse to dense understory comprised primarily of poison oak (*Toxicodendron diversilobum*), blue elderberry (*Sambucus mexicana*), California coffeeberry (*Rhamnus californica*), California blackberry (*Rubus ursinus*), and California wild grape (*Vitis californica*). Ground cover within oak woodlands is dominated by herbaceous vegetation such as fiesta flower (*Pholistoma auritum*), miner's lettuce (*Claytonia perfoliata*), rye grasses, bromes, and purple needlegrass (*Nassella pulchra*).

### Wildlife

Oak woodlands provide wildlife with a wide array of resources such as cover, foraging, nesting, and roosting sites. Oaks are an importance food source (i.e., acorns and browse) to birds and mammals. Natural cavities in mature trees provide nesting and roosting locations for various species of woodland bats and cavity nesting birds. The complexity of the vegetation associated with oak woodlands provides insectivorous birds with the required habitat components necessary for foraging. Oak woodlands in Monterey County are known to provide habitat to 26 species of mammals and over 85 species of birds and 18 species of reptiles and amphibians. Notable species include acorn woodpeckers (*Melanerpes formicivorus*), black-tailed deer (*Odocoileus hemionus*), Virginia opossum (*Didelphis virginiana*), yellow-billed magpie (*Pica nuttalli*), arboreal salamander (*Aneides lugubris*), and Monterey ring-necked snake (*Diadophis punctatus vandenburgii*)

### **2.4.3 Scrub/Shrub**

The scrub/shrub is a sub-dominant habitat type on the Rana Creek Ranch and is composed with a mixture of coastal sage scrub and chamise scrub species. Scrub/shrub vegetation is dominated by low to moderate sized shrubs, characterized as having woody stems and a shallow root system. Canopy cover within mature stands of scrub/shrub have a canopy cover of approximately 100%, though recently disturbed sites may have a lower percentage of cover. Scrub/shrub habitats on site are located primarily on steep, west and south facing slopes throughout the property. The scrub/shrub habitats found on the Rana Creek Ranch are located within areas with thin soils, with little accumulation of organic matter. Disturbances such as fire are an important feature required in maintaining the overall health of the habitat.

### Vegetation

Scrub habitat in Monterey County is dominated by a mixture of woody vegetation which includes: California sage (*Artemisia californica*), black sage (*Salvia mellifera*), Coyote bush (*Baccharis pilularis ssp. consanguinea*), ceanothus, poison oak, sticky monkey flower (*Mimulus aurantiacu*), manzanita, toyon (*Heteromeles arbutifolia*), and redberry (*Rhamnus crocea*). In younger or disturbed stands of scrub habitat plants such as California buckwheat (*Eriogonum fasciculatum foliolosum*) and common deerweed (*Lotus scoparius*) may be present, but decline as the stand matures. Openings along the periphery of habitat scrub/shrub habitats may support annual grasses and forbs.

### Wildlife

Scrub habitat provides food and cover for a wide array of wildlife. The dense areas of vegetation within the habitat provide suitable nesting habitat for birds, and cover for foraging small mammals. The seeds and fruits of plants associated with scrub habitats are an important food source of many mammal and bird species such as the western scrub jay (*Aphelocoma californica*). Scrub habitat in Monterey County is known to provide foraging and breeding habitat to 16 species of mammals, over 45 species of birds and 9 species of reptiles and amphibians. Notable species include Monterey dusky-footed woodrat (*Neotoma macrotis luciana*), brush rabbit (*Sylvilagus bachmani*), California thrasher (*Toxostoma redivivum*), wrentit (*Chamaea fasciata*), coast range fence lizard (*Sceloporus occidentalis bocourtii*), and Pacific gopher snake (*Pituophis catenifer catenifer*).

### **2.4.4 Annual Grassland**

Annual Grassland is the dominant habitat type of Rana Creek Ranch and is composed primarily of annual plant species. Along the central coast of California, annual grasslands are primarily found within foothills and on valley floors. In Monterey County non-native annual grasses have become established and are now the dominant plant species within grassland communities. Species composition is directly related to precipitation and the aspect of the site. The cool, wet winters and dry hot summers, which characterize the central coast of California, present ideal growing conditions for annual grasses and forbs. Winter rains encourage germination and rapid growth, while the dry season restricts summer growth. The frost-free season ranges from 250-300 days. Precipitation rates of annual grasslands vary from 65 to 75 centimeters in the central coast of California. The soils of annual grasslands are primarily entisols and alfisols, most of which have a dark brown to black surface color. The entisols are situated in the valley floors with alfisols at slightly higher elevations. These soils typically have a high inherent fertility and are well drained.

### Vegetation

Grasslands within Monterey County are dominated by a mixture of non-native and native annual grasses including soft chess (*Bromus hordeaceus*), red brome (*Bromus rubens*), purple needlegrass (*Nassella pulchra*), Idaho fescue (*Festuca idahoensis*), ripgut brome (*Bromus rigidus*), and foxtail fescue (*Vulpia myuros*). In addition to annual grasses, grasslands support a wide range of forbs, which include broadleaf filaree (*Erodium botrys*), red-stem filaree (*Erodium cicutarium*), turkey mullein (*Eremocarpus setigerus*), California bur clover (*Medicago polymorpha*), popcorn flower (*Plagiobothrys nothofulvus*), and California poppy (*Eschscholzia californica*). Due to climatic and site conditions, annual grasslands lack well-developed shrub-layers, but may support occasional oak trees.

### Wildlife

Annual grasslands provide wildlife with a wide array of resources such as cover, foraging, nesting, and burrowing locations. Grasses and other herbaceous vegetation are an important food source (i.e., seeds and browse) to birds and mammals. Friable soils found in grasslands allow burrowing mammals to excavate extensive tunnel systems, which may become inhabited by species other than the original excavator (i.e. California tiger salamander and burrowing owl). Special habitat features often associated with grasslands (i.e., ponds) provides habitat for

species such as the coast range newt (*Taricha torosa torosa*) and the California toad (*Bufo boreas halophilus*). Annual grasslands in Monterey County are known to provide habitat to 16 species of mammals and over 50 species of birds and 18 species of reptiles and amphibians. Notable grassland species include northern pacific rattlesnake (*Crotalus oreganos oreganus*), California tiger salamander (*Ambystoma californiense*), grasshopper sparrow (*Ammodramus savannarum*), horned lark (*Eremophila alpestris*), California ground squirrel (*Spermophilus beecheyi*), and American badger (*Taxidae taxus*).

#### **2.4.5 Riparian Woodland**

Riparian woodlands on the Rana Creek Ranch are typically located along the lower reaches of intermittent drainages and Rana Creek, where winter deciduous, broad-leaved trees dominate the canopy. Riparian woodlands are commonly found in valleys that are bordered by annual grasslands or oak woodlands. The transition between riparian habitat and the surrounding habitat is generally abrupt, resulting in well-defined boundaries. Riparian woodlands are often associated with low velocity flows, flood plains, and gentle topography. The soils that occur within riparian woodlands are typically alluvial in nature and remain moist throughout the year.

##### Vegetation

Riparian woodland habitat is dominated by various species of winter deciduous broad-leaved trees. The canopy is composed primarily of California sycamore (*Platanus racemosa*) and black cottonwood (*Populus trichocarpa*). Trees commonly found in the sub-canopy include box elder (*Acer negundo*), white ash (*Fraxinus americana*), and Oregon ash (*Fraxinus latifolia*). The understory of riparian woodlands tend to be well developed and are composed of dense thickets of poison oak, blue elderberry, California blackberry, and willows (*Salix spp.*). The herbaceous layer is dominated by various species of forbs such as miner's lettuce, Douglas's sagewort (*Artemisia douglasiana*), sedges, and rushes, but may support grasses in areas where the canopy is open.

##### Wildlife

Riparian woodlands provide food, water, dispersal corridors, and nesting cover for an abundance of wildlife species. Dense vegetation provides foraging habitat for insectivorous birds and provides cover for foraging small mammals. The areas of dense understory also provide moist areas that are utilized by frogs and salamanders as breeding and aestivation sites. Mature trees provide natural cavities, which are used by small mammals and cavity nesting birds as denning/nesting areas. Riparian woodlands in Monterey County are known to provide habitat to over 50 species of birds, approximately 20 species of mammals, and 15 species of amphibians and reptiles. Notable species include California red-legged frog (*Rana draytonii*), Monterey ensatina (*Ensatina eschscholtzi eschscholtzi*), raccoon (*Procyon lotor*), brush rabbit (*Sylvilagus bachmani*), yellow warbler (*Dendroica petechia*), and hermit thrush (*Catharus guttatus*).

#### **2.4.6 Special Status Plant Species**

According to the California Natural Diversity Database (CNDDDB), there are eleven special status plant species and one sensitive plant community that occur within 5 miles of the property (Appendix B). There is the potential for seven of the eleven special status plant species to occur on site due to the presence of suitable habitat. The entire property has not been surveyed for special status species. Determination of likelihood of occurrence was based on vegetation, hydrology, and personnel communication with ranch employees.

#### **2.4.7 Special status animal species**

According to the CNDDDB there are twelve special status wildlife species that occur within 5 miles of the property (Appendix B). There is the potential for ten of the twelve special status species (three amphibians, two reptiles, two birds and three mammals) to occur on site due to the presence of suitable habitat. Determination of likelihood of occurrence was based on vegetation, hydrology, and personnel communication with Rana Creek Ranch employees.

#### **2.5 Generalized Archeological Resources [19.03.015 N; MoCo Checklist]**

The following is a generalized discussion of the archaeological resources on the property and the surrounding area and is intended to provide information that is relevant to the construction of the natural and cultural resources setting. Focused research (i.e. California Historical Resources Information System data request) and surveys of the property by a professional archaeologist were not performed, as no development or ground disturbance is proposed. Focused archaeological studies should be required, per County Code 21.66.050, if and when any ground disturbance activities are proposed.

The property is located within the 26,581-acre Rancho Los Tularcitos Landgrant, which was originally granted to Rafael Gómez by Governor Figueroa in 1834. Over the years, the original landgrant was sold off with the exception of approximately 2,000 acres. This piece of land is still referred to as Rancho los Tularcitos or Marble Ranch, which is adjacent to the subject property, and is the location of the former Tularcitos Adobe (Hoover et. al., 2002).

The subject property is situated near the northwestern boundary of the range of the Esselen people, Native Americans who reportedly once inhabited the reaches of upper Carmel Valley and the rugged interior portions of the Santa Lucia Range, extending to the Big Sur coast. This area encompasses approximately 800 to 850 square miles. Within the range of the Esselen, five specific “districts” were occupied and are referred to as the Excelen, Eslenahan, Imunahan, Ekheahan, and Aspasnahan. The Excelen were located in closest proximity to the Mission San Carlos (Carmel Mission) and consequently were most likely the first of the five districts to be exploited by the Spanish. Breschini (2004) has estimated the total population of the five districts at approximately 1,285 individuals. The extent of the Excelen district would have included the area that is currently occupied by the Rana Creek Ranch property with the northwestern border of the district occurring somewhere between Chupines Creek and Buckeye Ridge. Northwest of this boundary and off the property is the southeastern extent of the estimated range of the Ohlone Rumsen people, who occupied lower Carmel Valley (Breschini, 1993).

It is thought that within each “district”, at least several seasonal village sites were occupied. Five village sites are known from outer Carmel Valley and included Xasáuan, Aculatcan, Capanay, and Yppimegasan. The nearest village site to the property is thought to have been Capanay. Capanay, the English translation of which refers to tules, is estimated to have been located near the former Tularcitos Adobe and the tule-rimmed pond that occurs there. This particular locality is on neighboring property to Rana Creek Ranch and is approximately 0.23 miles northwest of the southwestern corner of the subject property (Breschini, 2004).

Like other Native American groups from the central coast region, the Esselen were a hunting, fishing, and gathering people who relied heavily upon acorns as a food source. Artifacts discovered within the range of the Esselen have included projectile points, flakes, bone awls, a bone tube, a bone gaming piece, manos and pestles, portable and bedrock mortars used for grinding acorns into meal, and shell jewelry. The Esselen were also thought to utilize basketry instead of pottery and may have utilized plants such as the common rush (*Juncus effusus*) as a raw material. Many of the seasonal village sites are also characterized by relatively small midden deposits and charcoal or ash deposits. There are also several known sites of rock artwork, which are characterized by representations of handprints, that are found in rock shelters along Church Creek, approximately 11 miles distant from the subject property (Breschini, 2004).

The property lies within two (moderate, high) of the three Archaeological Sensitivity Zones specified on the Monterey County Archaeological Sensitivity Zone Map for the Cachagua Planning Area. These zones are generalized classifications of archaeological resources based on the occurrence of known sites and topography. The area of the ranch that lies within the Moderate Sensitivity Zone is situated entirely to the east of Carmel Valley Road and Tularcitos Creek and constitutes the majority of the property. The portion of the property that is classified as a High Sensitivity Zone on the County map lies within the approximate area that is southwest of the summit of Burned Mountain (2,846'). The High Sensitivity Zone also extends across Carmel Valley Road to the far southwestern property boundary near Tularcitos Ridge (County of Monterey, 1988).

***The proposed re-subdivision will have no impacts/effects on the archeological or cultural resources of the property, as no development or ground disturbance is proposed.***

**2.6 Agricultural Resources [MoCo Checklist]**

The primary historic land use in the ranch has been livestock grazing, which has occurred continuously for well over one hundred years. Old fields and fencelines are evidence of past farming and grazing practices. Agricultural improvements include existing ranch buildings, barns, corrals, and water troughs. Nine of the twelve existing parcels are associated with Williamson Act contracts, which are listed below in Table 2.3.

Several soil units that occur on the property are ranked as prime farmland by the Natural Resources Conservation Service (NRCS). These include the Chamise shaly loam (farmland of statewide importance), the Danville sandy clay loam (prime farmland, if irrigated), and the Gorgonio sandy loam (prime farmland, if irrigated).

**Table 2-3. Williamson Act Contracts for Current Lots.**

Lot No.	Current Approx. Acreage	Acreage Under Contract	Williamson Act Contract No.
A	417	417	595-R-304 (1969)
B	148	148	595-R-304 (1969)
C	85	85	595-R-304 (1969)
D	226	226	595-R-322 (1969); 1650-R-347 (1983)
E	314	314	595-R-322 (1969); 1650-R-347 (1983)
F	390	390	595-R-322 (1969); 1650-R-347 (1983) & 1650-R-338 (1983)
G	1,767	1,767	595-R-322 (1969); 1649-R-329 (1983)
H	2,996	2,593	595-R-304 (1969); a portion of this lot is Not Under Contract.
I	7,167	7,167	595-R-322 (1969); 1649-R-847 (1983)
J	160	0	Not Under Contract
K	160	0	Not Under Contract
L	160	0	Not Under Contract
<b>Total</b>	<b>14,000</b>	<b>13,107</b>	

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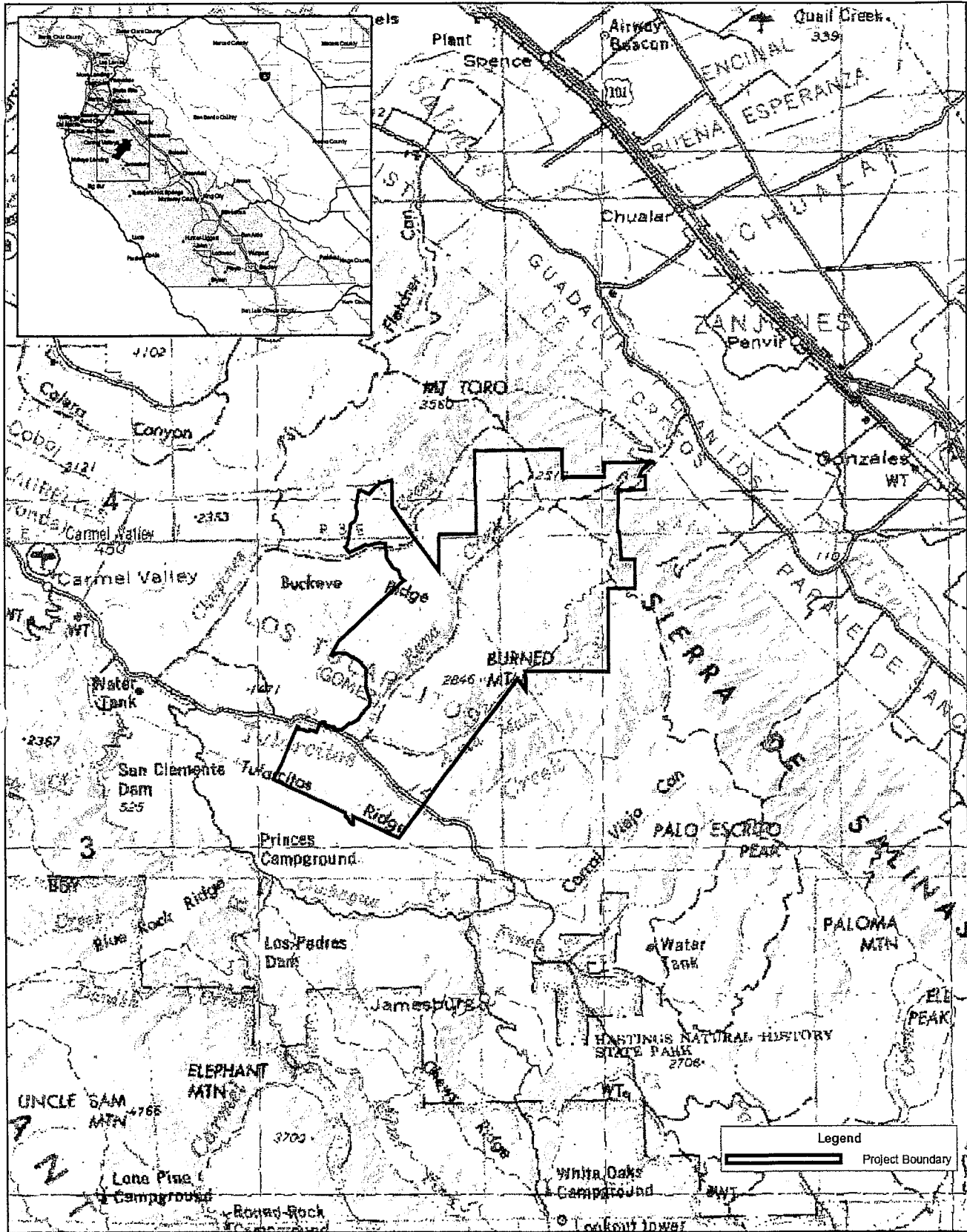
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**Rana Creek Ranch**

**Project Location**



Rana Creek Habitat Restoration  
 38001 East Carmel Valley Road  
 Carmel Valley, California 93921  
 SanGIS/ES&S/RS/RS/RS (03/1/2004/181)

Prepared for: AC Jr. & Linda K. Maikulis TRS

Date: June 25, 2009

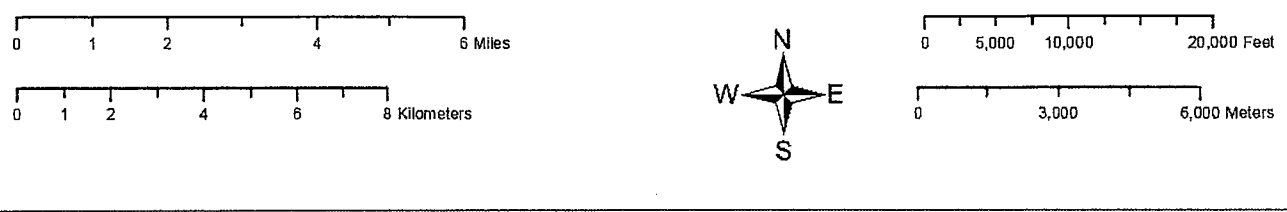
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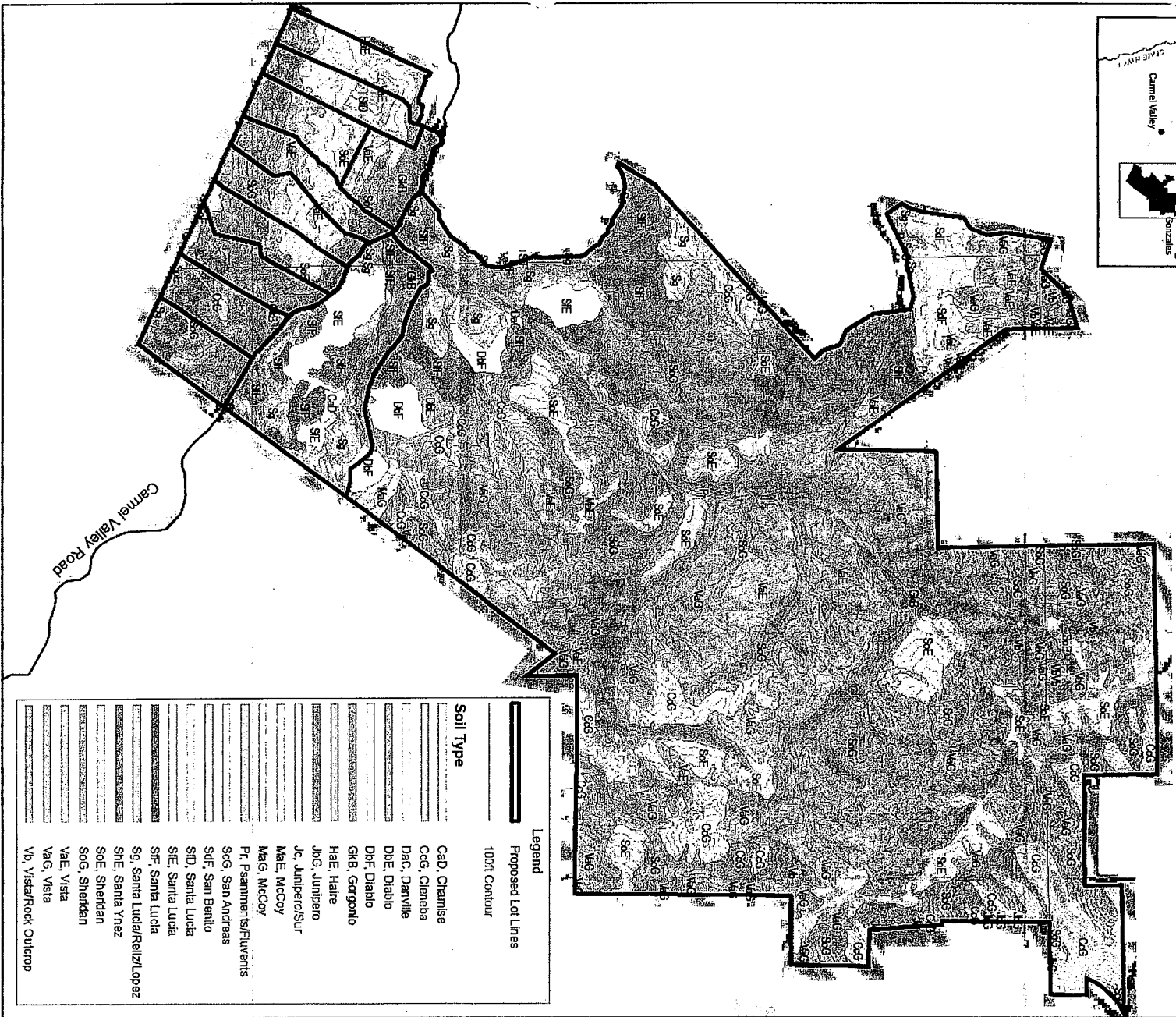
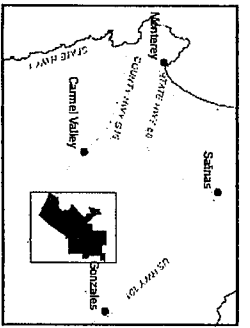
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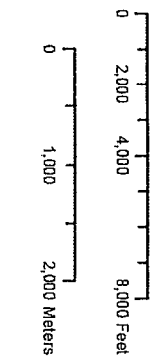
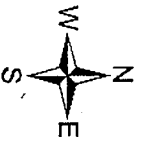
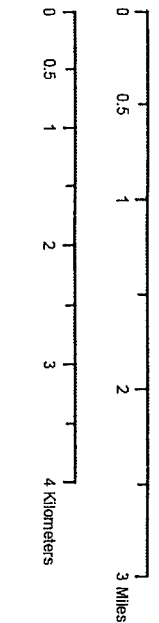
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 This map was compiled by Rana Creek Habitat Restoration using data believed to be accurate; however, a degree of error is inherent in all maps. This map is a graphical representation of field conditions. The actual location of features in the field may differ from the depiction on this map.





Legend	
	Proposed Lot Lines
	100ft Contour
Soil Type	
	CdD, Charnise
	CcG, Clemena
	DcE, Danville
	DpE, Diablo
	GdR, Gorgonio
	HdE, Hairte
	JdG, Junipero
	Jc, Junipero/Sur
	MaE, McCoy
	MaG, McCoy
	Pr, Psammis/Rivulets
	ScG, San Andreas
	SdF, San Benito
	SdI, Santa Lucia
	SdE, Santa Lucia
	SfF, Santa Lucia
	Sg, Santa Lucia/Relliz/Lopez
	ShE, Santa Ynez
	SoE, Sheridan
	SOG, Sheridan
	VaE, Vista
	VaG, Vista
	Vb, Vista/Rock Outcrop

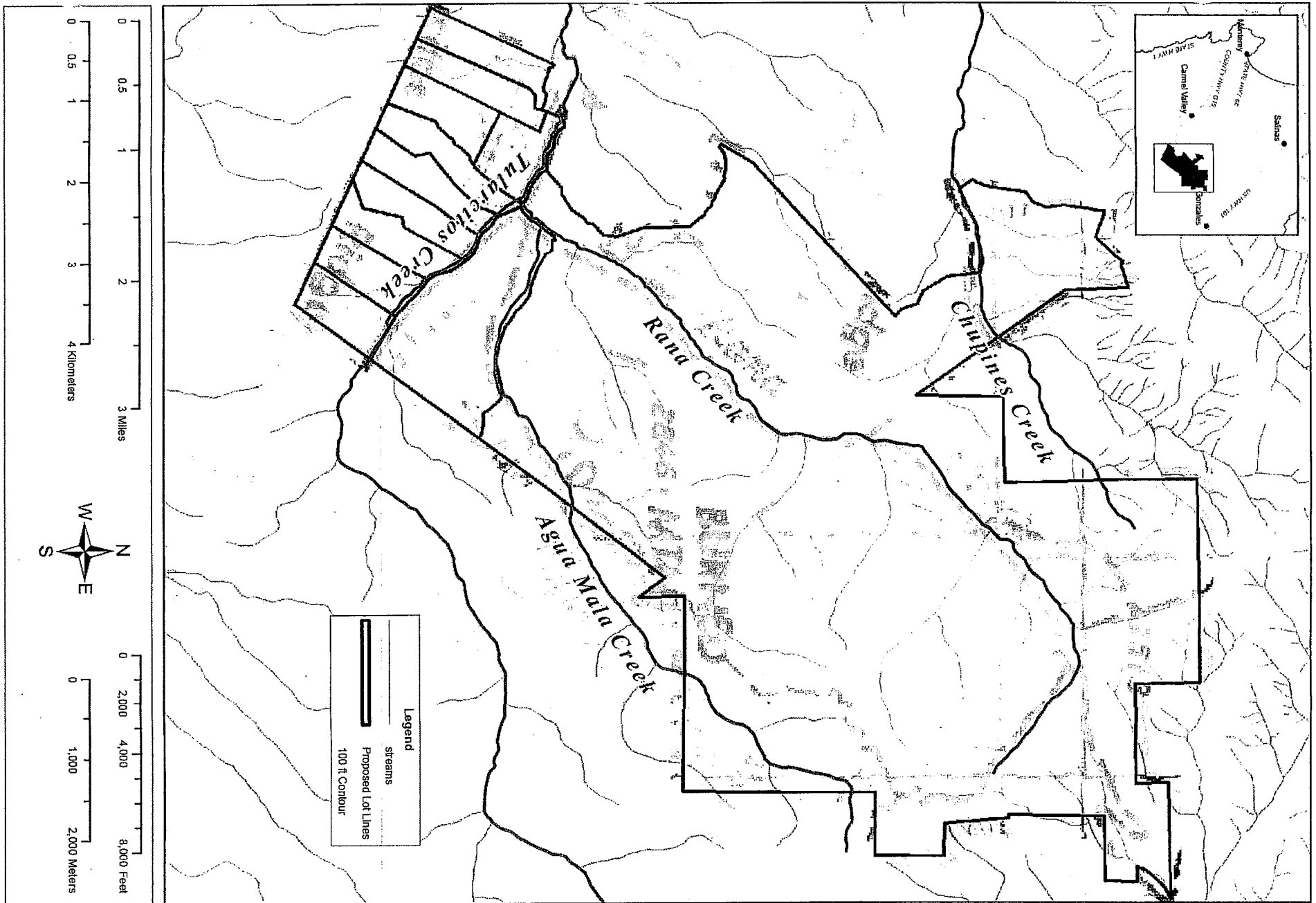


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Sheet No.	2
Prepared for:	AC Jr. & Linda K Markkula TRS
Date:	June 29, 2009
Scale:	1: 60,000
Coordinate System:	NAD_1983_UTM_Zone_10N_Meters

Rana Creek Habitat Restoration  
 2555 I East Carmel Valley Road  
 Carmel Valley, California 93924  
 Tel: (831) 652-3020 Fax: (831) 652-4661

## Rana Creek Ranch Soils Map



**Legend**

- streams
- Proposed Lot Lines
- 100 ft Contour

**Map Disclaimer**

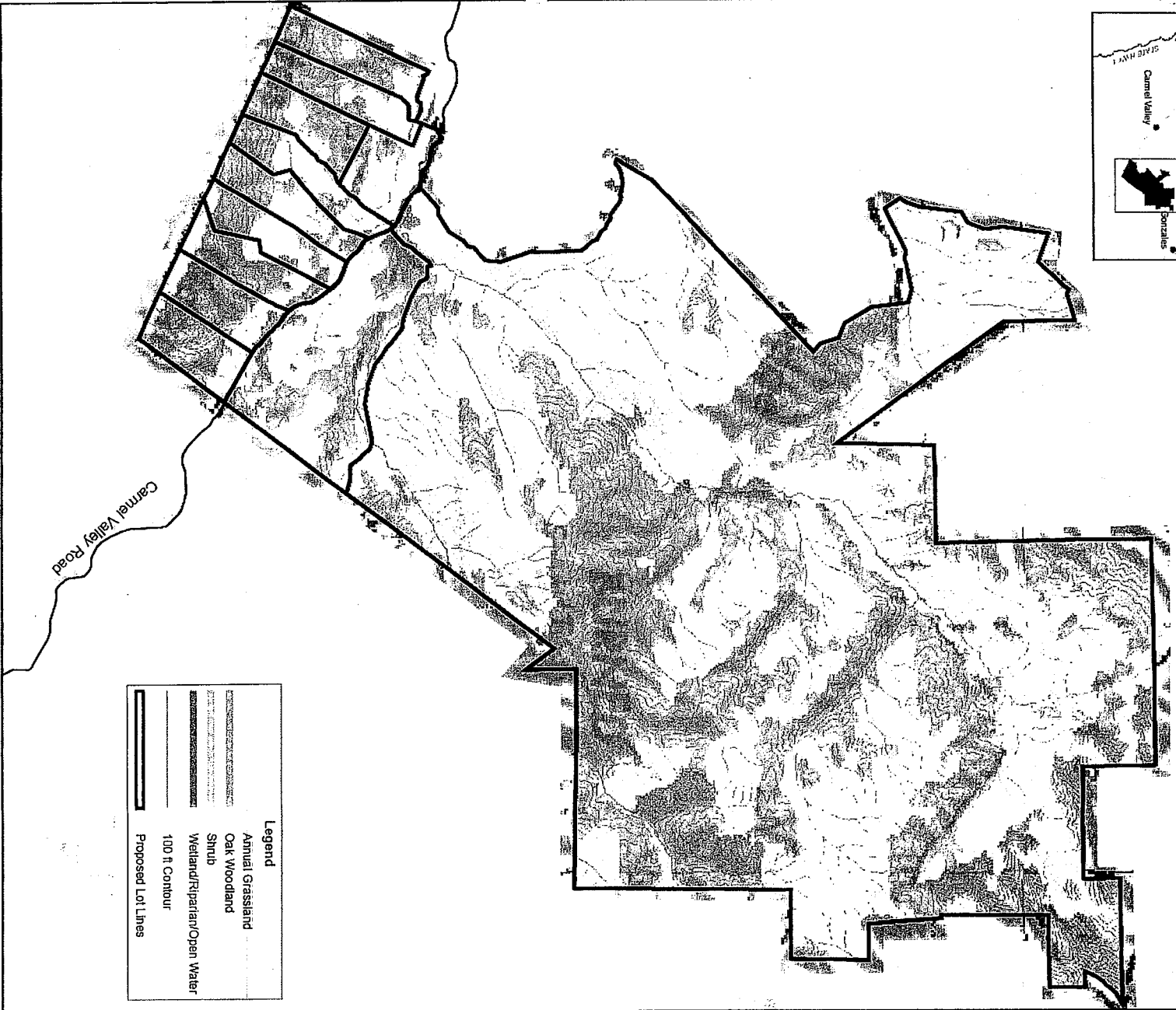
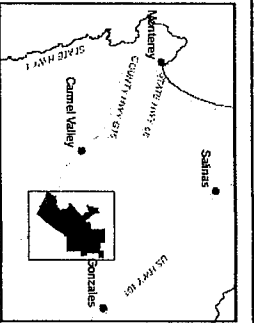
This map was compiled by Rana Creek Habitat Restoration using data believed to be accurate however, a degree of error is inherent in all maps. This map is distributed "AS-IS" without warranty of any kind. This map is provided as a graphical representation of field conditions. The actual location of features in the field may differ from the depiction on the map.

Sheet No.	3
Prepared for:	AC Jr. & Linda K Markkula TRS
Date:	June 29, 2009
Scale:	1: 60,000
Coordinate System:	NAD_1983_UTM_Zone_10N_Meters

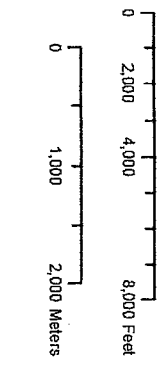
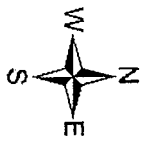
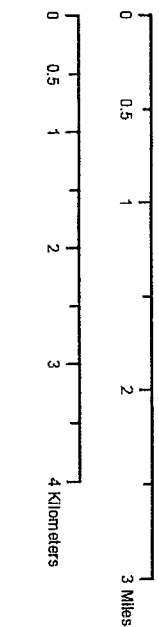
Rana Creek Habitat Restoration  
 3535 East Carmel Valley Road  
 Carmel Valley, California 95024  
 Tel: (831) 659-3820 Fax: (831) 659-4651

**Rana Creek Ranch**

**Hydrology Map**




Legend	
	Annual Grassland
	Oak Woodland
	Shrub
	Wetland/Riparian/Open Water
	100 ft Contour
	Proposed Lot Lines



**Map Disclaimer:**  
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<b>4</b>	Sheet No.
	Prepared for: AC Jr. & Linda K Markkula TRS
	Date: June 29, 2009
	Scale: 1:60,000
Coordinate System: NAD_1983_UTM_Zone_10N_Meters	



**Rana Creek Habitat Restoration**  
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## Rana Creek Ranch Plant Communities Map

## Appendix A. Soil (Series) Unit Descriptions

**CaD, Chamise shaly loam** – The Chamise shaly loam consists of well-drained soils derived from shale parent material. These soils form 9 to 15 percent slopes and have moderate water holding capacity (8.5 inches). The depth to the water table and any restrictive features is greater than 80 inches. The soil profile consists of channery loam (0 to 19 inches), very channery clay (19 to 40 inches) and channery sandy loam (40 to 60 inches). Rated as farmland of statewide importance.

**CcG, Cieneba fine gravelly sandy loam** – The Cieneba fine gravelly sandy loam is a shallow soil derived from weathered igneous and metamorphic parent material. These soils form mountain flanks, form slopes between 30 and 75 percent, and have very low water holding capacity. The depth to restrictive features (paralithic bedrock) is 11 inches and the depth to the water table is greater than 80 inches. The soil profile consists of gravelly sandy loam (0 to 11 inches) and weathered bedrock (11 to 14 inches). Not considered prime farmland.

**DaC, Danville sandy clay loam** – The Danville sandy clay loam consists of well-drained soils derived from igneous and metamorphic parent material. These soils are associated with alluvial fans at the footslope of hills, form 2 to 9 percent slopes and have moderate water holding capacity (8.9 inches). The depth to the water table and restrictive features is greater than 80 inches. The soil profile consists of sandy clay loam (0 to 18 inches), clay (18 to 38 inches), and gravelly sandy clay loam (38 to 67 inches). Considered prime farmland, if irrigated.

**DbE, Diablo clay** – The Diablo clay is a well-drained clayey soil derived from weathered sedimentary bedrock. Diablo clay is associated with hills and slopes, form slopes of 15 to 30 percent and have high water holding capacity (9.0 inches). The depth to restrictive features (paralithic bedrock) is 53 inches and the depth to the water table is more than 80 inches. The soil profile is clay (0 to 53 inches) and unweathered bedrock (53 to 57 inches). Not considered prime farmland.

**DbF, Diablo clay** – Characteristics of Diablo clay (DbF) are similar to Diablo clay (DbE). Diablo clay (DbF) forms 30 to 50 percent slopes. All other applicable attributes are the same as DbE. Not considered prime farmland.

**GkB, Gorgonio sandy loam** – Gorgonio sandy loam is a somewhat excessively drained, coarse-grained soil derived from igneous and metamorphic parent material. These soils are associated with alluvial fans at the footslope of hills, form slopes between 0 and 5 percent, and have low water holding capacity (4.3 inches). The depth to restrictive features and the water table is greater than 80 inches. The soil profile is gravelly sandy loam (0 to 42 inches) and very gravelly coarse sandy loam (42 to 60 inches). Considered prime farmland, if irrigated.

**HaE, Haire loam** – Haire loam is a moderately well drained soil derived from weathered sandstone. This soil is associated with hill slopes, forms slopes of 15 to 30 percent slopes, and has a very low water holding capacity (2.4 inches). The depth to restrictive features (paralithic bedrock) is 41 inches and the depth to the water table is more than 80 inches. The soil profile is

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loam (0 to 11 inches), clay (11 to 25 inches), gravelly sandy clay loam (25 to 41 inches), and weathered bedrock (41 to 45 inches). Not considered prime farmland.

**Jc, Junipero sur complex** – The Junipero sur complex consists of well-drained soils derived from weathered igneous and metamorphic rock. These soils are associated with hills and hill slopes, form 50 to 85 percent slopes, and have a low water holding capacity (3.9 inches). The depth to restrictive features (paralithic bedrock) is 30 inches and the depth to the water table is more than 80 inches. The soil profile is sandy loam (0 to 15 inches), gravelly sandy loam (15 to 30 inches), and weathered bedrock (30 to 34 inches). Not considered prime farmland.

**JpG, Junipero sandy loam** – Junipero sandy loam is a well-drained soil derived from weathered igneous and metamorphic rock. This soil type is associated with hills and hill slopes, forms slopes of 30 to 75 percent, and has a low water holding capacity (3.9 inches). The depth to restrictive features (paralithic bedrock) is 30 inches and the depth to the water table is more than 80 inches. The soil profile is sandy loam (0 to 15 inches), gravelly sandy loam (15 to 30 inches) and weathered bedrock (30 to 34 inches). Not considered prime farmland.

**MaE, McCoy clay loam** – McCoy clay loam is a well-drained soil derived from igneous and metamorphic bedrock. These soils are associated with hill slopes, form slopes of 15 to 30 percent, and have low water holding capacity (5.1 inches). The depth to restrictive features (paralithic bedrock) is 27 inches and the depth to the water table is more than 80 inches. The soil profile is clay loam (0 to 27 inches) and unweathered bedrock (27 to 31 inches). Not considered prime farmland.

**MaG, McCoy clay loam** – Characteristics of McCoy clay loam (MaG) are similar to McCoy clay loam (MaE). McCoy clay loam (MaG) forms slopes of 50 to 75 percent. All other applicable attributes are the same as MaE. Not considered prime farmland.

**Pr, Psammments and fluvents, occasionally flooded** – The Psammments and fluvents unit is an excessively drained sandy soil derived from sandy and gravelly alluvium. This material is associated with flood plains that are occasionally inundated, form slopes of 0 to 5 percent, and have very low water holding capacity (2.4 inches). The depth to restrictive features is more than 80 inches and the depth to the water table may be 24 to 72 inches. The soil profile is sand (0 to 60 inches). Not considered prime farmland.

**ScG, San Andreas fine sandy loam** – San Andreas fine sandy loam is derived from coarse loamy residuum weathered from sandstone. This soil is associated with slopes, forms slopes from 30 to 75 percent, and has low water holding capacity (3.1 inches). The depth to restrictive features (paralithic bedrock) is 22 inches and the depth to the water table is more than 80 inches. The soil profile is fine sandy loam (0 to 22 inches) and weathered bedrock (22 to 26 inches). Not considered prime farmland.

**SdF, San Benito clay loam** – San Benito clay loam is a well-drained soil derived from sedimentary rock. This soil is associated with hill slopes, forms slopes of 30 to 50 percent, and has a high water holding capacity (10.5 inches). The depth to restrictive features (paralithic bedrock) is 55 inches and the depth to the water table is greater than 80 inches. The soil profile

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is clay loam (0 to 55 inches) and weathered bedrock (55 to 59 inches). Not considered prime farmland.

**SfD, Santa Lucia shaly clay loam** - Santa Lucia shaly clay loam is a well-drained clay loam derived from shale parent material. These soils are associated with hill slopes, form slopes from 2 to 15 percent, and have a very low water holding capacity (2.9 inches). The depth to restrictive features (lithic bedrock) is 24 inches and the depth to the water table is greater than 80 inches. The soil profile is channery clay loam (0 to 24 inches) and unweathered bedrock (24 to 29 inches). Not considered prime farmland.

**SfE, Santa Lucia shaly clay loam** – Characteristics of Santa Lucia shaly clay loam (SfE) are similar to Santa Lucia shaly clay loam (SfD). Santa Lucia shaly clay loam (SfE) forms slopes of 15 to 30 percent. All other applicable attributes are the same as SfD. Not considered prime farmland.

**SfF, Santa Lucia shaly clay loam** – Characteristics of Santa Lucia shaly clay loam (SfF) are similar to Santa Lucia shaly clay loam (SfE). Santa Lucia shaly clay loam (SfF) forms slopes of 30 to 50 percent. All other applicable attributes are the same as SfE. Not considered prime farmland.

**Sg, Santa Lucia-Reliz association** – Santa Lucia-Reliz association is a well-drained clay loam derived from shale. These soils are associated with hill slopes, form 30 to 75 percent slopes, and have very low water holding capacity (2.9 inches). The depth to restrictive features (lithic bedrock) is 24 inches and the depth to the water table is greater than 80 inches. The soil profile is channery clay loam (0 to 24 inches) and unweathered bedrock (24 to 29 inches). Not considered prime farmland.

**ShE, Santa Ynez fine sandy loam** – Santa Ynez fine sandy loam is a moderately well drained fine loamy alluvium derived from igneous and metamorphic parent material. These soils are associated with terraces at the footslope of hills, form 15 to 30 percent slopes, and have very low water holding capacity (2.4 inches). The depth to restrictive features and the water table is more than 80 inches. The soil profile is fine sandy loam (0 to 18 inches), clay (18 to 43 inches) and sandy clay loam (43 to 62 inches). Not considered prime farmland.

**SoE, Sheridan coarse sandy loam** – Sheridan coarse sandy loam is a well-drained sandy loam derived from weathered igneous and metamorphic parent material. These soils are associated with hill slopes, form slopes from 15 to 30 percent, and have a low water holding capacity (4.7 inches). The depth to restrictive features (paralithic bedrock) is 39 inches and the depth to the water table is greater than 80 inches. The soil profile is coarse sandy loam (0 to 39 inches) and weathered bedrock (39 to 43 inches). Not considered prime farmland.

**SoG, Sheridan coarse sandy loam** – Characteristics of Sheridan coarse sandy loam (SoG) are similar to Sheridan coarse sandy loam (SoE). Sheridan coarse sandy loam (SoG) forms slopes of 30 to 75 percent. All other applicable attributes are the same as SoE. Not considered prime farmland.

**VaE, Vista coarse sandy loam** – Vista coarse sandy loam is a well-drained soil associated with weathered igneous and metamorphic parent material. These soils are associated with hill slopes, form slopes of 15 to 30 percent, and have a very low water holding capacity (2.7 inches). The depth to restrictive features (paralithic bedrock) is 23 inches and the depth to the water table is more than 80 inches. The soil profile is coarse sandy loam (0 to 23 inches) and weathered bedrock (23 to 27 inches). Not considered prime farmland.

**VaG, Vista coarse sandy loam** – Characteristics of Vista coarse sandy loam (VaG) are similar to Vista coarse sandy loam (VaE). Vista coarse sandy loam (VaG) forms slopes of 30 to 75 percent slopes. All other applicable attributes are the same as VaE. Not considered prime farmland.

**Vb, Vista rock outcrop complex** – The Vista rock outcrop complex consists of well-drained soils associated with weathered igneous and metamorphic parent material. These soils are associated with hills and hill slopes, form slopes of 30 to 75 percent, and have very low water holding capacity (2.3 inches). The depth to restrictive features (paralithic bedrock) is 23 inches and the depth to the water table is greater than 80 inches. The soil profile is coarse sandy loam (0 to 23 inches) and weathered bedrock (23 to 27 inches). Not considered prime farmland.

## Appendix B. Threatened, Endangered and Special Status Species

Table B-1. TES Plants and Communities. 5 mile CNDDDB Search; May 2009

Common Name <i>Scientific Name</i>	Status	General Habitat	Micro Habitat	Likelihood of occurrence
<b>Plants</b>				
Bristle cone <i>Abies bracteata</i>	1B.3	Broad-leafed upland forest, Chaparral, Lower montane coniferous forest	Moist north or northeast slopes 183 - 1600 M	No Suitable habitat on site.
Napa false indigo <i>Amorpha californica var. napensis</i>	1B.2	Broad-leafed upland forest, Chaparral, Cismontane woodland	Open areas 120 - 2000 M	Low potential to occur. Suitable habitat may be present on site
Toro manzanita <i>Arctostaphylos montereyensis</i>	1B.2	Chaparral, Cismontane Woodland, Coastal Scrub.	Sandy soil, usually with chaparral associates. 30-730M.	Low potential to occur. Some suitable habitat is present on site.
Round-leaved filaree <i>California macrophylla</i>	1B.1	Cismontane woodland Valley and foothill grassland	Grasslands with friable clay soils. 15 - 1200 M	High potential to occur. Suitable habitat may be present on site.
Congdon's tarplant <i>Centromadia parryi ssp. congdonii</i>	1B.2	Valley and Foothill Grassland.	Alkaline soils, sometimes described as heavy white clay. 1-230M.	High potential to occur. Suitable habitat is present on site.
Umbrella larkspur <i>Delphinium umbraculorum</i>	1B.3	Cismontane woodland	400 - 1600 M	No suitable habitat exists on site.
Jolon clarkia <i>Clarkia jolonensis</i>	1B.2	Cismontane Woodland.	Open, disturbed areas 500M.	No suitable habitat exists on site.
Eastwood's goldenbush <i>Ericameria fasciculata</i>	1B.1	Closed-cone Coniferous Forest, Chaparral, Coastal Scrub, Coastal Dunes.	Openings with sandy soils 30-275M.	No suitable habitat on site.
Pinnacles buckwheat <i>Eriogonum nortonii</i>	1B.3	Chaparral Valley and foothill grassland	Associated with disturbed and burnt areas. 300 - 975 M	High potential to occur. Suitable habitat is present on site.

<b>Common Name Scientific Name</b>	<b>Status</b>	<b>General Habitat</b>	<b>Micro Habitat</b>	<b>Likelihood of occurrence</b>
Carmel valley malacothrix <i>Malacothrix saxatilis</i> var. <i>arachnoidea</i>	1B.2	Chaparral, Coastal scrub	Rock outcrops or steep rocky roadcuts. 25-1215 M.	Low potential to occur. Suitable habitat may be present on site.
Hooked popcorn-flower <i>Plagiobothrys uncinatus</i>	1B.2	Chaparral Cismontane woodland Valley and foothill grassland	Sandstone outcrops and canyon sides; often in burned or disturbed areas. 300-820M.	Low potential to occur. Suitable habitat may be present on site.

**Communities**

Valley Needlegrass Grassland

**Conservation Status Codes:**

**FE:** Federally Endangered

**FT:** Federally Threatened

**CE:** Listed as Endangered in California.

**CT:** Listed as Threatened in California

**CR:** Listed as Rare in California

**CSA:** California Special Animal; refers to all of the taxa the State of California is interested in tracking, regardless of their legal or protection status. Protected by CEQA.

**CC:** Candidate for listing as Threatened or Endangered in California.

**CNPS 1A, 2, etc.:** California Native Plant Society rare, threatened, endangered list classification:

- 1A. Presumed extinct in California
- 1B. Rare or Endangered in California and elsewhere
- 2. Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
- 3. Plants of Limited Distribution - A Watch List
- 2. Rare or Endangered I California, more common elsewhere
- 3. Plants for which we need more information – Review list
- 4. Plants of limited distribution – Watch list

**Threat Ranks:**

- 0.1 Seriously threatened in California (high degree/immediacy of threat)
- 0.2 Fairly threatened in California (moderate degree/immediacy of threat)
- 0.3 Not very threatened in California (low degree/immediacy of threats or no current threats known)

**Table B-2. TES Animals. 5 mile CNDDDB Search; May 2009**

<b>Common Name Scientific Name</b>	<b>Status</b>	<b>Habitat Requirements</b>	<b>Potential to occur on site</b>
<b>Invertebrates</b>			
Bay checkerspot butterfly <i>Euphydryas editha bayensis</i>	FT	Requires serpentine grasslands with shallow soils. Known host plants of the species is primarily Dwarf plantain. Adults require native flowering plants associated with serpentine soils.	No potential to occur. No habitat present on site.
<b>Fish</b>			
Steelhead – south/central California coast ESU <i>Oncorhynchus mykiss irideus</i>	FT CSC	Streams and rivers with shaded and cool pools, which are surrounded riparian woodlands. Require gravel substrate for spawning and flow rate of 1-3 cubic feet per second.	No potential to occur. No habitat present on site.
<b>Amphibians</b>			
California tiger salamander <i>Ambystoma californiense</i>	FT CSC	Grassland and open woodland habitats. Need underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding.	High potential to occur on site. Suitable habitat is present on site.
California red-legged frog <i>Rana draytonii</i>	FT CSC	Lowlands & foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to upland habitat.	High potential to occur on site. Suitable habitat is present on site.
Coast range newt <i>Taricha torosa torosa</i>	CSC	Found in oak woodlands, grasslands, and chaparral habitats with ponds, which are utilized for breeding. Requires 11-20 weeks of permanent water for larval development. Must have access to upland habitat for aestivation.	High potential to occur on site. Suitable habitat is present on site.
<b>Reptiles</b>			
Southwestern pond turtle <i>Actinemys marmorata pallida</i>	CSC	Woodlands and grassland habitats with ponds or streams with areas of dense emergent vegetation. Requires logs, rocks, and exposed banks for basking.	High potential to occur on site. Suitable habitat is present on site.
Two-striped garter snake <i>Thamnophis hammondi</i>	CSC	Oak woodlands, coniferous woodlands, and scrub habitats with ponds and streams. Requires an aquatic component to habitat, which is used for foraging.	High potential to occur on site. Suitable habitat is present on site.
<b>Birds</b>			
Burrowing owl <i>Athene cunicularia</i>	CSC	Annual grasslands, and scrub habitats. Require small mammal burrows, especially coyote and badgers breeding and as wintering sites.	High potential to occur on site. Suitable habitat is present on site.

<b>Common Name Scientific Name</b>	<b>Status</b>	<b>Habitat Requirements</b>	<b>Potential to occur on site</b>
Prairie falcon <i>Falco mexicanus</i>	CSA (Nesting)	Annual grasslands and prairies habitats are the preferred habitats. Requires areas with cliffs for nesting. Foraging habitats are open grasslands and agricultural fields.	Low potential to occur on site. Habitat is present on site.
<b>Mammals</b>			
Hoary bat <i>Lasiurus cinereus</i>		Prefers oak, riparian, coniferous woodland habitats. Roosts are located within dense areas of vegetation or cavities within trees. Forages along the edges a woodland and riparian habitat for insects.	High potential to occur on site. Suitable habitat is present on site.
Monterey dusky-footed woodrat <i>Neotoma macrotis luciana</i>	CSC	Common in oak woodlands and scrub habitats with a dense canopy. Requires a well developed understory to gather materials for constructing nest mounds and for foraging.	High potential to occur on site. Suitable habitat is present on site.
American badger <i>Taxidea taxus</i>	CSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Need sufficient food (e.g., burrowing rodents), friable soils & open, uncultivated ground.	High potential to occur on site. Suitable habitat is present on site.

**Conservation Status Codes:**

**FE:** Federally Endangered

**FT:** Federally Threatened

**CE:** Listed as Endangered in California.

**CT:** Listed as Threatened in California

**CR:** Listed as Rare in California

**CSC:** California Species of Concern

**CSA:** California Special Animal; refers to all of the taxa the State of California is interested in tracking, regardless of their legal or protection status. Protected by CEQA.

**CC:** Candidate for listing as Threatened or Endangered in California.

**Table B-3. CNDDDB Rana Creek Quad - 9 Quads Search; May 2009**

<b>Scientific Name Common Name</b>	<b>Federal Status</b>	<b>California Status</b>	<b>CDFG</b>	<b>CNPS</b>
<b>Invertebrates</b>				
<i>Euphilotes enoptes smithi</i> Smith's blue butterfly	Endangered	None	CSA	
<i>Euphydryas editha bayensis</i> Bay checkerspot butterfly	Threatened	None	CSA	
<i>Lindieriella occidentalis</i> California fairy shrimp	None	None	CSA	
<i>Optioservus canus</i> Pinnacles optioservus riffle beetle	None	None	CSA	
<b>Fish</b>				
<i>Oncorhynchus mykiss irideus</i> steelhead - south/central California coast ESU	Threatened	None	CSC	
<b>Amphibians</b>				
<i>Ambystoma californiense</i> California tiger salamander	Threatened	None	CSC	
<i>Rana draytonii</i> California red-legged frog	Threatened	None	CSC	
<i>Taricha torosa torosa</i> Coast Range Newt	None	None	CSC	
<b>Reptiles</b>				
<i>Actinemys marmorata pallida</i> southwestern pond turtle	None	None	CSC	
<i>Thamnophis hammondi</i> two-striped garter snake	None	None	CSC	
<b>Birds</b>				
<i>Accipiter cooperii</i> Cooper's hawk	None	None	CSA	
<i>Agelaius tricolor</i> Tricolored blackbird	None	None	CSC	
<i>Athene cunicularia</i> Burrowing owl	None	None	CSC	

<b>Scientific Name Common Name</b>	<b>Federal Status</b>	<b>California Status</b>	<b>CDFG</b>	<b>CNPS</b>
<i>Falco mexicanus</i> prairie falcon	None	None	CSA (nesting)	
<b>Mammals</b>				
<i>Eumops perotis californicus</i> Western mastiff bat	None	None	CSC	
<i>Lasiurus blossevillii</i> Western red bat	None	None	CSC	
<i>Lasiurus cinereus</i> hoary bat	None	None	CSA	
<i>Neotoma macrotis Luciana</i> Monterey dusky-footed woodrat	None	None	CSC	
<i>Taxidea taxus</i> American badger	None	None	CSC	
<b>Plants</b>				
<i>Abies bracteata</i> Bristlecone fir	None	None		1B.3
<i>Amorpha californica var. napensis</i> Napa false indigo	None	None		1B.3
<i>Amsinckia douglasiana</i> Douglas's fiddleneck	None	None		4.2
<i>Arctostaphylos hookeri ssp. Hookeri</i> Hooker's manzanita	None	None		1B.2
<i>Arctostaphylos montereyensis</i> Toro manzanita	None	None		1B.2
<i>Arctostaphylos pumila</i> sandmat manzanita	None	None		1B.2
<i>Aspodotis Carlotta-hallie</i> Carlotta Hall's lace fern	None	None		4.2
<i>Astragalus macrodon</i> Salinas milk-vetch	None	None		4.3
<i>California macrophylla</i> Round-leaved filaree	None	None		1B.1

<b>Scientific Name</b> <b>Common Name</b>	<b>Federal Status</b>	<b>California Status</b>	<b>CDFG</b>	<b>CNPS</b>
<i>Calyptridium parryi</i> var. <i>hesseae</i> Santa Cruz Mountians pussypaws	None	None		1B.1
<i>Carlquistia muirii</i> Muir's tarplant	None	None		1B.3
<i>Caulanthus coulteri</i> var. <i>lemmonii</i> Lemmon's jewelflower	None	None		1B.2
<i>Ceanothus cuneatus</i> var. <i>rigidus</i> Monterey cceanothus	None	None		4.2
<i>Centromadia parryi</i> ssp. <i>Congdonii</i> Congdon's tarplant	None	None		1B.2
<i>Chorizanthe pungens</i> var. <i>pungens</i> Monterey spineflower	Threatened	None		1B.2
<i>Clarkia jolonensis</i> Jolon clarkia	None	None		1B.2
<i>Cordylanthus rigidus</i> ssp. <i>Littoralis</i> seaside bird's-beak	None	Endangered		1B.1
<i>Delphinium hutchinsoniae</i> Hutchinson's larkspur	None	None		1B.2
<i>Delphinium umbraculorum</i> Umbrella larkspur	None	None		1B.3
<i>Eriastrum virgate</i> Virgate eriastrum	None	None		4.3
<i>Ericameria fasciculate</i> Eastwood's goldenbush	None	None		1B.1
<i>Eriogonum nortonii</i> Pinnacles buckwheat	None	None		1B.3
<i>Eriogonum nudum</i> var. <i>indictum</i> Protruding buckwheat	None	None		4.2
<i>Fritillaria falcate</i> Talus fritillary	None	None		1B.2
<i>Galium californicum</i> ssp. <i>luciense</i> Cone Peak bedstraw	None	None		1B.3

<b>Scientific Name</b> <b>Common Name</b>	<b>Federal Status</b>	<b>California Status</b>	<b>CDFG</b>	<b>CNPS</b>
<i>Galium clementis</i> Santa Lucia bedstraw	None	None		1B.3
<i>Gilia tenuiflora ssp. Arenaria</i> sand gilia	Endangered	Threatened		1B.2
<i>Horkelia cuneata ssp. Sericea</i> Kellogg's horkelia	None	None		1B.1
<i>Horkeia yadonii</i> Santa Lucia horkelia	None	None		4.2
<i>Lasthenia conjugens</i> Contra Costa goldfields	Endangered	None		1B.1
<i>Malacothamnus aborigium</i> Indian Valley bush-mallow	None	None		1B.2
<i>Malacothamnus palmeri var. involucratus</i> Carmel Valley bush-mallow	None	None		1B.2
<i>Malacothrix saxatilis var. arachnoidea</i> Carmel Valley malacothrix	None	None		1B.2
<i>Plagiobothrys uncinatus</i> hooked popcorn-flower	None	None		1B.2
<i>Stebbinsoseris decipiens</i> Santa Cruz microseris	None	None		1B.2
<b>Communities</b>				
Central Maritime Chaparral	None	None		
Valley Needlegrass Grassland	None	None		
Valley Oak Woodland	None	None		

**Conservation Status Codes:**

**CSA:** California Special Animal; refers to all of the taxa the State of California is interested in tracking, regardless of their legal or protection status. Protected by CEQA.

**CSC:** California Species of Concern

**CNPS 1A, 2, etc.:** California Native Plant Society rare, threatened, endangered list classification:

- 1A. Presumed extinct in California
- 1B. Rare or Endangered in California and elsewhere
- 4. Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
- 5. Plants of Limited Distribution - A Watch List
- 5. Rare or Endangered I California, more common elsewhere
- 6. Plants for which we need more information – Review list
- 7. Plants of limited distribution – Watch list

**Threat Ranks:**

- 0.1 Seriously threatened in California (high degree/immediacy of threat)
- 0.2 Fairly threatened in California (moderate degree/immediacy of threat)
- 0.3 Not very threatened in California (low degree/immediacy of threats or no current threats known)