

# CITY OF PACIFIC GROVE

KEVIN & LINDA SMITH RESIDENCE – 1355 LIGHTHOUSE AVE.

FINAL ADOPTED INITIAL STUDY & MITIGATED NEGATIVE DECLARATION

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*Prepared by:*

WENDY LAO, ASSOCIATE PLANNER

300 FOREST AVE.

PACIFIC GROVE, CA 93950

**REVISED JANUARY 16, 2018**

ADOPTED BY CITY OF PACIFIC GROVE - ARCHITECTURAL REVIEW BOARD ON FEBRUARY 27, 2018

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- Appendix A – Draft Plans
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- Appendix D – Habitat Restoration Plan
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- Appendix F – Project Data Sheet



**CITY OF PACIFIC GROVE**  
300 FOREST AVENUE  
PACIFIC GROVE, CALIFORNIA 93950  
TELEPHONE (831) 648-3190 FAX (831) 648-3184

**INITIAL STUDY / ENVIRONMENTAL CHECKLIST FORM**

**1. Project Title:** Kevin & Linda Smith Residence - 1355 Lighthouse Ave, Pacific Grove, CA 93950

**Permit Type:** Architectural Permit (AP) and Tree Permit with Development (TPD) No. 16-582

**2. Lead Agency Name and Address:** City of Pacific Grove, 300 Forest Ave., Pacific Grove, CA 93950

**3. Lead Agency Contact Person and Phone Number:** Wendy Lao, Associate Planner, T: 831-648-3185 E: [wlao@cityofpacificgrove.org](mailto:wlao@cityofpacificgrove.org)

**4. Project Location:** 1355 Lighthouse Ave, Pacific Grove, Monterey County, CA. Assessor's Parcel Number (APN): 007-031-017. (See Figure 1)

**5. Project Applicant(s):** Joseph Rock, architect, on behalf of Kevin & Linda Smith, property owners. T: 831-373-8331. E: [rocktect@sbcglobal.net](mailto:rocktect@sbcglobal.net). A: 210 17<sup>th</sup> St. #1. Pacific Grove, CA 93950.

**6. General Plan (GP)/Land Use Plan (LUP) Designations:** GP: Low Density Residential to 5.4 Dwelling Unit per Acre (DU/AC); LUP: Low Density Residential 1-2 (LDR 1-2) DU/AC

**7. Zoning:** R-1-B-4

**8. Description of the Project:** The project proposes to create a new 5,367 gross sq. ft. two-story single-family residence with an attached 3-car garage on a vacant property. The site is located in the Coastal Zone, the Environmentally Sensitive Habitat Area, and the Archaeological Zone. The project proposes a lot coverage of 7,084 sq. ft. (9%), which includes the allowable 5% immediate outdoor living space area. This calculation is derived from a building coverage of 3,616 sq. ft. (5%), a driveway with permeable pavers of 2,192 sq. ft. (3%), and walkways and patios of 1,276 sq. ft. (2%). Grading quantities for the project will include approximately 140 cubic yards of cut and 120 cubic yards of fill. The project proposes to remove 5 Pine trees, and will be replaced with 32 replants. The site contains a known archaeological and tribal cultural resource, and the project site would be located approximately 188 ft. away, with the building located approximately 200 ft. away. The project is requesting a water fixture unit count of 16.4 for a single-family residence through the Monterey Peninsula Water Management District, and will be placed on the City's water waitlist.

Figure 1 – Regional Vicinity



**9. Surrounding Land Uses and Setting:** *(Briefly describe the project's surroundings)*

The project site is located within the City of Pacific Grove in the County of Monterey, California. The project site is a vacant, interior parcel of 78,520 sq. ft. (1.8 acres), located on the southern side of Lighthouse Avenue, between Sunset Drive/Ocean View Boulevard to the west and Asilomar Avenue to the east. The site (APN: 007-031-017) is located in the Asilomar Dunes Tract, which is located in the R-1-B-4 zoning district.

The project site and its surrounding parcels are located in the Coastal Zone, the Environmentally Sensitive Habitat Area, and the Archaeological Zone. A range of one-story and two-story single-family residences surround the property, and the National Oceanic and Atmospheric Administration (NOAA) Fisheries' Southwest Fisheries Science Center laboratory is located across the street.

The site is within an archaeologically sensitive area. A known archaeological and tribal cultural resource is located on the site.

The Asilomar Dunes is an area of coastal sand dune habitat that supports a number of rare and endangered species and indigenous Monterey pine forest. The project site is approximately 80% covered by non-native ice plant, with non-native annual grasses and a few native plants filling in the remaining coverage. The site has a varied topography that mostly slopes downward from east to west with two relatively flat areas, with the predominant one in the central part of the property towards the north-east. A steeper, forested slope is located between this flat area and the known archaeological and tribal cultural resource.

**10. Other public agencies whose approval is required:** Monterey Peninsula Water Management District (MPWMD); California Coastal Commission (CCC), City of Pacific Grove Building Dept.

**11. Review Period:** September 1, 2017, through October 2, 2017 4:00 p.m. This revised IS/MND has been provided as a courtesy as of January 16, 2018.

**Environmental Factors Potentially Affected:**

The environmental factors checked below (✓) would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

	<b>Aesthetics</b>		<b>Greenhouse Gases</b>		<b>Population/Housing</b>
	<b>Agricultural Resources</b>		<b>Hazards &amp; Hazardous Materials</b>		<b>Public Services</b>
	<b>Air Quality</b>		<b>Hydrology/Water Quality</b>		<b>Recreation</b>
	<b>Biological Resources</b>		<b>Land Use/Planning</b>		<b>Transportation/Traffic</b>
	<b>Cultural Resources</b>		<b>Mineral Resources</b>		<b>Utilities/Service Systems</b>
	<b>Geology/Soils</b>		<b>Noise</b>		<b>Mandatory Findings of Significance</b>
	<b>Tribal Cultural Resources</b>				

## **CEQA Environmental Checklist**

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to the California Environmental Quality Act (CEQA), not the National Environmental Policy Act (NEPA), impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

### **Evaluation of Environmental Impacts**

Each of the responses in the following environmental checklist take account of the whole action involved, including project-level, cumulative, on-site, off-site, indirect, construction, and operational impacts. A brief explanation is provided for all answers and supported by the information sources cited.

1. 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).
2. A “Less Than Significant Impact” applies when the proposed project would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.
3. A “Less Than Significant Impact With Mitigation Incorporated” applies when the proposed project would not result in a substantial and adverse change in the environment after mitigation measures are applied.
4. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report is required.

## 1. AESTHETICS

### A. Would the project have a substantial adverse effect on an identified scenic vista?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

### B. Would the project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

### C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

### D. Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

## DISCUSSION

**Item A:** The project would not have a substantial adverse effect on a scenic vista, because scenic vistas have not been identified at this site. The City of Pacific Grove Local Coastal Program's Land Use Plan (LUP) contains Policy 2.5.4.1 which designates the following areas as scenic: "All areas seaward of Ocean View boulevard and Sunset Drive, Lighthouse Reservation lands, Asilomar Conference Ground dune lands visible from Sunset Drive, lands fronting on the east side of Sunset Drive; and the forest-front zone between Asilomar Avenue and the crest of the high dune (from the north side of the Pico Avenue intersection to Sinex Avenue)." The project site is not located in these locations, and therefore is not identified as a scenic area according to these criteria. This results in **no impact**.

**Item B:** The project would not damage scenic resources within a state scenic highway, because there are no state scenic highways within the City of Pacific Grove, pursuant to the California Scenic Highway Program. In addition, as noted in Item A above, the project site is not located in a designated scenic area in the LUP. This results in **no impact**.

**Item C:** The proposed project is not anticipated to substantially degrade the existing visual character or quality of the project site and its surroundings. The proposed project is designed to blend into the appearance of the surrounding residential nature and dune topography. The topography of the project site has a gentle slope, and would require approximately 140 cubic yards of cut and 120 cubic yards of fill for grading. There are more than 57 existing trees, many of which will remain undisturbed. 5 Pine trees are proposed to be removed, and will be replaced by 32 replants. In addition, as will be discussed further in Section 4, Biological Resources, a Habitat Restoration Plan (HRP) has been prepared for the proposed project, with the intent of the landscaping project to reestablish a native plant community for this property. (See Appendix D.) The HRP includes specific measures for planting, maintenance and monitoring of the installation. Provided these measures are followed, the project would result in a visual enhancement of the dune area. Therefore, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, and would result in an impact that is **less than significant after mitigation is incorporated**.

**Item D:** Exterior residential lighting has the potential to produce substantial amounts of light or glare unless the light source is shielded, or wattage is kept at levels to sufficiently limit light glare. Although there will be new light fixtures, the creation of substantial glare is not anticipated because the proposed light fixtures will be required to meet the City's Architectural Review Guidelines as follows:

Guideline 10: Position outdoor lighting so that no direct light extends onto neighboring properties.

Therefore, required conformance with existing guidelines and the project design features described above would reduce potential impacts to a level that is **less than significant with mitigation incorporated**.

#### **Mitigation Measures:**

**MM AES-1:** Position outdoor lighting so that no direct light extends onto neighboring properties. Exterior lighting shall be screened to confine light splay to the site and shall be at a wattage level that sufficiently limits light glare. After installation, the Architectural Review Board may require lamps to have a lower wattage level in order to limit the glare levels of the light fixtures.



**Sources:**

- Pacific Grove Local Coastal Program Land Use Plan (LUP) and Pacific Grove Municipal Code Chapter 23.73
- California Department of Transportation (Caltrans). California Scenic Highway Program. Accessed August 1, 2017. <http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>
- Pacific Grove Municipal Code Chapter 23.73
- Habitat Restoration Plan for Kevin and Linda Smith Residence. Prepared by Thomas K. Moss. Revised December 30, 2017.
- City of Pacific Grove, Architectural Review Guidelines for Single Family Residences. Accessed August 1, 2017. <http://pacificgrovelibrary.org/sites/default/files/general-documents/architectural-review-board/architectural-review-guidelines.pdf>

## 2. AGRICULTURE AND FORESTRY RESOURCES

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

Would the project:

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**B. Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**C. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**D. Result in the loss of forest land or conversion of forest land to non-forest use?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**DISCUSSION**

**Items A, B, C, D, E:** According to the California Department of Conservation’s Farmland Mapping and Monitoring Program, the City of Pacific Grove is located on land identified as urban and built-up land and other land. There are no agriculture or forestry resources within or surrounding the project site, therefore no impact would occur. This results in **no impact**.

**Sources:**

- California Department of Conservation. Farmland Mapping and Monitoring Program. Accessed August 1, 2017. <http://www.conservation.ca.gov/dlrp/fmmp>

### 3. AIR QUALITY

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

**A) Conflict with or obstruct implementation of the applicable air quality plan?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**B) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**C) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**D) Expose sensitive receptors to substantial pollutant concentrations?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**E) Create objectionable odors affecting a substantial number of people?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

## DISCUSSION

**Items A, B, C, D, E:** The City of Pacific Grove is located in the Monterey Bay region of the North Central Coast Air Basin (NCCAB). The Monterey Bay Air Resources District (MBARD) is responsible for developing regulations governing emissions of air pollution, permitting and inspecting stationary sources, monitoring air quality, and air quality planning activities within the NCCAB. In March 1997, the air basin was re-designated from a “moderate nonattainment” area for the federal ozone standards to a “maintenance/attainment” area. The NCCAB is currently in attainment for the federal PM<sub>10</sub> (particulate less than 10 microns in diameter) standards and for state and federal nitrogen dioxide, sulfur dioxide, and carbon monoxide standards. The NCCAB is classified as a nonattainment area for the state ozone and PM<sub>10</sub> standards.

The 2012-2015 Air Quality Management Plan (AQMP) outlines the air quality regulations for Pacific Grove and the rest of the MBARD. The proposed project is consistent with the adopted growth forecast and must conform to all existing MBARD requirements; therefore, it would not conflict with or obstruct implementation of the AQMP.

Construction activities are generally short term in duration but may still cause adverse air quality impacts. Typical construction emissions result from a variety of activities such as grading, paving, and vehicle and equipment exhaust. These emissions can lead to adverse health effects and cause nuisance concerns, such as reduced visibility and the generation of dust. Emissions produced during grading and construction activities are short term because they would occur only during the construction phase of the proposed project. Construction emissions would include the on- and off-site generation of mobile source exhaust emissions as well as emissions of fugitive dust associated with earth-moving equipment.

Because the proposed project footprint is less than 1 acre and involves only minor construction activity and ground disturbance, it is not anticipated to result in a short-term increase in fugitive dust that could exceed MBARD significance thresholds (e.g. result in grading of more than 2.2 acres per day) in accordance with air district CEQA guidelines. As a result, fugitive dust emissions from construction activities are not anticipated to regional nonattainment air quality conditions and would be considered a less than significant impact.

Construction equipment could result in the generation of diesel-PM emissions during construction. Exhaust emissions are typically highest during the initial site preparation, particularly when a project requires extensive site preparation (e.g., grading, excavation) involving large numbers of construction equipment. However, given the size and extent of the project, large numbers of construction equipment would not be required. Because short-term construction activities would be very limited and are considered minor, they would not contribute to regional nonattainment air quality conditions. During construction, air pollutants such as dust and equipment exhaust may be generated; however, existing regulations (e.g., dust suppression and equipment emissions requirements) would substantially reduce such emissions. Required compliance with existing

regulations, as well as the small scale of the proposed project, would reduce potential air quality impacts to a level that is less than significant.

A sensitive receptor is generally defined as a location such as a residence, school, retirement facility, or hospital, where sensitive populations (e.g., children, the elderly, and people with respiratory or related health problems) could reasonably be exposed to continuous emissions. Except for other single-family homes, none of these sensitive receptors are located in the project vicinity. Required compliance with the existing regulations discussed above, as well as the small scale of the proposed project, would reduce potential air quality impacts to sensitive receptors to a level that is less than significant.

Potentially objectionable odors generated by the proposed project could result from diesel exhaust during grading and construction. Required compliance with existing emissions regulations on construction equipment, the small scale of the project for a single-family residence, and the limited duration of construction would reduce these impacts to a level that **is less than significant**.

**Sources:**

- Monterey Bay Air Resources District. 2012-2015 Air Quality Management Plan. Accessed August 25, 2017. [http://mbard.org/wp-content/uploads/2017/03/2012-2015-AQMP\\_FINAL.pdf](http://mbard.org/wp-content/uploads/2017/03/2012-2015-AQMP_FINAL.pdf)

#### 4. BIOLOGICAL RESOURCES

Would the project:

**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](#)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the [California Department of Fish and Game](#) or [US Fish and Wildlife Service](#)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**C. Have a substantial adverse effect on federally protected wetlands as defined by [Section 404 of the Clean Water Act](#) (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**DISCUSSION**

**Item A:** The Asilomar Dunes planning area, in which the proposed project site is located, is identified in the City of Pacific Grove’s General Plan and Local Coastal Program Land Use Plan as a land habitat of great sensitivity. The entire Asilomar Dunes area provides existing and potential habitat for several indigenous species and plants that have adapted specifically to local environmental factors including salt-laden and desiccating winds, and shifting, nutrient-poor soils that are endemic to the Asilomar Dunes area. Because of the rarity of many of the plant and animal species and the fragile nature of the dunes habitat, the California Coastal Commission has designated the Asilomar Dunes as an “environmentally sensitive habitat area (ESHA)” under which the California Coastal Act requires a higher level of environmental protection and restriction on development.

The dunes provide habitat for ten plant and five animal species of special concern. Species of special concern are those that are endangered, rare, or threatened.

A revised Habitat Restoration Plan (HRP) was prepared for the project site on December 30, 2017 (See Appendix C). The HRP defines procedures and standards for restoration, maintenance and monitoring of the undeveloped portion of the property. The goal of the HRP is to provide procedures and standards for successfully reestablishing and maintaining the indigenous landscape of the undeveloped portion of the property. The HRP provides six steps to accomplish restoration: (1) Native Seed Collection, (2) Exotic Species Eradication, (3) Revegetation/Reforestation, (4) Landscape Protection, (5) Maintenance, (6) Monitoring.

Coastal biologist Thomas K. Moss conducted a botanical survey and a biological survey on July 8, 2015 and May 3, 2016. A Botanical Survey Report was completed on August 14, 2015, and a Biological Survey Report was completed on February 25, 2017. A revised Biological Survey Report, which encompasses a botanical survey report, was completed on December 27, 2017 (See Appendix B). Mr. Moss is qualified to perform such studies within the City of Pacific Grove.

The Botanical Survey Report states that no plant species of special concern were identified on the property. However, there are 57 medium to large Monterey Pine (*Pinus radiata*) and Cypress (*Cupressus macrocarpa*) trees on the property, collectively forming part of the leading edge – the forest-front – of the remaining Asilomar forest. The forested portions of the property should be



considered as areas with highest environmental sensitivity, based on the importance that the California Coastal Commission and City of Pacific Grove have placed on preservation of the forest-front and individual native trees. For example, the Pacific Grove Municipal Code Section 12.20.020(a)(1) states that all native trees, including Monterey Cypress and Monterey Pine trees that are 6 inches or greater in trunk diameter when measured at 54 inches above native grade, are considered Protected Trees. The Pacific Grove Municipal Code Section 12.20.070 and 12.30 allows Protected Trees to be removed if replaced by one tree replant and if a Tree Permit with Development is obtained. The project proposes to remove 5 trees, and seeks to have 32 replants, therefore exceeding the standard replant requirement. The HRP outlines the locations of the proposed 32 tree replants.

The Biological Survey Report states that no animal species of special concern were identified on the property. A cursory search for California Black Legless Lizards (*Anniella pulchra nigra*) was performed by gently digging in the duff and sand under a couple native mock heather shrubs, where the lizards are often found. None were uncovered, though they are likely present. The Black Legless Lizard is listed on the State Department of Fish and Wildlife as a California Species of Special Concern due to declining population levels, limited ranges, and/or continuing threats that have made them vulnerable to extinction. The goal of designating a species as a “Species of Special Concern” is to halt or reverse their decline by calling attention to their plight and addressing the issues of concern early enough to secure their long term viability. In order to prevent or minimize the loss of any Black Legless Lizards, a mitigation measure includes capturing and relocating any potential lizard out of the construction zone prior to the start of construction, which results in an impact that is less than significant with mitigation incorporated.

The Biological Survey Report also states that the Monarch butterfly (*Danaus plexippus*), while not identified on the property, may be found in the Asilomar Dunes area. The Monarch butterfly is on the California Department of Fish and Wildlife Special Animals list. A mitigation measure includes retaining a project biologist on site during construction to monitor and mitigate for any species of special concern that may be potentially found, including Monarch butterflies.

In addition to the potential impact to the Black Legless Lizard, construction activities and activities incidental to residential uses have the potential for significant negative impacts on native plant habitats. Thomas Moss has suggested a number of measures listed below to mitigate the potential impacts these activities may have. The incorporation of these into the project reduces the impact potential to a level that is **less than significant with mitigation incorporated** .

**Item B:** The Biological (and Botanical) Survey Report identified no riparian habitat on the site. Although the property is located in the Environmentally Sensitive Habitat Area, the site is predominantly filled with non-native plants. Although 5 Pine Trees, which are Protected Trees under the City of Pacific Grove, are proposed to be removed, they would be replaced by 32 replants of Pine or Cypress trees. As a result, the project would not result in a substantial adverse effect on

any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. The incorporation of the habitat restoration efforts (see Item A above) for this property into the project reduces the potential to a **less than significant with mitigation** level.

**Item C:** The Biological Survey Report for the project site did not identify any federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.). **No impact** would occur.

**Item D:** The project would not 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, because significant wildlife corridors were not identified in the Botanical/Biological survey prepared by Tom Moss, coastal biologist. Although Monarch butterflies may be found in the Asilomar Dunes area, none were identified on the property. A mitigation measure includes retaining a project biologist on site during construction to monitor and mitigate for any species of special concern that may be potentially found, including Monarch butterflies. This would result in a **less than significant impact**.

**Item E:** . The project proposes to remove 5 Monterey Pine trees, all of which are greater than 6 inches in diameter when measured at 54 inches above native grade. The Pacific Grove Municipal Code Section 12.20.020(a)(1) states that all native trees, including Monterey Pine trees, that are 6 inches or greater in trunk diameter when measured at 54 inches above native grade, are considered Protected Trees. The Pacific Grove Municipal Code Section 12.20.070 and 12.30 allows Protected Trees to be removed if replaced by one tree replant and if a Tree Permit with Development is obtained. The project proposes to remove 5 trees, and seeks to have 32 replants, therefore exceeding the standard replant requirement. The City's Tree ordinance, Pacific Grove Municipal Code Chapter 12.16, also includes standards for the protection and preservation of trees during construction activities, including placement of protective fencing around trunk and canopy lines, limiting excavation and the placement of construction wastes and excavation spoils within drip lines, among others. With compliance to the standard condition of approval listed in the tree ordinance, as well as mitigation measures, requirement of a project biologist during construction, and the project design located in a flat, relatively open portion of the site, this reduces the impacts to a **less than significant level with mitigation incorporated**.

**Item F:** The proposed project is in conformance with the existing Local Coastal Program's Land Use Plan. No other Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plans include the proposed project site. **No impact** would occur.

## Mitigation Measures

- MM BIO-1:** Landscape restoration and maintenance activities on the property will be carried out in accordance with the project's approved Habitat Restoration Plan, dated December 30, 2017, and shall be supervised and monitored by a qualified biologist.
- MM BIO-2:** All exotic vegetation will be eradicated prior to the start of construction and after all permits have been received.
- MM BIO-3:** Prior to the start of construction, temporary fencing shall be installed to delineate the Construction Zone for the purpose of protecting existing trees and surrounding dune habitat. The Project Biologist shall install the temporary fence. Temporary fencing shall be maintained in good condition and remain in place until all construction on site is completed and final building inspection approval has been received. Removal or changing the location of the fence will require the concurrence of the Project Biologist. After confirming that final building approval has been received, the Project Biologist shall remove the fencing.
- MM BIO-4:** Prior to the start of construction, the Project Biologist shall conduct an educational meeting to explain the purpose of the monitoring, to show the construction personnel what is being monitored and to explain what will happen in the incidence of locating a species of special concern during construction activities. The Project Biologist will explain the life history of the species of special concern, why they may be found on the property, and what construction staff should do if one is spotted on the project site. The construction personnel will be shown a photo of the species of special concern and asked to be prepared to immediately stop demolition activity if a species of special concern is discovered and wait until the species is safely removed from the construction zone before restarting.
- MM BIO-5:** All activities associated with construction, trenching, storage of materials, and disposal of construction waste and excavated soil shall not impact areas protected by fencing. The areas protected by the fence shall remain in a trash-free condition and not used for material stockpiling, storage or disposal, or vehicle parking. All construction personnel shall be prohibited from entering the areas protected by fencing.
- MM BIO-6:** Prior to the start of construction, the Project Biologist shall search the area for black legless lizards. If any are found, the Project Biologist shall relocate any to a nearby suitable habitat.

- MM BIO-7:** No paint, cement, joint compound, cleaning solvents or residues from other chemicals or materials associated with construction shall be disposed of on-site. The General Contractor will be responsible for complying with this requirement and shall clean up any spills or contaminated ground to the full satisfaction of the Project Biologist.
- MM BIO-8:** In the case that excavation spoils are generated by the project, they will be used on site after consulting with the Project Biologist and receiving consent from the City of Pacific Grove and the California Coastal Commission.
- MM BIO-9:** The Project Biologist shall be notified in advance of any activity including heavy equipment, and shall monitor this activity on a daily basis while construction work continues.
- MM BIO-10:** Selected native plants will be installed in a mixed, random pattern over the property according to the quantities and spacing specifications indicated in the Habitat Restoration Plan's Figure 3, Table 1.
- MM BIO-11:** Installation of plants shall be completed prior to final building permit inspection approval and granting of occupancy, or after submitting certificate of deposit(s) to the City of Pacific Grove.
- MM BIO-12:** All new utilities and drainage systems shall be installed underground in a single corridor and installed under the driveway and walkways.
- MM BIO-13:** Following satisfactory installation of the new landscape, a 5-year maintenance and monitoring program shall commence, overseen and directed by a qualified biologist.
- MM BIO-14:** Annual reports shall be prepared and submitted to the owner, the City of Pacific Grove, and the California Coastal Commission by June 30<sup>th</sup> of each year during the 5-year monitoring and once every 10-years thereafter.
- MM BIO-15:** The landscape will be maintained in a natural state, controlling weeds but allowing natural processes to function without human interference or manipulation of individual plants or species composition. Minimum performance standards as listed in the Habitat Restoration Plan will be achieved during the 5-year monitoring period and adhered to over the longer term.

**Sources:**

- Biological Survey Report for Kevin and Linda Smith Residence (APN 007-031-017). Prepared by Thomas K. Moss, Coastal Biologist. Revised December 27, 2017.

- Habitat Restoration Plan for Kevin and Linda Smith Residence (APN 007-031-017). Prepared by Thomas K. Moss, Coastal Biologist. Revised December 30, 2017.

## 5. CULTURAL RESOURCES

Would the project:

**A. Cause a substantial adverse change in the significance of a [historical resource](#) as defined in [§ 15064.5](#)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to [§ 15064.5](#)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**C. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**D. Disturb any human remains, including those interred outside of dedicated cemeteries?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

### DISCUSSION

**Item A:** The site is vacant and no historical resource has been identified on it. No impacts would occur.

**Item B, C, D:** The site is located within an archaeologically sensitive area. Therefore, evaluation of the site and project by a qualified archaeologist was required.

In July 2015, a preliminary archaeological assessment was completed by Gary S. Breschini, Ph.D., on behalf of Archaeological Consulting. The assessment included a background research and field

research which included excavation and screening of soils from two auger holes. The assessment found evidence of an archaeological site on the property.

A conservation easement of 75 feet surrounding the confidential archaeological resource would be required in order to ensure its long-term preservation, which exceeds the archaeological report's recommendation of 50 feet. However, if a conservation easement cannot be completed, then a deed restriction surrounding the archaeological resource shall be in place instead. Furthermore, the project site would be located approximately 188 ft. away from the archaeological resource, with the building located approximately 200 ft. away, which exceeds the archaeological report's standard recommendation of a 150 feet buffer if any archaeological resources or human remains are found during construction activities. In addition, mitigation measures such as the requirement of a tribal cultural resources monitor approved by the Ohlone Costanoan Esselen Nation (OCEN) Tribe, and an archaeological monitor, during ground-disturbance construction activities, would help to protect and mitigate for this archaeological resource. Multiple mitigation measures, combined with the project design, result in a **less than significant impact level with mitigation incorporated.**

### **Mitigation Measures**

See the Section 17, Tribal Cultural Resources.

### **Sources:**

- Preliminary Archaeological Assessment of Assessor's Parcel 007-031-017 for Kevin Smith/Joseph Rock, Architect. Prepared by Gary S. Breschini, Ph.D. of Archaeological Consulting. July 29, 2015.
- Consultation in person with Ohlone Costanoan Esselen Nation (OCEN) Tribal Chairperson. Consulted by Wendy Lao, City of Pacific Grove, Associate Planner. October 13, 2016; May 3, 2017; May 23, 2017; June 21, 2017; July 25, 2017; August 22, 2017.

## 6. GEOLOGY AND SOILS

Would the project:

**A) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

**(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**(ii) Strong seismic ground shaking?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**(iii) Seismic-related ground failure, including liquefaction?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**(iv) Landslides?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**B) Result in substantial soil erosion or the loss of topsoil?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	



**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**E) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**DISCUSSION**

**Item A(i):** Monterey County is a seismically active area and the city is exposed to seismic hazards as are other communities in this portion of California. According to the State of California Department of Conservation Division of Mines and Geology Special Publication 42, Pacific Grove is not within an earthquake fault zone. Pacific Grove is situated on relatively stable granite bedrock, which reduces the likelihood of damage resulting from seismic event. The project would be consistent with the City’s building, zoning, and safety code and with the 2016 California Building Code (CBC) seismic design force standards. This results in a **less than significant impact level**.

**Item A(ii), A(iii):** Pacific Grove is situated on relatively stable granite bedrock, which reduces the likelihood of damage resulting from groundshaking. The project is located in a seismically active one. The project would be subject to the CBC seismic design force standards for the Monterey County area, per Chapter 18.04 of the Pacific Grove Municipal Code. Compliance with these standards would ensure that the structures and associated activities are designed and constructed to withstand expected seismic activity and associated potential hazards, including strong seismic ground shaking and seismic-induced ground failure (i.e., liquefaction, lateral spreading, landslide, subsidence, and collapse), thereby minimizing risk to the public and property. This results in a **less than significant impact level**.

**Item A(iv):** The potential for landslides exists primarily in hillside areas. Due to the shallow granite bedrock and the relatively level topography of the project site, landslides have not been identified as a concern for the proposed project. This results in a **less than significant impact level**.

**Item B:** Given the permeability of the sandy soil on the site, erosion is not a significant consideration. All construction activities would be subject to the standards of the California Building Code Chapter 70, which include implementation of appropriate measures during any grading activities to reduce soil erosion. The project would comply with all conditions outline in the City of Pacific Grove's General Plan regarding grading and any City permits required, which would minimize soil loss. The project area would be revegetated and developed to prevent future soil loss. This results in a **less than significant impact level**.

**Item C:** The project site has not been identified as an area that is subject to soil instability. Foundation systems for the dwelling require compliance with uniform building code requirements. Refer to Item A and B above. This results in a **less than significant impact level**.

**Item D:** The proposed project site is not located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code. This results in a **less than significant impact level**.

**Item E:** Not applicable to this project. The project site is located in an urban area that is served by a sewer system. This results in **no impact**.

**Sources:**

- 2016 California Building Code - California Code of Regulations. Prepared by California Building Standards Commission.
- California Department of Conservation. Fault-Rupture Hazard Zones in California. Accessed August 2, 2017. <ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sp/Sp42.pdf>

## 7. GREENHOUSE GAS EMISSIONS

Would the project:

**A) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**B) Conflict with an applicable plan, policy or [regulation](#) adopted for the purpose of reducing the emissions of greenhouse gases?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

### DISCUSSION

**Items A and B:** The California Governor’s Office of Planning & Research (OPR) recommendations are broad in their scope and address a wide range of industries and greenhouse gas (GHG) emission sources. California is a substantial contributor of global greenhouse gases, emitting over 400 million tons of carbon dioxide (CO<sub>2</sub>) a year. Climate studies indicate that California is likely to see an increase of 3–4 degrees Fahrenheit over the next century. Due to the nature of global climate change, it is not anticipated that any single development project for a single-family home would have a substantial effect on global climate change. Project-related greenhouse gas emissions include emissions from construction and mobile sources. The primary source of greenhouse gas emissions resulting from implementation of the proposed project would be automobile traffic and construction equipment. Because there would not be a substantial increase in average daily traffic trips, and construction would comply with state building regulations (e.g., 2016 California Building Code), the proposed project would have a less than significant impact on localized greenhouse gas emissions. Additionally, the proposal will not conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing GHG emission.

### Sources:

- 2016 California Building Code - California Code of Regulations. Prepared by California Building Standards Commission.

**8. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

**A) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**C) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**G) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**DISCUSSION**

**Items A, B, C, D, E, F, G, H:** The proposed use of a single-family residence does not involve the use of hazardous materials. The project site is not included on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5. The site is located within the existing service area of the City of Pacific Grove. The proposed project can be accommodated by existing levels of service with respect to City-wide emergency response and evacuation plans. Additionally, the proposed project is not located within or adjacent to a wild land fire hazard area. During

construction there are some hazardous materials used on site (fuel, oil, etc) but existing regulations and small quantities reduce impacts to a level that is less than significant.

**Sources:**

- California Legislative Information. Government Code Section 65962.5. Accessed August 3, 2017.  
[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=65962.5](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65962.5)

## 9. HYDROLOGY AND WATER QUALITY

**Would the project:**

**A) Violate any [water quality standards or waste discharge requirements](#)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**F) Otherwise substantially degrade water quality?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**H) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**J) Inundation by seiche, tsunami, or mudflow?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	



## DISCUSSION

**Item A:** The site can be connected to an existing sanitary sewer system, the Monterey Regional Water Pollution Control Agency, which treats and disposes municipal sewage. There are existing water quality regulations during grading and construction. The project would be required to comply with the 2016 California Building Code and the City's Municipal Code Chapter 18.04, which requires implementation of Best Management Practices (BMPs) to minimize polluted runoff and water quality impacts. This results in a **less than significant** impact.

**Item B:** The site is 78,520 sq. ft., of which 3,616 sq. ft. (5%) for the main residence and 1,276 sq. ft. (2%) for the walkways and patios would have impervious surface, which impacts the potential for groundwater recharge. However, the driveway of 2,192 sq. ft. (3%) proposes permeable paving, which allows for water to percolate through and for groundwater recharge. Furthermore, the remaining 71,436 sq. ft. (91%) of the site will be natural landscape, which is permeable and allows for groundwater recharge. No potable drinking water or landscape irrigation wells are proposed as part of this project, and no direct additions or withdrawals of water in the underlying aquifer are proposed. The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the groundwater table level. This results in a **less than significant** impact.

**Items C & D:** No. There are no streams or rivers located near the project site. Although the dwelling increases the amount of impermeable surface on the site, it is not expected to substantially alter the drainage patterns or result in substantial erosion or siltation. The scale of project will not substantially increase the rate of surface runoff that would result in on- or off-site flooding. Project design features such as 2,385 sq. ft. of permeable paving and habitat restoration effort to return 91% of the site to its natural landscape, conformance to the 2016 California Building Code, as well as compliance with existing stormwater regulations, reduce the impacts of the project to a level that is **less than significant**.

**Items E & F:** No. Scale of project will not substantially increase the rate of surface runoff, nor does the scale of the project have the potential to degrade water quality. The project will be in compliance with the 2016 California Building Code and the National Pollutant Discharge Elimination System (NPDES). This results in **no impact**.

**Item G & H:** The project site is not located within a flood plain, and the project site is not placed within a 100-year flood hazard area structure that would impede or redirect flood flows. This results in **no impact**.

**Item I:** No. The project area is not located in a flood plain or near a reservoir. This results in **no impact**.

**Item J:** The project site is not located in an area that is prone to flooding. Offshore faults along the Monterey Coast are probably strike-slip faults that are not likely to produce a large-scale tsunami; therefore, potential tidal wave hazard is low. Because of the topography and soil type in the project

area, mudflow has not been identified as a potential project-related hazard. The project site is a minimum of 64 ft. elevation above sea level. This results in **less than significant impact**.

**Sources:**

- 2016 California Building Code - California Code of Regulations. Prepared by California Building Standards Commission.

## 10. LAND USE AND PLANNING

Would the project:

**A. Physically divide an established community?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**C. Conflict with any applicable habitat conservation plan or natural community conservation plan?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

### DISCUSSION

**Item A:** No impact. The proposed project is within an area zoned for the residential use proposed.

**Item B:** Less than significant impact. The project site is located in an R-1-B-4 zone district and is in compliance with applicable zoning restrictions. Where standards set forth in the LCP's LUP and standards in R-1-B-4 zoning district are in conflict, the standards in the LCP's LUP shall prevail.

**Item C:** Refer to the discussion of biological resources contained in Section 4 of this initial study.

### Sources:

- City of Pacific Grove 1989 Local Coastal Program Land Use Plan.  
<http://pacificgrovelibrary.org/sites/default/files/general-documents/local-coastal-program/lcp-lup-1989-reformatted.pdf>

**11. MINERAL RESOURCES**

Would the project:

**A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**DISCUSSION**

**Items A, B:** According to the City’s General Plan, there are no known mineral resources located in Pacific Grove. Therefore, the project will have no impact on mineral resources.

**Sources:**

- City of Pacific Grove General Plan. 1994.  
<https://www.cityofpacificgrove.org/living/community-economic-development/planning/general-plan>

## 12. NOISE

Would the project result in:

**A) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**B) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**C) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**D) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**DISCUSSION**

**Items A, B, C, D:** The construction on the site in the initial stages (short term) will result in varying noise levels and an increase in ambient noise levels. Additionally, ground borne vibrations may be generated on-site during construction. The project site and the surrounding sites are zoned for single family residences, with the exception of open space for the NOAA Fisheries’ Southwest Fisheries Science Center laboratory across Lighthouse Avenue, and there are no other noise-sensitive receptors (schools, hospitals, etc.) in the vicinity of the project site. The project proposed consists of the construction of a new single family residence. Day-to-day activities within the home would result in minimal noise, which would be similar to the noise generated at the adjacent residential uses. No unusual or excessive noise, such as from blasting or demolition, is proposed. Short-term construction noise could result in a temporary or periodic increase in noise levels; however, these potential impacts from noise would be regulated by standard City ordinance. For these reasons, any impacts associated with noise would be **less than significant**.

**Items E, F:** The project site is not located within two miles of an airport or within an airport land use plan, nor is the project in the vicinity of a private airstrip. This results in **no impact**.

**Sources:**

- City of Pacific Grove, Chapter 11.96, Unlawful Noises. Accessed August 3, 2017. <http://www.codepublishing.com/CA/PacificGrove/#!/PacificGrove11/PacificGrove1196.html#11.96>

### 13. POPULATION AND HOUSING

Would the project:

**A) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**B) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**C) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

#### DISCUSSION

**Item A:** The scale of the proposed project is to add a single-family residence with three bedrooms, and is not expected to generate substantial population growth in the area. This results in a **less than significant** impact.

**Item B:** The proposed project does not eliminate any existing housing, as the site is currently vacant. This results in **no** impact.

**Item C:** The proposed project does not displace any people, as the site is currently vacant. This results in **no** impact.

#### Sources:

- Project file.

## 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?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

### B) Police protection?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

### C) Schools?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

### D) Parks?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

### E) Other public facilities?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	



## DISCUSSION

**Items A, B, C, D, E:** The proposed project is a single-family home, which can be accommodated within the existing levels of service as the neighborhood is already developed. This results in a **less than significant** impact.

## 15. RECREATION

**A) 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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**B) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

### DISCUSSION

**Item A:** Pacific Grove is fortunate to have a large number of parks and the scale of the proposed project is not expected to substantially increase the use of those parks. This results in a **less than significant** impact.

**Item B:** No. The project does not include recreational facilities nor does it require the construction or expansion of recreation facilities due to the scale of the proposed project. This results in **no impact**.

**16. TRANSPORTATION/TRAFFIC**

Would the project:

**A) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**D) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**E) Result in inadequate emergency access**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**F) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓	

**DISCUSSION**

**Item A:** No. The proposed project does not conflict with any transportation plans, ordinance, or policies. This is due to the scope of work for a single-family home in an already developed neighborhood, and the project also proposes three covered parking spaces as well as an uncovered driveway of 2,092 sq. ft. which can park numerous vehicles. The proposed project will be in conformance with the City of Pacific Grove’s General Plan, the California Coastal Commission’s Local Coastal Program Land Use Plan, the City of Pacific Grove’s zoning ordinance, regional transportation plans. This results in a **less than significant** impact.

**Item B:** No. The proposed project is a single-family home in an already developed neighborhood, so does not conflict with any congestion management programs. This results in a **less than significant** impact.

**Item C:** No, not applicable to project. This results in a **no impact**.

**Item D:** No. The proposed project does not include any new roadways or alterations to public streets. The proposed project is for a single-family home and there are no incompatible uses proposed. This results in a **less than significant** impact.

**Item E:** No. The proposed project of a single family dwelling does not include new roadways or alterations to public streets that provide access to the site. If street closure is required during construction, the contractor will be required to comply with existing regulations regarding access, including obtaining a city Encroachment Permit.

**Item F:** No. The proposed project of a single family home in an already developed neighborhood does not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. This results in a **less than significant** impact.

## 17. TRIBAL CULTURAL RESOURCES

**A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

**1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

### DISCUSSION

**Items A, B:** The site is located within an archaeologically sensitive area. The City of Pacific Grove has completed tribal cultural consultation with the Ohlone Costanoan Esselen National (OCEN) Native American tribe. A confidential tribal cultural resource has been identified. Mitigation measures were suggested to ensure the long-term preservation of the tribal cultural resource, and in the event that additional tribal cultural resources were discovered during construction. For example, a conservation easement of 75 feet surrounding the tribal cultural resource would be required in order to ensure its long-term preservation, which exceeds the archaeological report's recommendation of 50 feet. However, if a conservation easement cannot be completed, then a deed restriction surrounding the confidential resource shall be in place instead. In any case, a deed restriction to protect the undeveloped 91% portions of the property outside of the building envelope shall be in place. Furthermore, the project site would be located approximately 188 ft. away from the tribal cultural resource, with the building located approximately 200 ft. away, which exceeds the archaeological report's recommendation of a 150 feet buffer if any archaeological resources or human remains are found. In addition, mitigation measures such as the requirement of a tribal cultural resources monitor approved by the OCEN tribe during ground-disturbance

construction activities would help to protect and mitigate for this tribal cultural resource. The mitigation measures would reduce potential impacts to a level that is **less than significant with mitigation incorporated**.

### **Mitigation Measures**

- MM CUL-1:** The known, confidential tribal cultural and archaeological resource shall be placed in a conservation easement to ensure their long-term preservation. This shall extend for a minimum of 75 feet on all sides. If an easement cannot be completed, as determined by the City of Pacific Grove's Community & Economic Development Department, then a deed restriction shall be in place instead.
- MM CUL-2:** A qualified tribal cultural resources monitor approved by the OCEN Tribe, and a qualified archaeological monitor, shall be present during project excavations and other earth disturbances. If, at any time, potentially significant tribal cultural features, archaeological resources, or human remains are encountered during construction, work shall be halted within 164 feet (50 meters) of the find until the monitors can evaluate the discovery. If the feature is determined to be significant, work will remain halted until an appropriate mitigation is developed, with the concurrence of the lead agency, and implemented.
- MM CUL-3:** If, at any time, human remains are identified, work must be halted and the Monterey County Coroner must be notified immediately. If the Coroner determines that the remains are likely to be Native American, the Native American Heritage Commission must be notified as required by law. The Most Likely Descendant designated by the Heritage Commission will provide recommendations for treatment of Native American human remains.
- MM CUL-4:** If sufficient quantities of cultural material are recovered during monitoring/data recovery, appropriate mitigation measures shall be determined by the OCEN tribe. This might include re-burying the cultural material, radiocarbon dating, faunal analysis, lithic analysis, etc.
- MM CUL-5:** Following monitoring and data recovery, a report suitable for compliance documentation should be prepared. This report should document the field methodology and findings and make management recommendations, as necessary.
- MM CUL-6:** If analysis of cultural materials is undertaken, a *Final Technical Report* documenting the results of all scientific studies should be completed with a year following completion of monitoring and data recovery field work.
- MM CUL-7:** Prior to the start of construction, a representative from the OCEN Tribe shall conduct an educational meeting to explain the purpose of the monitoring, to show the construction personnel what is being monitored and to explain what will happen in the incidence of locating an archaeological or tribal cultural resource during

construction activities. The representative will briefly explain the history of the tribe, why resources may be found on the property, and what construction staff should do if such resource is spotted on the project site. The construction personnel will be shown a photo of the resource.

MM CUL-8: A deed restriction to protect the undeveloped 71,438 square feet portions of the property (approximately 91%) outside of the building envelope shall be in place.

**Sources:**

- Consultation in person with Ohlone Costanoan Esselen Nation (OCEN) Tribal Chairperson. Consulted by Wendy Lao, City of Pacific Grove, planner. October 13, 2016; May 3, 2017; May 23, 2017; June 21, 2017; July 25, 2017; August 22, 2017.
- Preliminary Archaeological Assessment of Assessor's Parcel 007-031-017 for Kevin Smith/Joseph Rock, Architect. Prepared by Gary S. Breschini, Ph.D. of Archaeological Consulting. July 29, 2015.

## 18. UTILITIES AND SERVICE SYSTEMS

### A. Would the project:

1. Exceed wastewater treatment requirements of the applicable [Regional Water Quality Control Board](#)?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

2. 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?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

3. 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?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

5. 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?

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?



IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**7. Comply with [federal](#), [state](#), and local statutes and regulations related to solid waste?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
				✓

**DISCUSSION**

**Item 1:** No. The project site can be connected to the existing sewer system and the proposed project will not generate a substantial increase in wastewater that would require additional treatment. This results in **no impact**.

**Item 2:** No. The scale of the project of project does not result in the need to construct new water or wastewater treatment facilities or a need to expand those facilities. This results in **no impact**.

**Item 3:** No. The proposed project will not necessitate construction of a new storm drain system. The proposed project would connect to the existing storm drain system. This results in **no impact**.

**Item 4:** The City of Pacific Grove receives water services from the California American Water (Cal-Am) Company. The Monterey Peninsula area, including the City, is currently experiencing a water shortage. Due to the limited water supply, Chapter 11.68 of the Pacific Grove Municipal Code regulates water allocation in the city. As of August 1, 1995, all remaining water which the Monterey Peninsula Water Management District allocated to the City, and all water becoming available after that date, is allocated, in amounts and percentages determined by the City Council. Before obtaining a building permit to begin construction from the City of Pacific Grove, projects must obtain a water permit from the Monterey Peninsula Water Management District.

Per Chapter 11.68, building permit applications for projects for which there is no available water will not be accepted or processed. The City has a system in place to manage its water supply availability and to determine water availability prior to approval of a building permit. All new projects in the City requiring new water supplies are placed on a water wait list. Water credits necessary for projects are given through City Council approval. Building permits are issued only when the City has sufficient water credits to serve the project. To receive a building permit, all project applicants must show that water supplies are available and must complete the CEQA process.

Furthermore, new water meter connections are currently limited through a Cease and Desist Order (CDO) issued by the State Water Resources Control Board (SWRCB) in 2009. The CDO limits Cal-Am's ability to set water meters for new projects, including this project site as it is currently a vacant

parcel without a water meter. To receive a building permit, the project applicant must also show that a water meter can be obtained for the project site.

Cal-Am is presently undertaking the Monterey Peninsula Water Supply Project to help meet water demands throughout the Monterey Peninsula area. The project is undertaken to serve the service area as a whole and not as a result of the project at 1355 Lighthouse Avenue, Pacific Grove, CA. The City may also develop an increment of water supply due to a reduction in use of potable water as a result of the Pacific Grove Local Water Project (LWP). The LWP consists of construction and operation of a new satellite recycled water treatment plant (SRWTP) to recycle a portion of Pacific Grove's municipal wastewater. Recycled water produced at the SRWTP, located at the retired Point Pinos Wastewater Treatment Plant would be used primarily for landscape irrigation at the Pacific Grove Golf Links and El Carmelo Cemetery, owned by the City of Pacific Grove and located adjacent to the SRWTP.

Currently, the project is applying for placement on the City's water wait list. The project is requesting a water fixture unit count of 16.4. Cal-Am does not currently have sufficient water supplies available at this time to serve the project, and the SWRCB does not currently allow new water meter connections for new projects.. Because of this lack of sufficient water supplies to serve the project, this impact is potentially significant and mitigation measure MM USS-1 would be required. Mitigation measure MM USS-1 would prohibit the project applicant from undergoing any project implementation and construction activities, until necessary water supplies and meters are secured. With implementation of MM USS-1, project impacts on water availability would be **less than significant with mitigation incorporated**.

**Item 5:** The scale of project is not expected to result in wastewater service provider exceeding capacity for existing or committed demand. This results in **no impact**.

**Item 6, 7:** The limited scope of the proposed project is not expected to result in a substantial increase in solid waste, and will comply with all statutes and regulations related to solid waste. This results in **no impact**.

**MM USS-1:** Prior to the City issuing a building permit, the project applicant shall complete all steps and demonstrate compliance with the City's water allocation system, as outlined in Chapter 11.68 of the Pacific Grove Municipal Code. Additionally, no preliminary steps for project completion or initiation shall occur before water supplies are secure and deemed sufficient to serve the project.

**19. MANDATORY FINDINGS OF SIGNIFICANCE**

**1. Does the project 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?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

IMPACT	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓		

**DISCUSSION**

**Item 1:** As mitigated, no substantial adverse impacts shall occur as a result of the proposed project.

**Item 2:** Subject to compliance with the prescribed mitigation measures contained herein, the effects of the proposed project are not cumulatively considerable.

**Item 3:** Mitigation measures have been incorporated into the project to reduce any significant effect on humans to a less than significant level.

## SUMMARY OF PROPOSED MITIGATION MEASURES

- MM AES-1:** Position outdoor lighting so that no direct light extends onto neighboring properties. Exterior lighting shall be screened to confine light splay to the site and shall be at a wattage level that sufficiently limits light glare. After installation, the Architectural Review Board may require lamps to have a lower wattage level in order to limit the glare levels of the light fixtures.
- MM BIO-1:** Landscape restoration and maintenance activities on the property will be carried out in accordance with the project's approved Habitat Restoration Plan, dated December 30, 2017, and shall be supervised and monitored by a qualified biologist.
- MM BIO-2:** All exotic vegetation will be eradicated prior to the start of construction and after all permits have been received.
- MM BIO-3:** Prior to the start of construction, temporary fencing shall be installed to delineate the Construction Zone for the purpose of protecting existing trees and surrounding dune habitat. The Project Biologist shall install the temporary fence. Temporary fencing shall be maintained in good condition and remain in place until all construction on site is completed and final building inspection approval has been received. Removal or changing the location of the fence will require the concurrence of the Project Biologist. After confirming that final building approval has been received, the Project Biologist shall remove the fencing.
- MM BIO-4:** Prior to the start of construction, the Project Biologist shall conduct an educational meeting to explain the purpose of the monitoring, to show the construction personnel what is being monitored and to explain what will happen in the incidence of locating a species of special concern during construction activities. The Project Biologist will explain the life history of the species of special concern, why they may be found on the property, and what construction staff should do if one is spotted on the project site. The construction personnel will be shown a photo of the species of special concern and asked to be prepared to immediately stop demolition activity if a species of special concern is discovered and wait until the species is safely removed from the construction zone before restarting.
- MM BIO-5:** All activities associated with construction, trenching, storage of materials, and disposal of construction waste and excavated soil shall not impact areas protected by fencing. The areas protected by the fence shall remain in a trash-free condition and not used for material stockpiling, storage or disposal, or vehicle parking. All construction personnel shall be prohibited from entering the areas protected by fencing.

- MM BIO-6:** Prior to the start of construction, the Project Biologist shall search the area for black legless lizards. If any are found, the Project Biologist shall relocate any to a nearby suitable habitat.
- MM BIO-7:** No paint, cement, joint compound, cleaning solvents or residues from other chemicals or materials associated with construction shall be disposed of on-site. The General Contractor will be responsible for complying with this requirement and shall clean up any spills or contaminated ground to the full satisfaction of the Project Biologist.
- MM BIO-8:** In the case that excavation spoils are generated by the project, they will be used on site after consulting with the Project Biologist and receiving consent from the City of Pacific Grove and the California Coastal Commission.
- MM BIO-9:** The Project Biologist shall be notified in advance of any activity including heavy equipment, and shall monitor this activity on a daily basis while construction work continues.
- MM BIO-10:** Selected native plants will be installed in a mixed, random pattern over the property according to the quantities and spacing specifications indicated in the Habitat Restoration Plan's Figure 3, Table 1.
- MM BIO-11:** Installation of plants shall be completed prior to final building permit inspection approval and granting of occupancy, or after submitting certificate of deposit(s) to the City of Pacific Grove.
- MM BIO-12:** All new utilities and drainage systems shall be installed underground in a single corridor and installed under the driveway and walkways.
- MM BIO-13:** Following satisfactory installation of the new landscape, a 5-year maintenance and monitoring program shall commence, overseen and directed by a qualified biologist.
- MM BIO-14:** Annual reports shall be prepared and submitted to the owner, the City of Pacific Grove, and the California Coastal Commission by June 30<sup>th</sup> of each year during the 5-year monitoring and once every 10-years thereafter.
- MM BIO-15:** The landscape will be maintained in a natural state, controlling weeds but allowing natural processes to function without human interference or manipulation of individual plants or species composition. Minimum performance standards as listed in the Habitat Restoration Plan will be achieved during the 5-year monitoring period and adhered to over the longer term.

- MM CUL-1:** The known, confidential tribal cultural and archaeological resource should be placed in a conservation easement to ensure their long-term preservation. This should extend for about 75 feet on all sides. If an easement cannot be completed, as determined by the City of Pacific Grove's Community & Economic Development Department, then a deed restriction shall be in place instead.
- MM CUL-2:** A qualified tribal cultural resources monitor approved by the OCEN Tribe, and a qualified archaeological monitor, should be present during project excavations and other earth disturbances. If, at any time, potentially significant tribal cultural features, archaeological resources, or human remains are encountered during construction, work shall be halted within 164 feet (50 meters) of the find until the monitors can evaluate the discovery. If the feature is determined to be significant, work will remain halted until an appropriate mitigation is developed, with the concurrence of the lead agency, and implemented.
- MM CUL-3:** If, at any time, human remains are identified, work must be halted and the Monterey County Coroner must be notified immediately. If the Coroner determines that the remains are likely to be Native American, the Native American Heritage Commission must be notified as required by law. The Most Likely Descendant designated by the Heritage Commission will provide recommendations for treatment of Native American human remains.
- MM CUL-4:** If sufficient quantities of cultural material are recovered during monitoring/data recovery, appropriate mitigation measures shall be determined by the OCEN tribe. This might include re-burying the cultural material, radiocarbon dating, faunal analysis, lithic analysis, etc.
- MM CUL-5:** Following monitoring and data recovery, a report suitable for compliance documentation should be prepared. This report should document the field methodology and findings and make management recommendations, as necessary.
- MM CUL-6:** If analysis of cultural materials is undertaken, a *Final Technical Report* documenting the results of all scientific studies should be completed with a year following completion of monitoring and data recovery field work.
- MM CUL-7:** Prior to the start of construction, a representative from the OCEN Tribe shall conduct an educational meeting to explain the purpose of the monitoring, to show the construction personnel what is being monitored and to explain what will happen in the incidence of locating an archaeological or tribal cultural resource during construction activities. The representative will briefly explain the history of the tribe, why resources may be found on the property, and what construction staff should do if such resource is spotted on the project site. The construction personnel will be shown a photo of the resource.
- MM CUL-8:** A deed restriction to protect the undeveloped 71,438 square foot portions of the property (approximately 91%) outside of the building envelope shall be in place.

**MM USS-1:** Prior to the City issuing a building permit, the project applicant shall complete all steps and demonstrate compliance with the City's water allocation system, as outlined in Chapter 11.68 of the Pacific Grove Municipal Code. Additionally, no preliminary steps for project completion or initiation shall occur before water supplies are secure and deemed sufficient to serve the project.

**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 “potential 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 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.	



\_\_\_\_\_  
Wendy Lao, Associate Planner  
City of Pacific Grove

\_\_\_\_\_  
January 16, 2018  
Date