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

In the matter of the application of:
DENVER DUDLEY STANTON DALE TRUST ET AL (PLN080458)

RESOLUTION NO. 10-005
Resolution by the Monterey County Minor Subdivision Committee:
1) Adopting the Mitigated Negative Declaration with the attached Mitigation Monitoring and Reporting Program; and
2) Approving the Coastal Development Permit for a Minor Subdivision Tentative Parcel Map to divide a 3.02 acre lot into two 1.51 acre lots.

[PLN080458, Denver Dudley Stanton Dale Trust et al., 1272 Sombria Lane, Pebble Beach, Del Monte Forest Land Use Plan area (APN: 008-301-007-000)]

The Dale Coastal Development Permit application (PLN080458) came on for public hearing before the Monterey County Minor Subdivision Committee on May 27, 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,
   - Del Monte Forest Land Use Plan,
   - Del Monte Forest Coastal Implementation Plan,
   - Monterey County Zoning Ordinance (Title 20)
   - 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 1272 Sombria Lane, Pebble Beach (Assessor’s Parcel Number 008-301-007-000, Del Monte Forest Land Use Plan. The parcel is zoned “LDR/1.5-D(CZ)” [Low Density Residential, 1.5 acres per unit with Design Control Overlay, (Coastal Zone)], which allows Subdivisions subject to a Coastal Development Permit in each case. Therefore, the project is an allowed land use for this site.

c) The project planner conducted a site inspection on July 21, 2009 to verify that the project on the subject parcel conforms to the plans listed above.

d) The total project area consists of one undeveloped 3.02 acre parcel. Based on current land use designations and Figure 5 of the Del Monte Forest Land Use Plan, the property could allow a density of 1.5 acres
Forest Land Use Plan, the property could allow a density of 1.5 acres per unit. The proposed project would create two parcels of 1.51 acres each. Pursuant to Section 20.14.060.A, the minimum building site in the LDR area shall be 1 acre unless otherwise approved as part of a clustered residential development.

e) Subdivision Ordinance Section 19.10.030.B establishes minimum and maximum lot dimensions for newly created parcels unless they are created as part of a planned unit development. The minimum required lot width is 60 feet and the minimum required depth is 85 feet but not more than three times the width. Lot 1 is proposed to be approximately 200 feet wide and 342 feet deep. Lot 2 is proposed to be approximately 192 feet wide and 344 feet deep. The proposed parcels comply with Section 19.10.030.B of the Coastal Subdivision Ordinance.

f) The current property configuration was legally created in 2008 when a Lot Line Adjustment (File No. PLN080249) was approved (Resolution 08-022) that resulted in a small adjustment to the southwestern property line as shown on the Record of Survey recorded at the Monterey County Recorder’s Office (Volume 30 of Surveys at page 49).

g) The subject property is located in an area that is high in archaeological sensitivity. Pursuant to LUP Policy 61 and Section 20.147.080.B of the CIP, a Preliminary Archaeological Reconnaissance dated September 14, 2000 was prepared for the property by Archaeological Consulting and was submitted with the application for the proposed project. No evidence of historical or archaeological resources was found on the parcel and the report recommends that the project not be delayed for archaeological reasons. As recommended in the report, the standard condition requiring that all work be halted should resources be discovered during construction be applied to any permits issued on the property has been applied to the project (Condition No. 10).

h) The Monterey County GIS system shows the subject property in an area of “undetermined” seismic hazard. However, because the property is also shown as being located within 1/8 mile of the Cypress Point fault, which is considered to be a “Potentially Active” fault, pursuant to LUP Policy 40 and Section 20.147.060 of the CIP the following reports were prepared for the property:


The Refraction Seismic Investigation and Geology-Hazards reports prepared for the project find that the Potentially Active Cypress Point Fault trace likely runs across the western most edge of the site. A 50-foot setback from the southwestern boundary of the property is recommended as a precaution against surface rupture potentials. Mitigation #1, which requires that the 50-foot setback be shown on the Parcel Map, will mitigate this potential impact. This would also be consistent with LUP Policy 44 which requires that “structures to be occupied shall be set back a minimum of 50 feet from an active or
potentially active fault.

i) The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. On August 6, 2009, the LUAC recommended approval of the project as proposed by a vote of 4 to 0. No concerns or recommendations were discussed. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the project requires CEQA review.

j) 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 PLN080458.

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, Pebble Beach Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

b) Staff identified potential impacts to Biological Resources, Archaeological Resources and Geology. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:

• Preliminary Archaeological Reconnaissance of Assessor’s Parcel 008-301-005-000 (LIB020014) prepared by Mary Doane and Trudy Haversat of Archaeological Consulting dated September 2000.


• Forest Assessment/Management Plan, Sombria Lane Residential Subdivision (LIB090362) prepared by Frank Ono dated February 19, 2009.


• Foresters Assessment for Private Residence APN 008-301-005 (LIB020012) prepared by Glenn C. Flamik with Forest City Consulting dated March 23, 2000.


• Refraction Seismic Investigation: Sombria Lane Site, prepared by Gasch & Associates, dated July 2006.

c) Staff conducted a site inspection on July 21, 2009 to verify that the site is suitable for this use.
d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN080458.

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, Pebble Beach Community Services District (Fire Protection), Parks, Public Works, Environmental Health Division, Water Resources Agency and Redevelopment and Housing. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

b) Necessary public facilities are available and will be provided to the newly created parcel. The property is served potable water by California American Water Company. Water for both of the proposed parcels has been purchased from the Pebble Beach Company through the Monterey Peninsula Water Management District Water Entitlement and Water Use Permit process. A copy of this Water Use Permit is contained in the project file PLN080458. Impacts to the proposed water source have been found to be less than significant as outlined in the Initial Study/Mitigated Negative Declaration prepared for the project. The property is served by the Pebble Beach Community Services District (PBCSD), which has an agreement with the Carmel Area Wastewater District (CAWD) to provide sewage treatment. PBCSD has provided a can-and-will serve letter stating that they have reserved wastewater capacity for the project. Adequate services and capacity will still exist to serve priority uses within the Del Monte Forest Area (LUP Policies 109, 112, and 113)

c) Preceding findings and supporting evidence for PLN080458.

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 July 21, 2009 and researched County records to assess if any violation exists on the subject property.

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

d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080458.
5. FINDING: CEQA (Mitigated Neg Dec) - 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 (PLN080458).

c) The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN080458).

d) The Draft Mitigated Negative Declaration ("MND") for PLN080458 was prepared in accordance with CEQA and circulated for public review from April 20, 2010 through May 20, 2010 (SCH No. 2010041062). Issues that were analyzed in the Draft Mitigated Negative Declaration ("MND include aesthetic resources, agricultural and forest resources, air quality, biological resources, geology and soils, hydrology and water quality, land use and planning, population and housing, public services, traffic and transportation and utilities and service systems.

e) 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 #6)

f) 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 (PLN080458) and are hereby incorporated herein by reference.

g) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the 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. The site supports Coyote, Opossum, Striped skunk, Black-tailed mule deer, American crow, Mourning dove, American robin and other wildlife. For purposes of the Fish and Game Code, the project will have an impact on the fish and wildlife resources upon which the wildlife depends. Therefore, the project will be required to pay the State Fish and Game fee in effect at the time said fee is paid with the posting of the Notice of Determination and a fee of $50 payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).

h) The County has considered the comments received during the public review period, and the County has corrected an error in the Hydrology and Water Quality Section (9) and Mitigation Measures 1 and 2 and Section to address the comments received.

i) Hydrology and Water Quality 9(e) – Correction
The subject property is incorrectly identified in the Hydrology and Water Quality section 9(e) conclusion of the Mitigated Negative Declaration, as being within the area of the Del Monte Forest which drains to the Carmel Bay Area of Special Biological Significance (ASBS). Staff has reviewed the map in the Monterey County Coastal Implementation Plan Part 5 which illustrates the affected watersheds (Attachment 3), and has verified that this property is not in the area which drains to the ASBS and is therefore not subject to the Pescadero watershed structural and impervious coverage limitations. However LUP policies 3-6 which address the issues of drainage and runoff do apply to the property. Additionally, a drainage plan prepared by a licensed architect or engineer which addresses the onsite and offsite impacts of the new development is typically required as a standard condition on all new residential development. The amount of runoff and pollutants from a new residential structure will be minimal. The project would not exceed stormwater capacities and the contribution of additional pollutants would remain less than significant.

j) Mitigation Measure #1 has been revised as follows: “In order to protect future development from potential surface rupture due to close proximity to the potentially active Cypress Point Fault, a fault easement setback line shall be recorded over the area established within 50 feet from the southwestern boundary of the property as recommended by the project Geologist. The fault easement shall be shown on the parcel map. The applicant shall submit a copy of the proposed fault easement Parcel Map including the fault setback line to the Director of the RMA-Planning Department for review and approval, prior to the recordation of the Parcel Map. The fault easement shall be recorded concurrently with the Parcel Map. The fault setback shall be shown on the recorded Parcel Map.” Recording a fault setback line on the Parcel Map achieves the purpose of the mitigation measure, which is to prevent structures from being built within 50 feet of a potentially hazardous fault trace.

k) Mitigation Measure #2 has been revised as follows: “A notice shall be placed on the Parcel Map which reads: ‘In order to reduce the potential cumulative impact of greenhouse gases associated with the construction and operation of future residential uses on the property, all new
residences and associated accessory structures on the property shall be designed and constructed in accordance with any state or local statutes which are in effect at the time of construction and which are intended to address the impacts of residential development on greenhouse gases and global warming. If no such statute is in effect, the design and construction of all new residences and associated accessory structures shall, to the extent feasible as determined by a licensed architect or engineer, incorporate green building practices and materials including but not limited to: consideration of solar building orientation, solar roofs, cool pavements, energy-saving windows, improved insulation, super-efficient heating/cooling systems, installation of energy-efficient appliances and installation of motion detectors or dimmers to control lighting.” to meet the equivalent of LEED (Leadership in Energy and Environmental Design) standards. A notice shall be placed on the Parcel Map which reads: “In order to reduce the amount of greenhouse gases associated with the construction and operation of future residential uses on the property, all new residences and associated accessory structures on the property shall be designed and constructed to meet the equivalent of LEED (Leadership in Energy and Environmental Design) standards.”

The purpose of this measure is to encourage the use of environmentally friendly or “green” building practices in order to reduce the impact of greenhouse gases associated with the construction and use of future residential uses on the property. At this time there is no statute that allows the County to require construction of new single family residences to meet any particular energy or environmental standard other than Title 24, Part 6 of the California Building Code (Energy Efficiency Standards for Residential Buildings). However, the California Global Warming Solutions Act of 2006 does require that local jurisdictions mitigate for the potential impacts of increased greenhouse gas emissions associated with new development and the Monterey County General Plan energy policies require that new residential dwellings meet or exceed the building efficiency standards established by the State of California. This notice on the Parcel Map will make future owners aware that green building practices are to be followed, while allowing the property owner the flexibility to choose the measures that will be most effective.

1) New mitigation measures #1 and #2 are equivalent or more effective in mitigating or avoiding potential significant effects and it itself will not cause any potentially significant effect on the environment. A public hearing was held on the project on May 27, 2010 in which the deletion and substitution of the mitigation measures was addressed. The new mitigation measures are incorporated into project approval or made a condition of project approval.

6. FINDING:  

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

**EVIDENCE:**

a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan can be demonstrated.

b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 16 in the Del Monte Forest Land Use Plan).

c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080458

e) The project planner conducted a site inspection on July 21, 2009.

f) No trails have been established across the property nor is there any record or evidence of public access to the property.

7. **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, Del Monte Forest Land Use Plan and the Coastal Implementation Plan Part 5. *(Finding 1)*

b) **Design.** The lot design is consistent with the Lot Design Standards of Section 19.10.030 County Codes. The resulting lots will meet or exceed the minimum and maximum lot widths and depths established in Section 19.10.030.A and B and appropriate setbacks from a potential fault have been incorporated *(Finding 1h).*

c) **Site Suitability.** The site is suitable for the proposed project including the type and density of the development *(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. *(Finding 3 and following evidence)*

e) **Easements.** The subdivision or the type of improvements will not conflict with easements. No easements currently exist on the property and no easements are proposed.

f) **Water Supply.** Section 19.10.070 MCC requires that provisions be made for domestic water supply as may be necessary to protect public health, safety, or welfare. Such water supply may be by connection to a public utility, in which case a letter from the public utility shall be submitted showing its ability to serve the proposed subdivision and evidence indicating that satisfactory agreement has been entered into for such services. The parcels created by the project will be served by the California-American Water System (Cal-Am) and 1.00 acre-foot of water has been purchased from the Pebble Beach Company for the benefit of the newly created parcels as demonstrated by the Monterey Peninsula Water Management District Water Use Permit. A copy of the MPWMD Water Use Permit is contained in project file PLN080458. *(see Finding 3 and following evidence)*

h) **Traffic (Condition 14).** The subdivision will result in one new residentially zoned parcel. To offset regional traffic impacts from the creation of a new residential lot, the project will be required to pay the Transportation Agency of Monterey County (TAMC) Regional Development Impact Fees.

i) **Affordable Housing** The proposed project will result in the creation of one new residentially zoned parcel. The County's Inclusionary Housing Ordinance #04185, as codified in Chapter 18.40 of the Monterey County Code, provides exemptions for projects that result in two or fewer new parcels. This project is therefore exempt from the Inclusionary Housing Ordinance.

j) **Parks and Recreation (Condition 16).** The applicant shall comply with Section 19.12.010 – Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with the provisions contained in Section 19.12.010(D).

k) 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 PLN080458.

l) The project planner conducted a site inspection on July 21, 2009.

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

**EVIDENCE:**

a) Section 19.01.050.A of Coastal Title 19, Monterey County Subdivision Ordinance (Board of Supervisors).

b) Section 20.86.080.A.3, Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because in the Coastal Zone, minor subdivisions require a Coastal Development Permit, which is a conditional use. Any project involving development which is permitted as a conditional use is appealable to the California Coastal Commission pursuant to Section 20.86.080.A.3.
DECISION

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

A. Adopt the Mitigated Negative Declaration of the May 11, 2010 staff report;
B. Approve the Coastal Development Permit for a Minor Subdivision Tentative Parcel Map to divide a 3.02 acre lot into two 1.51 acre lots, in general conformance with the attached sketch and subject to the conditions, both being attached hereto and incorporated herein by reference.
C. Adopt the Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED this 27th day of May, 2010 upon motion of Mr. Keith Vandevere, seconded by Mrs. Jacqueline R. Onciano, by the following vote:

AYES: Alinio, Faulk, Onciano, Moss, Vandevere
NOES: None.
ABSENT: None.
ABSTAIN: McPharlin

JACQUELINE R. ONCIANO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON JUN 1 8 2010

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 JUN 2 8 2010

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES
1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect. Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal. Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.
RESOLUTION No.10-005
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: **DALE DENVER DUDLEY STANTON TR ET AL**
File No: **PLN080458**
APNs: **008-301-007-000**
Approved by: **Minor Subdivision Committee**
Date: **MAY 27, 2010**

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

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<th>Permit Cond. Number</th>
<th>Mit. Number</th>
<th>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</th>
<th>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</th>
<th>Responsible Party for Compliance</th>
<th>Timing</th>
<th>Verification of Compliance (name/date)</th>
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<td>PD001 - SPECIFIC USES ONLY</td>
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<td>This Coastal Development Permit (PLN080458) allows a Minor Subdivision Tentative Parcel Map to divide a 3.02 acre lot into two 1.51 acre lots. The property is located at 1272 Sombria Lane, Pebble Beach (Assessor's Parcel Number 008-301-007-000), Del Monte Forest Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA-Planning Department)</td>
<td>Adhere to conditions and uses specified in the permit.</td>
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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.
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| 2.                  |             | PD002 - NOTICE-PERMIT APPROVAL  
The applicant shall record a notice which states: "A permit (Resolution 10-005) was approved by the Minor Subdivision Committee for Assessor's Parcel Number 008-301-007-000 on May 27, 2010. The permit was granted subject to 19 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department) | Obtain appropriate form from the RMA-Planning Department.  
The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department. | Owner/Applicant | Prior to the issuance of grading and building permits or commence -ment of use. |  |
| 3.                  |             | PD032(A) - PERMIT EXPIRATION  
The permit shall be granted for a time period of 2 years, to expire on May 27, 2012 unless use of the property or actual construction has begun within this period. (RMA - Planning Department) | The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date. | Owner/Applicant | As stated in the conditions of approval |  |
| 4.                  |             | PD004 - INDEMNIFICATION AGREEMENT  
The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a | Submit signed and notarized Indemnification Agreement to the Director of RMA - Planning Department for review and signature by the County.  

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA - Planning Department. | Owner/Applicant | Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the parcel map, whichever occurs first |  |
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<td>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 Department)</td>
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<td>and as applicable</td>
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<td>5.</td>
<td>PD005 - FISH AND GAME FEE-NEG DEC/EIR</td>
<td>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. (RMA - Planning Department)</td>
<td>The applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.</td>
<td>Owner/Applicant</td>
<td>Within 5 working days of project approval.</td>
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<td>If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.</td>
<td>Owner/Applicant</td>
<td>Prior to the recordation of the parcel map</td>
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</table>
### PD006 - MITIGATION MONITORING PROGRAM

The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)

1. Enter into agreement with the County to implement a Mitigation Monitoring Program.
2. Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.

<table>
<thead>
<tr>
<th>Permit Cond. Number</th>
<th>Mitig. Number</th>
<th>Conditions of Approval and/or Mitigation Measures and Responsible Party</th>
<th>Compliance or Monitoring Action to be performed, Where applicable, a certified professional is required for action to be accepted</th>
<th>Responsible Party for Compliance</th>
<th>Timing</th>
<th>Verification of Compliance (Amendments)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.</td>
<td>PD006</td>
<td>1. Enter into agreement with the County to implement a Mitigation Monitoring Program. 2. Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)</td>
<td></td>
<td>Owner/ Applicant</td>
<td>Within 60 days after project approval or prior filing the parcel map, whichever occurs first.</td>
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</table>

### PD015 - NOTE ON MAP-STUDIES

A note shall be placed on the parcel map or a separate sheet to be recorded with the final map stating that: "The following reports have been prepared on this property:

2. Forest Assessment/Management Plan, Sombria Lane Residential Subdivision (LIB090362) by Frank Ono dated February 19, 2009;
4. Refraction Seismic Investigation: Sombria Lane Site, prepared by Gasch & Associates, dated July 2006;

and are on file in the Monterey County RMA - Planning Department. The recommendations contained in these reports shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA – Planning Department)

<table>
<thead>
<tr>
<th>Permit Cond. Number</th>
<th>Mitig. Number</th>
<th>Conditions of Approval and/or Mitigation Measures and Responsible Party</th>
<th>Compliance or Monitoring Action to be performed, Where applicable, a certified professional is required for action to be accepted</th>
<th>Responsible Party for Compliance</th>
<th>Timing</th>
<th>Verification of Compliance (Amendments)</th>
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<tr>
<td>7.</td>
<td>PD015</td>
<td>Final recorded map with notes shall be submitted to the RMA - Planning Department and Public Works for review and approval.</td>
<td></td>
<td>Owner/ Applicant</td>
<td>Prior to recordation of parcel map</td>
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<tr>
<td>Permit Code Number</td>
<td>Mtn. No.</td>
<td>Conditions of Approval and/or Mitigation Measures and Responsible Party/Department</td>
<td>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required to be present.</td>
<td>Responsible Party for Compliance</td>
<td>Timings</td>
<td>Verification of Compliance (Name/Date)</td>
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<tr>
<td>8.</td>
<td>PD036 - UTILITIES - SUBDIVISION</td>
<td>A note shall be placed on the parcel map or a separate sheet to be recorded with the parcel map indicating that &quot;Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code.&quot; 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. (RMA - Planning Department)</td>
<td>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.</td>
<td>Owner/Applicant</td>
<td>Prior to the recordation of parcel map.</td>
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<tr>
<td>9.</td>
<td>PDSP004 - SPECIAL SETBACKS</td>
<td>A 50 foot setback from the front property line is required. The setback shall be shown on the parcel map.</td>
<td>Submit a copy of the parcel map to the RMA-Planning Department with the setback shown on the parcel map prior to the recordation of the map.</td>
<td>Owner/Applicant/Surveyor</td>
<td>Prior to filing the parcel map.</td>
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<td>10.</td>
<td>PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT</td>
<td>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 required for the discovery. (RMA - Planning Department)</td>
<td>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</td>
<td>Owner/Applicant/Archaeologist</td>
<td>Ongoing</td>
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**Notes:**
- Owner/Applicant
- Applicant/Surveyor
- Prior to filing the parcel map.
<table>
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<tr>
<th>Permit Code Number</th>
<th>Permit Number</th>
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<th>Compliance or Monitoring Actions to be performed. Where applicable, a corrective professional is required for action to be accepted.</th>
<th>Responsible Party for Compliance</th>
<th>Timing</th>
<th>Verification of Compliance (Specify Date)</th>
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<tbody>
<tr>
<td>11.</td>
<td>PW0015 - UTILITY'S COMMENTS</td>
<td>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. <em>(Public Works)</em></td>
<td>Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW</td>
<td>Owner/Applicant</td>
<td>Prior to Recordation of Map</td>
<td></td>
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<tr>
<td>12.</td>
<td>PW0031 - PARCEL MAP</td>
<td>File a parcel map delineating all existing and required easements or rights-of-way and monument new lines. <em>(Public Works)</em></td>
<td>Applicant’s surveyor shall prepare parcel map, submit to DPW for review and approval.</td>
<td>Owner/Applicant/Engineer</td>
<td>Prior to Recordation of Parcel Map</td>
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<tr>
<td>13.</td>
<td>PW0036 - EXISTING EASEMENTS AND ROW</td>
<td>Provide for all existing and required easements or rights of way. <em>(Public Works)</em></td>
<td>Subdivider’s Surveyor shall include all existing and required easements or rights of way on Parcel Map.</td>
<td>Subdivider/Surveyor</td>
<td>Prior to Recordation of Parcel Map</td>
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<tr>
<td>14.</td>
<td>PW0043 - REGIONAL DEVELOPMENT IMPACT FEE</td>
<td>Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. <em>(Public Works)</em></td>
<td>Applicant shall pay Monterey County Building Services Department the traffic mitigation fee.</td>
<td>Owner/Applicant</td>
<td>Prior to issuance of Building Permits</td>
<td></td>
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</table>

**Fire Agency**

Pebble Beach Community Services District

<p>| 15.                | FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) | Manage combustible vegetation within a minimum of 100 feet of structures (or to the property line). Limb trees 6 feet up from ground. Remove limbs within 10 feet of structures. | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of grading and/or building permit. |</p>
<table>
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<tr>
<th>Permit/</th>
<th>Mitig.</th>
<th>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</th>
<th>Compliance or Monitoring Actions to be performed Where applicable a certified professional is required to conduct an action to be accepted</th>
<th>Responsible Party for Compliance</th>
<th>Timing</th>
<th>Verification of Compliance (In/Date)</th>
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<td>feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Pebble Beach Community Services District)</td>
<td>Applicant shall schedule fire dept. clearance inspection</td>
<td>Applicant or owner</td>
<td>Prior to final building inspection</td>
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<td>Parks</td>
<td>PKS002 – RECREATION REQUIREMENTS/FEES</td>
<td>The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D) (Parks Department)</td>
<td>The Applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code.</td>
<td>Owner/Applicant</td>
<td>Prior to the Recordation of the Parcel Map</td>
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<td>Mitigation Measures</td>
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<td>Mitigation Measure Monitoring Action No. 1a. Prior to the recordation of the Parcel Map, the owner/applicant shall submit a copy of the proposed Parcel Map showing the fault setback to the RMA-Planning Department for review and approval.</td>
<td>Geologist/Owner/Applicant</td>
<td>Prior to recordation of the Parcel Map</td>
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<td>17.</td>
<td>PDSP001 - FAULT SETBACK.</td>
<td>In order to protect future development from potential surface rupture due to close proximity to the potentially active Cypress Point Fault, a fault setback line shall be established 50 feet from the southwestern boundary of the property as recommended by the project Geologist. The applicant shall submit a copy of the proposed Parcel Map including the fault setback line to the Director of the RMA-Planning Department for review and approval, prior to the recordation of the Parcel Map. The fault setback shall be shown on the recorded Parcel Map.</td>
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<td>Permit/</td>
<td>Mitig.</td>
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<td>Compliance or Monitoring Action to be performed. Where applicable, a certified professional is required for action to be accepted.</td>
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<td>18. 2.</td>
<td>PDSP002</td>
<td>GREENHOUSE GAS EMISSIONS/CONSTRUCTION STANDARDS</td>
<td>Mitigation Measure Monitoring Action No. 2: Prior to the recordation of the Parcel map, the owner/applicant shall submit to the RMA-Planning Department a copy of the proposed Parcel Map showing the notice on the map.</td>
<td>Applicant/Owner</td>
<td>Prior to recordation of the Parcel Map</td>
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<td>Permit Code Number</td>
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<td>Conditions of Approval and Mitigation Measures and Responsible Land Use Department</td>
<td>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted</td>
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<td>Verification of Compliance (if applicable)</td>
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<td>19. 3.</td>
<td>PDSP003 – GREENHOUSE GAS EMISSIONS/TREE REPLACEMENT</td>
<td>In order to reduce the impact of tree removal associated with future development on greenhouse gas levels, any trees removed on the parcels created by this subdivision shall be replaced at a three to one ratio. The replacement trees shall be planted on-site unless the forest management plan for the project recommends that they be planted off-site for the health of the forest. A notice shall be placed on the Parcel Map which reads: “In order to reduce the impact of tree removal on greenhouse gas levels, any trees removed on the parcels created by this subdivision shall be replaced at a three to one ratio.”</td>
<td>Mitigation Measure Monitoring Action No. 3: Prior to the recordation of the Parcel map, the owner/applicant shall submit to the RMA-Planning Department a copy of the proposed Parcel Map showing the notice on the map.</td>
<td>Applicant/Owner</td>
<td>Prior to recordation of the Parcel Map</td>
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Land Use Advisory Committee Minutes

MINUTES
Del Monte Forest Land Use Advisory Committee
Thursday, August 6, 2009

1. Meeting called to order by Rod Dewar at 3 pm.

2. Roll Call
Members Present: Rod Dewar (Temporary Chair), Sandi Verbanec (Temporary Secretary), Kim Caneer and Lori Lietzke.
Members Absent: William Conners, Sandy Getreu and June Stock.

County of Monterey Rep.: Joe Sider, Associate Planner

3. Approval of Minutes:
A. June 4, 2009 minutes
Motion: Kim Caneer (LUAC Member’s Name)
Second: Lori Lietzke (LUAC Member’s Name)
Ayes: Dewar, Verbanec, Caneer and Lietzke
Noes: none
Absent: Conners, Getreu and Stock
Abstain: 0

4. Public Comments: The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.
None

5. Scheduled Item(s) - please refer to the Project Referral Sheets which follow for each separate file.

A) Election of a New Chairperson
It was decided by the four members present to elect the chairperson at the next scheduled meeting when we have more members present. Rod Dewar will act as temporary chair for that meeting.
6. Other Items:
   A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects
      (use back side or blank sheets if necessary)

      None.

   B) Announcements

      None.

7. Meeting Adjourned: 3:55 pm

   Minutes taken by: Sandi Verbanec
Action by Land Use Advisory Committee
Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA
(531) 755-5025

Advisory Committee: Del Monte Forest

Please submit your recommendations for this application by August 6, 2009

Project Name: DALE DENVER DUDLEY STANTON TRE
File Number: PLN080458
File Type: MS
Project Planner: ROBINSON
Project Location: 1272 SOMBRIA LN PEBBLE BEACH
Project Description: COASTAL DEVELOPMENT PERMIT FOR A MINOR SUBDIVISION TENTATIVE PARCEL MAP TO DIVIDE A 3.02 ACRE LOT INTO TWO 1.51 ACRE LOTS. THE PROJECT IS LOCATED AT 1272 SOMBRIA LANE, PEBBLE BEACH (ASSESSOR'S PARCEL NUMBER 008-301-007-000) DEL MONTE FOREST AREA, COASTAL ZONE.

Was the Owner/Applicant/Representative Present at Meeting? Yes X No
Denver Dale, owner

PUBLIC COMMENT:

<table>
<thead>
<tr>
<th>Name</th>
<th>Site Neighbor?</th>
<th>Issues / Concerns (suggested changes)</th>
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<tbody>
<tr>
<td></td>
<td>YES</td>
<td>NO</td>
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LUAC AREAS OF CONCERN

<table>
<thead>
<tr>
<th>Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)</th>
<th>Policy/Ordinance Reference (If Known)</th>
<th>Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)</th>
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ADDITIONAL LUAC COMMENTS

RECOMMENDATION:

Motion to approve by Lori Lietzke (LUAC Member's Name)

Second by Kim Caneer (LUAC Member's Name)

X Support Project as proposed

_____ Recommend Changes (as noted above)

_____ Continue the Item

Reason for Continuance: __________________________________________

Continued to what date: __________________________________________

AYES: Dewar, Verbanec, Caneer and Lietzke

NOES: None

ABSENT: Conners, Getreu and Stock

ABSTAIN: _______________________________________________________

DALE (PLN080458)
EXHIBIT "F"

County of Monterey
State of California
MITIGATED NEGATIVE DECLARATION

Project Title: DALE
File Number: PLN080458
Owner: DENVER DUDLEY STANTON DALE TR ET AL
Project Location: 1272 SOMBRIA LANE, PEBBLE BEACH, CA
Primary APN: 008-301-007-000
Project Planner: ROBINSON
Permit Type: COASTAL DEVELOPMENT PERMIT FOR A MINOR SUBDIVISION TENTATIVE MAP
Project Description: Coastal Development Permit for a Minor Subdivision Tentative Parcel Map to divide a 3.02 acre lot into two 1.51 acre lots. The project is located at 1272 Sombria Lane, Pebble Beach (Assessor's Parcel Number 008-301-007-000) Del Monte Forest Area, Coastal Zone.

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

a) That said project will not have the potential to significantly degrade the quality of the environment.

b) That said project will have no significant impact on long-term environmental goals.

c) That said project will have no significant cumulative effect upon the environment.

d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body: Monterey County Board of Supervisors
Responsible Agency: County of Monterey
Review Period Begins: April 20, 2010
Review Period Ends: May 20, 2010

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 West Alisal St, 2nd Floor, Salinas, CA 93901 (831) 755-5025
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
MONTEREY COUNTY MINOR SUBDIVISION COMMITTEE

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 Coastal Development Permit for a Minor Subdivision (Dale, File Number #PLN 080458) at 1272 Sombria Lane, Pebble Beach (APN #008-301-007-000) (see description below). The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency - Planning Department, 168 West Alisal, 2nd Floor, Salinas, California. The Minor Subdivision Committee will consider this proposal at a meeting on May 27, 2010 at in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from April 20, 2010 to May 20, 2010. Comments can also be made during the public hearing.

Project Description: Coastal Development Permit for a Minor Subdivision Tentative Parcel Map to divide a 3.02 acre lot into two 1.51 acre lots. The project is located at 1272 Sombria Lane, Pebble Beach (Assessor's Parcel Number 008-301-007-000) Del Monte Forest Area, Coastal Zone.

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

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

From: Agency Name: Monterey County RMA-Planning Department
Contact Person: Delinda Robinson, Senior Planner
Phone Number: (831) 755-5198

____ 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. Fax document should be sent to the contact noted above at (831) 757-9516. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

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

**DISTRIBUTION**

1. State Clearinghouse (15 copies)—include Notice of Completion
2. California Coastal Commission
3. County Clerk’s Office
4. Association of Monterey Bay Area Governments
5. Carmel Unified School District
6. California American Water Company
7. Pacific Gas & Electric
8. Pacific Bell
9. Monterey Bay Unified Air Pollution Control District
10. City of Carmel
11. Pebble Beach Company
12. Pebble Beach Community Services Fire Protection District
13. Monterey County Agricultural Commissioner
14. Monterey County Water Resources Agency
15. Monterey County Public Works Department
16. Monterey County Parks Department
17. Monterey County Division of Environmental Health
18. Monterey County Sheriff's Office
19. Libraries (specify)
20. Denver Dale, Owner
21. Property Owners within 300 feet (Notice of Intent only)
22. Resource Management Agency (Front Counter)

Revised 02-02-2007
# INITIAL STUDY

## I. BACKGROUND INFORMATION

<table>
<thead>
<tr>
<th>Project Title:</th>
<th>Dale</th>
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<tbody>
<tr>
<td>File No.:</td>
<td>PLN080458</td>
</tr>
<tr>
<td>Project Location:</td>
<td>1272 Sombria Lane, Pebble Beach</td>
</tr>
<tr>
<td>Name of Property Owner:</td>
<td>Dale, Denver Dudley Stanton Tr., et al</td>
</tr>
<tr>
<td>Name of Applicant:</td>
<td>Denver Dale</td>
</tr>
<tr>
<td>Assessor's Parcel Number(s):</td>
<td>008-301-007-000</td>
</tr>
<tr>
<td>Acreage of Property:</td>
<td>3.02 acres</td>
</tr>
<tr>
<td>General Plan Designation:</td>
<td>Residential, 1 Unit per 1.5 Acres</td>
</tr>
<tr>
<td>Zoning District:</td>
<td>LDR/1.5-D(CZ) or Low Density Residential, 1.5 acres per unit, Design Control District, Coastal Zone</td>
</tr>
<tr>
<td>Lead Agency:</td>
<td>Monterey County – Resource Management Agency – Planning Department</td>
</tr>
<tr>
<td>Prepared By:</td>
<td>Delinda Robinson</td>
</tr>
<tr>
<td>Date Prepared:</td>
<td>April 15, 2010</td>
</tr>
<tr>
<td>Contact Person:</td>
<td>Delinda Robinson</td>
</tr>
<tr>
<td>Phone Number:</td>
<td>(831) 755-5198</td>
</tr>
</tbody>
</table>
II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:
The proposed project consists of a Coastal Development Permit to allow a Minor Subdivision Tentative Map to subdivide an undeveloped 3.02 acre parcel into two parcels of 1.51 acres each. The project would create one additional new vacant residential parcel.

B. Environmental Setting and Surrounding Land Uses:
The project site is a vacant lot, located at 1272 Sombria Lane in Pebble Beach, approximately half a mile from Carmel Bay, with frontages on both Sombria Lane and Portola Road. The site is zoned Low Density Residential, 1.5 acres per unit with a Design Control Overlay, in the Coastal Zone [LDR/1.5-D (CZ)]. The lot lies in the western portion of Area W in the Pebble Beach section of the Del Monte Forest, bordered to the northeast by the equestrian center, to the northwest by an undeveloped residential parcel and to the southeast and southwest by single-family residential uses. (Source: IX. 1, 7, 8)

Pursuant to the regulations found in the Monterey County Zoning Ordinance (Title 20), future development of each of the proposed parcels would require separate discretionary entitlements and review and could include (per parcel) one single-family dwelling, related accessory structures, one guesthouse and either one caretaker unit or one senior unit. Other uses such as small family day care homes or licensed residential care homes would also require separate discretionary entitlements and review. The development standards in Section 20.14.060 of Title 20 limit building site coverage to 15% and floor area ratio to 17.5%.

The subject property is located approximately three miles northeast of the Palo Colorado-San Gregorio Fault, the nearest major fault zone which is considered to be “active.” The Monterey Bay Fault Zone and the San Andreas Rift System, also “active”, are located approximately 5 miles north-northeast and 30 miles northwest of the site, respectively. The Cypress Point Fault, which is considered to be “potentially active”, has been approximately mapped across the southwest edge of the property. The exact location of this fault is unknown; however subsurface information provided by the refraction seismic survey performed by Gasch and Associates, Inc. does not support the onsite placement of the fault. The property slopes gently downward across the property from Portola Road to Sombria Lane, with a small strip of slope in excess of 30% adjacent to Portola Road on proposed Lot 1. (Source: IX. 1, 8, 11)

The property is forested with coast live oak (Quercus agrifolia), Monterey Pine (Pinus radiata), and Monterey cypress (Cupressus macrocarpa). Also present on the site are Black acacia (Acacia melanoxylon), French broom (Genista monspessulana), California blackberry (Rubus ursinus), Pampas grass (Cortaderia jubata), and a number of other native and non-native grasses. (Source: IX. 1, 7, 9, 10)

The site is located within a high sensitivity archaeological resource zone; however the archaeological report prepared for the parcel found no resources on the site. (Source: IX. 13)

The site is served by the California American (Cal-Am) company for water, Pebble Beach Community Services District for sewer and the Pacific Gas and Electric Company for gas and...
electric. (Source: IX. 1) As the site is within a developed neighborhood, all of the utilities are readily available at the site. Water for the development of these parcels has been purchased from the Pebble Beach Company.

**Project Impacts**
The subject property is not located within Prime or Unique Farmlands, in an area identified as a hazardous materials site, within two miles of a public airport or landing strip, or on a mineral resource recovery site. The result of the project will not require transport or use of hazardous materials, use large amounts of water, create large amounts of wastewater, induce or reduce the population or availability of housing, generate temporary or permanent noise levels in excess of standards required by local ordinance, or cause reduction of the existing level of services for fire, police, public schools, or parks. Therefore, the project will have no impact on Agriculture Resources, Hazards/Hazardous Materials, Mineral Resources, Noise, Population/Housing, Public Services or Recreation.

Less than significant impacts have been identified for Aesthetics, Agriculture and Forest Resources, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hydrology/Water Quality, Transportation/Traffic and Utilities/Service Systems (see Section VI, Environmental Checklist, of the Initial Study). Mitigations were not necessary for the project to have a less than significant impact on these resources. However, implementation of conditions of approval will be included to assure compliance with County requirements.

Potential impacts from Geology/Soils, specifically from the potential for structural damage due to surface rupture, have been identified and Mitigation Measures have been recommended to reduce to a less than significant level (see Section VI, Environmental Checklist, of the Initial Study).
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                Air Quality Mgmt. Plan
Specific Plan                        Airport Land Use Plans
Water Quality Control Plan          Local Coastal Program-LUP

General Plan. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan. Section IV.A discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (refer to Local Coastal Program-LUP discussion below), or conflicts with any applicable habitat conservation plan or natural community conservation plan. The only policy area of the General Plan that is not addressed by the Local Coastal Program is Noise Hazards. The project is consistent with these General Plan policies, as explained below in Section IV.A.12. CONSISTENT

Water Quality Control Plan. The Regional Water Quality Control Board incorporates the County’s General Plan in its preparation of regional water quality plans. The project is consistent with the 1982 Monterey County General Plan and with the Association of Monterey Bay Area Governments (AMBAG) regional population and employment forecast and, therefore, is consistent with the Regional Water Quality Control Plan. Section VI.9 (Hydrology and Water Quality) below discusses whether the proposed project violates any water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes substantially with groundwater recharge, substantially alters the existing drainage pattern of the site or creates runoff water that would exceed the capacity of existing or planned stormwater drainage. The proposed project has been reviewed by the Monterey County Water Resources Agency and recommended standard conditions regarding drainage systems and plans will be required upon application for construction of new structures at the site. CONSISTENT

Air Quality Management Plan. Consistency with the Air Quality Management Plan is an indication of a project’s cumulative adverse impact on regional air quality. It is not an indication of project-specific impacts, which are evaluated according to the Air District’s adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five-year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP (Source: IX.6).

According to the Association of Monterey Bay Area Governments (AMBAG), the 2008 Population, Housing Unit, and Employment Forecasts adopted by the AMBAG Board of directors are the forecasts to be used for this consistency determination. The proposed project includes a minor subdivision, dividing an undeveloped 3.02 acre lot into two lots. The addition
of two new residential lots will not result in a population increase that exceeds the population forecasts of the 2008 AQMP. Therefore, the project is consistent with the 2008 regional forecasts and the Air Quality Management Plan. (Source IX.6). CONSISTENT

Local Coastal Program-LUP. The project was reviewed for consistency with the Del Monte Forest Land Use Plan (LUP). Section IV.10 (Land Use and Planning) discusses whether the project physically divides an established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project; or conflicts with any applicable habitat conservation plan or natural community conservation plan. As discussed therein, the project is consistent with the Local Coastal Program. 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.

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- 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:

8) Hazards/Hazardous Materials. The proposal is for a minor subdivision for residential purposes, and does not involve new structural development nor the transport, storage, use or disposal of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. There are no known hazards or hazardous materials associated with this project. The project would not involve stationary operations, create hazardous emissions or handle hazardous materials. The site location and scale have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip. The Pebble Beach Community Services District (Fire District) has reviewed the project application and recommended conditions of approval regarding fire safety (Source: IX. 1). Therefore, the proposed project would not result in impacts related to Hazards/Hazardous Materials.

11) Mineral Resources. No mineral resources have been identified or would be affected by the project (Source: IX. 1, 3, 7, 11). Therefore, the proposed project would not result in impacts to Mineral Resources.

12) Noise. The proposed minor subdivision and potential future single family residences would not be exposed to noise levels that exceed standards and would not substantially increase ambient noise levels. The proposed project does not include any physical improvements and therefore, would not expose persons to ground-borne vibration or temporary increases in noise. Future development at the site will require subsequent permits and appropriate review. The project is not located in the vicinity of an airport or private airstrip. Therefore, the proposed project would have no impacts to Noise.

13) Population/Housing. The proposed project will result in the creation of one additional residentially-zoned parcel, meeting the required zoning density. No new construction is proposed as part of the project. No new infrastructure or expansion of existing infrastructure or expansion of existing infrastructure is proposed or required for the proposed development. The project would not significantly alter the location, distribution, or density of human population in the area through the creation of one additional residential parcel. The Monterey County Office of Redevelopment and Housing determined the project to be exempt from the requirements of the County’s Inclusionary Housing Ordinance and did not impose any conditions on the project. The project would not create a demand for additional housing or displace any existing
residents (Source: IX: 1, 3). Therefore, the project would have no impact on Population/Housing.

14) Public Services. The two lots resulting from the proposed subdivision will be served by existing public services including Fire, Police, Schools, Parks and other public facilities. County departments have reviewed the project application and have provided recommended conditions of approval, where appropriate, to insure compliance with relevant policies designed and implemented to maintain acceptable service levels and response times. No new County facilities will be needed to serve the project. The site is located within an area served by the Carmel Unified School District, which has the ability to exact fees for development and taxes to assure adequate levels of service in the schools. The creation of one additional parcel will not affect the police protection in any measurable amount (Source: X. 1). Therefore, the proposed project will have no measurable impacts to Public Services.

15) Recreation. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project. The project, a minor subdivision resulting in the creation of one additional residential parcel, will not create substantial recreational demands that could result in immediate or accelerated deterioration of neighborhood or regional parks. No new parks are proposed or required as a result of this subdivision. Pursuant to the Monterey County Subdivision Ordinance, Coastal Zone (Title 19), Section 19.12.010, the project will be required to pay a standard in-lieu fee for recreation requirements. There will be no impacts related to Recreation.

B. DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Delinda G. Robinson  
Senior Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and

b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS

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

**Discussion:**

The Dale property is located in the western portion of Area W in the Pebble Beach section of the Del Monte Forest, bordered to the northeast by the equestrian center, to the northwest by an undeveloped residential parcel and to the southeast and southwest by single family residential uses. The site is only visible from the adjacent private roads and properties.

This project is consistent with Del Monte Forest Land Use Plan (LUP) policies regarding visual resources. The Del Monte Forest Land Use Plan (LUP) policy guidance statement for Scenic and Visual Resources states that the objective of the LUP is "to protect the areas magnificent visual resources, to avoid incompatible development, and to encourage improvements and facilities which complement the natural scenic assets and enhance the public’s enjoyment of them. In order to protect the scenic and visual resources of the Del Monte Forest Area, only compatible development along Seventeen Mile Drive should be allowed." To this end, the LUP Visual Resources Map (Figure 2C) was developed to identify the most prominent visually sensitive areas. LUP policies 50, 51, 52, 55, 58 and 59 specifically apply to those visually sensitive areas identified on that map. The site is not located in any area shown on the LUP Visual Resources Map as visually prominent or visible from Seventeen Mile Drive, Point Lobos, Carmel State Beach or any designated vista points, so these policies do not apply to this project.

The foreseeable, potential aesthetic impacts stem from potential future construction of new structures on the site. Construction of new structures on the property will require separate entitlements and review, allowing implementation of LUP policies designed to protect and maintain the forested character of the area and the forest resources. The site is forested with coast live oak (Quercus agrifolia), Monterey pine trees (Pinus radiata) and Monterey cypress (Cupressus macrocarpa), all native trees that are protected by LUP policies. Some of the LUP and Monterey County General Plan policies that apply to this project:

- **Policy 31:** "The natural forested character of Del Monte Forest shall, to the maximum feasible degree, be retained, consistent with the uses allowed with this plan . . ."  
- **Policy 32:** "Where LUP objectives conflict, preference should be given to long-term protection of the forest resource . . ." This policy specifies that Monterey cypress, Monterey pine and Coast oak are to be protected.  
- **Policy 34:** " . . . project designs shall be required to minimize to the extent feasible the removal of vegetative cover or damage to soil resources. Land use concepts which minimize removal will be preferred. Retained trees which are located close to construction sites shall be protected from inadvertent damage . . ."
• Policy 36: “new residential development, including driveways and parking areas, shall be sited and designed to minimize cutting of trees, especially trees screening the home from neighboring properties . . . Native trees which are removed shall be replaced on the site at a rate of one tree of the same variety for each tree removed . . .”
• Policy 54: “Live tree removal shall not be permitted in presently undeveloped areas unless consistent with LUP policies . . .”
• Policy 56: “Design and siting of structures in scenic areas should not detract from scenic values of the forest . . . Structures, including fences, shall be subordinate to and blended into the environment, using appropriate materials, which will achieve that effect. Where necessary, modifications shall be required for siting, structural design, shape, lighting, color, texture, building materials, access, and screening.”
• General Plan Policy 26.1.20: “All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced, and offsite glare is fully controlled.”

Conclusion:

Aesthetics 1(a) – No Impact
The project site is not located in any area shown as visually sensitive on Figure 2C (Visual Resources) of the Del Monte Forest Land Use Plan. Site visits conducted by the project planner evaluated views and potential aesthetic impacts from major public viewing areas identified in the Del Monte Forest Land Use Plan and confirmed that the project is not visible from any of them. Views toward the site from Seventeen Mile Drive and Point Lobos are blocked by the ridge to the southwest of the site between Portola Road and Padre Lane. The site is not visible from Highway 1 or Highway 68 due to distance and intervening topography. Therefore, there will be no adverse impacts on scenic viewing areas.

Aesthetics 1(b) – No Impact
No development is proposed as part of this project. As described above, the site is not visible from either of the nearest scenic highways, State Highway 1 or State Highway 68. The parcel is undeveloped, so there are no structures on the property, historic or otherwise. There are no significant rock outcroppings on this site and potential impacts to trees are discussed in subsection (c) and the Biological Resources discussion in Section VI.4 below.

Aesthetics 1(c) – Less Than Significant
Currently, the site is an undeveloped, forested lot, with less densely forested areas in the center section of the site. Future development will most likely require the removal of trees. The development of the two proposed parcels with structures and tree removal will alter the aesthetics of the site to some extent, however, the future development and tree removal will require separate entitlements. Appropriate review of future projects will minimize tree removal and maintain forested buffers in accordance with LUP policies. The buffer, combined with proper review of future development at the site, will limit the potential aesthetic impacts on the site and surrounding area to a less than significant level.

Aesthetics 1(d) – Less Than Significant
Reasonably foreseeable future development on the site includes the construction of residential structures. These structures will most likely require some exterior lighting. Exterior lighting plans are required as a standard condition for development projects based on Monterey County General Plan Policy 21.1.20 which requires that the exterior lighting be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. This condition will be applied to future development on the site. This condition, combined with screening by trees and the existing setting (within a residential neighborhood and not visible from sensitive viewing area), will result in less than significant impacts on nighttime views and/or glare.

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.

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: IX. 1, 3, 7, 8)</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX. 1, 3, 5, 7, 8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: IX.1, 3, 4, 5)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX. 1, 3, 4, 5)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: IX.1, 3, 4, 7, 8)</td>
<td>☐</td>
<td>☐</td>
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</tbody>
</table>
Discussion:
The proposed project includes a minor subdivision to divide an undeveloped 3.02 acre parcel into parcels for residential use. The property is zoned for residential uses, however, crop farming could be allowed subject to a Coastal Administrative Permit. The site is covered by trees, however, and no agricultural uses are proposed now or anticipated in the future.

The definition of Forest land in Public Resources Code section 12220(g) includes “land that can support a 10-percent native tree cover of any species ... under natural conditions and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” The site does support more than a 10-percent native tree cover that could be managed for benefit of aesthetics, wildlife, biodiversity and water quality. Therefore, the site does meet this definition of Forest land.

The definitions of Timberland in Public Resources Code section 4526 and timberland zoned Timberland Production (as defined by Government Code section 51104(g)) both refer to land available for commercial production of timber. The policies of the Del Monte Forest Land Use Plan do not allow for commercial timber harvesting so this property does not meet either of these definitions.

The policy guidance statement for Forestry Resources of the Del Monte Forest Land Use Plan (LUP) states that “The natural beauty of the Del Monte Forest is one of its chief assets. The forest resource, in addition to its role in the area's natural environment, is a principal constituent of the scenic attractiveness of the area, which should be preserved for the benefit of both residents and visitors. The Forest is more than an aggregate of trees. It is home to the area wildlife and serves to moderate climatic extremes. Therefore, long-term preservation of the Forest resource is a paramount concern.” In addition to the forestry protection policies cited above in the Aesthetics section, Policy 37 specifically states: “Because of the recreation, aesthetic, and scientific values of the areas forest resources, commercial harvesting for timber or firewood should be prohibited, unless specifically provided for by OSAC Plan maintenance standards or an approved forest management plan for ecologically sound reasons.” This property is located in an area identified by the Del Monte Forest Open Space Advisory Committee (OSAC) Management Plan for Del Monte Forest Open Space Property as “Category III—Developed Area”. In this area, the OSAC Plan does not provide for commercial harvest of timber.

Conclusion:
Agricultural and Forest Resources 2 (a) and (b) – No Impact
The site is not designated as Prime, Unique or Farmland of Statewide or Local Importance and the project would not result in a conversion of prime agricultural lands to non-agricultural uses. The site is zoned Low Density Residential, 1.5 Acres Per Unit, Design Control District in the Coastal Zone, which allows some agricultural uses, subject to a Coastal Administrative (or Development) Permit. No agricultural uses are proposed or present on the site; however the approval of this project would not preclude an application for an agricultural use in the future. The site is not under a Williamson Act Contract. The proposed project will not conflict with any
agricultural uses as the site is currently surrounded by single family residences, roads and forested open space. There will be no impact to agricultural resources.

**Agricultural and Forest Resources 2 (c) – No Impact**
The project site does meet the Public Resources definition of forest land but is not timberland or timberland zoned Timberland Production. The proposed project is a residential subdivision with no development proposed at this time. The subdivision and future development are subject to the policies of the LUP which exist in part to protect forest resources in the Del Monte Forest. Future residential development can be accomplished without changing the zoning designation or land use plan designation for the property. There will be no impact to the zoning for this property.

**Agricultural and Forest Resources 2 (d) – Less than significant**
The proposed minor subdivision will not cause the loss of forest land but reasonably foreseeable future development will require the removal of some native trees. Future development will require separate discretionary entitlements and environmental review. This review process will include ensuring that the project is in compliance with all of the forestry protection policies of the LUP and the regulations found in the Coastal Implementation Plan. These policies and regulations are particularly stringent with regard to tree removal, requiring that development be sited to avoid tree removal where possible and replanting of trees on a one to one basis where removal cannot be avoided. Therefore, the impact loss of forest land as a result of this project will be less than significant.

**Agricultural and Forest Resources 2 (e) – No Impact**
Other than the potential future residential development of the property discussed above in (d), no other changes to the existing environment which would cause conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. There will be no impact.

### 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.

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX.1, 6)</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: IX.1, 6)</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>
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.

<table>
<thead>
<tr>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: IX. 1, 6)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) Result in significant construction-related air quality impacts? (Source: IX. 1, 6)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1, 6, 7, 8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>f) Create objectionable odors affecting a substantial number of people? (Source: IX. 1, 3)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Discussion:**

To protect the quality of the air in Monterey County and in accordance with General Plan Policy 20.2.2, the County has adopted the Air Quality Plan for the Monterey Bay Region. Consistency with the Air Quality Management Plan (AQMP) is an indication of a project’s cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District’s adopted thresholds of significance. Inconsistency with the AQMP is considered to be a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five-year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP.

Using the assumption that the maximum number of dwelling units allowed by current zoning (one single-family residence per lot and one caretaker or senior unit per lot) would be built, the proposed project was analyzed using Urbeinis 2007, Version 9.2.4.

<table>
<thead>
<tr>
<th>Table 1</th>
<th>Emissions Estimates (Pounds/day)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Area Source Emissions</td>
</tr>
<tr>
<td>Reactive Organic Gases (ROG)</td>
<td>0.26</td>
</tr>
</tbody>
</table>
Table 1

<table>
<thead>
<tr>
<th></th>
<th>Emissions Estimates (Pounds/day)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitrogen oxide (NOx)</td>
<td>0.05 0.64 0.69</td>
</tr>
<tr>
<td>Carbon monoxide (CO)</td>
<td>0.20 5.04 5.24</td>
</tr>
<tr>
<td>Carbon dioxide (CO₂)</td>
<td>64.27 358.65 422.92</td>
</tr>
<tr>
<td>Sulfur dioxide (SO₂)</td>
<td>0.00 0.00 0.00</td>
</tr>
<tr>
<td>PM₂.₅ dust and PM₁₀</td>
<td>0.00 .78 .78</td>
</tr>
</tbody>
</table>

**Conclusion:**

**Air Quality 3(a) – No Impact**

The Monterey Bay Unified Air Pollution Control District’s 2008 *Air Quality Management Plan for the Monterey Bay Region* (AQMP) addresses state air quality standards. Population-generating projects that are within the AQMP population forecasts are considered to be consistent with the plan. The proposed project is a minor subdivision resulting in the creation of one new vacant lot. The project would not require expansion of utilities or other growth inducing improvements and will not result in substantial population growth that would exceed the current AQMP population forecast for Monterey County. The project does not require any exception or modification to the existing AQMP and will therefore, not impact implementation of it. There would be no impact.

**Air Quality 3(b & c) – Less Than Significant**

Applicable air quality criteria for evaluation of the project’s impacts are federal air pollutant standards established by the U.S. Environmental Protection Agency (EPA) and reported as National Ambient Air Quality Standards (NAAQS), and the California Ambient Air Quality Standards (CAAQS), which are equal to or more stringent than the federal standards. The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. The CARB has established 14 air basins statewide. This subdivision site is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The CARB has established air quality standards and is responsible for the control of mobile emission sources, while the MBUAPCD is responsible for enforcing standards and regulating stationary sources. At present, Monterey County is in attainment for all federal air quality standards and state standards for Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), and inhalable fine particulate matter (PM₂.₅). Monterey County is in non-attainment for state standards for inhalable particulates (PM₁₀) and ozone.

The incremental increase of new lots through subdivisions and the related increases in vehicular traffic and other contributing air quality factors is of concern on a cumulative basis. One of the AQMP main functions is to address attainment and maintenance of mandated air quality standards for the North Central Coast Basin. The proposed project contributes to the cumulative effect of additional housing and development but falls within the forecast populations of AMBAG which is incorporated into the AQMP and is therefore, consistent with the adopted plans regulating air quality.

**Air Quality 3(d) – Less Than Significant**
Future construction projects could result in temporary short-term localized decreases in air quality due to the generation of particulate emissions (PM$_{10}$). According to the MBUAPCD CEQA Air Quality Guidelines (as updated in February 2008), as much as 8.1 acres per day of construction with minimal earthmoving or up to 2.2 acres of grading or earth moving per day is not expected to exceed the MBUAPCD’s PM$_{10}$ threshold of 82 pounds per day or to result in significant impact. The two newly created parcels will each be smaller than the threshold at 1.51 acres in size. Additionally, only a portion of each of the parcels is suitable for development due to resource constraints and development standards. Thus, short term, construction related impacts to air quality due to generation of particulate emissions due to future development would be less than significant.

**Air Quality 3(e & f) – No Impact**

The proposed minor subdivision does not include any physical development at this time so there would be no impact from construction related air quality impacts or the exposure of sensitive receptors to pollutants. The subject property is not located in close proximity to schools, hospitals or convalescent homes that could be identified as sensitive receptors potentially impacted by future construction at the site. The property is zoned for residential use, and although no development is proposed at this time, reasonably foreseeable uses and future development will not create objectionable odors. Future development of the site will require separate entitlements and review, which will be evaluated based on proposed uses at the site. Therefore, the project would have no impact on sensitive receptors or create objectionable odors at the site.

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Less Than Significant</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>With Mitigation Incorporated</td>
<td></td>
</tr>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 3, 7, 8, 9, 10, 16, 18)</td>
<td>0</td>
<td>0</td>
<td>■</td>
</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX. 1, 3, 7, 8, 9, 16)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
4. BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: IX. 1, 3, 7, 8, 9, 16) | | | | |
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 1, 3, 7, 8, 9, 16) | | | | |
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 2, 3, 5) | | | | |
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: IX. 1, 3) | | | | |

Discussion:
The California Natural Diversity Database (CNDDB) shows the area as potential habitat for Monterey pine forest, Anniella pulchra nigra (Black legless lizard) and Monterey Spineflower. Due to the potential for biological impacts, a report from a qualified biologist was required for the project pursuant to Section 20.147.040 of the Coastal Implementation Plan Part 5 (CIP). The biological survey prepared for the project by Jeffrey B. Froke (LIB090358) dated January 19, 2009 reports that Monterey pine (Pinus radiata) is the only special status species that is known to inhabit the project area. The Monterey pine is listed on the California Native Plant Society List 1B.1 (rare, threatened or endangered in California and elsewhere). The report further finds that no other special status species are expected to occur on the site. A second biological report prepared for the project by Jeffrey B. Froke (LIB100074) dated March 30, 2010 documents that none of the spring-flowering special status species are present. The Forest Assessment Management Plan prepared for the project by Frank Ono (LIB090362) found that native trees occurring on the site are Coast live oak (Quercus agrifolia) and Monterey cypress (Cupressus macrocarpa), although the Monterey cypress appear to have been planted. The Forest Assessment states that the condition of the pine forest on the property is poor to moderate condition, citing anaerobic conditions of waterlogged soil, the presence of insects and the presence of disease as contributing factors to the poor health of the stand. Free groundwater was found on the site at depths of four to eight feet.
Although no development is proposed at this time, future development of the parcels may require the removal of some trees and other existing vegetation. Pursuant to LUP policy 17 and Section 20.147.050 (Forestry and Soil Resources Development Standards) of the CIP, a Coastal Development Permit is required prior to removal of native trees in this area, and in issuing the permit, Monterey County must find that removal is the minimum necessary and that there is no feasible alternative. Replacement of the trees removed at a two to one ratio with trees of the same species and of local genetic stock is required as a standard condition. The Forest Assessment concluded that, because of the large number of trees on the property, tree removal associated with the subdivision and foreseeable future development will not negatively affect overall forest resources or the Del Monte Forest as a whole.

**Conclusion**

**Biological Resources 4(a) Less than significant**
The site is currently undeveloped and no development is proposed at this time. Future residential development will likely require the removal of some Monterey pine (Pinus radiata) and Coast live oak (Quercus agrifolia) trees. The Forest Assessment prepared for the project found that because of the large number of trees on the property, the removal of some trees for future development would not adversely impact the forest.

**Biological Resources 4(b & c) – No impact**
Staff inspection of the project site and conclusions from the Biological report found no evidence of wetlands, drainage ditches, or other watercourses that would meet either the one parameter definition of a coastal wetland, or the Clean Water Act three-parameter definition at the site. Without wetlands, or the existence of suitable habitat, there will be no impact on fish or other related wetland habitat.

**Biological Resources 4(d) – Less than significant.**
There have been no native migratory fish or wildlife species identified on the subject property. However, on-site trees could provide nesting and/or foraging opportunities for a number of animal species. Future development will likely result in the removal of trees. Since the removal of trees and other development on the property would be subject to further discretionary actions by Monterey County, which would also be subject to further CEQA review; no mitigation is required at this time. Future development, including the removal of trees, will require a separate evaluation of biological impacts based on the siting and design of the project, including impacts to migratory birds and other native animals. Foreseeable future development can be sited, designed and conditioned to maintain a less than significant impact on movement or corridors for animals.

**Biological Resources 4(e) – Less than significant.**
The prevailing governing document is the Del Monte Forest Land Use Plan (LUP), which is part of the Monterey County Local Coastal Program. The site is zoned residential, which allows new dwellings meeting the zoning density, as a principal permitted use. Although no development is proposed at this time, it is reasonable to assume that the newly created parcels will eventually be developed for residential use. Monterey pine forest habitat encompasses the whole property, so development cannot completely avoid sensitive habitat. However, the Del Monte Forest Land Use Plan (LUP) contains a number of policies that, by design, mitigate impacts of development.
Some of the LUP policies applicable to biological and forest resources include restricting subdivision in environmentally sensitive areas (LUP Policy 10), the use of native landscaping (LUP Policy 15), minimizing tree removal and soil disturbance to the maximum extent possible (LUP Policy 14), protection of surrounding trees and resources (LUP Policy 34), and replanting of trees where trees are removed (LUP Policy 36). The proposed subdivision will create two parcels, each of which includes areas which are open or less densely forested, where development could be sited with the least possible tree removal. Future development will require separate entitlements and discretionary review by Monterey County, which would be subject to CEQA review so no mitigations are required at this time.

Biological Resources 4(f) – No impact

There is no known Habitat Conservation Plan or other approved local, regional or state habitat conservation plan affecting the subject property. There would be no impact.

### 5. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: IX. 1, 3, 4, 13)</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: IX. 1, 3, 4, 13)</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: IX. 1, 3, 4, 13)</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX. 1, 3, 4, 13)</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>

**Discussion**

The subject property is located within a “high” archaeological sensitivity zone. Pursuant to LUP Policy 61 and Section 20.147.080.B of the CIP, a Preliminary Archaeological Reconnaissance dated September 14, 2000 was prepared for the property by Archaeological Consulting and was submitted with the application for the proposed project. The preparation of the report included background research as well as a general surface reconnaissance of all areas of the site that could be reasonably expected to contain visible cultural resources without major vegetation removal or excavation. No evidence of historical or archaeological resources was found on the parcel and the report recommends that the project not be delayed for archaeological reasons. The report further recommends that the standard condition requiring that all work be halted should resources be discovered during construction be applied to any permits issued on the property.

**Conclusion:**
Cultural Resources 5(a) – No Impact
The project site is undeveloped; no structures exist on the site. Therefore, there will be no impact to historical resources as defined in 15064.5.

Cultural Resources 5(b, c, d) – Less Than Significant
No development is proposed as part of this project; however it can be reasonably assumed that the resulting two lots will eventually be developed with single-family residences. The Preliminary Archaeological Reconnaissance prepared for the project found no evidence of archaeological or paleontological resources on the parcel, and there are no known human burial sites within the project area; however there is still a possibility that unidentified or buried cultural resources may exist on the site. Future development will require separate review and entitlements. The standard condition requiring that if archaeological resources or human remains are discovered during construction, all work shall be halted within 150 feet of the find until it can be evaluated by a qualified professional archaeologist will be applied to any future development project. Therefore, the impact to cultural resources, paleontological or human remains would be less than significant.

6. GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
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<th>Mitigation Incorporated</th>
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<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX. 11, 12, 26) Refer to Division of Mines and Geology Special Publication 42.</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking? (Source: IX. 11, 12)</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction? (Source: IX. 11, 12)</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>iv) Landslides? (Source: IX. 11, 12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil? (Source: IX. 1, 11, 12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>
6. GEOLOGY AND SOILS

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<tr>
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<th>Less Than Significant Impact \ With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX. 1, 11, 12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: IX. 1, 11, 12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: IX. 1, 11, 12)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

Discussion:
The LUP Hazardous Areas policies require best management practices in areas of geologic hazards in order minimize risks to life and property and damage to the natural environment.

- **Policy 40**: Requires that development be sited and designed to minimize risk from geologic, flood or fire hazards.
- **Policy 41**: Only allows land divisions where it can be demonstrated that development of each parcel will not significantly contribute to erosion or geologic instability.
- **Policy 44**: Requires structures which may be occupied to maintain a minimum 50 foot setback from an active or potentially active fault.

The Monterey County GIS system shows the subject property in an area of “undetermined” seismic hazard. However, because the property is also shown as being located within 1/8 mile of the Cypress Point fault, which is considered to be a “Potentially Active” fault, pursuant to LUP Policy 40 and Section 20.147.060 of the CIP, geologic and geotechnical reports were prepared for the property.

The following reports were submitted:

The reports analyze soils and geologic conditions at the site and make recommendations for design parameters based on the analysis. As a condition of approval, the County will require that
a notice be placed on the map requiring that all recommendations made in these reports be implemented for future development. In addition, any future development would be required to comply with the applicable California Building Code provisions at the time of the development.

The Palo Colorado-San Gregorio Fault is the nearest major active fault/zone to the property at three miles southwest of the site. The Monterey Bay Fault Zone and the San Andreas Rift System, also active, are located approximately 5 miles north-northeast and 30 miles northeast, respectively. Numerous potentially active faults, including the Cypress Point Fault, are located from zero to 16 miles from the site.

The Cypress Point Fault (a “Potentially Active” fault) trace had been tentatively mapped on or near the project area, however none of the previous studies provided a definitive location. Gasch and Associates performed seismic refraction surveys of the site in November 2001 (report dated December 2001) and again in July 2006 to evaluate the potential for the suspected fault trace crossing the property. The Refraction Seismic Investigation reports that there is no visible evidence of a fault trace at the surface and, based on the refraction seismic data, there is no indication of a fault trace crossing the property; rather that it is most likely located at the western most edge of the site. Gasch and Associates recommends a 50-foot setback from the southwestern boundary, as a conservative precaution against surface rupture potentials. This would also be consistent with LUP Policy 44, which requires that “structures to be occupied shall be set back a minimum of 50 feet from an active or potentially active fault.”

**Conclusion:**

**Geology and Soils 6(a)(i) – Less than Significant with Mitigation**

**Surface Rupture**

Surface rupture occurs during an earthquake when fault displacement breaks the ground surface along the historic trace of a fault. The Refraction Seismic Investigation and Geology-Hazards reports prepared for the project find that the Potentially Active Cypress Point Fault trace likely runs across the western most edge of the site. A 50-foot setback from the southwestern boundary of the property is recommended as a precaution against surface rupture potentials. Mitigation #1, which requires that the 50-foot setback be shown on the Parcel Map, will mitigate this potential impact.

**Mitigation Measure No. 1**

In order to protect future development from potential surface rupture due to close proximity to the potentially active Cypress Point Fault, a fault easement shall be recorded over the area within 50 feet of the southwestern boundary of the property. The fault easement shall be shown on the Parcel Map. The applicant shall submit a copy of the proposed fault easement to the Director of the RMA-Planning Department for review and approval, prior to the recordation of the Parcel Map. The fault easement shall be recorded concurrently with the Parcel Map.

**Mitigation Measure Monitoring Action No. 1a.** Prior to the recordation of the Parcel Map, the owner/applicant shall submit a copy of the proposed Parcel Map showing the fault easement to the RMA-Planning Department for review and approval.
Mitigation Measure Monitoring Action No. 1b. Prior to the recordation of the Parcel Map, the owner/applicant shall submit a copy of the proposed fault easement to the RMA-Planning Department for review and approval.

Mitigation Measure Monitoring Action No. 1c. The applicant/owner shall provide the executed fault easement deed to the RMA-Planning Department prior to the recordation of the Parcel Map. The fault easement deed shall be recorded concurrently with the Parcel Map.

Geology and Soils 6(a)(ii), (iii) – Less than Significant
Seismic shaking and Seismic Related Ground Failure
Any of the active or potentially active faults located near the project site could become active and cause seismic ground shaking. Ground failures are related to the intensity and duration of the earthquake induced shaking and influenced by local conditions. Due to the geologic nature of the area and the project’s location near active and potentially active faults, strong seismic shaking will undoubtedly occur in the future. Seismic safety issues would be addressed through compliance with the most current edition of the California Building Code, compliance with other recommendations contained in the Geotechnical Report, and Monterey County standard Conditions of Approval. Liquefaction is the loss of strength in saturated granular soil and is often accompanied by the occurrence of free surface water. The Geology Report finds that because of the soil types found on the property and non-saturated nature of the surface material, the potential for liquefaction is low. Cracks and fissures that develop in soil due to settlement, compaction or sliding associated seismic shaking are known as Lurch Cracking. Lateral Spreading is the horizontal movement of soil masses caused by seismic waves. Usually, such movement is toward an open face or steep slope. The Geology Report finds that because there are no steep slopes or open faces onsite and because of the structure of the soil, the potential for these types of seismic related ground failure is low. Differential Compaction is a loss of volume resulting from seismic ground shaking, most commonly occurring in water saturated, low-density alluvial materials or fine-grained silts and sands. The Geology Report finds that because of the unsaturated nature of the near-surface site soil and the soil type, as long as proper engineering techniques are employed during construction, damage from differential compaction is unlikely and the impact is less than significant.

Geology and Soils 6(a)(iv) - No impact
Landslides
Landslides are mass movements of gravity-driven loose rock and soil, which are most likely on steep slopes and saturated soils. The project site is located in a relatively flat area, with an average grade of 10% across the site. The Geology Report finds that there is very little landslide potential. Therefore, there would be no impacts due to landslides.

Geology and Soils 6(b) – Less than significant
Erosion
Soil erosion is the removal of soil by water and wind. The Geotechnical Report prepared for the project does not identify the soils on the property as being highly erodible. Recommendations in the report echo Monterey County standard practices for drainage control. Prior to future development on the parcels, the Water Resources Agency will require submittal and approval of
a drainage plan which addresses the onsite and offsite impacts of drainage. The Building Services Department requires erosion control plans and measures to be in place during the grading process when a grading permit is required. Incorporating the soils report recommendations, conditions of approval from Water Resources and general policies of the Building Services Department throughout the project will reduce the impact of soils erosion to less than significant.

**Geology and Soils 6(c) - Less than significant** The project is not located on a geologic unit or soil that is unstable. The Geologic Report prepared for the project found that the potential for landslide, lateral spreading, subsidence, liquefaction or collapse is low. Impacts would be less than significant.

**Geology and Soils 6(d) - No impact** Expansive soils experience volumetric changes with changes in moisture content, swelling with increases in moisture content and shrinking with decreasing moisture content. These volumetric changes can cause distress resulting in damage to concrete slabs and foundations. The Geotechnical report does not find the onsite soils to be expansive and no special measures are required to mitigate soil expansion on the site. Therefore, there would be no impacts from expansive soil.

**Geology and Soils 6(e) - No impact** The property is served by the Pebble Beach Community Services District for sewer services. Because septic tanks or alternative wastewater disposal systems would not be required, there would be no impact.

### 7. GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1, 24, 26,)</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1, 2, 24)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Discussion:**

Gases that trap heat in the atmosphere are called greenhouse gases (GHG). Solar radiation enters the earth's atmosphere from space and a portion of the radiation is absorbed at the surface. This radiation is reflected back toward space as infrared radiation. Greenhouse gases, which are mostly transparent to incoming solar radiation, absorb infrared radiation and redirect some of this back to the earth's surface, thereby warming the atmosphere. This is known as the greenhouse effect. Greenhouse gases are emitted by natural processes and human activities such as energy production, manufacturing, motor vehicle use and agricultural uses, and include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Emissions due to human activities are elevating the concentrations of GHG in the atmosphere,
and are believed to have led to a trend of unnatural warming of the earth’s climate, known as global warming or global climate change.

Global climate change resulting from GHG emissions is a concern at the international, national, statewide and local levels. In 2006, due to concern about the potential impacts of global warming on economic well-being, public health, natural resources, and the environment of California, the State of California adopted California Assembly Bill 32 (AB32 or California Global Warming Solutions Act of 2006). This act charges the state to monitor the levels of greenhouse gas emissions (GHG) annually, to develop ways to reduce greenhouse gas emissions and to set a limit on greenhouse gases the level that existed in 1990, to be achieved by 2020. Pursuant to Senate Bill 97 (SB97), the Governor's Office of Planning and Research (OPR) issued interim guidance for addressing climate change through CEQA and recommends that each agency develop an approach to address GHG emissions based on the best available information.

The County of Monterey General Plan Energy Resources policies designed to promote efficient use of energy include:

- **Policy 13.3.1:** “Lots shall be oriented so structures may maximize the energy gains from solar sources and minimize energy losses where possible.”
- **Objective 13.4:** “Incorporate energy efficiency into new buildings and encourage existing buildings to be retrofitted where feasible.”
- **Policy 13.4.2:** “All new residential dwellings shall be required to meet or exceed the building efficiency standards established by the State of California”

Title 24, Part 6 of the California Building Code (Energy Efficiency Standards for Residential Buildings) requires that new construction meet the minimum requirements for energy efficient windows, insulation, lighting, plumbing and mechanical equipment. Prior to the issuance of a building permit for new construction, the applicant will be required to submit proof (Certificate of Compliance) that the project meets the minimum energy efficiency requirements. Prior to the final inspection for the building permit, the contractor and all sub-contractors responsible for installation of windows, insulation, lighting, plumbing and mechanical equipment are required to submit an Installation Certificate (CF-6R) certifying that all of the installed features conform to the construction plans and the Certificate of Compliance documents which were approved.

However, at this time, the County of Monterey and the Monterey Bay Unified Air Pollution Control District (agency responsible for regulating air quality in the region) have not identified a threshold of significance for GHG emissions. Various other agencies including the California Air Pollution Control Officers Association (CAPCOA), the Bay Area Air Quality Management District (BAAQMD), the South Coast Air Quality Management District (SCAQMD), the San Joaquin Valley Air Pollution Control District (SIVAPCD) and County of San Diego have released guidance on significance thresholds. The BAAQMD draft thresholds propose two different project thresholds of significance for GHG emissions: (1) compliance with a qualified Climate Action Plan or (2) annual emissions of 4.6 metric tons of CO2 equivalent per service population. These thresholds only apply to projects with emissions of 1,100 metric tons of CO2 equivalent or greater. Based on the URBEMIS 2007 model, this project, at maximum development, is estimated to only produce 70 metric tons of CO2, so this project would fall...
below this threshold. The County of San Diego Interim Guidelines for Determining Significance (Source IX. 26) identifies projects that generate 900 metric tons of CO₂ as requiring analysis of climate change analysis and mitigation. This project, at 70 metric tons of CO₂, would not require analysis under the County of San Diego’s interim guidelines. As of this date the SCAQMD adopted thresholds that only apply only to stationary sources. However, the SCAQMD has identified 3,000 metric tons of CO₂ equivalent emissions per year as an initial threshold. At 70 metric tons per year, this project would not require analysis under the SCAQMD initial threshold. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has adopted a performance based approach which uses Best Performance Standards (BPS) to assess the significance of project specific GHG impacts. Projects implementing BPS would be determined to have a less than cumulatively significant impact.

Approval of this minor subdivision would result in the creation of one additional residentially-zoned parcel. It can reasonably be presumed that both of the parcels will eventually be developed with single family dwellings and related accessory structures (current zoning would allow for one single family dwelling per parcel as well as one caretaker or senior unit per parcel). There will be GHG emissions associated with the production and transport of construction materials (such as dry wall, steel, concrete, wood, etc.) to and from the project site, as well as emissions associated with the use of the structures once completed (such as gas, electricity and water use.) Construction emissions, which would be temporary, are difficult to estimate due to lack of data. A large portion of construction related emissions would occur off-site and are not addressed using the URBEMIS2007 model; therefore, construction related emissions were not considered in this analysis.

Conclusion:
Greenhouse Gas Emissions 7(a) – Less Than Significant With Mitigation Incorporated
GHG emissions do not create environmental effects by themselves; it is the cumulative increased concentration of GHG in the atmosphere that causes global climate change. For purposes of this analysis, it is presumed that any increase in greenhouse gas emissions resulting from the project would have a potentially significant effect.

CO₂ is the primary GHG that would be emitted from the project (see Table 1, Section 3 – Air Quality) with an estimated 422.92 pounds/day (or 70 metric tons/year) of CO₂ being produced at project buildout. The largest majority of GHG emissions associated with the project would come from motor vehicle use, with an estimated 358.65 pounds of CO₂ being generated daily. This assumes that current emission rates would apply; however it is anticipated that transportation emission rates will likely decrease due to increased fuel efficiency and lower carbon content in fuels in the future. Energy usage (natural gas and electricity) would also generate GHGs. County of Monterey policies and the California Building Code require that new construction meet minimum energy efficiency standards however, the mandate of the California Global Warming Solutions Act of 2006 is to reduce greenhouse gas emissions. Compliance with more stringent energy efficiency standards for construction, such as the LEED standard or equivalent, would reduce the impact GHGs produced by the project to less than significant.

1 One pound = 0.00045359 metric ton.
The development of the parcels created by this subdivision will also necessitate the removal of numerous trees. The removal of these trees would result in temporary CO₂ emissions associated with the use of gasoline or diesel powered equipment during removal and potential increases in CO₂ from the lack of sequestration of CO₂ as a result of loss of trees. LUP policies require replanting of removed trees at a ratio of 2:1, so the rate of CO₂ sequestration would gradually increase as the replacement trees grow to maturity. This would reduce the impact of tree removal to less than significant.

**Mitigation Measure No. 2:** In order to reduce the impact of greenhouse gases associated with the construction and operation of future residential uses on the property, all new residences and associated accessory structures on the property shall be designed and constructed to meet the equivalent of LEED (Leadership in Energy and Environmental Design) standards. A notice shall be placed on the Parcel Map which reads: “In order to reduce the impact of greenhouse gases associated with the construction and operation of future residential uses on the property, all new residences and associated accessory structures on the property shall be designed and constructed to meet the equivalent of LEED (Leadership in Energy and Environmental Design) standards.”

**Mitigation Measure Monitoring Action No. 2:** Prior to the recordation of the Parcel map, the owner/applicant shall submit to the RMA-Planning Department a copy of the proposed Parcel Map showing the notice on the map.

**Mitigation Measure No. 3:** In order to reduce the impact of tree removal associated with future development on greenhouse gas levels, any trees removed on the parcels created by this subdivision shall be replaced at a three to one ratio. The replacement trees shall be planted on-site unless the forest management plan for the project recommends that they be planted off-site for the health of the forest. A notice shall be placed on the Parcel Map which reads “In order to reduce the impact of tree removal on greenhouse gas levels, any trees removed on the parcels created by this subdivision shall be replaced at a tree to one ratio.”

**Mitigation Measure Monitoring Action No. 3:** Prior to the recordation of the Parcel map, the owner/applicant shall submit to the RMA-Planning Department a copy of the proposed Parcel Map showing the notice on the map.

**Greenhouse Gas Emissions 7(b) – Less Than Significant**
Monterey County has not adopted any plan, policy, or regulation for the purpose of reducing the emissions of greenhouse gases, so this project will not conflict with any Monterey County regulations related to GHG emissions. State regulations which apply are AB32 and SB97, which require the reduction of greenhouse gas emissions in California. This project will have a less than significant effect on the applicable plans, policies and regulations adopted for the purpose of regulating the emission of GHGs.
### HAZARDS AND HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1)</td>
<td>✅</td>
<td>✅</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 1)</td>
<td>✅</td>
<td>✅</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX. 1, 7, 8)</td>
<td>✅</td>
<td>✅</td>
<td>☐</td>
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</tr>
<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX. 1, 15)</td>
<td>☐</td>
<td></td>
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</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: IX. 1, 3, 7, 8)</td>
<td>☐</td>
<td></td>
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</tr>
<tr>
<td>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: 1, 3)</td>
<td>☐</td>
<td></td>
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<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 3)</td>
<td>☐</td>
<td></td>
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</tr>
<tr>
<td>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: 1, 3)</td>
<td>☐</td>
<td></td>
<td>☐</td>
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</table>

**Discussion/Conclusion/Mitigation:** See Sections II and IV.
### 9. HYDROLOGY AND WATER QUALITY

Would the project:

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<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements? (Source: IX. 1, 3)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: IX. 1, 17)</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: IX. 1, 3, 7, 8)</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: IX. 1, 3, 7, 8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX. 1, 3, 7, 8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality? (Source: IX. 1)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: IX. 1, 3, 8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: IX. 1, 3, 8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: IX. 1, 3, 8)</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
</tr>
</tbody>
</table>
9. HYDROLOGY AND WATER QUALITY

Would the project:

<table>
<thead>
<tr>
<th>j) Inundation by seiche, tsunami, or mudflow? (Source: IX.1, 3, 8)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially Significant Impact</td>
</tr>
<tr>
<td>□</td>
</tr>
</tbody>
</table>

Discussion:
The Del Monte Forest is a sensitive ecosystem where forest, land and the Pacific Ocean meet. The Del Monte Forest LUP Water and Marine Resources policy guidance statement requires that “water quality of the Del Monte Forest Areas coastal streams, open coastal waters ... shall be protected and maintained...” Applicable policies of the LUP include:

- **Policy 2**: “Non-point sources of pollution to the Carmel Bal ASBS, rocky intertidal areas, and wetlands shall be minimized through careful attention to drainage and runoff control systems.”
- **Policy 4**: “Onsite desilting measures satisfactory to the Director of Public Works ... shall be installed in conjunction with initial construction grading operations. They shall be maintained in good operating condition through the construction period to reduce sediment load in runoff waters.”
- **Policy 5**: “Construction erosion control measures ... shall be used to protect soils that have been disturbed during grading or development...”
- **Policy 6**: “Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Permanent onsite drainage devices shall be designed to accommodate increased runoff resulting from site modification...”

Adherence to comprehensive management practices, including careful control of grading to minimize erosion and sedimentation will be required of future development to protect the water resources of the Del Monte Forest.

Conclusion:
Hydrology and Water Quality 9(a) – No impact
The Monterey County Water Resources Agency and the Monterey County Health Department Division of Environmental Health have reviewed the proposed project and did not identify any potential violations to water quality standards or waste discharge requirements, nor require any conditions of approval. Future development will be served by the Pebble Community Services District for sewer service and the Cal-Am Water Company for water service. There would be no impact on water quality standards or water discharge requirements.

Hydrology and Water Quality 9(b) – Less than significant
Water for future development will be provided by the Cal-Am Water Company. Cal-Am’s main water source is the Carmel River. Pumping of the Carmel River has been adjudicated, preventing Cal-Am from providing new water service connections. The newly created parcels will be new connections to the Cal-Am system. Water credits for potential future development have been purchased for this site from the Pebble Beach Company through the Monterey Peninsula Water Management District (MPWMD) Water Entitlement and Water Use Permit process. MPWMD
Ordinance number 39 implements a water dedication plan to invite water reclamation plans. The Pebble Beach Company has installed a water reclamation facility that will help water green belts and golf courses within Pebble Beach, saving an estimated 800 acre-feet per year of potable water within the Cal-Am service area, thus reducing pumping of the Carmel River. To help finance this water reclamation project, the MPWMD allowed for the dedication of a portion of the estimated savings (approximately 345 acre-feet per year) to the Pebble Beach Company who then has the ability to sell and distribute the water through the MPWMD Water Use Permit process. A copy of the recorded Water Entitlement and Water Use Permit for the purchase of one acre-foot of water for the benefit of the project property is contained in the file. The reclamation project has resulted in less diversion from the Carmel River than would have been the case otherwise. According to the most recent State Water Board Cease and Desist Order against Cal-Am, the wastewater reclamation project supplied an average of 706 acre-feet/year of reclaimed water to replace potable water for irrigation. The State Water Resources Control Board recognizes that the wastewater reclamation project “will not result in a net increase in diversions from the Carmel River and . . . the net diversions from the river to serve Del Monte Forest properties will be less than the level that would have occurred if the reclamation project had not been developed.” Because this project’s water supply, as part of the Pebble Beach Company entitlement, comes from the reclamation project which resulted in less diversion from the Carmel River than would have been the case without the project, the proposed project will have a less than significant impact on groundwater supplies or recharge.

Hydrology and Water Quality 9 (c & d) – Less than Significant
No development is currently proposed on the site and the act of dividing the land for the purpose of sale will have no impact on drainage or erosion beyond that currently existing on the site. However, it can reasonably be assumed that once divided into two separate legal lots, some development will occur in the future. The site is zoned for residential uses and foreseeable development will be residential based on current policies and regulations. Future development projects and associated grading and vegetation removal could cause erosion on the site, although since the parcel is relatively flat (2% - 10% grades), erosion should be minimal. Future development projects proposing new structures, grading and/or tree removal at the site will require subsequent review and permits based on current policies and regulations. Under current practices and policies the review process is comprised of evaluation of the project with regard to the Monterey County Local Coastal Program, the California Environmental Quality Act and all applicable County, State, and Federal Codes. The Del Monte Forest Land Use Plan (LUP) policies require projects to be designed to minimize soil disturbance by designing structures to conform to site topography (LUP Policy 43), minimizing tree removal to the maximum extent (LUP Policy 34), and limiting impervious surface areas of new construction (LUP Policy 1). Monterey County grading and erosion control ordinances require erosion control measures to be in place where a grading permit is required. The Monterey County Water Resources Agency reviews discretionary applications for development and typically recommends conditions of approval, including a requirement that a drainage plan be prepared by a registered civil engineer or architect, which addresses on-site and off-site drainage impacts. Pursuant to compliance with those policies and conditions, the project and foreseeable future development would not be expected to substantially alter the existing drainage pattern of the site or area or to cause substantial erosion or siltation on or off-site.
Hydrology and Water Quality 9 (e) – Less than Significant
Runoff from structures, impervious surfaces and landscaped areas is considered a pollutant because it can carry fertilizer, pesticides, oils, and silt to drainage ways and ultimately to streams and the ocean. No development is proposed at this time but future development of this property will increase the amount of structural, impervious, and landscaped areas on the site. This property drains to the Carmel Bay Area of Special Biological Significance, and as such is subject to LUP Policy 1, which requires that new development be sited and designed to minimize runoff, site disturbance, erosion and sedimentation, to conform to site topography and to minimize residential driveways and roadways. The LUP addresses the Pescadero watershed impervious surface area issue on a programmatic level by limiting square footage of structural footprints to 5,000 square feet and impervious surfaces to 4,000 square feet (CIP 20.147.030.A.1b). Future development will be subject to these policies and regulations. The amount of runoff and pollutants from a new residential structure will be minimal. The project would not exceed stormwater capacities and the contribution of additional pollutants would be less than significant.

Hydrology and Water Quality 9 (f) – No Impact
Other than the potential impacts mentioned above, the proposed minor subdivision within a residentially zoned area is not expected to otherwise degrade water quality. No hazardous materials are proposed or expected to be on the site. There would be no impact.

Hydrology and Water Quality 9 (g – i) – No Impact
The project site is not located in a 100-year floodplain and is not within an inundation area from a dam or levee. There would be no impact.

Hydrology and Water Quality 9 (j) – No Impact
The subject property is approximately 1/3 mile from the Pacific Ocean and is 160 feet – 180 feet above sea level. The site is not within an area mapped as a hazardous area or an area subject to flooding. There are no lakes in close proximity to the property. There is no evidence on the site that there have ever been mudflows on the property and the Geology report prepared for the project does not identify landslides or mudflows as a hazard for this property. The project will not be impacted by tsunamis, mudflows or seiches.

10. LAND USE AND PLANNING

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community? (Source: IX. 1, 3, 4, 7)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: IX. 1, 2, 3, 4, 5)</td>
<td>☐</td>
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</tbody>
</table>
10. **LAND USE AND PLANNING**

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<tr>
<th>Would the project:</th>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: IX. 1, 3)</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
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</table>

**Discussion:**
The proposed project for a tentative parcel map to divide and existing 3.01 parcel into two parcels of 1.51 acres each. The project has been reviewed for conformance with the Coastal Subdivision Ordinance (Title 19), the Monterey County Coastal Zoning Ordinance (Title 20), the Del Monte Forest Land Use Plan, and the Coastal Implementation Plan Part 5 which are all part of the Monterey County certified Local Coastal Plan.

**Conclusion:**

**Land Use and Planning 10(a) – No Impact**
The project involves dividing a residential lot meeting the zoning density (1 unit per 1.5 acres), within a residential area located in the Del Monte Forest community. The division of the lot within the community will not physically divide the community and will have no impact on the community.

**Land Use and Planning 10(b) – Less Than Significant**

*Title 19* of the Monterey County Code regulates the division of land in the unincorporated areas of Monterey County and implements provisions of the Subdivision Map Act. The proposed tentative map was filed in accordance with the Tentative Map requirements of Title 19 and will be processed through the Minor Subdivision Committee with appropriate findings and evidence describing technical compliance with Title 19 requirements. Initial review of the subject application with Title 19 did not show any readily foreseeable conflicts with the requirements of this title.

*Title 20* the Monterey County Coastal Zoning Ordinance regulates allowed uses, growth potential, provides development standards, and implements some Local Coastal Program policies. Subdivisions meeting the minimum density requirements are allowed uses subject to a Coastal Development Permit in each case within the designated land use category for the property. The proposed subdivision is being processed as a Coastal Development Permit and the map submitted for the project indicates that the resulting lots will conform to development standards.

*Del Monte Forest Land Use Plan (LUP) and Coastal Implementation Plan Part 5 (CIP)* acts as a localized general plan within the Del Monte Forest area. It is part of the mandated planning process which allows Monterey County to permit development in the coastal zone which is subject to the California Coastal Act. The LUP establishes area wide policies that act to avoid or mitigate environmental impacts consistent with the Coastal Act requirements. The CIP implements general policies of the LUP on a more specific and technical level. The proposed subdivision is being processed according to the requirements and policies of the LUP and CIP, including setbacks from sensitive habitats, setbacks to preserve the forested character of the forest and many other applicable policies. The project will be processed through the Minor
Subdivision Committee with appropriate findings and evidence describing technical compliance with the LUP and CIP and the ultimate decision on the project will be appealable to the California Coastal Commission. Findings that the project is consistent with these plans are required prior to project approval.

There has been no indication that the project cannot or will not be consistent with any of the LCP documents. Impacts regarding conflicts with applicable policies designed to mitigate or avoid environmental impacts would be less than significant.

**Land Use and Planning 10(c) – No Impact**
The proposed project would not conflict with any habitat conservation plan or natural community conservation as none are applicable to the project site. The would be no impact.

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<tbody>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX.1, 2, 3, 11)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: IX.1, 2, 3)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Would the project result in:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX. 1, 2)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: IX.1, 2)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1, 2)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>
12. NOISE

<table>
<thead>
<tr>
<th>Would the project result in:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1, 2)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX.1, 2, 3, 7, 8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX.1, 2, 3, 7, 8)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

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

13. POPULATION AND HOUSING

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX.1, 3)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: IX.1)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: IX.1)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

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

Would the project result in:

| Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |
|---|---|---|---|---|
| a) Fire protection? (Source: IX.1) | ☐ | ☐ | ☐ | ☐ |
| b) Police protection? (Source: IX.1) | ☐ | ☐ | ☐ | ☐ |
| c) Schools? (Source: IX.1) | ☐ | ☐ | ☐ | ☐ |
| d) Parks? (Source: IX.1, 3, 19) | ☐ | ☐ | ☐ | ☐ |
| e) Other public facilities? (Source: IX.1) | ☐ | ☐ | ☐ | ☐ |

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

15. **RECREATION**

Would the project:

| Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX.1) |
|---|---|---|---|---|
| ☐ | ☐ | ☐ | ☐ |

| Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX.1) |
|---|---|---|---|---|
| ☐ | ☐ | ☐ | ☐ |

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

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: IX. 1, 3, 22)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Source: IX.1, 15, 19)</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: IX.1)</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX.1)</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access? (Source: IX.1)</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: IX.1, 5)</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

**Discussion:**

The Del Monte Forest circulation and road systems are privately owned and maintained. There are four points of ingress and egress from Del Monte Forest. The main gate is located off of the intersection of Highway 1 and Highway 68, just north of the City of Monterey. There are additional access points located off of Highway 68 west of the main gate, between the forest and the City of Pacific Grove, and between the forest and the City of Carmel. The subject property is located in the southwestern portion of Del Monte Forest and is nearest to the Carmel gate. Highway 1 and Highway 68 typically experience traffic congestion during peak traffic hours due to the numerous transient uses, residential uses, visitor serving uses and service vehicles in the area.
Future construction of residential units on the property will require coastal permits and planning review but the reasonably foreseeable outcome is that the subdivision and creation of one additional parcel will result in a minimal increase in traffic. Although the area has some road segments and intersections that operate at unacceptable levels, the addition of one peak hour trip from one new single-family home would not have a measurable adverse impact upon the traffic circulation for the surrounding area. The project was reviewed by the County Public Works Department and no traffic issues were identified.

**Conclusion:**

**Transportation/Traffic 16(a) – No Impact**
Additional traffic generated by the project will be minimal and will not have any effect on any plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. Therefore, there will be no impact.

**Transportation/Traffic 16(b) – Less Than Significant**
Monterey County Public Works Department has included as a condition of approval of this project that at the time new residential units are proposed on this property, the applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study (Source IX.19). These fees are applied by TAMC to regional road improvements which help eliminate congestion on roads in Monterey County and are considered to mitigate the cumulative impacts on traffic due to continued development. Increased traffic from the proposed subdivision would be minimal and would not individually exceed service standards in the area. The project would have a less than significant effect on congestion management programs in the area.

**Transportation/Traffic 16(c) – No Impact**
The project is not within the flight path of any airport. The creation of one additional residentially zoned lot will not affect air traffic patterns in any way and there would be no foreseeable measurable impacts on air traffic patterns, air traffic levels or any change in location that would result in substantial safety risks.

**Transportation/Traffic 16(d & e) – No Impact**
The proposed project does not include any direct roadway improvements that could create dangerous curves, intersections or other hazardous situations. Monterey County Public Works and the Pebble Beach Community Services Fire District have reviewed the proposed project and recommended conditions where appropriate to ensure adequate emergency services and avoid hazardous road conditions. There would be no impact.

**Transportation/Traffic 16(f) – No impact**
The proposed project does not include any improvements to public transit, bicycle or pedestrian facilities, nor does it include the removal of any such facilities. Del Monte Forest LUP Policy 107 allows for non-auto transportation modes to be considered in new development proposals, where environmentally feasible. The approval of this project does not preclude development of any new non-auto transportation modes or otherwise decrease the performance or safety of any existing facilities. There would be no impact.
### 17. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: IX.1) | ☐                             | ☐                                           | ☐                                           | ☐         |
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX.1) | ☐                             | ☐                                           | ☐                                           | ☐         |
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX.1) | ☐                             | ☐                                           | ☐                                           | ☐         |
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: IX.1, 17) | ☐                             | ☐                                           | ☐                                           | ☐         |
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: IX.1) | ☐                             | ☐                                           | ☐                                           | ☐         |
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: IX.1, 24.) | ☐                             | ☐                                           | ☐                                           | ☐         |
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: IX.1) | ☐                             | ☐                                           | ☐                                           | ☐         |

**Discussion:**
The capacity and availability of public utilities and services have limits. These limits affect the amount, location and timing of development in the Del Monte Forest. LUP Policies 109 and 113 prioritize the use of these limited resources by requiring that coastal dependent and visitor serving land uses be fully provided for before non-priority residential development. The subject application is considered to be a non-priority residential use.

**Conclusion:**
Utilities and Service Systems 17 (a & b) – No impact
Sewage collection is provided at the site by the Pebble Beach Community Services District (PBCSD) which transmits the sewage to the Carmel Area Wastewater District (CAWD) for treatment and disposal. The PBCSD has issued a can-and-will serve letter stating that they have reserved wastewater capacity for the subject properties and will serve the subject properties. The project would not violate waste discharge standards and does not involve the expansion of existing facilities. Water for the proposed project will be supplied by the California American Water Company through existing facilities. There would be no impact.

Utilities and Service Systems 17 (c) – No impact
The project does not involve any changes in stormwater drainage amounts or patterns. Future development will require separate discretionary permits and review. The Monterey County Water Resources Agency requires as a standard condition for all new development that the applicant provide a drainage plan that addresses the on-site and off-site impacts of new structures and impervious surface. It is anticipated that development at the site can be controlled and maintained in a manner that would not significantly alter drainage patterns on the site. Therefore, there will be no impacts from the construction of new or improved drainage systems.

Utilities and Service Systems 17 (d) – Less Than Significant
Water for the project has been purchased from the Pebble Beach Company (see discussion in 9(b) above). A copy of the Water Entitlement and Water Use Permit are on file. The project has sufficient water supplies from the Cal-Am water district. There would be a less than significant impact on water supply.

Utilities and Service Systems 17 (e) – No impact
The Pebble Beach Community Service District (PBCSD) provides sewage collection services for the property and, pursuant to contracts and arrangements with the Carmel Area Wastewater District (CAWD) has provided a can-and-will serve letter for the project. The can-and-will serve letter states that the PBCSC has the ability and capacity to serve the resulting properties for sewage disposal and that they have allocated capacity based on the issuance of the letter. This project will have a less than significant impact on the ability to provide sewage disposal in the CAWD service area.

Utilities and Service Systems 17 (f & g) – Less Than Significant
Solid waste from the project will be collected by Waste Management, Inc. and brought to the Monterey Regional Waste Management District’s Material Recovery and Monterey Peninsula Landfill and Recycling Facility, located north of the City of Marina. The landfill has the total capacity of 48 million tons, of which 40 million tons is remaining, and is expected to provide service through the year 2107. Therefore, the landfill is sufficient to accommodate the project’s solid waste disposal needs and will have no impact, resulting in compliance with federal, state and local statutes and regulations related to solid waste. The amount of solid waste generated by the proposed project will not significantly impact the area’s solid waste facilities.

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.

<table>
<thead>
<tr>
<th>Does the project:</th>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: IX. 1, 2, 3, 4, 9, 10, 13, 16, 17, 18)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: IX. 1, 2, 3, 4, 6, 15, 19, 20, 21, 24)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX. 1, 7)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Discussion/Conclusion/Mitigation:
(a) Less than Significant
Based upon the analysis throughout this Initial Study, the project would not 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. The biological resources analysis above indicates that there would be no impacts to special-status species on the property. All potential impact areas are deemed to be less than significant.

(b) Less than Significant With Mitigation Incorporated
The project would contribute incremental cumulative impacts to the following: Air Quality (Section VI. 3), Water Quality (Section VI. 8), Transportation/Traffic (VI. 16), and Utilities and Service Systems (Section VI. 17). However, these impacts would be less than significant. The project includes the creation of one additional residentially-zoned parcel while maintaining the minimum zoning density standards. Density and zoning are applied on a general plan level and were subject to review of cumulative effects at buildout. The project would be required to pay
transportation fees proportional to the estimated increase in daily trips generated by the project. It would not substantially contribute to cumulative groundwater depletion or polluted runoff. As described in this Initial Study, the incremental air quality, water quality, transportation/traffic, and utilities impacts of the project, when considered in combination with the effects of past projects, current projects, and probable future projects in the planning area, would result in less than significant impacts with incorporation of standard conditions of project approval. Project impacts related to geology would be site-specific and would result in no cumulative impacts.

Project impacts related to Greenhouse Gases would be significant in that the project will result in an increase in the emission of GHGs and any increase in the emission of GHGs will contribute to global warming and is considered to be significant. The incorporation of mitigation measures requiring future construction to qualify for LEED certification and the replacement of trees to be removed at a three to one ratio will reduce this impact to a less than significant level.

(c) No Impact
The project itself does not create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. The project would not expose sensitive receptors to temporary air quality and noise nuisance impacts related to construction.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN080458 and the attached Initial Study / Proposed Mitigated Negative Declaration.
IX. REFERENCES

1. Project Application/Plans, and materials contained in project file PLN080458.
2. Monterey County General Plan.
3. Del Monte Forest Land Use Plan.
5. Title 20 of the Monterey County Code (Zoning Ordinance).
7. Site Visit conducted by the project planner on July 21, 2009.
8. Monterey County Planning Department GIS system and selected property report for Assessor's Parcel Number 008-301-007-000.
15. California Department of Toxic Substance Control Hazardous Waste and Substances Site List – Lite Cleanup (CorteseList). http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm


April 23, 2010

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

SUBJECT: DALE MINOR SUBDIVISION

Dear Mr. Novo:

Greenhouse Gas Emissions: Mitigation Measure No. 2.
On page 30 of the Initial Study, this mitigation measure specifies that:

In order to reduce the impact of greenhouse gases associated with the construction and operation of future residential uses on the property, all new residences and associated accessory structures on the property shall be designed and constructed to meet the equivalent of LEED (Leadership in Energy and Environmental Design) standards. A notice shall be placed on the Parcel Map which reads: "In order to reduce the amount of greenhouse gases associated with construction and operation of future residential uses on the property, all new residences and associated accessory structures on the property shall be designed and constructed to meet the equivalent of LEED (Leadership in Energy and Environmental Design) standards."

As written, the mitigation measure is vague. It does not specify what LEED rating shall be required for the residential structures. Shall it be “Silver”, “Gold” or “Platinum”? To reduce uncertainty and allow full enforcement of this measure, the required LEED rating should be specified.

The Air District supports and appreciates the County’s efforts to address and reduce the impacts of greenhouse gases through this mitigation measure.

Thank you for sending the Mitigated Negative Declaration for the District’s review.

Sincerely,

Jean Getchell
Supervising Planner
Planning and Air Monitoring Division
From: Denver Dale [denver@dale-markusen.com]
Sent: Saturday, April 17, 2010 7:00 AM
To: Robinson, Delinda x5198
Cc: Lawrence, Laura x5148
Subject: RE: Revised Initial Study

Delinda, I have this morning found an important error in the Initial Study – according to the Coastal Commission map (attached), our property DOES NOT fall within the Pescadero Creek Watershed. So the associated restrictions mentioned in the IS would not apply to this minor subdivision nor future development of the site.

Please confirm by return and take whatever corrective measures are required.

Thanks,

Denver Dale
T: 831-917-7561
denver@dale-markusen.com

From: Robinson, Delinda x5198 [mailto:robinsond@co.monterey.ca.us]
Sent: Friday, April 16, 2010 1:29 PM
To: denver@dale-markusen.com
Subject: Revised Initial Study

Denver,

Here you go. I changed the word "earthquake" to "fault" where it referred to the easement.

<<pdf of IS_PLN080458_DALE_04142010 v2.pdf>>

Delinda Robinson

Senior Planner

Monterey County RMA-Planning Department

168 West Alisal Street, Second Floor

Salinas, CA 93901

(831) 755-5198
Monterey County Periodic Review

Carmel Bay Watersheds
Del Monte Forest and Carmel Planning Area

Map WQ-9

Map Note: Locations approximate. For illustrative purposes only. Attempts have been made to ensure completeness of the data; nonetheless, inaccuracies may exist. The information presented on this map is subject to revision.
Delinda,

My land use advisors have requested the following amendments to the draft Initial Study:

1. Mitigation Measure 1: That the “Fault Easement” be reclassified as a “Fault Setback” or “Earthquake Setback”, as we are not granting anyone an easement, but rather requiring a setback from a fault that may or may not exist outside the property boundary;
2. Mitigation Measure 2: Your requirement that any construction meets LEED-equivalency is not supported by any legal mandate or precedent.

I left you a voicemail yesterday. Please call me at your earliest convenience to discuss the above requests.

Thank you,

Denver Dale T:831-917-7561
denver@dale-markusen.com