

**MONTEREY COUNTY NATIVE AMERICAN AND ARCHEOLOGICAL
RESOURCES TECHNICAL ADVISORY PANEL (NAARTAP)
FINAL - AGENDA**

**Thursday, September 19, 2024, at 1:00 p.m.
Monterey County Government Center
1441 Schilling Place, Salinas, CA 93901
Thyme Room**

The Recommended Action indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the Native American and Archeological Resources Technical Advisory Panel alternative actions on any matter before it.

In addition to attending in person, **public participation** will be available by Zoom and/or telephonic means:

Zoom Meeting Link:

<https://montereycty.zoom.us/j/92489068800?pwd=aQuagRD3paqVoGKplo8flecovhBOIt.1>

Participate via Phone: 1-669-900-6833

Meeting ID: 924 8906 8800

PLEASE NOTE: PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE CHAIRPERSON.

1:00 P.M. – CALL TO ORDER

ROLL CALL

OPENING PRAYER

PUBLIC COMMENT

This is a time set aside for the public to comment on a matter that is not on the agenda.

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

The Advisory Panel Clerk will announce agenda corrections, deletions and proposed additions, which may be acted on by the Native American and Archeological Resources Technical Advisory Panel as provided in Sections 54954.2 of the California Government Code.

ADVISORY PANEL COMMENTS, REQUESTS AND REFERRALS

This is a time set aside for the Advisory Panel to comment, request, or refer a matter that is on or not on the agenda.

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SCHEDULED MATTERS

1. a. Adopt Panel by-laws revised to reflect new meeting dates that avoid the quarterly occurrence of either the Solstice or the Equinox.
b. Approve a draft letter to solicit interested parties to serve on the Panel.
2. Receive a status update on the County of Monterey General Plan Housing Element Sixth Cycle Update (HEU6).
3. Review the Pending Issues Tracker.

FUTURE AGENDA ITEMS

OTHER MATTERS

CLOSING PRAYER

ADJOURNMENT

**MONTEREY COUNTY NATIVE AMERICAN AND ARCHEOLOGICAL RESOURCES
TECHNICAL ADVISORY PANEL
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AGENDA ITEM NO. 1

- a. Adopt Panel by-laws revised to reflect new meeting dates that avoid the quarterly occurrence of either the Solstice or the Equinox;
- b. Approve a draft letter to solicit interested parties to serve on the Panel; and
- c. Provide input to staff.

Project Location: Unincorporated County of Monterey

Proposed CEQA Action: Exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines

STAFF RECOMMENDATION

Staff recommends that the Native American and Archaeological Resources Technical Advisory Panel:

- a. Adopt Panel by-laws revised to reflect new meeting dates that avoid the quarterly occurrence of either the Solstice or the Equinox;
- b. Approve a draft letter to solicit interested parties to serve on the Panel; and
- c. Provide input to staff.

SUMMARY/DISCUSSION

At the Panel meeting on January 25, 2024, the Panel provided agenda items for discussion at the next NAARTAP meeting. At the September 19, 2024 meeting, staff provided the following attachments:

- Attachment 1 – Panel By-laws with proposed revision of meeting dates: Section 5.03 Regular Meeting, Time and Place.
- Attachment 2 – Draft letter to solicit interested parties to serve on the Panel
- Attachment 3 – Letter of Interest Form

Staff recommends the Panel adopt the by-laws revised to reflect change of the regular meeting dates, and approve the proposed solicitation letter.

ENVIRONMENTAL REVIEW

The actions are exempt pursuant to Section 15061(b)(3), the common sense exemption, of the CEQA Guidelines. There is no possibility this action may have a significant effect on the environment, and therefore, is not subject to CEQA.

OTHER AGENCY INVOLVEMENT

None.

Prepared by: Jaime Scott Guthrie, AICP, Senior Planner - Advanced Planning 831-796-6414

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with HCD.

- Attachment 1 – Panel By-laws with proposed revision: Section 5.03 Regular

Meeting, Time and Place.

- Attachment 2 – Draft solicitation letter
- Attachment 3 – Letter of Interest Form

Attachment 1

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Bylaws of the County of Monterey

Native American and Archaeological Resources

Technical Advisory Panel

(Adopted pursuant to Chapter 2.95 of the Monterey County Code)

- a) A member fails to attend two consecutive meetings of the NAARTAP without good cause;
- b) A formal letter of resignation is submitted to the Secretary of the Planning Commission and/or the Chair; or
- c) A NAARTAP member no longer resides in the County, or otherwise does not meet the qualifications for the appointment.

4.03 Appointments. Each NAARTAP member shall be appointed by the Planning Commission. Interested individuals shall submit a written statement of interest to the Secretary of the Planning Commission. The written statement of interest shall include the person's qualifications to serve on the NAARTAP and commitment to serve and attend meetings during the term of office.

4.04 Compensation. Members shall receive no monetary compensation from the County for serving on the NAARTAP.

4.05 Conflict of Interest. A NAARTAP member with any financial interest in a matter before the NAARTAP must disqualify themselves from participation in any discussion or vote on such a matter.

SECTION 5: MEETING, MEETING RULES, AND RECORDS

5.01 Regular Meetings. The NAARTAP shall hold regular meetings within the County of Monterey at a place, time and date selected by a majority of the NAARTAP.

5.02 Conduct of Meetings. NAARTAP meetings shall be open and public and shall comply with all applicable requirements of the Ralph M. Brown Act (Government Code section 54950 *et seq.*) ("Brown Act") and shall be conducted in accordance with the agenda and order of business prepared for the meeting.

5.03 Regular Meeting, Time and Place. The NAARTAP shall annually adopt a regular meeting schedule. Regular meetings of the Native American and Archaeological Resources Technical Advisory Panel will be held on **Thursday of the ~~third~~ second week of each third month**, unless otherwise adopted.

5.04 Special Meetings. Special meetings of the NAARTAP may be called by the Chair if written notice is mailed to all members at least seven (7) days prior to the meeting and all Brown Act requirements for special meetings are met.

5.05 Quorum. No action shall be taken by the NAARTAP unless a quorum is present.

5.06 Majority. A majority (more than 50%) of the appointed NAARTAP members shall comprise a quorum.

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Attachment 2

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COUNTY OF MONTEREY

HOUSING AND COMMUNITY DEVELOPMENT

CRAIG W. SPENCER, DIRECTOR



Planning – Building - Housing
1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527
(831) 755-5025
www.CountyofMonterey.gov

[DATE]

TO: Native Americans and Professional Archaeologists in Monterey County
FROM: County of Monterey Housing and Community Development Department
SUBJECT: Solicitation of Interest in Serving on the County of Monterey Native American and Archaeological Resources Technical Advisory Panel

Greetings,

The County of Monterey Housing and Community Development Department (HCD) encourages individuals in your organization who may be uniquely qualified to serve on the County's Native American and Archaeological Resources Technical Advisory Panel ("Panel"). Qualified individuals, including representatives of California Native American Tribes, any individual on the Most Likely Descendant list maintained by the Native American Heritage Commission (NAHC), or a Registered Professional Archaeologist familiar with central coast archaeology, may submit a written statement of interest to serve on the Panel. In submitting your interest, you are committing to attendance at regularly scheduled meetings. Meetings are held quarterly and may require additional special meetings, as determined by Panel members.

As a Panel member, you will be serving the public and providing input on policy issues in the County for the protection and treatment of archaeological and tribal cultural resources. Chapter 2.95 of the Monterey County Code (MCC) establishes the Panel, and the Panel by-laws contain details on procedures, roles, and duties. Both are attached to this letter for reference. Those interested in serving on the Panel are encouraged to submit the attached letter of interest to:

County of Monterey
Housing and Community Development Planning Division
Attn: Jaime Scott Guthrie, AICP, Senior Planner
1441 Schilling Place South, 2nd floor
Salinas, CA 93901

Or by email to: Melissa McDougall McdougalM@CountyofMonterey.gov with copy to Jaime Scott Guthrie GuthrieJS@CountyofMonterey.gov. The Planning Commission will review qualifications and appoint interested members to serve on the Panel.

If you have questions about this letter, please contact Jaime Scott Guthrie at (831) 796-6414.

We look forward to hearing from you,

Melanie Beretti – Secretary to the Panel

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Attachment 3

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COUNTY OF MONTEREY

HOUSING AND COMMUNITY DEVELOPMENT

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Planning – Building - Housing
1441 Schilling Place, South 2nd Floor
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www.Countyofmonterey.gov

Native American and Archaeological Resources Technical Advisory Panel Statement of Interest

Name: _____

Physical Residence Address: _____

Mailing Address (if different from physical residence): _____

City: _____ State: _____ Zip Code: _____

Phone No.: _____ Email: _____

Members are appointed by the Monterey County Planning Commission and the members must meet one of the following minimum qualifications (Please check those that apply):

- An individual appointed by a California Native American Tribe (Provide a letter and/or ID card issued by the Tribe with the Statement of Interest);
- A Most Likely Descendant for the County of Monterey on the list maintained by the California Native American Heritage Commission; or
- A professional archaeologist familiar with Central Coast archaeology.

Reasons that I wish to participate as a member of the Native American and Archeological Resources Advisory Panel:

1. _____

2. _____

3. _____

Member Duties:

- a) Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to archaeological and tribal cultural resource preservation, if authorized by the Chief of Planning.
- b) Assist the Chief of Planning in reviewing, updating, and maintaining archaeological sensitivity maps within the unincorporated area outside the Coastal Zone of the County.

- c) Make recommendations to the Chief of Planning regarding policies and procedures relating to the protection of archaeological and tribal cultural resources.
- d) Perform such other duties as may otherwise be requested by the Chief of Planning, the Planning Commission, or the Board of Supervisors.

NOTE: Members shall be expected to attend quarterly meetings of the NAARTAP which occur on the fourth day of the third week of each third month.

Sincerely,

Applicant

Date: _____

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AGENDA ITEM NO. 2

- a. Receive a presentation on a status update of the County of Monterey draft Housing Element Sixth Cycle (2023-2031) Update; and
- b. Provide input to staff.

Project Location: Unincorporated County of Monterey

Proposed CEQA Action: Statutory exemption pursuant to Section 15262 of the California Environmental Quality Act (“CEQA”) Guidelines.

STAFF RECOMMENDATION

Staff recommends that the Native American and Archaeological Resources Technical Advisory Panel:

- a. Receive a presentation on a status update of the County of Monterey draft Housing Element Sixth Cycle (2023-2031) Update; and
- b. Provide input to staff.

SUMMARY

State law requires that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. Local governments are required to meet this obligation by adopting a housing plan as part of the General Plan. Monterey County is currently working on the draft Housing Element Sixth Cycle Update (“HEU6”) of the General Plan. The HEU6 covers a period of eight years (June 30, 2023 – December 15, 2031). A Housing Element must address identification of sites that are capable of meeting a minimum Regional Housing Needs Allocation (“RHNA”). The RHNA for the County of Monterey HEU6 is:

Extremely Low/Very Low:	1,070 units
Low:	700 units
Moderate:	420 units
Above Moderate (Market)	1,136 units
Total:	3,326 units

In addition to the RHNA counts, California Department of Housing and Community Development (“CA HCD”) guidance recommends each jurisdiction create a buffer of 15 to 30 percent more than required by the RHNA, particularly in the lower income RHNA categories, to ensure sufficient capacity exists in the housing element throughout the planning period and comply with “no net loss” state policies for housing elements.

With ample buffer, the County’s draft HEU6 could accommodate the development of 1,561 Extremely Low-/Very Low-Income units, 1,063 Low-Income units, 731 Moderate-Income units,

and 1,124 Above Moderate-Income units for a total of 4,479 units on identified opportunity sites.

DISCUSSION

Fall 2022 into early Winter 2023, staff facilitated workshops conducted by the Planning Commission (“Commission”, November 9, 2022 and December 7, 2022), the Board of Supervisors subcommittee, Health, Housing, and Human Services Committee (“HHHSC”, December 5, 2022), the Housing Advisory Committee (“HAC”, December 21, 2022), and the Board of Supervisors (“Board”, January 24, 2023). Concurrently, staff conducted a Community Housing Conditions Survey across unincorporated areas of the County and responded to significant data and information requests from the consultant team. Pursuant to Public Resources Code section 65352.3 *et seq.*, staff also initiated consultation with California Native American tribes within Monterey County.

During Winter 2023, the County established a public-facing webpage for its General Plan Elements Updates including the HEU6 (www.countyofmonterey.gov/GeneralPlanUpdates), held the first community meeting (January 26, 2023), conducted a Housing Element Update Community Survey, held 9 pop-up tabling events across the County, deployed 11 Housing Element library displays, and staff participated (by invitation) in two Civic Academies convened by Communities Organized for Relational Power in Action (“COPA”) and several community organization/group meetings. Concurrently, the consultant began drafting, and staff reviewed, all sections of the draft Housing Element that were *not* dependent upon identifying housing sites.

Concurrently, staff worked with the consultant team to develop a comprehensive draft sites inventory to accommodate County RHNA. Staff convened an online office hour consultation with CA HCD (February 28, 2023) to receive clarifying guidance on how to balance existing planning priorities, overall CA HCD sites guidance, goals, and infrastructure and water limitations. The first draft sites inventory was completed in May 2023 after the Native American and Archaeological Resources Technical Advisory Panel (“Panel”) Ad Hoc Subcommittee convened a meeting on May 4, 2023, to provide review and comment. The draft sites inventory was shared for public review at a subsequent community meeting on June 1, 2023.

The HEU6 team considered how best to comply with the state mandate to remove governmental and procedural barriers to housing production in terms of environmental review pursuant to the California Environmental Quality Act (“CEQA”). Staff considered both the initial decision to prepare a Notice of Exemption (“NOE”) per statutory CEQA Guidelines Section 15283, and the ultimate decision to prepare a programmatic environmental impact report (“PEIR”). The PEIR will contemplate the HEU6 at a programmatic level allowing future applicants proposing projects on a site in the HEU6 to streamline site-specific environmental review in accordance with the California Environmental Quality Act (“CEQA”) Statutes and Guidelines.

Staff coordinated with each of the five district supervisors to receive further direction on the draft sites inventory. During Winter 2023, staff refined the sites inventory with consideration of public input and from Board direction. With a final draft sites inventory, staff worked through the winter into early spring 2024 drafting the remaining chapters of the HEU6. On May 13, 2024, the County Administrative Officer, Sonia M. De La Rosa, received a Letter of Inquiry from Melinda Coy, the CA HCD Proactive Housing Accountability Chief with the subject, “County of Monterey Failure to Submit a Timely 6th Cycle Housing Element”. Staff provided

response on June 4, 2024, that communicates County efforts thus far, beginning in Fall 2022, including three office hour meetings with CA HCD

The Planning Commission conducted a public workshop on May 15, 2024, and continued the workshop to June 5, 2024, to allow more time for review and discussion. Staff received substantial feedback calling for a fundamentally different approach to the identification of housing opportunity sites in the plan. The changes suggested an approach that would substantially reduce the number of housing opportunity sites while still meeting RHNA obligations. Additional comments focused on specific sites in the draft Housing Element. The Planning Commission heard these comments and suggested that the County pause the first submittal to CA HCD until alternative options were explored and subsequent revisions made to the draft HEU6 to reflect feedback.

On May 20, 2024, the HHHSC and the HAC held a joint meeting to conduct a public workshop and to contemplate the proposed alternative approach. Staff met for a third office hour consultation with CA HCD (May 22, 2024) to receive further guidance in response to the proposed alternative approach.

The public review draft HEU6 began circulation on May 6, 2024. The previous public review and comment period end date of June 6, 2024, was extended through June 11, 2024, the date of a public workshop to be conducted by the Board of Supervisors. Staff was directed by the Board to incorporate comments as proposed by the Planning Commission during the June 5 meeting and submit the resulting draft HEU6 to the CA HCD for its first review period of 90 days. On August 12, 2024, staff and the consultant team completed the draft HEU6 and posted for a 7-day public review period before submittal to CA HCD. Staff submitted the draft HEU6 to CA HCD on August 19, 2024, and received a letter of confirmation that the County could expect to receive comments and findings on November 19, 2024.

Staff expects the following timeline for obtaining compliance with Housing Element Law:

- Fall 2024
 - Notice of Preparation of PEIR for 30-day public review period and response to data request from consultant.
 - Airport Land Use Commission (ALUC) meeting – request finding of Draft HEU6 consistency with Airport Land Use Compatibility Plan (ALUCP).
- Winter 2024-25
 - Consideration of and response to CA HCD’s written findings from the 90-day review period.
 - County submittal and CA HCD 60-day review period of revised draft HEU6.
 - Draft PEIR release for 45-day public review period.
 - Final PEIR release for 10-day public review period.
- Spring 2025
 - Final PEIR, Findings and Statement of Overriding Consideration (if necessary)
 - Re-zone sites determined in the final HEU6 sites inventory.
 - Board of Supervisors certify Final PEIR and adopt HEU6.
 - CA HCD certify HEU6.

ENVIRONMENTAL REVIEW
Proposed Statutory Exemption

Pursuant to Section 15262 of the CEQA Guidelines, this presentation is statutorily exempt as discussion on possible future actions that do not involve a commitment to a project.

Programmatic Environmental Impact Report (PEIR)

Pursuant to Government Code section 65584(a)(2), the County has a mandate to remove governmental barriers to housing production. Preparation of a PEIR is a reasonable action to complement the suite of programs in the Housing Plan to simplify the process for development of housing through the planning period 2023-2031. Opportunity sites within the HEU6 will be analyzed in the PEIR for potential environmental impacts under CEQA. Environmental analysis in the PEIR will contemplate the potential effects of the HEU6 on County resources at a programmatic level.

Future project-specific environmental review for sites analyzed as part of the PEIR “shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.” (Public Resources Code section 21083.3(b)).

OTHER AGENCY INVOLVEMENT

None.

Prepared by: Jaime Scott Guthrie, AICP, Senior Planner - Advanced Planning 831-796-6414

Approved by: Melanie Beretti, AICP, Chief of Planning

ATTACHMENTS

None.

		9/10/2024	Version updated for September 19, 2024 Panel Meeting		
Native American and Archaeological Resources Technical Advisory Panel (NAARTAP)					
Pending Issues/Requests - Ongoing					
Date Requested/ Added	Subject	Dept.	Status	Date Compl.	
1/25/2024	Attendance of panel meetings by members.	HCD	Attachment: NAARTAP By-laws proposed revision in <u>Section 5.03 Regular Meeting, Time and Place.</u>	9/19/2024	
1/25/2024	Discuss availability of members in future dates.	HCD	Attachment: NAARTAP By-laws proposed revision in <u>Section 5.03 Regular Meeting, Time and Place.</u>	9/19/2024	
1/25/2024	Bringing more members to the panel	HCD	Attachments: 1) draft solicitation letter for County staff and 2) Letter of Interest	9/19/2024	
7/24/2024	HEU6 Status Update	HCD	Added by JSG. Summarize Draft HEU6 sent to CA HCD August 19, 2024	9/19/2024	