

## APPENDIX A

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Monterey County Planning and Building Inspection Department. Initial Study and Mitigated Negative Declaration for Harper Canyon Realty Subdivision. July 16, 2003

Monterey County Planning and Building Inspection Department. Staff Report for Harper Canyon Realty Subdivision. January 12, 2005

Monterey County Planning and Building Inspection Department. Notice of Preparation. July 18, 2005.

*Comment Letters.*

Richard H. Rosenthal. Law Offices of Richard H. Rosenthal. Comments for Harper Canyon Realty, LLC. January 11, 2005.

Terry Robersts. State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit. Comments for Harper Canyon / Encina Hills. August 18, 2005.

John J. Olejnik. State of California Business Transportation and Housing Agency. Comments to Harper Canyon/Encina Hills Development. July 29, 2005.

Susan C. Bacigalupi and Barbara Schweffel. *Meyer Community Group Contacts.* Notice of Preparation of Draft Environmental Impact Report. August 15, 2005.

Mike Weaver and Marit Evans. The Highway 68 Coalition. Comments for Harper Canyon Draft Environmental Impact Report. March 8, 2006.

# MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT  
2620 1st Avenue, Marina, CA 93933  
PHONE: (831) 833-7500 FAX: (831) 384-3261



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## INITIAL STUDY

### I. BACKGROUND INFORMATION

Project Title: Harper Canyon Realty Subdivision (Encina Hills)

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File No.: PLN000696

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Project Location: North side of San Benancio Road, east of Highway 68

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Name of Property Owner: Harper Canyon Realty LLC

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Name of Applicant: Harper Canyon Realty LLC

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Assessor's Parcel Number(s): 416-611-001-000 and 416-611-002-000

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Acreage of Property: 343.92 Acres

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General Plan Designation: Rural Density Residential

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Zoning District: RDR/5.1- D & RDR/5.1

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Lead Agency: Monterey County Planning and Building Inspection Dept.

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Prepared By: April Wooden, PMC (Contract Planner)  
Darcy Wheelles, PMC (Contract Planner)

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Date Prepared: 07/16/03

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Contact Person: Paul Muga, Associate Planner

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Phone Number: 831-883-7519

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## II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

### A. Project Description:

The project is a Combined Development permit consisting of Vesting Tentative Map to subdivide two parcels totaling approximately 343.92 acres into 17 parcels and leave a 180-acre remainder parcel; and a Use Permit for development on slopes over 30 percent and Use Permit for the removal of 79 oak trees. The property is located north of San Benancio Road approximately a quarter mile east of Highway 68 in the Toro planning area. Figure 1 depicts the proposed Vesting Tentative Map. An existing residential access road which will be widened and improved as part of the project, provides access to the site from San Benancio Road. California American Water Company will provide water and California Utilities Service, Inc. will provide waste disposal by sewer.

Seventy-nine oak trees will be removed and approximately 2,000 cubic yards of grading will be required to improve existing roads. Approximately 1,200 cubic yards of grading would occur on slopes greater than 30 percent. Building sites of approximately one half acre in size are identified on each of the 17 parcels. None of the proposed building sites would constitute ridgeline development. All proposed building sites with the possible exception of those on parcels 7, 11 & 17 are visually concealed from Highway 68 and San Benancio Road.

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

**Overview.** The parcels are currently used for grazing with no structures on site. Existing vegetation consists of annual grassland, coast live oak woodlands, savannas, coastal scrub, and maritime chaparral. Nine parcels are zoned Rural Density Residential (RDR/5.1) (Parcels 1, 2, 3, 4, 11, 12, 13, 14, 15) and eight parcels are zoned RDR/5.1 with Design Control (D) designated for all or part of the parcels (Parcels 5, 6, 7, 8, 9, 10, 16 & 17). The zoning designation also requires that parcel sizes be a minimum of 5.1 acres in area (RDR/5.1). No sensitive plant or animal species were found near or within proposed building envelopes, although potential habitat exists for the day-roosting bats, Monterey dusky-footed woodrat, raptors and other nesting migratory birds. The parcels have a high potential to contain archeological resources and medium (IV) risk of geological hazards. Although the site is not a highly scenic area as defined in the Toro area plan, portions of the site overlook Highway 68, which is a state scenic highway.

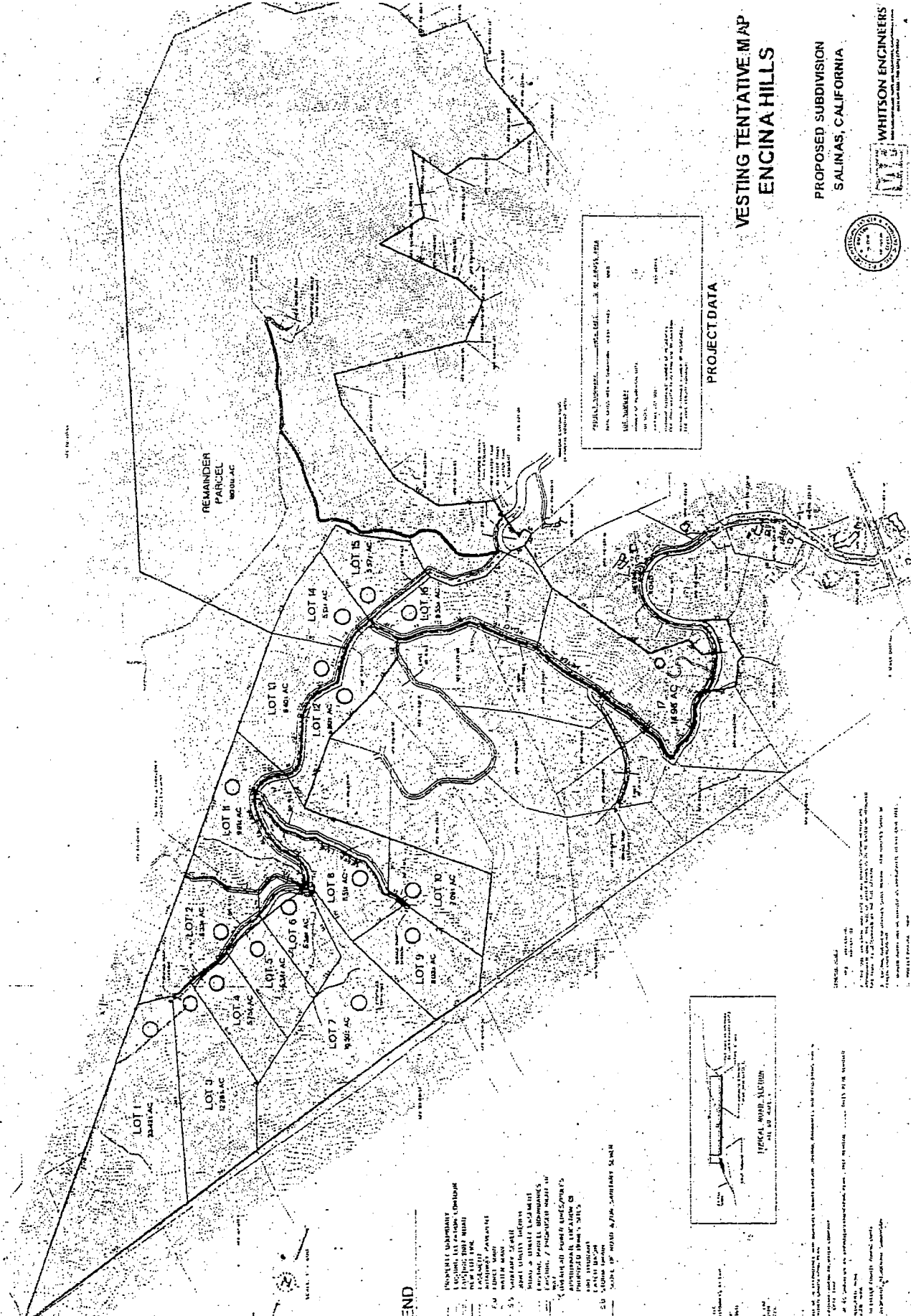
**Topography.** Ridges with views of the surrounding area and steep slopes characterize the rural landscape of the existing parcels. The area includes approximately 96 acres of slopes over 30 percent, approximately 40 acres of softer slopes in the 20-30 percent range, and 23 acres of grassland area with slopes up to 20 percent. The proposed half-acre home sites are located in areas with slopes less than 30 percent.

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# VESTING TENTATIVE MAP ENCINA HILLS

PROPOSED SUBDIVISION  
SALINAS, CALIFORNIA

WHITSON ENGINEERS  
REGISTERED PROFESSIONAL ENGINEERS  
SALINAS, CALIFORNIA

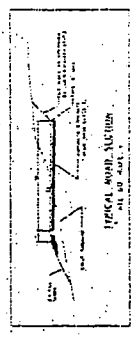


**PROJECT DATA**

PROJECT NO. 10000  
DATE OF PREPARATION: 10/15/1980  
DATE OF RECORDING: 10/15/1980  
SHEET NO. 1 OF 1

### LEGEND

- PROJECT BOUNDARY
- EXISTING ROAD
- PROPOSED ROAD
- PROPOSED EASEMENT
- PROPOSED UTILITY
- PROPOSED LOT
- PROPOSED REMAINDER PARCEL
- PROPOSED CREEK
- PROPOSED WETLAND
- PROPOSED WOODLAND
- PROPOSED OPEN SPACE
- PROPOSED AGRICULTURE
- PROPOSED PASTURE
- PROPOSED RANGELAND
- PROPOSED WILDLIFE
- PROPOSED HISTORIC
- PROPOSED CULTURAL
- PROPOSED SCIENTIFIC
- PROPOSED RECREATION
- PROPOSED EDUCATION
- PROPOSED HEALTH CARE
- PROPOSED COMMERCIAL
- PROPOSED INDUSTRIAL
- PROPOSED RESIDENTIAL
- PROPOSED PUBLIC USE
- PROPOSED PRIVATE USE
- PROPOSED UNDEVELOPED
- PROPOSED DEVELOPED
- PROPOSED IMPROVED
- PROPOSED UNIMPROVED
- PROPOSED MAINTAINED
- PROPOSED UNMAINTAINED
- PROPOSED ABANDONED
- PROPOSED RECENTLY ABANDONED
- PROPOSED LONG TERM ABANDONED
- PROPOSED PERMANENTLY ABANDONED
- PROPOSED TEMPORARILY ABANDONED
- PROPOSED SEASONALLY ABANDONED
- PROPOSED OCCASIONALLY ABANDONED
- PROPOSED INFREQUENTLY ABANDONED
- PROPOSED FREQUENTLY ABANDONED
- PROPOSED CONTINUOUSLY ABANDONED
- PROPOSED INTERMITTENTLY ABANDONED
- PROPOSED SPORADICALLY ABANDONED
- PROPOSED OCCASIONALLY OCCUPIED
- PROPOSED FREQUENTLY OCCUPIED
- PROPOSED CONTINUOUSLY OCCUPIED
- PROPOSED INTERMITTENTLY OCCUPIED
- PROPOSED SPORADICALLY OCCUPIED
- PROPOSED OCCASIONALLY UNOCCUPIED
- PROPOSED FREQUENTLY UNOCCUPIED
- PROPOSED CONTINUOUSLY UNOCCUPIED
- PROPOSED INTERMITTENTLY UNOCCUPIED
- PROPOSED SPORADICALLY UNOCCUPIED



**NOTES:**

1. SEE SHEET 10000-1 FOR GENERAL NOTES.
2. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. ALL CORNERS ARE TO BE BENCHMARKED TO THE NEAREST FEASIBLE POINT.
4. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.
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**GENERAL NOTES:**

1. THIS TENTATIVE MAP IS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT, CALIFORNIA.
2. THE PROPOSED SUBDIVISION IS SUBJECT TO THE APPROVAL OF THE SALINAS CITY ENGINEER.
3. THE PROPOSED SUBDIVISION IS SUBJECT TO THE APPROVAL OF THE SALINAS COUNTY ENGINEER.
4. THE PROPOSED SUBDIVISION IS SUBJECT TO THE APPROVAL OF THE SALINAS COUNTY BOARD OF SUPERVISORS.
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**Hydrology.** The project will use one existing well located in the nearby Oaks subdivision to supply water. A new well located southwest of lot 17 will serve as a backup well to the existing water supply. The two wells will serve both the Oaks subdivision and the project subdivision. This system will be transferred to the California-American Water Company (Cal Am) and function as a satellite system. A Hydrogeological Report prepared by Todd Engineers dated September, 2002 indicates that there is adequate source capacity for the proposed project and that the project should have negligible effects on the aquifer in this area.

**Adjacent land uses.** Adjacent land uses include the Toro Regional Park along the eastern and southern boundary and unimproved lands, watershed area, grazing, and rangelands interspersed with single-family residences to the north and west.

**Access to site.** An existing dirt road which will be widened and improved, provides access to the site from San Benancio Road. All development on slopes greater than 30 percent will take place in conjunction with the road improvements.

**Other Environmental Resources:**

- No known hazardous materials exist on the project site.
- No mineral resources have been identified on the project site.
- The parcels are currently grazed, do not contain any prime agricultural land, and are not under a Williamson Act contract.
- The project will not impact the region's air quality and with mitigation, traffic conditions on Highway 68 will not be degraded.

**III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS**

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input checked="" type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

General Plan/Area Plan

The proposed project was reviewed for consistency with the Monterey County General Plan and the Toro Area Plan. Section V.9. *Land Use and Planning* discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, or conflicts with any applicable habitat conservation plan or natural community conservation plan. The proposed subdivision is consistent with the land use designation and zoning classification because the proposed parcels

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comply with the 5.1 acre minimum lot size and single family dwellings are permitted uses in the RDR/5:1 zoning district. Based on the application materials provided to the Department of Environmental Health with respect to water supply and water quality, the project is consistent with the natural resource policies of the Toro Area Plan because the Hydrogeological Report prepared by Todd Engineers dated September, 2002 locally tested the specific site to establish the quality and quantity of groundwater.

Water Quality Control Plan

The project is consistent with the General Plan and the Regional Water Quality Control Plan. The Regional Water Quality Control Board incorporates the County's General Plan in its preparation of regional water quality plans. Section VI.8 (Hydrology and Water Quality) discusses whether this particular project violates any water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes substantially with groundwater recharge, substantially alters the existing drainage pattern of the site or area or creates or contributes runoff water which would exceed the capacity of existing or planned storm water drainage.

Air Quality Management Plan

The Monterey Bay Unified Air Pollution Control District relies on consistency with the Air Quality Management Plan (AQMP) to address cumulative impacts for regional pollutant levels (i.e., ozone). Consistency is determined by comparing the population forecast of the project with those forecasts included in the AQMP. However, Section IV.A (Air Quality) below discusses whether a particular project conflicts with or obstructs implementation of air quality plans, violates any standard or contributes to air quality violations, results in a cumulative net increase of criteria pollutants for which the project region is in non-attainment, exposes sensitive receptors to pollutant concentrations or causes objectionable odors affecting many people.

**IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION**

**A. FACTORS**

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

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

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For the environmental issue areas where there is no potential for significant environmental impact (and not checked on page 5), the following finding can be made using the project description, environmental setting, and material in the project file as supporting evidence.

Check here if this finding is not applicable

**FINDING:** For each of the environmental factors listed on page 5 that are not checked, there is no potential for significant environmental impact to occur from either construction, operation, or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

**EVIDENCE:** The project is the proposed subdivision of approximately (two parcels) 343.92 acres into 17 parcels and a 180-acre remainder parcel. The project includes the removal of 79 oak trees and development on slopes greater than 30 percent. Adjacent land uses include the Toro Regional Park along the eastern and southern boundary and unimproved lands, watershed area, grazing, and rangelands interspersed with single-family residences to the north and west. A number of technical studies have been prepared for the proposed project including a biological assessment, a forest management plan, an archaeological report, a hydrogeological report, a geological and geotechnical feasibility study and traffic study. These studies are incorporated into this initial study by reference and are available for review at:

County of Monterey  
Planning and Building Inspection Department  
2620 1<sup>st</sup> Avenue, Marina, California 93933

Due to the condition of the site and results of the technical studies, many of the topics on the checklist do not apply. Potential impacts are identified for Aesthetics, Biological Resources, Public Services, Utilities/Service Systems, Cultural Resources, Hydrology/Water Quality, Noise, Air Quality, Geology/Soils, Land Use/Planning, and Transportation/Traffic. Mitigation measures are provided as warranted. As discussed in the following paragraphs, the project will have no quantifiable adverse environmental impacts on the categories not checked above.

**Agricultural Resources:** The project site is located in an area designated and zoned for rural residential development. The parcel is currently grazed, does not contain any prime agricultural land, and is not under Williamson Act contract. (Source: 1, 8, 9, 10)

**Hazards/Hazardous Materials:** Miscellaneous hazards include pesticides, fertilizers, petroleum, natural gas, as well as radioactive, flammable, and explosive materials. The project will not transport, use, or dispose of these hazardous materials either during project construction or operation. No known hazardous materials exist on the project site. Although the new parcels

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will be adjacent to a wilderness area, the conditions outlined in a September 17, 2001 letter from the Salinas Rural Fire District require the access roads to comply with fire codes so as not to expose residents or structures to a significant risk of loss due to wildland fires. (Source: 1, 12)

**Mineral Resources:** No mineral resources have been identified or will be affected by this project. (Source: 1, 6)

**Population and Housing:** The project will not induce substantial population growth in the area because the project is consistent with existing zoning code regulations and the General Plan anticipated this level of density on these parcel(s). (Source 1, 8, 9, 10)

**Recreation:** The addition of seventeen homes in the area will not adversely impact local parks, trail easements, or other recreation opportunities. Additionally, the project will not create demands sufficient to justify construction of new facilities. (Source: 1)

**B. DETERMINATION**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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*Paul Muegan*

7-22-03

Signature

Date

PAUL MUEGAN

Associate Planner

Printed Name

Title

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## V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

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previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

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VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) The project complies with the county zoning (RDR/5.1 Acre Minimum & Design Control District) and density requirements for minimum parcel sizes. The project's compliance with the Site Development Standards in the RDR zoning designation, indicates that development such as that proposed by the subject Vesting Tentative Map is anticipated at this location. None of the proposed building sites constitute ridgeline development and all proposed building sites with the possible exception of parcels 7, 11 & 17 are visually concealed from (state scenic) Highway 68 and San Benancio Road. The building sites on parcels 7, 11, and 17 may be visible to motorists traveling along Highway 68, but only for exceedingly brief periods of time. A fleeting glimpse of the proposed building sites by motorists along Highway 68 does not constitute a substantial adverse effect on a scenic vista. The aesthetic effects of the project are considered less than significant.

b) The project will not impact any rock outcroppings or historic buildings. Additionally, the tree removal will not substantially damage scenic resources or substantially impact the views from the two scenic highways located within a quarter mile of the project site; Highway 68, a designated state scenic highway and San Benancio Road, a county scenic roadway. None of the proposed building sites constitute ridgeline development and all proposed building sites with the possible exception of parcels 7, 11 & 17 are visually concealed from Highway 68 and San Benancio Road. These building sites may be slightly visible to motorists traveling along Highway 68, but only for exceedingly brief periods of time. A fleeting glimpse of the proposed building sites by motorists traveling along Highway 68 does not constitute substantial damage to scenic resources.

The project would remove approximately 79 oak trees, approximately one percent of the total trees on the site. Approximately 86 percent of the trees to be removed are between 6-11 inches in diameter and approximately 25 percent are in a state of decay. Only one tree over 24 inches in diameter is planned for removal. This may be avoided by reducing the width of the road or



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changing the road's path. Mitigation Measure 3 requires a certified forester to be consulted in the final road alignment. The Forest Management Plan prepared by Stephen R. Staub, Registered Professional Forester, dated June 2001 for this project recommends replacement trees to be planted at a 3:1 ratio to accomplish the County standard. Additionally, construction activities have the potential to damage trees unless the mitigation measures below are implemented. The removal of oak trees and potential construction damage to remaining trees is considered potentially significant unless mitigation is incorporated. (Source: 1, 3, 9, 13)

The following measures are based on the recommendations in the project's Forest Management Plan.

**MM1: Tree Protection**

Native trees which are located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective fencing, avoiding fill of any type against the base of the trunks, and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. Said protections shall be included as notes on building plans and must be approved by the Director of Planning and Building Inspection.

**MM2: Tree Removal**

Each coastal live oak tree removed from the project site shall be replaced by planting three coastal live oaks. Replacement trees shall be planted outside the areas subject to development and be protected after planting. Excess volunteer seedlings already existing on the site may be transplanted to provide suitable local replacement stock. If on-site stock is not available, replanting stock shall be grown from native seed stock in containers not greater than five gallons in size, with one gallon or smaller preferred.

**MM3: Final Road Alignment**

A certified forester shall be consulted during the development of the final road alignment for the final improvement plans to minimize the number of trees impacted by the road construction without compromising safety and emergency access requirements.

c) The project site contains stands of trees, steep ravines, and a rolling topography. The future development of single family homes on the site will alter the physical appearance of the landscape only on the approximate half-acre building envelopes. This development must comply with existing regulations that govern grading, additional tree removal and design guidelines. There is no evidence that the building envelopes on the respective parcels will cause substantial damage to the existing scenic resources on site or in close proximity. Accordingly, the aesthetic effects of the project are considered less than significant. (Source: 1, 8, 9, 10)

d) Future development will include street lighting as well as lighting around the future homes. These lighting sources would be insignificant in the context of the existing, surrounding rural residential development and any future development will be subject to the County's development standards. These standards require that plans for lighting be approved by the Director of the Planning and Building Inspection Department to ensure that all lighting is unobtrusive and in

conformance with County standards. These standards will result in a less than significant impact. (Source: 1, 8, 9)

2. AGRICULTURAL 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.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 10, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) The project will not conflict with or obstruct with the implementation or application of the local air quality plan. The Air District developed the *2000 Air Quality Management Plan for the Monterey Bay Region (AQMP)*, the third update of the 1991 AQMP. The 2000 AQMP includes revisions to the base year emission inventories and emission forecasts for volatile organic compounds and oxides of nitrogen (pollutants which form ozone) for 2005, 2010, 2015 and 2020. The AQMP uses the population forecasts from AMBAG to develop the projected criteria pollutant inventories. The project is consistent with AMBAG population forecasts. Therefore this project results in no impact to implementation of the air quality management plan.

b) and c) The project, including the ultimate development of seventeen rural residential units, will not violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment (ozone).

A traffic study concluded that the project would result in cumulative LOS deterioration over existing conditions and increased delays at several intersections currently experiencing LOS deficiencies (Highway 68 and San Benancio, Corral de Tierra, Laureles Grade, Pasadera, and 218). Significant intersection impacts can lead to increased emissions of carbon monoxide (CO). Traffic impacts will be mitigated as described in Section V.15. Therefore, no significant traffic related air quality thresholds will be exceeded and no violations will occur as a result of this subdivision, either cumulatively or individually. This is a less than significant impact. (Source: 1, 7, 8)

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- d) The project will not result in significant construction-related air quality impacts. The Air District Guidelines set a threshold for construction activity (including grading) that would have a potentially significant impact in terms of PM<sub>10</sub> emissions at 2.2 acres per day. The proposed subdivision will result in the construction of individual homes on seventeen rural residential lots. Construction related air quality impacts will be temporary in nature and controlled by standard conditions of approval that require watering, erosion control and dust control measures. Construction related air quality impacts are therefore considered a less than significant impact. (Source: 1)
- e) and f) The project will not expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people. As discussed above, the project will not exceed air quality standards with respect to project-generated traffic or construction activities. A subdivision for residential purposes will not generate odors or expose new residents to existing sources of odor. Therefore, this project will result in no impact. (Source: 1)

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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4. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a) The results of the biological surveys submitted with the applicant's biological report did not identify any sensitive species on the proposed residential parcels. Potential habitat for day-roosting bats, Monterey dusky-footed woodrats, raptors, and other nesting migratory birds, however, were identified on site. Also, landscaping associated with the homesites could introduce non-native invasive species into the existing habitat. These impacts are potentially significant without mitigation. (Source: 1, 2)

The following mitigation measures are based on the recommendations in the biological assessment prepared by Zander Associates dated July 13, 2001 and the attendant Addendum dated October 3, 2001.

MM4: Pre Construction Surveys

Within two weeks of initial ground disturbance (for construction of home sites, roads, or other infrastructure), a qualified biologist shall survey proposed areas of disturbance for day-roosting bats, Monterey dusky-footed woodrat nests, and other sensitive species, including raptors and nesting migratory birds as protected under the Migratory Bird Treaty. If any species are found, the biologist will develop appropriate measures to avoid direct impacts to these animals. Such measures typically include avoidance, setbacks, or altering construction schedules to avoid nesting and breeding seasons.

MM5: Native Landscaping Requirements

The developer shall consult with a qualified biologist to develop: 1) a list of permitted and prohibited species for landscaping and 2) a brochure for homeowners that describes the native flora and fauna and provides guidelines for residents to follow to reduce impacts.

- b) The site does not contain any riparian habitat. However, there are several ephemeral drainages on site that carry flows primarily to Toro Creek during winter storms. Development near these drainages could have potentially significant impacts without mitigation. (Source: 1, 2)+

E19

The following mitigation measure is based on the recommendations in the biological assessment prepared by Zander Associates dated July 13, 2001 and the attendant Addendum dated October 3, 2001.

**MM6: Protection of Natural Drainage Areas**

Construction of home sites, roads, or other infrastructure shall avoid filling or disturbing natural drainage courses. Home sites, landscaped areas, and outbuildings shall be located a minimum of 75 feet from the active channel of these drainages. In the event that disturbances cannot be avoided (culverts, storm drain outfalls, etc), the necessary permits from the appropriate regulatory agencies (California Department of Fish and Game and/or the US Army Corps of Engineers) shall be obtained prior to any activity that might encroach on the site's drainage.

- c) The project site does not have wetlands. Therefore there is no impact.
- d) The project could interfere with several resident or migratory wildlife species (daytime roosting bats and Monterey dusky footed woodrats) or impede the use of raptor nursery sites if oak trees are removed during nesting season. These impacts are potentially significant without mitigation. **Mitigation Measure 4** addresses this impact. (Source: 1, 2)
- e) The project will remove approximately 79 oak trees. This impact is potentially significant without mitigation. Mitigation Measures 1, 2, & 3 in Section V.1 Aesthetics address this impact. (Source: 1, 3)
- f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore there is no impact.

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 4, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Discussion/Conclusion/Mitigation:

- a) The project site does not contain any historical resource as defined by CEQA Section 15064.5.
- b) through d) The project site is in an area identified as having high cultural significance. An archeological survey of the surface of the site did not find any items associated with cultural resources. However, due to the location of the site, the report acknowledges that there is a chance that there are buried cultural resources that may be discovered during construction activities. This is considered a potentially significant impact unless mitigation is incorporated. (Source: 4, 8, 9)

The following mitigation measure is based on the recommendation in the Archeological Report prepared by Archeological Consulting and dated March 22, 1993.

**MM7: Preservation of Archeological Resources**

If, during the course of construction, cultural, historical, or paleontological resources are uncovered at the site (surface or subsurface) work shall be halted immediately within 50 meters (150 feet) of the find until it can be evaluated by a professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archeologist (i.e., an archeologist registered with the Society of Professional Archeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

6. GEOLOGY AND SOILS	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) i. Rupture of a known fault. According to County maps, the project is located in an area of moderately high and very high seismic hazard, with the majority of the proposed parcels located in an area designated as having moderately high activity. There are several known regional and local faults in the vicinity of the area; a historical search showed 763 seismic events exceeding 4.0 over a 201 year timeframe. However, there are no faults onsite, the site is not within an Alquist-Priolo Earthquake Fault Zone, and historical records show no evidence of seismically induced ground failure. Therefore, the potential for fault related ground rupture is low and this is a less than significant impact. (Source: 1, 6, 9)

ii. Ground Shaking. The impact of ground shaking is strongly influenced by the character of the underlying soils. The surface soils onsite are medium dense to loose colluvial deposits of silts, sands, and gravel ranging from about 3 to 5 feet thick. These soils are weak, compressible, highly errodable, and unstable on steep slopes. Ground shaking could therefore cause potentially significant impacts without mitigation. Mitigation Measure 9 below addresses this impact. (Source: 6)

iii. Seismic related ground failure. As discussed above, the soils onsite are medium dense to loose colluvial deposits of silts, sands, and gravel ranging from about 3 to 5 feet thick. The underlying soils are denser and have been identified as Paso Robles Formation. It is common for the onsite soil area to contain perched ground water and become weak when saturated. Therefore, if ground shaking were to occur during winter months when groundwater conditions are present, there is a low to moderate chance of liquefaction, and/or lateral spreading. In the dry season and in areas where sufficient drainage exists, the potential for liquefaction and/ or lateral spreading is low. The underlying soils are not susceptible to liquefaction due to the dense nature of the Paso Robles Formation. In the



event of ground shaking, the upper, loose soils have low to moderate potential for settlement at building locations and fill locations. The potential for seismic induced settlement is low for the denser underlying soil. The potential for liquefaction, lateral spreading, or seismic induced settlement in the upper soils is a potentially significant impact without mitigation. Mitigation measure 7 below addresses this impact. (Source: 6)

iv. Landslides. There are four landslides on site: two large dormant and two smaller recent landslides. The two larger slides consist of dense Paso Robles Formation material and are most likely stable, although susceptible to erosion and surface sliding on sloped surfaces during winter months when groundwater does not drain from the soil. The two smaller onsite slides and hummocky conditions in three of the proposed lots were caused by these seasonal wet conditions and lack of drainage. Future slides are possible during winter months and this is a potentially significant impact without mitigation. Mitigation measure 7 below addresses this impact. (Source: 6)

#### **MM 8: Geological Mitigations**

All development on the project site shall be in full compliance with recommendations in the Geological and Geotechnical Feasibility Study prepared by D&M Consulting Engineers, Inc., dated August 6, 2001. These recommendations address impacts from ground shaking, seismic related ground failure, and landslides. Recommendations include, but are not limited to, construction in accordance with the latest edition of the uniform building code, installation of subdrains, reconstruction of slopes and areas with loose soils with internal drainage, construction of debris walls, and location of homes as far down slope as possible. Prior to final inspection, the applicant and/or developer shall provide certification that all development has been in accordance with said report.

- b) As mentioned above, the top 3 to 5 feet of soils could erode substantially. Areas with existing vegetation are relatively stable; however, disturbed areas have significantly higher erosion rates and form gullies with near vertical sidewalls. The project involves the grading of approximately 2,000 cubic feet of material. Development without mitigation could cause potentially significant impacts. The following mitigation measure addresses this impact. (Source: 6)

#### **MM 9: Erosion Control**

The improvement and grading plans for the development shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust, during and immediately following construction and until erosion control planning becomes established. This program shall be approved by the Director of Planning and Building Inspection.

- c) See a) above for a discussion of onsite landslide, lateral spreading, subsidence, and liquefaction impacts. This is a potentially significant impact without mitigation. Mitigation Measure 9 addresses this impact. (Source: 6)
- d) Expansive soils were not found onsite, therefore there is no impact.

E23

e) The project does not propose the use of septic tanks or alternative wastewater disposal systems; the existing sewer system will be extended into this development. Therefore there is no impact.

7. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No. Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1; 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1, 8, 9, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

EDH

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 68, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E25

Discussion/Conclusion/Mitigation:

- a) The project will not violate any waste discharge requirements as designed and conditioned by the Monterey County Health Department. The project also will not violate water quality standards because adequate water supply will be provided by an existing well in the Oaks development with a backup well located south of parcel 17. All seventeen of the proposed houses will be connected to the existing sewer system and will be served by California Utilities Service. The two wells and proper connections to the existing sewer system will have a *less than significant effect* upon water quality standards or waste discharge requirements. (Source: 5)
- b) A site specific hydrogeologic study was prepared by Todd Engineers dated September 2002 which projected the impacts of the proposal on groundwater quantity and quality. The results of the study concluded that the principal long term water supply for the proposed project is adequate and that the project will have a negligible effect on nearby existing wells and on groundwater quantity and quality in the area. The project will result in a net decrease in ground water storage of 12.75 acre feet per year. The impact is therefore considered less than significant. (Source: 5)

**MM 10: Water Supply Design and Installation**

Prior to installation, the applicant shall submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health and California Utilities Service for review and approval. The water system shall meet all County regulations and the applicant shall submit evidence that the Salinas Rural Fire District and California Utilities Service have approved the proposed improvements.

Prior to filing the final parcel map, the applicant shall install or bond the water system improvements to and within the subdivision and any necessary appurtenances.

- c) and d) The installation of roads will increase the amount of impervious surfaces and alter the site's existing drainage. The existing onsite natural drainages are ephemeral and carry flows from winter storms to El Torro Creek (which flows to the Salinas River). There are no streams or rivers on the project site and any impact from the alternations can be mitigated using the construction conditions and recommendation outlined in the geological study to minimize erosion. Therefore, this is a less than significant impact. (Source: 1, 2, 5)
- e) The project site will contribute runoff, however it will not exceed the capacity of existing or planned stormwater drainage facilities. Therefore, this is a less than significant impact. (Source: 5)
- f) The project will not otherwise substantially degrade water quality. Incremental urban pollutants from hardscape runoff following construction of the home sites will occur. However, this will not feed surface waters and is a less than significant impact. (Source: 5)

E26

- g) and h) The project will not place housing or structures within a 100-year floodplain. Therefore, the proposed project will result in no impact.
- i) and j) The project site is not located in a 100-year floodplain, is not beneath a dam or behind a levee. The project site is not subject to inundation to seiche, tsunami, or mudflow, based on non-coastal location and local geologic conditions. Therefore, the proposed project will result in no impact.

9. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 2, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a) The project will not physically divide an established community therefore there is no impact.
- b) The project conflicts with General Plan Policies 37.2.1, 38.1.5, and 39.1.4 which requires existing road infrastructure to support acceptable increases in traffic due to development. These policies prohibit development from exceeding acceptable level of service without adequate infrastructure enhancements to mitigate said impacts. Please refer to Section V.15 *Transportation/Traffic* for a detailed analysis of traffic impacts resulting from this project. The project achieves consistency with these traffic requirements through the mitigation discussed in Section V.15 *Transportation/Traffic*. In all other respects, the project is consistent with the County General Plan, the Toro Area Plan and zoning regulations. This conflict with applicable land use plans is considered less than significant with mitigation incorporated. (Source: 7)
- c) The project will not conflict with any applicable habitat conservation plan or natural community conservation plan, therefore there is no impact.

E27

10. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

11. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 1, 8, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

E28

- a) and b) The project will not expose people to or generate noise levels in excess of standards established in the County noise ordinance, or create groundborne vibration or groundborne noise levels. Therefore there is no impact.
- c) The project will not create a substantial permanent increase in ambient noise levels in the project vicinity above existing levels. Therefore there is no impact.
- d) There are several sensitive noise receptors adjacent to or near the site. These include a school approximately 3000 feet from the site; Toro Regional Park that is adjacent to the site, and several rural residences (the closest residence is approximately 600 feet from the nearest proposed home location). With the exception of the school that is separated from the project site by hills, these receptors including park users and local residents, may experience a substantial temporary increase in ambient noise levels due to construction activity. Even though temporary construction activities will comply with the County's noise requirements (County Code, Chapter 10.60), this is a potentially significant impact unless mitigation is incorporated. (Source: 1, 8, 9, 11, 13)

**MM 11: Reduction in Temporary Construction Noise**

To reduce the effects of construction noise, construction contractors shall be required to limit high noise producing activities to the least noise sensitive times of day and week (e.g., 7:00 am to 6:00 pm, Monday through Friday). A County Planning and Building Inspection official will monitor construction activities.

- e) and f) The project is not located within an airport land use plan or near a private airstrip. Therefore there is no impact.

12. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

E29

- a) The project will not induce substantial population growth because the project is consistent with the site's zoning and abuts areas with comparable development. The General Plan anticipated this level of density on the parcel(s). Additionally, the project will comply with the County's inclusionary housing ordinance by contributing in-lieu fees. Therefore the project will have no impact.
- b) and c) The project will not substantially alter the location, distribution, or density of human population in the area nor create a demand for additional housing. Therefore the project will have *no impact*.

13. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) through e) The project includes the future development of seventeen single family homes and will result in incremental increases in service demands for all population-based public services. The increased demands from seventeen homes will not significantly impact accepted service ratios, response times, or other performance standards as established by the county and the individual service providers. The project will not result in direct or indirect environmental impacts or require the physical alteration or construction of new public facilities. For these reasons, impacts to public services are less than significant. (Source: 1, 8, 9)



14. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

15. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

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a) and b) The project will cause an additional 13 morning peak trips and 17 afternoon peak vehicle trips per day. These trips will cause increases in Highway 68 roadway segment travel times and increases in intersection operations at several intersections along Highway 68 (San Benancio, Corral de Tierra, Laureles Grade, Pasadero, and 218). The impacts are summarized in the following tables.

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Table 1:  
Intersection and Segment Impacts: Morning Peak

Intersection with Highway 68	Existing LOS (delay) 1	Existing + Previously Approved (delay) 2	Existing + Previously Approved + Subject Project (increased delay) 3	Projected Cumulative Conditions (increased delay) 4
San Benancio	E (59.3 seconds)	F (103 seconds)	F (1.5 seconds)	F (5.5 seconds)
Corral de Tierra	C (27.6 seconds)	E (67.3 seconds)	E (< 1 second)	F (12.9 seconds)
Laureles Grade	C (29.2 seconds)	E (57.1 seconds)	E (< 1 second)	E (10.7 seconds)
Pasadera	C (21.3 seconds)	E (65.8 seconds)	E (< 1 second)	E (11.4 seconds)
Highway 218	D (44.3 seconds)	E (73.9 seconds)	E (< 1 second)	E (4.7 seconds)

Total Segment Loss for Existing + Approved + Project:

0.7 east bound  
 2.6 west bound  


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 Total: 3.3 seconds  
 (0.4% increase over existing condition)

1 These values include Total Demand Volumes

2 Represents existing LOS delays plus the delays caused by already-approved projects without mitigations

3 Represents existing LOS delays plus delays caused by already-approved projects plus the subject project (without mitigations)

4 Represents total projected cumulative delays

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Table 2:  
Intersection and Segment Impacts: Afternoon Peak

Intersection with Highway 68	Existing LOS* (delay)	Existing + Approved (delay) 1	Existing + Approved + Project (increased delay) 2	Cumulative Conditions (increased delay) 3
San Benancio	C (21.7 seconds)	D (45.5 seconds)	D (1.8 second)	E (20.7 seconds)
Corral de Tierra	D (42.1 seconds)	E (66 seconds)	E (< 1 second)	F (30.5 seconds)
Laureles Grade	E (63.3 seconds)	F (93.9 seconds)	F (< 1 second)	F (20.7 seconds)
Pasadera	B (15.6 seconds)	D (46.1) seconds)	D (< 1 second)	E (18.4 seconds)
Highway 218	B (16.6 seconds)	D (38.7 seconds)	D (< 1 second)	D (10.6 seconds)

<b>Total Segment Loss for Existing + Approved + Project:</b> 2.7 east bound 0.1 west bound <hr style="width: 20%; margin: auto;"/> Total: 2.8 seconds (0.4% increase over existing condition)	
---	--

1 Represents existing LOS delays plus the delays caused by already-approved projects without mitigations

2 Represents existing LOS delays plus delays caused by already-approved projects plus the subject project (without mitigations)

3 Represents total projected cumulative delays

As shown in the above tables, the impacts from the Existing + Approved + Project will be nominal; however existing conditions are already unacceptable for approximately half of the study intersections and all of the intersections require mitigation under the Existing + Approved scenario. Therefore, the further increases from the project are considered potentially significant without mitigation. (Source 7, 14)

The following mitigation measures are based on the Traffic Report prepared by Higgins and Associates and dated February 11, 2002 and its Supplement dated March, 26, 2003.

**MM12: Improvements to the Highway 68 Corridor**

The applicant shall pay 50 percent of the costs to lengthen the eastbound right turn lane located at the intersection of Highway 68 and Laureles Grade as identified by the Monterey County Traffic Improvement Advisory Committee from the existing 300 feet to 555 feet. Additionally, the applicant shall make its fair share contributions to other

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improvements to the Highway 68 Corridor. Fees are to be paid at such time as required by the County.

**MM13: Traffic Improvements to Meyer Road**

The applicant shall fund the addition of a southbound left turn lane at the intersection of San Benancio and Meyer Road. The applicant shall also improve sight visibility by trimming vegetation and embankment at the intersection of San Benancio and Meyer Road to ensure adequate sight distance in accordance with prevailing speeds.

- c) through g) The project will not change air traffic patterns, increase road hazards due to a design feature, result in inadequate emergency access or parking, or conflict with adopted policies, plans, or programs supporting alternative transportation. Therefore, there is no impact on these issues.

16.	UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Discussion/Conclusion/Mitigation:

- a) The RWQCB incorporates the County's General Plan in its preparation of their regional water quality plans. Therefore this project is consistent with the RWQCB plan and there is a less than significant impact. (Source: 1, 8)
- b) As discussed in Section 8, California Utilities Service and Cal Am will provide the project's wastewater and water needs, respectively. The project, as proposed, will extend existing underground utilities during the upgrade of the existing dirt road. California Utilities Service has a sewer treatment plant off Reservation Road with a capacity of 300 gallons per day. Current usage is only 200 gallons per day; therefore, this treatment plant is able to serve the additional 17 homes anticipated with this project. Impacts from these improvements are therefore considered less than significant. (Source: 1, 5, 15)
- c) The project, as proposed, includes erosion controls and stormwater drainage in accordance with County regulation. The installation of roads will increase the amount of impervious surfaces and alter the site's existing drainage. The existing onsite natural drainages are ephemeral and carry flows from winter storms to El Torro Creek (which flows to the Salinas River). There are no streams or rivers on the project site and any impact from the alterations can be mitigated using the construction conditions and recommendations outlined in the geological study to minimize erosion. The construction of new storm water drainage facilities will therefore be less than significant. (Source: 1, 2, 5)
- d) The project has sufficient water supply. See Section 8 for a full discussion. Consequently, the impact on water supplies available to serve the project is less than significant. (Source: 1, 5)
- e) The wastewater treatment provider, California Utilities has provided a Can and Will Serve letter; therefore this is a less than significant impact. (Source: 1)
- f) and g) Any increase in solid waste generation is considered negligible and less than significant. The project will be required to implement recycling and waste reduction measures in accordance with AB 939. Related solid waste impacts are considered less than significant impacts. (Source: 1)

### VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: )	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source: ) ("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)? (Source: )	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: )	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

a) The results of the biological surveys submitted with the applicant's biological report did not identify any sensitive species on the proposed residential parcels; however, potential habitat for day-roosting bats, Monterey dusky-footed woodrats, raptors, and other nesting migratory birds does exist. Landscaping associated with the homesites also could introduce non-native invasive species in adjacent habitat. The project, as proposed, will remove approximately 79 oak trees, about 1 percent of the total trees on the site, primarily for road improvements. Additionally, construction activities have the potential to damage trees unless at-risk trees are protected. These impacts are potentially significant, however, the implementation of mitigation measures 2 through 6, will protect wildlife that may be present onsite. This impact is therefore less than significant with mitigation incorporated.

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- b) The project will cause an additional 13 morning peak trips and 17 afternoon peak vehicle trips per day. While this is not a large increase, it will cause minor increases in Highway 68 roadway segment travel times and increases in intersection operations at several intersections along Highway 68 (San Benancio, Corral de Tierra, Laureles Grade, Pasadero, and 218). The cumulative project impacts will be nominal; however existing conditions are already unacceptable and these impacts contribute to significant traffic impacts. Mitigation Measures 12 and 13 above mitigate these impacts to less than significant.
  
- c) The project has potential impacts on human beings in the areas of air quality and traffic. The Air District Guidelines set a threshold for construction activity (including grading) that would have a potentially significant impact in terms of PM<sub>10</sub> emissions at 2.2 acres per day. The proposed subdivision will result in the construction of individual homes on seventeen rural residential lots. Construction related air quality impacts will be temporary in nature and controlled by standard conditions of approval that require watering, erosion control and dust control measures. Traffic impacts will be mitigated as discussed above. Therefore, the project with mitigations will not cause substantial adverse effects on human beings, either directly or indirectly. Therefore this impact is less than significant.



## VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

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### Assessment of Fee:

For purposes of implementing Section 735.5 of Title 14, California Code of Regulations: If based on the record as a whole, the Planner determines that implementation of the project described herein, will result in changes to resources A-G listed below, then a Fish and Game Document Filing Fee must be assessed. Based upon analysis using the criteria A-G, and information contained in the record, state conclusions with evidence below.

- A) Riparian land, rivers, streams, water courses, and wetlands under state and federal jurisdiction.
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- C) Rare and unique plant life and ecological communities dependent on plant life, and;
- D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- E) All species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted thereunder.
- F) All marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- G) All air and water resources the degradation of which will individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water.

**De minimis Fee Exemption:** For purposes of implementing Section 735.5 of the California Code of Regulations: A *De Minimis Exemption* may be granted to the Environmental Document Fee if there is substantial evidence, based on the record as a whole, that there will not be changes to the above named resources V. A-G caused by implementation of the project. Using the above criteria, state conclusions with evidence below, and follow Planning and Building Inceptions Department Procedures for filing a de minimis exemption.

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

### Evidence:

The proposed project will not, as mitigated, degrade air or water resources, and will not have impacts that cumulatively result in the loss of biological diversity. However, the proposed project could have impacts on the potential habitat for day-roosting bats, Monterey dusky-footed woodrats, raptors, and other nesting migratory birds.

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## IX. REFERENCES

1. Project Application and Plans located in Monterey County Planning and Building Inspection Department File No. PLN000696.
2. Biological Resources Assessment and Addendum prepared by Zander Associates, July 13, 2001 and October 3, 2001. ESHA Report
3. Forest Management Plan prepared by Stephen R. Staub, Registered Professional Forester, June 2001.
4. Archaeological Report prepared by Archeological Consulting, March 22, 1993.
5. Hydrogeological Report prepared by Todd Engineers, September 2002.
6. Geological and Geotechnical Feasibility Study prepared by D&M Consulting Engineers, Inc., August 6, 2001.
7. Traffic Study prepared by Higgins Associates, February 11, 2002.
8. Monterey County General Plan, Monterey County, 1982.
9. Toro Area Plan, Monterey County, November, 1987.
10. Monterey County Zoning Ordinance Title 21, October 2000.
11. Monterey County Noise Ordinance, October, 1993.
12. Letter from the Salinas Rural Fire District, September 17, 2001.
13. Planner site visits on February 19, 2003, February 26, 2003, and March 18, 2003.
14. Letter from Higgins Associates (traffic consultants) re: Supplemental Mitigation Summary Report for the Wang Subdivision, March 26, 2003.
15. Conversation with California Utilities Service, April 14, 2003.



Gray Davis  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse



Tal Finney  
Interim Director

DF

August 25, 2003

Paul C. Muga  
Monterey County Planning & Building Inspection  
2620 1st Street  
Marina, CA 93933

Subject: Harper Canyon; PLN000696  
SCH#: 2003071157

Dear Paul C. Muga:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on August 22, 2003, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

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Document Details Report  
State Clearinghouse Data Base

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IR

**SCH#** 2003071157  
**Project Title** Harper Canyon; PLN000696  
**Lead Agency** Monterey County Planning & Building Inspection

**Type** Neg Negative Declaration  
**Description** Combined Development Permit for a Standard Subdivision (Vesting Tentative Map) to divide 344 acres into 17 parcels with a 180-acre remainder parcel and grading of approximately 2,000 cubic yards; Use Permit for the removal of 79 Coast Live Oak trees; and a use Permit for Development on slopes greater than 30 percent. The project is located north of San Benancio Road, (Assessor's Parcel Numbers 416-611-001-00 and 416-611-002-000), east of Highway 68, Salinas, in the Toro Area.

**Lead Agency Contact**

**Name** Paul C. Muga  
**Agency** Monterey County Planning & Building Inspection  
**Phone** 831-883-7519 **Fax**  
**email**  
**Address** 2620 1st Street  
**City** Marina **State** CA **Zip** 93933

**Project Location**

**County** Monterey  
**City** Salinas  
**Region**  
**Cross Streets** San Bernardino Road & Monterey-Salinas Highway (68)  
**Parcel No.** 416-611-001-000 and 416-611-002-000  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways** 68  
**Airports**  
**Railways**  
**Waterways**  
**Schools** Salinas Union  
**Land Use** Rural Density residential

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Geologic/Seismic; Noise; Public Services; Traffic/Circulation; Water Supply; Water Quality; Wildlife; Landuse

**Reviewing Agencies** Resources Agency; California Coastal Commission; Department of Fish and Game, Region 3; Department of Forestry and Fire Protection; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 5; State Water Resources Control Board, Division of Water Rights; Native American Heritage Commission

**Date Received** 07/24/2003 **Start of Review** 07/24/2003 **End of Review** 08/22/2003

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# AMBAG

ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

August 14, 2003

Mr. Paul Mugan  
County of Monterey  
Planning & Building Inspection  
2620 1<sup>st</sup> Avenue  
Marina, CA 93933

Re: MCH # 080301 - Notice of Intent to Adopt a Mitigated Negative Declaration  
for Haper Canyon Subdivision, North of San Benancio  
Road, Toro Area

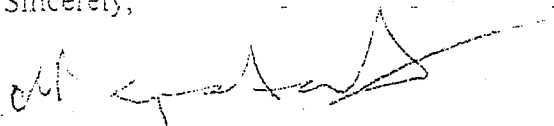
Dear Mr. Mugan:

AMBAG's Regional Clearinghouse circulated a summary of notice of your environmental document to our member agencies and interested parties for review and comment.

The AMBAG Board of Directors considered the project on August 13, 2003 and has no comments at this time.

Thank you for complying with the Clearinghouse process.

Sincerely,



Nicolas Papadakis  
Executive Director

## DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET  
SAN LUIS OBISPO, CA 93403-8114  
TELEPHONE: (805) 549-3111  
TDD (805) 549-3259



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August 20, 2003

MON-068-13.33  
SCH# 2003071157

Paul Mugan  
Planning and Building Inspection  
County of Monterey  
2620 1st Avenue  
Marina, CA 93933

SUBJECT: Encina Hills Subdivision MND Comments

Dear Mr. Mugan:

The California Department of Transportation (Department) District 5 has reviewed the Mitigated Negative Declaration (MND) for the Encina Hills Subdivision. The 344-acre project site is located on the easterly side of San Benancio Road southerly of Route 68. The project would involve the subdivision of two parcels into 17 parcels for residential development. District 5 staff offers the following comments for your consideration:

- 1) Our Department concurs with Mitigation Measure #12 which requires that the project applicant make "fair share" contributions towards improvements to the Route 68 corridor. The specific improvements to Route 68 should be identified in this mitigation measure. Our Department is currently working with the County of Monterey and the City of Monterey to finalize Project Study Reports (PSRs) for improvements to Route 68 between Route 218 and Ragsdale Drive, the Route 68/Laureles Grade Road intersection, and the Route 68/San Benancio Road intersection. The project applicant should make "fair share" contributions towards the improvements identified in these PSRs. The appropriate improvements for the other Route 68 intersections should also be identified. The payment of "fair share" contributions towards these improvements should render the project's contribution to Route 68 to less than cumulatively considerable levels in accordance with Section 15064 of the California Environmental Quality Act (CEQA) Guidelines.

The method used to calculate the "fair share" contributions and the amount of the "fair share" contributions for each traffic improvement should be disclosed in the MND document. It is recommended that the methodology in the Department's "Guide for the Preparation of Traffic Impact Studies" be used as a guide in calculating the "fair shares" for these state highway improvements. Proof of payment of these "fair shares" should be provided to the District 5 Development Review Branch as part of the project mitigation monitoring program.

District 5 would like to receive a copy of the response to our comments and/or the Final MND document. In addition, we would like to request a copy of any subsequent notices and staff reports on this project as well as the Final Conditions of Approval. If you have any questions, you may call me at (805) 542-4751.

Sincerely,

Mike Galizio  
Development Review Branch

cc: Scott Hennessy, County Planning; Lew Bauman, County Public Works, Rich Deal, City of Monterey  
Public Works; David Murray, District 5 Planning; Roger Barnes, District 5 Traffic Operations



**MONTEREY BAY**  
 Unified Air Pollution Control District  
 serving Monterey, San Benito, and Santa Cruz counties

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

AIR POLLUTION CONTROL OFFICER  
 Douglas Quetin

**FW**  
**41**

July 28, 2003

**DISTRICT BOARD MEMBERS**

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 Santa Cruz County

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 King City

Paul Mugan  
 Project Planner  
 Monterey County Planning & Building Inspection Department  
 2620 First Ave.  
 Marina, CA 93933

**SUBJECT: MND FOR HARPER CANYON COMBINED DEVELOPMENT PERMITS**

Dear Mr. Mugan:

Staff has reviewed the referenced document and has no comments.

Thank you for the opportunity to review the document. Please do not hesitate to call if you have any questions.

Sincerely,

Janet Brennan  
 Supervising Planner  
 Planning and Air Monitoring Division

August 20, 2003

Mr. Paul C. Mugañ  
Associate Planner  
Planning and Building Department  
2620 1<sup>st</sup> Avenue  
Marina, CA 93933

Re: Comments re: Harper Canyon Realty Subdivision  
File No. PLN000696

Dear Mr. Mugañ:

Thank you for mailing me a copy of the Mitigated Negative Declaration for the proposed subdivision project entitled Harper Canyon Realty Subdivision (Encina Hills), File No. PLN000696. I have reviewed this report and have shared its contents with other interested neighbors who live on Harper Canyon Road. I have also visited the site of the proposed subdivision and taken some photographs of the terrain.

I respectfully disagree with your conclusions about this proposed project and urge you to withdraw your support of this proposed project. After looking at the site of the proposed project, reading your report and discussing this proposed project with neighbors who live on Harper Canyon Road or on San Benancio Road, I am of the opinion that this proposed project will have a significant deleterious effect on the environment. I believe that this project will also cause substantial adverse effects on all residents who live anywhere near this proposed subdivision, as well as all Monterey County residents who travel on Highway 68.

First, it is important to view this proposed project in the context of all other proposed projects for the Highway 68 corridor, that are at some phase of review by your department or by the Planning Commission. This proposed project, viewed in a vacuum, does not appear to impose major burdens on the already overburdened traffic, water, wildlife and vegetation in the Harper Canyon/San Benancio area. But when we look at the impact of this proposed project, along with the impact of a 9 unit subdivision across the road on San Benancio and a 13 or 14 unit subdivision directly below this proposed 17 unit subdivision, we see a significant negative impact on the quality of life of the residents and the wild life in this area.

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In the following sections, I address the significant negative impact this proposed subdivision would have on traffic, water, vegetation, wildlife and quality of life.

### 1. TRAFFIC

Every time a new subdivision is built on the Highway 68 corridor, such as the Pasadera subdivision, the traffic problems on Route 68 increase exponentially. Your report notes that 17 more vehicles would clog Route 68, if 17 new houses are built. But that is not reality. Every 5+ acre home has more than one person and more than one vehicle attached to the residence. At the very least, there would be 34 more vehicles clogging San Benancio and Route 68 on a daily basis in the mornings and evenings. But that does not take into account the number of vehicles that will have to be used to move huge quantities of earth, put in foundations for 17 homes (at least) and actually build and landscape the 17 homes. And it does not take into account the number of vehicles that will routinely drive on Route 68 and San Benancio to the residences to provide daily or weekly services to the people who live there.

One of our elected supervisors has said that he will not support another subdivision on the Highway 68 corridor that adds just one more car to the horrendous traffic jams we all experience daily on Highway 68. When will the Planning and Building Department take this rational position? Highway 68 can bear no more traffic. This morning, as I waited at the light at San Benancio and Route 68, I saw 3 or 4 huge double trailer trucks turning on to San Benancio. What project were they taking dirt to or removing earth from? My neighbors and I moved to San Benancio for the country living. But with each new approved subdivision, all we get is more traffic jams and a lot less country living.

At page 31 of your report, you indicate under "NM12" that the developer "shall pay 50 percent of the costs to lengthen the eastbound right turn lane located at the intersection of Highway 68 and Laureles Grade". Why would you make the developer pay for this improvement? What about the projects that are much closer to Laureles Grade? This proposed project is 10 minutes away by car. And can you really call lengthening the eastbound right turn lane an improvement? Isn't that just an admission that there is too much traffic on Route 68, so the stalled traffic trying to make a right turn needs a longer lane to wait in, creating more fumes to fill the fresh country air? How about making the developer pay for needed improvements to Harper Canyon Road or to San Benancio Road? Or how about making the developer pay for all the maintenance costs for Harper Canyon Road? I don't expect that would be recommended, but the point is that there is already more traffic on these roads than the roads can bear. We cannot afford another subdivision that brings more traffic to these roads. Page 2

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## 2. WATER

For years the residents in Harper Canyon have had major water problems. We had wells that went dry, as more houses were built, more wells drilled and the water table kept going deeper and deeper underground. My 240 foot well is obsolete. You can't get water at that level any more. Most of my neighbors drilled wells of 600 plus feet in depth, but their wells were not reliable either. So many of us finally built a pipeline and gave it to Cal Am in exchange for a steady water supply. Still, some of my neighbors rely solely on their wells for their water supply. And there is not much water coming from those existing wells in Harper Canyon.

In your report on the proposed subdivision, you write on page 2 that Cal Am will provide the water for the subdivision units. But then at page 4 you write that the project "will use one existing well located in the nearby Oaks subdivision to supply water". And you add that a "new well" will serve as a backup. You propose that the "system" - meaning the two wells? - will be transferred to Cal Am. Is there already an agreement in place for that, before the subdivision is even approved? How many people does the existing Oaks subdivision well serve? How deep is that well? Is the new well already in existence? How deep is that well? How many gallons per second or per minute are being drawn from each of these two wells? Do you know if the additional water use from these wells will adversely affect the Harper Canyon wells? It seems that every time another well is drilled, my neighbors with wells have problems with their water supplies. This makes sense, since there is a finite supply of water for this area. So when you add new water users to the finite supply of water, the existing users get less water. We are already extremely conservative in our water uses. This proposed subdivision should not be allowed to exacerbate existing water problems in the area.

## 3. VEGETATION AND TOPOGRAPHY

When I visited the site of the proposed subdivision, I tried to identify the 79 oak trees that you say would have to be removed to build the subdivision. I found only 2 oak trees with blue paint marking them for removal. Pictures of these two oaks are enclosed herein. As you can see, each "oak" is actually several oaks standing together near the one lane dirt path that goes through the project land. What was strange was that many other stands of oaks that were also right next to this dirt path did not have a blue paint splotch. But it appears that they would be removed, if you intend to have a paved road in the subdivision. Are you sure that the count of 79 trees is accurate?

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You said that you thought the fact that 79 oak trees would be removed was a troublesome one, until you noted that most of these trees were between 6 inches and 11 inches. I gather that you meant 6 inches in diameter and 11 inches in diameter. Most of the oak trees in Toro Park are this size. These are by no means small oak trees, and they have been there for a long time. They provide homes for birds, squirrels, and other small critters. They prevent erosion, and they enhance the beauty of the land. I have to disagree with you that this land is "not a highly scenic area". Just one visit to the area shows anyone how scenic this land is.

You note in the report that the land has "a high potential to contain archeological resources" (page 2). What archeological resources are you referring to? You also note on page 2 that there is a "medium (IV) risk of geological hazards". What geological hazards are you referring to?

When I spoke with you on the telephone, you acknowledged that there is a slope of greater than 30% for much of the land. You indicated that most of the road that would be built would have a grade of 30% or more. And you said that it is likely that, with a flood such as the one in 1998, such a road would be washed out.

Now that I have read the report, you indicate in the report that there are 96 acres, more than one half of the 164 acres that are intended for development, that are slopes of more than 30%. And while you told me that the minimum acreage for one residence would be 5.1 acres, the report indicates that of the 5.1 acres per building site, only one half acre is suitable to build on. How much earth would have to be trucked in, or moved around, to create level building sites? And how many of these houses would fall down the steep slopes with the next flood, or the next earthquake?

Of the 344 acres, 180 acres -- the remainder parcel -- is supposed to be added on to Toro Park. This sounds like a nice "gift". But appears from the small map included in the report that these 180 acres are the cliffs above Rimrock and Harper Canyon, where nothing can be built, so they are of no use to the developer.

There is currently what amounts to a narrow paved driveway called "Meyer Road" going from San Behancio past some already built houses up to the gate to the proposed project. It would be a major job to turn that one lane paved path into a two lane road. And it would be another major job to create a paved two lane road through the proposed project. Who pays for that? And who maintains that?

We in Harper Canyon lost our road in the 1998 flood. The County had to rebuild it, but we cannot get the County to clean out the culverts under Harper Canyon to prevent another collapse of the road. If the County cannot maintain existing roads, should it be taking on responsibility for new roads?

#### 4. WILDLIFE

Practically every day I hike up in Toro Park, or walk up into the Rimrock development or down to the bottom of Harper Canyon Road. I have lived in Harper Canyon for 20 years. One of the major changes over this period of time is that more and more wildlife come into the yards of the residents of Harper Canyon and Rim Rock and more and more wildlife cross San Benancio Road and Harper Canyon Road in front of traffic. A few years ago we had two deer killed in Harper Canyon by mountain lions. One kill was in an orchard, the other kill was in a front yard. We were fearful that the lion would kill our cats and dogs. We also have coyotes, foxes, wild pigs, wild turkeys, skunks, ground squirrels, gophers, moles and quail that live among us. They used to live up in the hills, but as each new subdivision is approved and built, they have less wild acreage to roam, so they come to our homes and wreak havoc. This is unfair to the wildlife and to the residents of Harper Canyon and San Benancio Canyon. We simply cannot afford to lose another 164 acres to houses.

In your report you mention very few birds and animals as having been spotted on the land intended for the subdivision. But go out there any night or early morning, and you will find the area full of hawks, turkey vultures, quail, and wild turkeys. You will find signs of deer, coyotes, pigs, and even the mountain lions. These birds and animals need this acreage, and we need them to have it.

#### 5. QUALITY OF LIFE AND THE GENERAL PLAN

As of this date, it was my understanding that the County has yet to approve a general plan. A large committee is working on ironing out differences, particularly between environmentalists and developers. Yet, you say that the proposed project does not conflict with the General Plan (page 4). What General Plan are you referring to? Most of the recent articles about land use in Monterey County have focused on the fact that we do not have enough affordable housing for our farm workers and hospitality workers. It appears from the proposal of the Encina Hills developer that none of the 17 houses would be "affordable", except for someone who can afford a million dollar home.

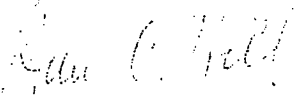
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Harper Canyon and San Benancio Canyon are not enclaves for the wealthy. My neighbors are hard working members of the middle class - gas station owners, teachers, court personnel, restaurant workers, carpenters, government workers, and retired persons on fixed incomes. Our quality of life depends on our ability to enjoy the country life we sought when we moved to this area. That includes the sheer enjoyment of walking and jogging for miles on undeveloped land. That means not having to fight with deer over who gets the produce from our gardens. That means co-existing with the diverse wildlife, allowing the wild animals enough undeveloped land to remain wild. That means driving up San Benancio and Harper Canyon at any time of day or night without running into traffic jams. That means not seeing dead wild turkeys or dead pets on the roads. That means having enough water to shower and to wash the car occasionally. That means preserving the beauty of these fragile canyons and not worrying about houses coming down the sides of the canyons or roads washing out due to poor planning by the County. That means not approving the proposed project entitled "Harper Canyon Realty Subdivision".

Thank you for your time and your attention to this matter. I look forward to your responses to my inquiries and my comments. Please advise me when there will be public hearings on this subdivision proposal.

Sincerely,



Ann C. Hill  
75 Harper Canyon Road  
Salinas, CA 93908  
831 755 5249

8.12.03

F11  
6R

Paul Mugan  
Monterey County Planning & Building Inspection Dept.  
2620 1<sup>st</sup> Ave  
Marina CA 93933

Re: Combined Development Permit Harper Canyon; PLN000696

Dear Mr. Mugan,

In response to your notice of intent to adopt a mitigated negative declaration for the Monterey Planning commission, we would like to go on record as being 100% against such a permit.

Subdividing 344 acres into 17 parcels will greatly impact the quality of life of the current residents in the area. Not to mention the removal of 79 Live Oak trees; and building on slopes of more than 30% grade. The traffic impact, even with the proposed widened road, will be intolerable.

It would be greatly appreciated to be notified of any and all meetings, hearings etc. on this proposal.

Susan C. Clark  
Assessor's parcel #416-231-07  
97 San Benancio Rd.  
Salinas CA 93908  
831.484.1908

Don Eshoff  
Assessor's Parcel #416-231-13  
87 San Benancio Rd  
Salinas CA 93908  
831.484.1751

Lowell and Joanne Webster  
Assessor's parcel #416-331-16  
107 San Benancio Rd  
Salinas CA 93908  
831.484.2696

Vittorio and Joanna Lagana  
Assessor's parcel # 416-231-11  
99 San Benancio Rd  
Salinas CA 93908  
831.484.8637

Richard and Lori Gerber  
Assessor's Parcel #416-231-05  
89 San Benancio Rd.  
Salinas CA 93908  
831-484-5536

Charles & Mary Lou Haugh  
Assessor's Parcel #416-231-25  
83 San Benancio Rd  
Salinas CA 93908  
831-484-1423

Dean & Patricia Rustad  
Assessor's Parcel #416-231-03  
93 San Benancio Rd  
Salinas CA 93908  
831-484-9784

CC: Board of Supervisors, Planning Commission

F12

RESPONSE TO COMMENTS  
INITIAL STUDY  
PUBLIC REVIEW PERIOD JULY 23, 2003 - AUGUST 22, 2003

1R State of California Governor's Office of Planning and Research State Clearinghouse (8/25/03)

Staff Response: None

2R Association of Monterey Bay Area Governments (8/14/03)

Staff Response: None

3R CA Department of Transportation (8/20/03)

Staff Response: Staff fully concurs with CA Department of Transportation comments

4R Monterey Bay Unified Air Pollution Control District (July 28, 2003)

Staff Response: None

5R Ann Hill (8/20/003)

Staff Response: California Environmental Quality Act (CEQA) Guidelines and relevant case law make clear an Environmental Impact Report (EIR) is required in cases where "substantial evidence" supports a "fair argument" that a substantial adverse environmental impact would occur upon approval of a proposed project. Section 15384(a) of the CEQA Guidelines further state in relevant part, that "...argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence."

Ms. Hill's narrative fails to identify any environmental impact which is not mitigated to a less than significant level. For instance, Ms. Hill writes, "I am of the opinion that this proposed project with (*sic*) have a significant deleterious effect on the environment." Ms. Hill's six page narrative opines with perceived impacts to traffic, water, vegetation and topography, wildlife, and "quality of life and the general plan"; however, all of the issues Ms. Hill mentions are discussed in the Initial Study, and reviewed in detail in the appropriate Reference document Nos. 1-15 as noted on Page 37 of the Initial Study (IS). Below are staff's specific responses to various issues noted in Ms. Hill's narrative.

**Traffic:** Page 31 of the Initial Study (IS) summarizes the traffic impacts to subject intersections including Highway 68 by stating that "...further increases from the project are considered potentially significant without mitigation." The study requires two mitigation measures to (MM12 & MM13) mitigate the documented traffic impacts to a less than significant level. Staff notes, however, that a third mitigation measure (MM14) has been added

2

to the Mitigation Monitoring and Reporting program for this project. This mitigation measure previously was classified as a "condition of approval" by the County's Public Works Department, but it is a mitigation measure. Ms. Hill provides no evidence to demonstrate that the subject mitigation measures fail to mitigate the identified traffic impacts to a less than significant level. **FILE**

**Water:** No potentially significant impacts to hydrology and water quality were identified in the Initial Study. A detailed quantitative analysis is contained in the Hydrogeological Report prepared by Todd Engineers, dated September 2002 and included by reference (No. 5) in the Initial Study.

**Vegetation and Topography:** Refer to Pages 11 and 12 of the Initial Study wherein Ms. Hill's concerns are specifically addressed. Also, I.S. Reference No. 3 contained in the Administrative record further details issues related to tree removal.

Please refer to Pages 17 and 18 and Mitigation Measure No. 7 (MM7) and IS Resource No. 4 which address the issue of cultural resources on the site. Please refer to Pages 19 & 20 and MM's 8 & 9 and IS Resource No. 6 which further details the geological conditions on site.

Paragraph No. 3 on page four totally mischaracterizes the content of the referenced telephone conversation with Ms. Hill. Staff is not qualified to render professional conclusions regarding the issues noted therein; nor were said conclusions conveyed to Ms. Hill.

**Wildlife:** Please refer to Pages 15 & 16 and MM's 4-6 and IS Resource No. 2 which address biological issues.

**Quality of Life and the General Plan:** Staff has no response to the opinion set forth in this section.

Susan C. Clark; Lowell and Joanne Webster; Richard and Lori Gerber; Dean & Patricia Rustad; Don Eshoff; Vittorio and Joanna Lagana; Charles & Mary Lou Haugh;

Staff Response: None



Action / Land Use Advisory Comr. tee  
Project Referral Sheet

EXHIBIT

G

Planning & Building Inspection Department  
2620 First Ave.  
Marina, California  
(831) 883-7500

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, July 14, 2003.

Project Title: HARPER CANYON REALTY LLC

File Number: PLN000696

File Type: PC

Planner: MUGAN

Location: SAN BENANCIO RD SALINAS

Project Description:

COMBINED DEVELOPMENT PERMIT FOR A STANDARD SUBDIVISION OF 344 ACRES INTO 17 PARCELS WITH 1 REMAINDER PARCEL; GRADING OF APPROXIMATELY 2,000 CUBIC YARDS; REMOVAL OF 79 COAST LIVE OAK TREES; AND A USE PERMIT FOR GRADING ON SLOPES GREATER THAN 30%. THE PROJECT IS LOCATED ON THE NORTH SIDE OF SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBERS 416-611-001-000 AND 416-611-002-000), EAST OF HIGHWAY 68, TORO AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes  No

PUBLIC COMMENT & AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

There were several questions by members of the audience who discussed the impact of this development upon water usage; waste water disposal; increased traffic in area and visual impact.

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

The Owners representative Attorney Michael Kling said the water issue is no problem as an existing well in the area has a sufficient amount for this development as noted by Curtis Weeks the Water Resource Director. Also the waste water will be disposed of at the California Utilities Service water treatment plant. Marit Evans said that this treatment plant is already at capacity. A traffic analysis was prepared by Higgins Engineers and said that this development will add one tenth of one percent to the existing volume in the area. The Owners will also pay for road improvements at highway 68 and Las Laureles grade intersection.

Kling said the Owners will donate 150 acres of the land to the Toro Park area which is adjacent to this development at the ridgeline. There are 14 existing lots of record in this development and added to the 17 parcels in this application will make it a total of 31 lots.

ADDITIONAL LUAC COMMENTS:

Discussion was about the additional traffic impact to highway 68 which is at a level F configuration. Also water use was a concern as this area is adjacent to the restricted B8 zoned area where increased water use is not allowed. The visual impact was mentioned as a concern which led to a suggestion for a site visit.

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RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):

A motion by Barrientos was made to have a site visit. Seconded by Grant.  
It was decided to have a site visit at the next LUAC meeting on July 28 starting at 2:00pm  
We will meet at the intersection of Harper Canyon road and Myers Road.

CONCUR WITH RECOMMENDATION:

AYES: 4

NOES: 0

ABSENT: 1 (Nunes)

ABSTAIN: 0

Actic ov Land Use Advisory Col ittee  
Project Referral Sheet

62

Planning & Building Inspection Department  
2620 First Ave  
Marina, California  
(831) 883-7500

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, July 28, 2003.

Project Title: HARPER CANYON REALTY LLC

Item continued from 7/14/03 meeting

File Number: PLN000696

File Type: PC

Planner: MUGAN

Location: SAN BENANCIO RD SALINAS

Project Description:

COMBINED DEVELOPMENT PERMIT FOR A STANDARD SUBDIVISION VESTING TENTATIVE MAP TO DIVIDE 344 ACRES INTO 17 PARCELS WITH 1 180-ACRE REMAINDER PARCEL; GRADING OF APPROXIMATELY 2,000 CUBIC YARDS; REMOVAL OF 79 COAST LIVE OAK TREES; AND A USE PERMIT FOR DEVELOPMENT ON SLOPES GREATER THAN 30%. THE PROJECT IS LOCATED ON THE NORTH SIDE OF SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBERS 416-611-001-000 AND 416- 611-002-000), EAST OF HIGHWAY 68, TORO AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes  No

**PUBLIC COMMENT:**

Barbara Schwefel who went on the site visit said that the applicant already has 13 lots of record and with these 17 additional lots proposed will bring to a total of 31 lots which will impact our traffic problems on highway 68 and also cause additional draw from our depleting water supply.

**AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):**

The visual impact is not a matter of concern as the building sites for each unit seems to be located so as not to be seen from the lower elevations.

**RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):**

Not discussed

**ADDITIONAL LUAC COMMENTS:**

Very similar to Schwefel comments noted above. LUAC needs to be consistent with decisions by not approving major subdivisions at this time at least until the General Plan has been approved. Hughett discussed a report by Higgins Associates a Civil and Traffic Engineering Co. in regard to the traffic problems on highway 68. Also Hughett discussed a report by TAMC dated 10/99 that discussed similar issues. Water availability was discussed as a depleting supply as noted above. Basically increased traffic and water use is the main issue. The developers representative, Michael Kling discussed the improvements they would make at the intersection of highway 68 and Las Laureles grade road that supposedly would mitigate the traffic problems on Highway 68.

**RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):**

Hotz recommended approval of this project for the simple reason that it will eventually be approved. Barrientos seconded the motion stating his reason that it should be approved because of an owners property rights.

63

CONCUR WITH RECOMMENDATION:

AYES: 2 (Hotz and Barrientos)

NOES: 2 (Hughett and Grant)

ABSENT: 1 (Nunes)

ABSTAIN: 0

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):

Hughett asked for another motion.

Grant recommended denial of this application based upon the negative comments noted above in reference to traffic and water problems.

Hughett seconded the motion.

CONCUR WITH RECOMMENDATION:

AYES: 2 (Grant and Hughett)

NOES: 2 (Hotz and Barrientos)

ABSENT: 1 (Nunes)

ABSTAIN: 0

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# CALIFORNIA UTILITIES SERVICE, INC.

A California Corporation

Robert T. Adcock  
resident  
(831) 424-0442 Phone

P. O. Box 510  
Salinas, CA 93913  
(831) 424-0611 Fax

June 11, 2001

Michael Cling, Attorney at Law  
313 Main Street, Suite D  
Salinas, CA 93901

RE: Harper Canyon Realty, APN 416-611-001 and APN 416-611-002

Dear Mr. Cling,

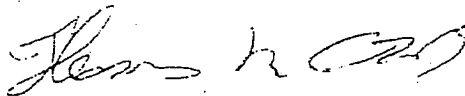
As per your request, this letter will confirm that your client's proposed subdivision is located within our certificated service area. California Utilities Service can and will provide public utility sewer service to the subdivision, located on the above-referenced property, in accordance with its rules and tariffs as approved by the California Public Utilities Commission.

California Utilities Service is a public utility wastewater treatment company that exists and operates under the jurisdiction of the California Public Utilities Commission.

It will be necessary for your client and the utility to enter into a sewer main extension agreement in order for sewer collection facilities to be brought to this subdivision. Upon request, the utility can prepare such a main extension agreement and forward it to you for execution.

If you have any questions or require additional information about our company, please do not hesitate to contact me at (831) 424-0442.

Sincerely,



Thomas R. Adcock  
Vice President

TRA/ams

California-American Water Company **COPY**

Monterey Division  
50 Ragsdale Dr., Suite 100, P.O. Box 951 • Monterey CA 93942-0951

**AI**

Terry Ryan  
Vice President & Manager

April 19, 2001

**RECEIVED**

APR 23 2001

443-618

MICHAEL D. CLING  
ATTORNEY AT LAW

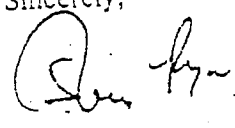
Mr. Michael Cling, Attorney at Law  
313 So. Main Street, Suite D  
Salinas, CA 93901

RE: Harper Canyon Realty, LLC		
APN: 416-521-001	416-521-008	416-611-001
416-521-002	416-521-009	416-611-002
416-521-003	416-521-010	
416-521-004	416-521-011	
416-521-005	416-521-012	
416-521-006	416-521-013	
416-521-007	416-521-016	

This letter is to advise that the referenced property is located within the California-American Water Company (Cal-Am) service area. Cal-Am will serve water to these lots under the provisions of the rules, regulations and tariffs of the California Public Utilities Commission (CPUC) and in accordance with all applicable rules, regulations and ordinances and restrictions of any other regulatory agency with jurisdiction. The applicant for water service must comply with all Cal-Am rules and regulations as are on file with the CPUC and must obtain all required permits and pay all required fees as a condition of service.

Requirements for system improvements that may be necessary have not yet been determined. All costs required to upgrade the system for water service and fire protection to meet all applicable jurisdictional requirements for this project shall be the sole responsibility of the property owner. This may include, but is not limited to, source of supply, treatment, distribution and/or storage. The scope of this proposal to serve water is valid for an indefinite period of time, is subject to water availability to Cal-Am and to changes or modifications as approved, adopted or directed by the CPUC and/or other jurisdictions with authority.

Sincerely,



Terry Ryan

# County of Monterey

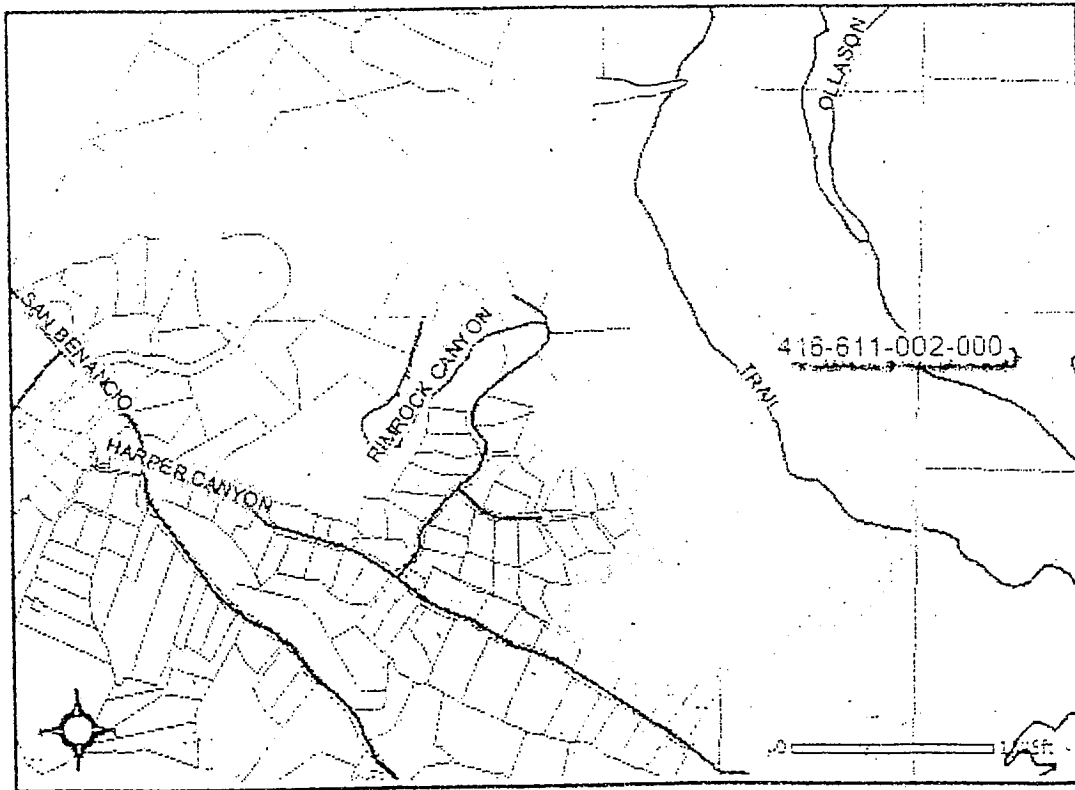
## Planning and Building Inspection Department

2620 First Avenue  
 Marina, CA 93933  
 (831) 883-7500  
 www.co.monterey.ca.us/pbi

I

### Property Report for Selected Parcel

Assessor Parcel No.:	416-611-002-000
Estimated Acreage:	213.44
Zoning:	LDR/1(see note),RDR/5.1,RDR/5.1-D,PQP-D
Zoning Notes:	100' front yard setback along San Benancio Rd. where applicable (40.2.4(T))
Planning Area:	Toro
School District:	SALINAS UNION HIGH
Fire District:	Salinas Rural FPD
State Responsibility Area:	yes
Land Use Advisory Committee:	Toro Advisory Committee
Archaeological Sensitivity:	high
Historical Site:	No
CDFG Natural Communities:	None,Oak savanna
Seismic Hazard Zone:	VI,IV,UNDETERMINED
660 Foot Earthquake Fault Buffer Zone:	No
Landslide Susceptibility:	High,Moderate
Liquefaction Risk:	Low



Source: Monterey County Planning and Building Inspection Department GIS System.  
 All data is believed to be accurate to within 300 feet.

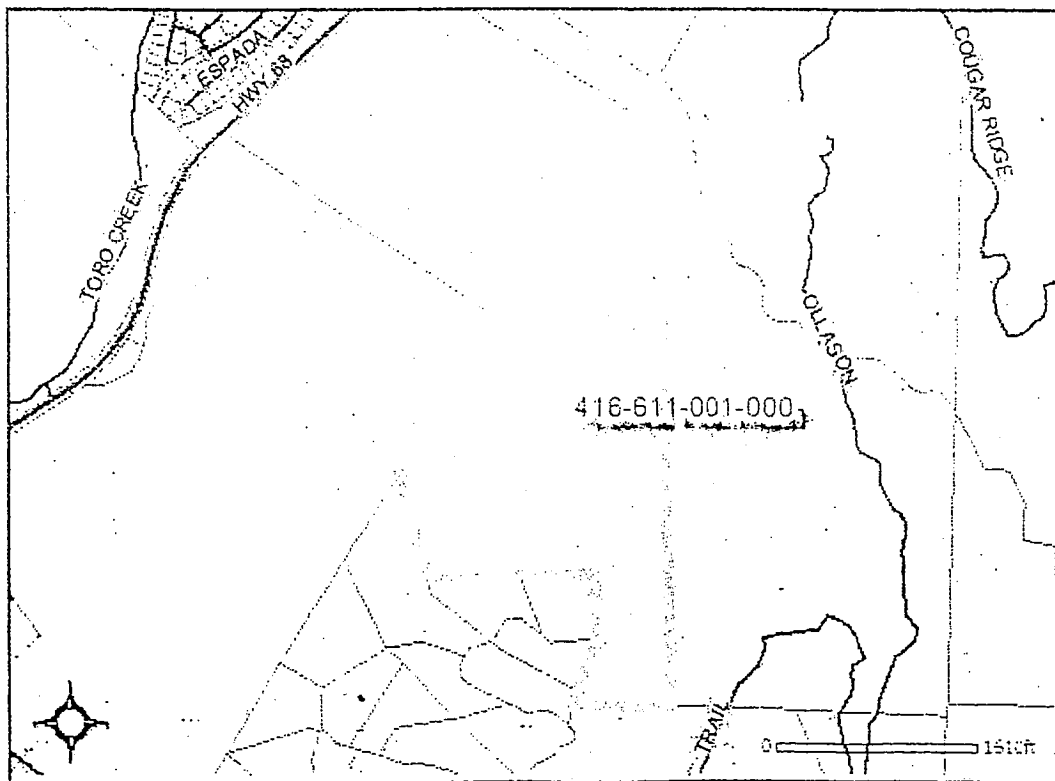
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**County of Monterey**  
**Planning and Building Inspection Department**

2520 First Avenue  
 Marina, CA 93933  
 (831) 883-7500  
 www.co.monterey.ca.us/pbi

**Property Report for Selected Parcel**

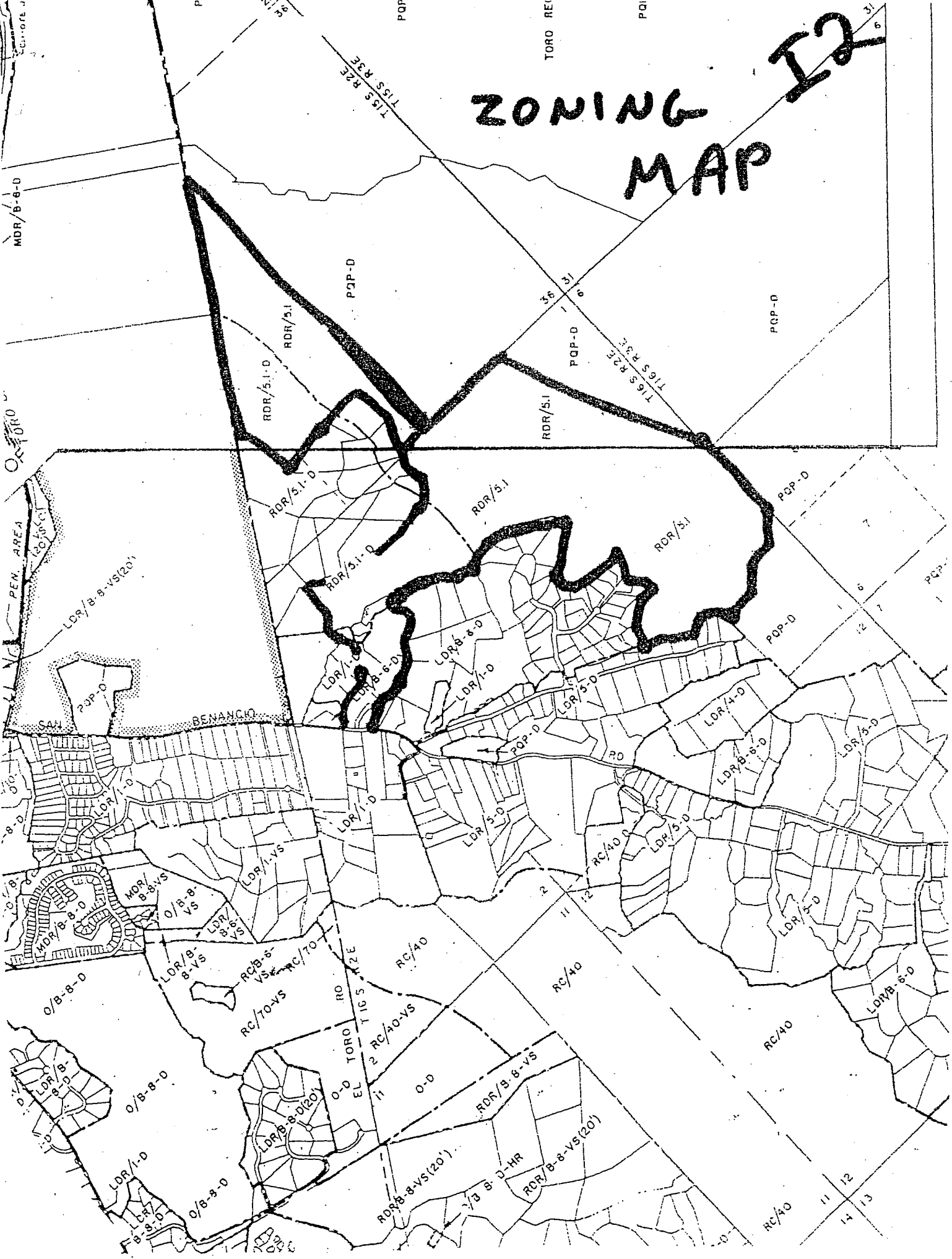
Assessor Parcel No.:	416-611-001-000
Estimated Acreage:	129.93
Zoning:	RDR/5.1,RDR/5.1-D,See note,PQP-D
Zoning Notes:	Pending rezoning application pursuant to Toro Area Plan or developer application consistent with Toro Area Plan.
Planning Area:	Toro
School District:	SALINAS UNION HIGH
Fire District:	Salinas Rural FPD
State Responsibility Area:	yes
Land Use Advisory Committee:	Toro Advisory Committee
Archaeological Sensitivity:	high
Historical Site:	No
CDFG Natural Communities:	None,Oak savanna
Seismic Hazard Zone:	IV
660 Foot Earthquake Fault Buffer Zone:	No
Landslide Susceptibility:	High,Moderate
Liquefaction Risk:	Low



Source: Monterey County Planning and Building Inspection Department GIS System.  
 All data is believed to be accurate to within 300 feet.



# ZONING MAP II





# Monterey County Planning Commission

<b>Meeting:</b> January 12, 2005 <i>at 2:05 pm</i>	<b>Agenda Item</b> 7
<b>Project Description:</b> (PLN000696) Combined Development Permit for a Standard Subdivision (Vesting Tentative Map) to divide 344 acres into 17 parcels with a 180-acre remainder parcel and grading of approximately 2,000 cubic yards; use permit for the removal of 79 coast live oak trees; and a use permit for development on slopes greater than 30 percent.	
<b>Location:</b> The property is located north of San Benancio Road, east of Highway 68, Salinas, in the Toro area.	
<b>Assessor's Parcel Number(s):</b> Assessor's Parcel Numbers 416-611-001-000 & 416-611-002-000	
<b>Plan Area:</b> Toro Area	
<b>Flagged and Staked:</b> No	
<b>Zoning Designation:</b> LDR/1, RDR/5.1, RDR/5.1-D, & PQP-D	
<b>CEQA Action:</b> Mitigated Negative Declaration/Initial Study	
<b>Date application deemed complete:</b> November 22, 2003	
<b>Department:</b> Planning and Building Inspection	

## RECOMMENDATION:

1. Adopt the proposed Mitigated Negative Declaration (Exhibit "E")
2. Approve the project based on Findings and Evidence (Exhibit "C") subject to proposed Conditions of Approval, and
3. Adopt a Mitigation Monitoring and Reporting Program (Exhibit "D").

## OVERVIEW OF PROPOSED ACTION

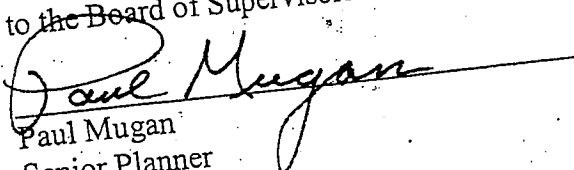
See Exhibit "B"

## OTHER AGENCY INVOLVEMENT:

- Water Resources Agency
- Environmental Health Department
- Public Works Department
- Salinas Rural Fire Protection District
- Parks Department
- Housing and Redevelopment Agency

All have reviewed and recommended conditions of approval.

The proposed project was reviewed by the Toro Land Use Advisory Committee on July 14, 2003 and July 28, 2003. The committee unanimously voted to conduct a site visit on the 14<sup>th</sup> and subsequently voted 2-2 with one member absent, respectively, on two motions; one to recommend approval of the project and one to recommend denial. This project is appealable to the Board of Supervisors.

  
Paul Mugar  
Senior Planner

**Attachments:** Exhibit "A" Project Data Sheet & Vesting Tentative Map  
Exhibit "B" Overview  
Exhibit "C" Recommended Findings and Evidence  
Exhibit "D" Recommended Conditions of Approval & Mitigation Monitoring  
and Reporting Program MMRP  
Exhibit "E" Initial Study and Mitigated Negative Declaration  
Exhibit "F" Comments and Responses to comments received during the  
Public Review period (July 23, 2003 - August 23, 2003)  
Exhibit "G" Land Use Advisory Committee Minutes  
Exhibit "H" California Utilities Service, Inc., and California American Water  
Company correspondence  
Exhibit "I" Vicinity Map/Zoning Map  
Exhibit "J" Vesting Tentative Map

**cc:** Planning Commission Members; County Counsel; Environmental Health  
Department, Public Works, Water Resources Agency, Salinas Rural Fire  
Protection District; Lynne Mounday, Michael Cling, Richard Rosenthal, Paul  
Mugan; file

This report reviewed by Lynne Mounday

*[Handwritten Signature]*  
11/3/2005

Project Information for PLN000696

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Project Title: HARPER CANYON REALTY LLC

Location: SAN BENANCIO RD SALINAS

Applicable Plan: Toro Area Plan

Permit Type: Standard Subdivision

Environmental Status: Mitigated Negative Declaration Prepare

Advisory Committee: Toro

Primary APN: 416-611-001-000

Coastal Zone: No

Zoning: RDR/5.1 & RDR/5.1-D

Plan Designation: Toro Area Plan

Final Action Deadline (884):

Site Data:

Lot Size: 343.9 ACRE

Existing Structures (sf): N/A

Proposed Structures (sf): N/A

Total Square Feet: N/A

Coverage Allowed: 25%  
Coverage Proposed: N/A

Height Allowed: 30'  
Height Proposed: N/A

FAR Allowed: N/A  
FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Botanical Report #: n/a

Forest Management Rpt. #: PLN000696

Archaeological Sensitivity Zone: High  
Archaeological Report #: PLN000696

Fire Hazard Zone:

Erosion Hazard Zone: Moderate  
Soils/Geotechnical Report #: PLN000696

Geologic Hazard Zone: IV  
Geologic Report #: PLN000

Traffic Report #: PLN000696

Other Information:

Water Source: Well

Water Dist/Co: California American Water

Fire District: Salinas Rural Fire District

Tree Removal: 79 Oak Trees

Sewage Disposal (method): Sewer  
Sewer District Name: California Utility  
Grading (cubic yds.): 2,000.0



## EXHIBIT "B" OVERVIEW

### Project Description

The site consists of approximately 344 acres situated southeast of Highway 68 adjacent to Toro Regional Park. The site is zoned Rural Density Residential with 5.1 acre minimum lot sizes required. The property consists primarily of pastureland on hilly terrain that ranges in elevation from approximately 400 to 1,000 feet above sea level. The project is a Combined Development Permit for a Standard Subdivision (Vesting Tentative Map) to divide the acreage into 17 parcels ranging in area between 5.1 and 23.4 acres with a 180-acre remainder parcel and grading of approximately 2,000 cubic yards; a use permit for the removal of 79 coast live oak trees; and a use permit for development on slopes greater than 30 percent. The project will be served by two wells; the principal well located off-site (Oaks well) and the redundant well located on lot 17. The wells will be operated as a satellite system by the California American Water Company. The California Utilities Service will provide public utility sewer service to the subdivision in accordance with its regulations under the Public Utilities Commission.

Access to the site will be via Meyer Road, a privately owned thoroughfare which will be improved in accordance with Monterey County Public Works and Salinas Rural Fire District requirements. Meyer Road accesses San Benancio Road approximately one mile southeast of the State Highway 68 and San Benancio Road intersection. In accordance with Ordinance #3419, the property owner will comply with the County's Inclusionary Housing requirements through payment of an in-lieu fee totaling \$409,555.50.

An Initial Study and Mitigated Negative Declaration was prepared and circulated for public review between July 23, 2003 and August 23, 2003. The Initial Study and Mitigated Negative Declaration identified twelve mitigation measures which reduce potentially significant impacts to Aesthetics, Biological and Cultural Resources, Geology, Traffic and Noise to a less than significant level.

### **Aesthetics:**

The project proposes to remove 79 Oak trees with a replacement rate of 3:1. Also, a certified forester will be consulted during the development of the final road alignment for the final improvement plans to minimize the number of trees impacted by road construction. With the possible exception of lots 7, 11, and 17, none of the building sites would be viewable from State Highway 68 and none of the building sites are ridgeline development.

### **Biological Resources:**

Potential habitat for day roosting bats, Monterey dusky footed woodrats, raptors and other nesting migratory birds were identified on site. Also, landscaping of the homesites potentially could introduce non-native invasive species. Three mitigation measures condition the project to reduce these impacts to a less than significant level. These measures are in accord with recommendations in the geological assessment and addendum prepared by Zander Associates.

### **Cultural Resources:**

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The project site is located in an area identified as having high cultural significance; however, an archeological survey of the site failed to identify any items associated with cultural resources. Due to the possibility of discovering cultural resources on site, the project is conditioned to reduce the potentially significant impact of such a find to a less than significant level.

### **Geology and Soils:**

The project site is located in an area of moderately high and very high seismic hazard risks because there are several regional and local faults in the vicinity of the area; however, there are no known faults onsite. Two mitigation measures identified on page 20 of the Initial Study condition the project to minimize the impacts of seismic activity to a less than significant level. These measures include erosion control requirements imposed on the development in accordance with the Geological and Geotechnical Feasibility Study prepared by D & M consulting Engineers, Inc.

### **Noise:**

The potential for increases in temporary construction noise exist and has been mitigated to a less than significant level through mitigation measure No. 11 found on page 26 of the initial study.

### **Transportation and Traffic:**

The project will cause vehicle trip increases in Highway 68 roadway segment travel times and increases in intersection operations at several intersections along Highway 68. Through traffic improvements to the Highway 68 corridor and Meyer Road, these impacts will be reduced to a less than significant level. These improvements will be implemented in accordance with recommendations provided by Higgins Associates and requirements of the Monterey County Public Works Department.



**EXHIBIT C**  
**RECOMMENDED FINDINGS AND EVIDENCE**

1. **FINDING:** The proposed Combined Development Permit consists of a standard subdivision (Vesting Tentative Map) to divide 344 acres into 17 parcels with a 180-acre remainder parcel and grading of approximately 2,000 cubic yards; use permit for the removal of 79 coast live oak trees; and a use permit for development on slopes greater than 30 percent. The project is located north of San Benancio Road, (Assessor's Parcel Numbers 416-611-001-000 & 416-611-002-000), east of Highway 68, Salinas, in the Toro Area. The project will be served by sewer and two wells operated as a satellite system by California American Water Company. The project, as conditioned, conforms to the plans, policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, the Toro Area Plan, and the Monterey County Zoning Ordinance (Title 21) which designates this area as appropriate for one single family dwelling per 5.1 acres. The Subdivision Committee recommends approval of the Vesting Tentative Map component of the project and defers consideration of the use permit components to the Planning Commission.

**EVIDENCE:** The Planning and Building Inspection staff reviewed the project as contained in the application and accompanying materials for conformity with the:

- a. Monterey County General Plan
- b. Toro Area Plan
- c. Monterey County Subdivision Ordinance (Title 19)
- d. Monterey County Zoning Ordinance (Title 21)

**EVIDENCE:** The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, Housing & Redevelopment Agency, and the Salinas Rural Fire Protection District. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study demonstrates that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed development. Each agency has recommended conditions for subdivision improvements.

**EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in project file PLN000696.

2. **FINDING:** The project will not have a significant adverse impact on the environment. An Initial Study was prepared for the project and it was determined that the project would have no significant impacts. A

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Mitigated Negative Declaration was filed with the County Clerk on July 23, 2003, noticed for public review and circulated to the State Clearinghouse. The public review period ended March 5, 2003. The mitigated negative declaration reflects the independent judgment and analysis of the County.

**EVIDENCE:** County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on July 23, 2003 and noticed for public review. The public review period ended August 23, 2003. All comments received on the Initial Study were considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

- a. Project application/plans and technical reports within project file PLN000696; including Traffic, Archaeological, Geological, Hydrogeologic, and Biological studies and Percolation Tests
- b. General Plan, Toro Area Plan, Zoning Code (Title 21)
- c. Subdivision Map Act and Monterey County Subdivision Ordinance (Title 19)
- d. Inter Departmental Review Comments and Conditions

**EVIDENCE:** The Monterey County Planning and Building Inspection Department prepared an Initial Study pursuant to CEQA. The Initial Study identified several potentially significant effects, but mitigation measures reduce the identified impacts to a less than significant level. The Initial Study is on file in the office of Planning and Building Inspection and is hereby incorporated by reference in project file (PLN000696). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval (Exhibit B).

**EVIDENCE:** A Condition Compliance and Mitigation Monitoring and Reporting Plan (Exhibit B) has been prepared in accordance with Monterey County regulations to ensure compliance during project implementation. Applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan" as a condition of project approval.

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3. **FINDING:** That in approving the final map, the decision-making body has complied with the County's Inclusionary Housing Ordinance (#04185).
- EVIDENCE:** The applicant will be required to comply with the Inclusionary Housing Ordinance as a condition of approval. See condition No. 57.
4. **FINDING:** The recommended conditions regarding recreation requirements, and underground utilities have been applied to ensure that the health, safety, and welfare is preserved and protected.
- EVIDENCE:** Section 18.40 of the Monterey County Code (Inclusionary Housing Ordinance).
- EVIDENCE:** Section 19.12.010 of the Monterey County Code (Recreation Ordinance) (See Condition No. 26).
- EVIDENCE:** Section 19.10.095 of the Monterey County Code (underground utilities) (See Condition No. 11)
5. **FINDING:** For Purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.
- EVIDENCE:** Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein will affect changes to native and non-native plant life and soils. Specifically, the pallid bat and barn owl may be impacted.
- EVIDENCE:** Initial Study and Negative Declaration contained in the project file.
6. **FINDING:** That none of the findings found in Section 19.03.025.F of the Monterey County Code Title 19 Subdivision Ordinance can be made.
- EVIDENCE:** Section 19.03.025.F requires that the subdivision be denied if any one of the findings contained therein can be made. Planning staff has analyzed the project against the findings for denial outlined in this section. The map and its design and improvements are consistent with the County General Plan, and the Toro Area Plan. The site has been determined to be physically suitable for the type and density of development (See Evidence in Finding #1). The design and improvements are not likely to cause substantial environmental damage, substantially and avoidably injure fish or wildlife or their habitat, or cause serious public health problems as demonstrated in the Mitigated Negative Declaration adopted for this project. The design and improvements will not conflict with easements for access through or use of property within the proposed subdivision. Planning staff reviewed the Title Report and applicable recorded documents to identify all easements and ensure that the project does not conflict with existing easements.
- EVIDENCE:** The property provides for adequate building sites as evidenced by the application materials submitted for the project in project file PLN000696. The project was found to be in compliance with the California Subdivision Map Act.
- EVIDENCE:** The application, plans, and support materials, including the technical reports submitted by the project applicant to the Monterey County Planning and

Building Inspection Department for the proposed development. The reports are:

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- a. Biological Resources Assessment and Addendum prepared by Zander Associates, July 13, 2001 and October 3, 2001. ESHA Report
  - b. Forest Management Plan prepared by Stephen R. Staub, Registered Professional Forester, June 2001.
  - c. Archaeological Report prepared by Archeological Consulting, March 22, 1993.
  - d. Hydrogeological Report prepared by Todd Engineers, September 2002.
  - e. Geological and Geotechnical Feasibility Study prepared by D&M Consulting Engineers, Inc., August 6, 2001.
  - f. Traffic Study prepared by Higgins Associates, February 11, 2002.

**EVIDENCE:** Evidence for Findings 1, and 2.

7. **FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvement in the neighborhood, or to the general welfare of the County.

**EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Toro Land Use Advisory Committee, the Department of Planning and Building Inspection, Environmental Health Division, Public Works Department, Salinas Rural Fire Protection District, Housing and Redevelopment Agency and Water Resources Agency. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the County in general.

**EVIDENCE:** Adoption of the Mitigated Negative Declaration includes mitigation measures that address potential impacts to traffic, biotic resources, geology and soils, aesthetics, noise, cultural resources and traffic. No other significant issues have been identified for the project.

**EVIDENCE:** Application materials in project file PLN000696, Initial Study with mitigation measures, and Mitigated Negative Declaration contained in the project file.



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Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Director of Planning and Building Inspection. Any use not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. <b>(Planning and Building Inspection)</b></p>				
2		<p>PBD025 - NOTICE-PERMIT APPROVAL            The applicant shall record a notice which states: "A permit (Vesting Tentative Map) (<b>Resolution X</b>) was approved by the Planning Commission for Assessor's Parcel Numbers 416-611-001-000 and 416-611-002-000 on January 12, 2005. The permit was granted subject to 75 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. <b>(Planning and Building Inspection)</b></p>	<p>Proof of recordation of this notice shall be furnished to PBI.</p>	<p>Owner/ Applicant</p>	<p>Prior to recordation of parcel map.</p>	
3		<p>PBD014 - GRADING-WINTER RESTRICTION            No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. <b>(Planning and Building Inspection)</b></p>	<p>Authorization shall be in writing from the Director of Planning and Building Inspection or his designee.</p>	<p>Owner/ Applicant</p>	<p>Ongoing</p>	

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4		<p>PBD033 – UTILITIES – SUBDIVISION</p> <p>A note shall be placed on the final map or a separate sheet to be recorded with the final map indicating that "Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code." Such facilities shall be installed or bonded prior to filing the (parcel or final) map. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. <b>(Planning and Building Inspection)</b></p>	<p>Place note on map or a separate sheet and submit to PBI for review and approval.</p>	Applicant/ Owner	Note on the final map.	
5		<p>The applicant shall enter into a sewer main extension agreement <b>(Between X and Y?)</b> in order for sewer collection facilities to be brought to this subdivision. <b>(Planning and Building Inspection)</b></p>	<p>Submit to PBI</p>	Applicant/ owner	Prior to recordation of the final map.	
6		<p>PBD024 - NOTE ON MAP-STUDIES</p> <p>A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "A Geological and Geotechnical feasibility Study report dated August 6, 2001 has been prepared on this property by D &amp; M Consulting Engineers, Inc. and is on file in the Monterey County Planning and Building Inspection Department. The recommendations contained in said reports shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. <b>(Planning and Building Inspection)</b></p>	<p>Final recorded map with notes shall be submitted to PBI and Public Works for review and approval.</p>	Owner/ Applicant	Note on the final map.	

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Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
7		<p><b>PBD022 - MITIGATION MONITORING PROGRAM</b></p> <p>The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <b>(Planning and Building Inspection)</b></p>	<p>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</p> <p>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</p>	Owner/Applicant	Prior to issuance of grading and building permits.	
8		<p>The Subdivider shall pay for all maintenance and operation of private roads, fire hydrants, and storm drainage from time of installation until acceptance of the improvements for the subdivision by the Board of Supervisors as completed in accordance with the agreement and until homeowners association or other agency with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services. <b>(Public Works)</b></p>	Public Works shall provide PBI written confirmation of compliance	Owner/Applicant	Prior to recordation of final map	



Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification n of Compliance (name/date)
9		All natural drainage channels shall be designated on the Final Map by easements labeled "Natural Drainage Easements." (Public Works)	On the final map	Owner/ Applicant	As noted on final map	
10		Meyer Road, Alta Lane, and Sierra Lane shall be constructed in accordance with the typical sections shown on the Vesting Tentative Map. (Public Works)	As depicted on the final map	Owner/ Applicant	As noted on final map	

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Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
11		The turn-around bulb on Sierra Lane and Alta Lane shall be paved to a width subject to the approval of the Salinas Rural Fire District. <b>(Public Works)</b>	Salinas Rural Fire District must approve specifications.	Owner/ Applicant/	Fire notes on final map	
12		Obtain an encroachment permit from Monterey County Department of Public Works and construct left-turn channelization on San Benancio Canyon Road, including a private road intersection with tapers. This will require improving the sight distance by cutting back the embankment and possibly lowering the crest vertical curve on San Benancio Canyon Road. <b>(Public Works)</b>	Applicant shall obtain an encroachment permit from DPW prior to issuance of a grading or building permit.	Owner/ Applicant	Note on final map	

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13		<p>The Subdivider shall submit three prints of the approved Tentative Map to each of the following utility companies: Pacific Gas &amp; Electric Company and SBC Pacific Bell. Utility companies shall submit their recommendation, if any, to the Director of Public Works for all required easements. <b>(Public Works)</b></p>	<p>Easements shall be depicted on the final map</p>	Owner/Applicant/Engineer	Prior to recordation of final map	
14		<p>Obtain an encroachment permit from the Department of Public Works and update the existing school flashers to current standards including the replacement of the existing 8 inch lenses with 12 inch lenses. The improvements will be subject to the approval of the school district and the Department of Public Works. <b>(Public Works)</b></p>		Owner/Applicant		

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Permit Cond. Number	Ming. Number	Impact Addressed, and Responsible Land-Use Department	Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification n of Compliance (name/date)
15		<p><b>WP0002 - ROAD WIDTH-FIRE</b></p> <p>All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow, unless other standards or additional requirements are mandated by local jurisdictions or local subdivision requirements. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
16		<p><b>WP0003 - ROADWAY SURFACE-FIRE</b></p> <p>The roadway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	

Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
17		<b>WP0004 - ROADWAY GRADES-FIRE</b> The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
18		<b>WP0006 - ROADWAY RADIUS-ROADWAYS-FIRE</b> No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
19		<b>WP0010 - BRIDGE WIDTH-FIRE</b> All new and reconstructed bridges shall be at least the width of the existing roadbed and berms but in no case less than 12 feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS 15-44 loading (standard specification for highway bridges) and have guard rails. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	

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Permit Cond. Number	Mitig. Number	Impact Addressed and Responsible Land Use Department	Compliance or Monitoring Actions to be performed: Where applicable, a certified professional is required for action to be accepted	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
20		<p><b>WP0011 - BRIDGE SIGNS-FIRE</b>            Appropriate signing, including but not limited to, weight or vertical clearance limitations, and one-way road or single lane road conditions, shall be provided at both entrances to any bridges. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
21		<p><b>WP0014 - DEAD-END ROAD LENGTH-FIRE</b>            The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:            1. Parcels designated in the Area or Implementation Plan for 0 to .99 acres: 800 feet.            2. Parcels designated in the Area or Implementation Plan for 1 to 4.99 acres: 1320 feet.            3. Parcels designated in the Area or Implementation Plan for 5 to 19.99 acres: 2640.            4. Parcels designated in the Area or Implementation Plan zoned for 20 acres or larger: 5280 feet. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	

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22		<p><b>WP0015 - DEAD-END ROADS MEASURED-FIRE</b></p> <p>All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring different length limits, the shortest allowable length shall apply. (Fire District)</p>	<p>Applicant shall incorporate into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
23		<p><b>WP0016 - DEAD-END ROADS-T/A INTERVAL-FIRE</b></p> <p>Where parcels are zoned 5 acres or larger, turnarounds shall be provided at a maximum of 1320 foot intervals. (Fire District)</p>	<p>Applicant shall incorporate into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
24		<p><b>WP0017 - DEAD-END ROADS-T/A TERMINUS-FIRE</b></p> <p>Each dead-end road shall have a turnaround constructed at its terminus. (Fire District)</p>	<p>Applicant shall incorporate into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	

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Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
25		<p><b>WP0019 - GATE ENTRANCES-WIDTH-FIRE.</b>            Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
26		<p><b>WP0020 - GATE ENTRANCES-LOCATION-FIRE</b>            All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
27		<p><b>WP0022 - GATE ENTRANCES-LOCKED-FIRE</b>            Where gates are to be locked, the Reviewing Authority having jurisdiction may require installation of a key box or other acceptable means to immediate access for emergency equipment. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	



Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
28		<p><b>WP0023 - VERTICAL CLEARANCE-FIRE</b>            Unobstructed vertical clearance shall not be less than 15 feet for all access roads. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
29		<p><b>WP0024 - SIGNS-SIZE OF NUMBERS-4"-FIRE</b>            Size of letters, numbers and symbols for street and road signs shall be a minimum 4 inch letter height, 1/2 inch stroke, and shall be a color that clearly contrasts with the background color of the sign. All numerals shall be Arabic. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
30		<p><b>WP0025 - SIGNS-VISIBILITY-FIRE</b>            Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	

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Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
31		<b>WP0026 - SIGNS-HEIGHT-FIRE</b> Height of street and road signs shall be uniform county wide, and meet the visibility and legibility standards of this chapter. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
32		<b>WP0027 - SIGNS-STREET NAMES-FIRE</b> Newly constructed or approved public and private roads and streets shall be identified in accordance with provisions of Monterey County Ordinance No. 1241. All signs shall be mounted and oriented in a uniform manner. This section does not require any entity to rename or renumber existing roads or streets nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
33		<b>WP0028 - SIGNS-INTERSECTING ROADS-FIRE</b> Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	

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34		<p><b>WP0029 - SIGNS-TRAFFIC ACCESS-FIRE</b>  A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, shall be placed:</p> <ol style="list-style-type: none"> <li>1. At the intersection preceding the traffic access limitation, and</li> <li>2. No more than 100 feet before such traffic access limitation. <b>(Fire District)</b></li> </ol>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
35		<p><b>WP0030 - SIGNS-INSTALLATION-FIRE</b>  Road, street and private signs required by this article shall be installed prior to final acceptance of road improvements by the County of Monterey. <b>(Fire District)</b></p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	

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Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
36		<p><b>WP0031 - ADDRESSES FOR BLDGS-FIRE</b>            All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
37		<p>Pursuant to the Monterey County General Plan and Uniform Fire Code Appendix III - A, the basic minimum fire flow requirement is 1,000 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 1 hour. With the installation of an approved automatic fire sprinkler system, the fire flow shall be a minimum of 500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 1 hour. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	

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38		<b>WP0044 - HYDRANT LOCATION-FIRE</b> The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
39		<b>WP0045 - HYDRANT SPACING-FIRE</b> The hydrant serving any building shall be not less than 50 feet nor more than 1000 feet by road from the building it is to serve. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
40		Hydrant/Fire Valve location; Fired hydrants shall be located as required by the Salinas Rural Fire District. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
41		<b>Hydrant/Fire Valve (Specification)</b> Minimum hydrant standards shall include a brass head with the following specifications: a One 4-1/2 inch National Standard Thread outlet; b Minimum of one 2 1/2 inch National Standard Thread outlet; c Minimum 6 inch riser; and d Hydrant outlet coefficient of .9	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	

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Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		(Fire District)				
42		<p><b>WP0048 - HYDRANT-ALT SIGNS-FIRE</b>            Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
43		<p><b>WP0050 - DISPOSAL OF VEGETATION-FIRE</b>            Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of the building permit. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	



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44		<b>WP0051 - GREENBELTS-FIRE</b> Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the Reviewing Authority. <b>(Fire District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
45		<b>WP0060 - SIGNS PRIOR TO FINAL-FIRE</b> Road, street and private signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. <b>(Fire District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
46		Driveways shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. <b>(Fire District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
47		<b>Roadway Surface;</b> The driveway surfaces shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. <b>(Fire District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	

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48		<p><b>Driveway Grades;</b></p> <p>The grade for all driveways shall not exceed 15 percent unless approved by the Salinas Rural Fire District. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map
49		<p><b>WP0005 - ROADWAY RADIUS-DRIVEWAYS-FIRE</b></p> <p>For residential driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. <b>Prior to Commencement of Use:</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map
50		<p>Roadway turnarounds shall be required on driveways in excess of 150 feet of surface length. Required turnarounds on access roads shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the T shall be a minimum of 60 feet in length. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map




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51		<b>WP0009 - ROADWAY TURNOUTS-FIRE</b> Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25 foot taper on each end. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
52		<b>WP0018 - DRIVEWAYS-FIRE</b> Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400 foot intervals. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	
53		<b>WP0049 - SETBACK-30 FT.-FIRE</b> All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, or when a 30 foot minimum setback cannot be reached, alternate fuel modification standards may be imposed by the local fire jurisdiction to provide the same practical effect. (Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.	Applicant/ Owner	Note on final map	

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54		<p><b>WP0052 - VEGETATION/TREE LIMB-FIRE</b>            Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
55		<p><b>WP0056 - FIRE SPRINKLER SYSTEM-FIRE</b>            The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:   <i>"The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection."</i>  <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	

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56		<p>Fire Sprinklers system</p> <p>Fire sprinklers shall be installed in attached garages. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
57		<p><b>WP0062 - ROOF CONSTRUCTION-FIRE</b></p> <p>In high and very high fire hazard areas, as defined by the California Department of Forestry and Fire Protection (CDF), roof construction shall be a Class A or Class B, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired or modified so as to affect 50 percent or more of the roof. Vegetation removal will not be allowed as a means of removing high or very high fire hazard area designation from an entire parcel. (Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	

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58		<p>Size of letters, numbers and symbols for addresses</p> <p>When construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8 inch stroke, and contrasting with the background colors of the sign. <b>(Fire District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes on plans.</p>	Applicant/ Owner	Note on final map	
59		<p>Prior to the recordation of the Final Map, the developers shall comply with the County's Inclusionary Housing Ordinance by payment of, or the securing of payment of an in-lieu fee of \$409,555.50 as allowed for by Ordinance, #3419. This condition shall not be considered complied with until written confirmation is received by the Planning and Building Inspection Department from the Housing and Redevelopment Office, that full payment has been made or secured. <b>(Environmental Resource Policy)</b></p>	<p>Applicant shall pay or secure payment of fee to the Housing and Redevelopment Office.</p>	Owner/ Applicant	Prior to recordation of final map.	

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60		<b>EH1 - WATER SYSTEM PERMIT</b> Obtain a new or amended water system permit from the Division of Environmental Health. ( <b>Environmental Health</b> )	Submit necessary application, reports and testing results to EH for review and approval	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/building permits or prior to filing final map	
61		<b>EH2 - WATER SYSTEM IMPROVEMENTS (CO. PERMITTED SYSTEM)</b> Design the water system improvements to meet the standards as found in Chapter 15.04 of the Monterey County Code, Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the improvements. ( <b>Environmental Health</b> )	Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to EH for review and approval prior to installing (or bonding) the improvements.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/building permits or prior to filing final map	

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62		<p><b>EH4 - FIRE FLOW STANDARDS</b>            Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. (Environmental Health)</p>	<p>Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.</p>	<p>CA Licensed Engineer /Owner/ Applicant</p>	<p>Prior to installing or bonding water system improvements</p>	
63		<p><b>EH5 - INSTALL/BOND WATER SYSTEM IMPROVEMENTS</b>            The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement. (Environmental Health)</p>	<p>The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement.</p>	<p>CA Licensed Engineer /Owner/ Applicant</p>	<p>Prior to recordation of final map.</p>	



Permit Condition Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
64		<p><b>EH25 - INSTALL/BOND SEWER SYSTEM IMPROVEMENTS</b></p> <p>The developer shall install the sewer system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the sewer system improvements and provide security guaranteeing the performance of the Agreement. <b>(Environmental Health)</b></p>	<p>Submit evidence to the Division of Environmental Health that the sewer system improvement installation has been accepted by the regulating agency or that the developer has entered into a Subdivision Improvement Agreement and has provided security acceptable to the County.</p>	Owner/ Applicant	Prior to filing the final parcel map.	
65		<p><b>DRAINAGE PLAN (WR)</b> A drainage plan shall be prepared by a registered civil engineer addressing on-site and off-site impacts. The plan shall include road improvements and subdivision detention facilities to mitigate the impact of impervious surface stormwater runoff. The detention pond shall be fenced for public safety. <b>(Water Resources Agency)</b></p>	<p>Submit 3 plans for review and approval by the Water Resources agency.</p>	Owner/ Applicant	Prior to issuance of Demolition, Grading and/or Building Permits:	

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66		<p><b>WR0024 ROAD AND DRAINAGE MAINTENANCE AGREEMENT (WR)</b>            (If a homeowners association is formed, delete this conditions). Prior to the conveyance of any lots in the subdivision, developer shall have the sole responsibility for the care, maintenance, and repair of road and drainage improvements installed as a condition of approval of the subdivision. Upon each conveyance of each lot in the subdivision, developer shall be jointly obligated with the succeeding owners to perform such obligation pro rated on the basis of the remaining number of lots still owned by the developer. Developer's obligation shall cease upon the conveyance of the last lot in the subdivision. An agreement to this effect, running with the land, shall be recorded between developer and the County of Monterey prior to recordation of the tentative or parcel map.  <b>(Water Resources Agency)</b></p>	<p>Agreement shall be negotiated with the Water Resources agency and recorded with the County Recordors office.</p>	<p>Owner/ Applicant</p>	<p>Prior to Filing of the Parcel or Final Map:</p>	



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67		<p><b>WR0032 NOTICE OF WATER CONSERVATION REQUIREMENTS (WR)</b></p> <p>A notice shall be recorded on the deed for each lot that all new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping, in accordance with County Water Resources Agency Ordinance #3932, or as subsequently amended. (Water Resources Agency)</p>	<p>Notice shall be recorded with the Monterey County Recorders Office</p>	<p>Owner/Applicant</p>	<p>Notes on Final Map</p>	
68		<p><b>WR0033 LANDSCAPING REQUIREMENTS (WR)</b></p> <p>The front yards of all homes shall be landscaped at the time of construction. Low water use or drought tolerant plants shall be used together with water efficient irrigation systems. This shall be the responsibility of the developer if the developer is also the builder. If not, a notice shall be recorded on the deed for each lot to inform future builders of this requirement. (Water Resources Agency)</p>	<p>Provide evidence of compliance to the Water Resources Agency</p>	<p>Applicant/Owner</p>	<p>Note on Final Map</p>	

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69		<p>WR0022 HOMEOWNERS ASSOCIATION (If a home owners association will be formed) A homeowners association shall be formed for the maintenance of roads, drainage facilities, and open spaces. Documents for formation of association shall be approved by the Director of Public Works, the Director of Planning and Building Inspection, and the County Water Resources Agency, prior to filing of final map. C.C. &amp; R.'s shall include provisions for a yearly report by a registered civil engineer, and the monitoring of impacts of drainage and maintenance of drainage facilities. Report shall be approved by the County Water Resources Agency. (Water Resources Agency)</p>	<p>Provide evidence of compliance to the Water Resources Agency</p>			
70		<p>WR0023 MCWRA AGREEMENT (WR) (If a home owners association will be formed) If the homeowners association after notice and hearing fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities in the project. The County Water Resources Agency shall have the right to collect the</p>	<p>Written agreement between Owner/Applicant and Water Resources Agency</p>	<p>Owner/Applicant</p>		

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		<p>cost for said repairs, maintenance or improvements from the property owners upon their property tax bills. A hearing shall be provided by the Board of Supervisors as to the appropriateness of the cost. An agreement to this effect shall be entered into concurrent with the filing of the final map of the first phase of the subdivision. <b>(Water Resources Agency)</b></p>				
71		<p><b>WR0037 C.C.&amp;R. WATER CONSERVATION PROVISIONS</b>            (If a home owners association will be formed) In accordance with Monterey County Water Resources Agency Water Conservation Ordinance No. 3932, or as subsequently amended, the C.C.&amp;R.'s shall contain provisions that: all new construction incorporate the use of low water use plumbing fixtures including, where applicable, hot water recirculation systems; the front yards of all homes shall be landscaped at the time of construction; low water use or drought tolerant plants shall be used together with water efficient irrigation systems; leak repair is the property owner's responsibility; vehicle and building washing shall use hoses equipped with shut off nozzles; no potable water to be used for sidewalk washing; no water spillage into streets, curbs, and gutters; no emptying or refilling of</p>	<p>Provide evidence of compliance to the Water Resources Agency</p>	<p>Owner/ Applicant</p>	<p>Note on Final Map</p>	

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Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (method)
		swimming pools except for structural repairs or if required for public health regulations; no fountains unless water is recycled within the fountain. <b>(Water Resources Agency)</b>				
72		<b>WR0006 COMPLETION CERTIFICATION</b> Certification that stormwater retention facility has been constructed in accordance with approved plans shall be provided to the County Water Resources Agency by a registered civil engineer or licensed contractor who constructed the facility. <b>(Water Resources Agency)</b>	Provide evidence of compliance to the Water Resources Agency.		<b>Prior to Commencement of Use</b>	

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73		Prior to recording the Final Map, the applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance (Title 19, Monterey County Code). <b>(Parks Department)</b>	Applicant shall work with the Monterey County Parks and Recreation Department to comply with Title 19.	Owner/ Applicant	Prior to recording the final map	
74		The 30-foot wide emergency access easement between Alta Lane and the Toro Park boundary shall not be used as a private trail. Prior to filing of the Final Map, the identification of this easement as a trail shall be removed from the map. <b>(Parks Department)</b>	The Applicant.	Owner/Applicant	Prior to filing of the Final Map, the identification of this trail shall be removed.	

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75		<p>While the final location of home sites may vary from the approximate homesite locations depicted on the Tentative Map, the final locations shall comply with the 30% slope and ridgeline regulations, as specified in Title 21. Additionally, in order to protect views from Toro Park, no buildings shall be constructed on the highest knoll of Lot 1 along the boundary line with Toro Park. (Parks &amp; Planning Departments)</p>	<p>Applicant's preparation of Final Map.</p>	<p>Owner/Applicant</p>	<p>Notes on Final Map</p>	
	MM1	<p>Native trees which are located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective fencing, avoiding fill of any type against the base of the trunks, and avoiding an increase in soil depth at the feeding zone or drop line of the retained trees. Said protections shall be included as notes on building plans and must be approved by the Director of Planning and Building Inspection.</p>	<p>Note on building plan review by PBI.</p>	<p>Owner/Applicant</p>	<p>Notes on building plans</p>	
	MM2	<p>Each protected coastal live oak tree removed from the project site shall be replaced by planting three coastal live oaks. Replacement trees shall be planted outside the areas subject to development and be protected after planting. Excess volunteer seedlings already existing on the site may be transplanted to provide suitable local replacement stock. If on-site stock is not available, replanting stock shall be grown from native seed stock in containers not greater than five gallons in size, with one</p>	<p>Certified forester shall submit certification to PBI of compliance with MM2</p>	<p>Owner/Applicant/Certified forester</p>	<p>Note on final map</p>	



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		gallon or smaller preferred.				
	MM3	A certified forester shall be consulted during the development of the final road alignment for the final improvement plans to minimize the number of trees impacted by the road construction without compromising safety and emergency access requirements.	Property owner shall submit written confirmation of compliance to PBI.	Owner/ Applicant/ Certified forester	Note on final map	
	MM4	Pre-Construction Surveys – Within two weeks of initial ground disturbance (for construction of home sites, roads, or other infrastructure), a qualified biologist shall survey proposed areas of disturbance for day-roosting bats, Monterey dusky-footed woodrat nests, and other sensitive species, including raptors and nesting migratory birds as protected under the Migratory Bird Treaty. If any species are found, the biologist will develop appropriate measures to avoid direct impacts to these animals. Such measures typically include avoidance, setbacks, or altering construction schedules to avoid nesting and breeding seasons.	Owner shall submit written confirmation of compliance to PBI.	Owner/ Applicant/ Biologist	Note on final map	
	MM5	The developer shall consult with a qualified biologist to develop: 1) a list of permitted and prohibited species for landscaping and 2) a brochure for homeowners that describes the native flora and fauna and provides guidelines for residents to follow to reduce impacts.	Owner shall submit written confirmation of compliance to PBI.	Owner/ Applicant/ Biologist	Note on final map	

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Permit Cond. Number	Mitig. Number	Impact Addressed and Responsible Land Use Department	Compliance or Monitoring Actions to be performed Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (date/da- te)
	MM6	<p>Construction of home sites, roads, or other infrastructure shall avoid filling or disturbing natural drainage courses. Home sites, landscaped areas, and outbuildings shall be located a minimum of 75 feet from the active channel of these drainages. In the event that disturbances cannot be avoided (culverts, storm drain outfalls, etc.), the necessary permits from the appropriate regulatory agencies (California Department of Fish and Game and/or the US Army Corps of Engineers) shall be obtained prior to any activity that might encroach on the site's drainage.</p>	<p>In the event that disturbances cannot be avoided, the necessary permits from the appropriate regulatory agencies (California Department of Fish and Game and/or the US Army Corps of Engineers) shall be obtained prior to any activity that might encroach on the site's drainage.</p>	Owner/ Applicant/ Contractors	Note on final map	
	MM7	<p>If, during the course of construction, cultural, historical, or paleontological resources are uncovered at the site (surface or subsurface) work shall be halted immediately within 50 meters (150 feet) of the find until it can be evaluated by a professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archeologist (i.e., an archeologist registered with the Society of Professional Archeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>	<p>Final recorded map with notes shall be submitted to PBI and Public Works for review and approval.</p>	Owner/ Applicant/ Contractors	Note on final map	



<i>Permit Cond. Number</i>	<i>Mitig Number</i>	<i>Impact Addressed, and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	MM8	<p><b>GEOLOGICAL MITIGATIONS</b> – All development on the project site shall be in full compliance with recommendations in the Geological and Geotechnical Feasibility Study prepared by D&amp;M Consulting Engineers, Inc., dated August 6 2001. These recommendations address impacts from ground shaking, seismic related ground failure, and landslides. Recommendations include, but are not limited to, construction in accordance with the latest edition of the uniform building code, installation of subdrains, reconstruction of slopes and areas with loose soils with internal drainage, construction of debris walls, and location of homes as far down slope as possible. Prior to final inspection, the applicant and /or developer shall provide certification that all development has been in accordance with said report.</p>	<p>Prior to final inspection, the applicant and /or developer shall provide certification in the form of written verification by the Geological Consultant that all development has been in accordance with said report.</p>	Owner/ Applicant/ Contractors	Note on final map	
	MM9	<p><b>Erosion Control</b> - The improvement and grading plans for the development shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust, during and immediately following construction and until erosion control planning becomes established. This program shall be approved by the Director of Planning and Building Inspection.</p>	<p>Subject to approval by the PBI Director</p>	Owner/ Applicant/ Contractors	Note on final map	
	MM10	<p><b>Water Supply Design and Installation</b> - Prior to installation, the applicant shall submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health and California Utilities Service for review and approval. The water</p>	<p>The applicant shall submit evidence to PBI that the Salinas Rural Fire District and California Utilities Service have approved the proposed improvements</p>	Owner/ Applicant/ Engineer	Prior to filing the final parcel map,	

D3

738

Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance of Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verificatio n of Compliance (name/date)
		<p>system shall meet all County regulations and the applicant shall submit evidence that the Salinas Rural Fire District and California Utilities Service have approved the proposed improvements. Prior to filing the final parcel map, the applicant shall install or bond the water system improvements to and within the subdivision and any necessary appurtenances.</p>				
	MM11	<p><b>Reduction in Temporary Construction Noise</b> - To reduce the effects of construction noise, construction contractors shall be required to limit high noise producing activities to the least noise sensitive times of day and week (e.g., 7:00 am to 6:00 pm, Monday through Friday). A County Planning and Building Inspection official will monitor construction activities.</p>	<p>A County Planning and Building Inspection official will monitor construction activities.</p>	Owner/Applicant	Ongoing	
	MM12	<p><b>Traffic Improvements to Meyer Road</b> - The applicant shall fund the addition of a southbound left turn lane at the intersection of San Benancio and Meyer Road. The applicant shall also improve sight visibility by trimming vegetation and embankment at the intersection of San Benancio and Meyer Road to ensure adequate site distance in accordance with prevailing speeds.</p>	<p>Applicant shall construct the attendant improvements subject to the approval of the Public Works Department.</p>	Owner/Applicant	Prior to filing the final parcel map.	

Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (date/initials)
	MM13	<p>1) In order to mitigate project specific traffic impacts on the Highway 68 corridor, subdivider shall either:</p> <p>(a) Contribute to County 55% of the cost of lengthening the eastbound right turn lane on Highway 68 at Laureles Grade (included in recommendations of the State Highway 68 Traffic Improvement Advisory Committee) including engineering costs, environmental review costs, permit costs and construction costs.</p> <p>or</p> <p>(b) Enter into a reimbursement agreement with County and complete the following: Prepare improvement plans, obtain environmental clearances, obtain required permits and construct the eastbound right turn lane extension on Highway 68 at Laureles Grade (included in recommendations of the State Highway 68 Traffic Improvement Advisory Committee) in accordance with the recommendation contained in the "Harper Canyon Realty Subdivision Traffic Analysis Report Update", prepared by Keith Higgins, dated February 11, 2002.</p>	<p>Applicant shall pay the required fee to the Department of Public Works.</p>	Owner/ Applicant	Prior to filing the final parcel map.	

D39

D-40

Permit Cond. Number	Mitig. Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		2) In order to mitigate cumulative traffic impacts on the Highway 68 corridor, subdivider shall pay to the County a traffic mitigation fee of \$9750 per lot (1995 dollars). This fee shall be updated annually based on the Engineering News Record Construction Cost Index.				
		End of Conditions.				

# UNLITIGATED NEGATIVE DECLARATION

FILED  
JUL 23 2003  
STEPHEN L. VAGNIN  
MONTEREY COUNTY CLERK  
21110001 DEPUTY

E

Project Title: HARPER CANYON REALTY LLC  
File Number: PLN000696  
Owner: HARPER CANYON REALTY LLC  
809 N HILLCREST RD  
BEVERLY HILLS CA 90210-2608

Project Location: SAN BENANCIO RD SALINAS  
Primary APN: 416-611-001-000-M  
Project Planner: *Paul Morgan*  
Permit Type: Standard Subdivision

Project Description: COMBINED DEVELOPMENT PERMIT FOR A STANDARD SUBDIVISION (VESTING TENTATIVE MAP) TO DIVIDE 344 ACRES INTO 17 PARCELS WITH A 180-ACRE REMAINDER PARCEL AND GRADING OF APPROXIMATELY 2,000 CUBIC YARDS; USE PERMIT FOR THE REMOVAL OF 79 COAST LIVE OAK TREES; AND A USE PERMIT FOR DEVELOPMENT ON SLOPES GREATER THAN 30%. THE PROJECT IS LOCATED NORTH OF SAN BENANCIO ROAD, (ASSESSOR'S PARCEL NUMBERS 416-611-001-000 AND 416-611-002-000), EAST OF HIGHWAY 68, SALINAS, IN THE TORO AREA.

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

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body (check one):

- Planning Commission
- Subdivision Committee
- Zoning Administrator
- Chief of Planning Services
- Board of Supervisors
- Other:

Responsible Agency: County of Monterey  
Review Period Begins: 07/23/2003  
Review Period Ends: 08/22/2003

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, Monterey County Courthouse, 40 Church St., Salinas, CA (831) 755-5025

Date Printed: 07/23/2003

# MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT

PO BOX 1208 SALINAS, CA 93902

(831) 755-5025 FAX: (831)755-5487



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

NOTICE IS HEREBY GIVEN that the Monterey County Planning and Building Inspection Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Harper Canyon; PLN000696) north of San Benancio Road (APN 416-611-001-000 and 416-611-002-000) (see description below). The project involves the subdivision of approximately 344 acres into 17 parcels with a 180-acre remainder parcel. The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Planning and Building Inspection Department, 2620 1<sup>st</sup> Avenue, Marina. The Planning Commission will consider this proposal at a future (date to be determined) meeting in the Monterey County Board of Supervisors Chambers, 240 Church Street, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from July 23, 2003 to August 22, 2003. Comments can also be made during the public hearing.

**Project Description:** Combined Development Permit for a Standard Subdivision (Vesting Tentative Map) to divide 344 acres into 17 parcels with a 180-acre remainder parcel and grading of approximately 2,000 cubic yards; A Use Permit for the removal of 79 Coast Live Oak trees; and a Use Permit for development on slopes greater than 30 percent. The project is located north of San Benancio Road, (Assessor's Parcel Numbers 416-611-001-000 and 416-611-002-000), and east of Highway 68, Salinas, in the Toro Area.

### FOR ADDITIONAL INFORMATION CONTACT:

Paul Muga, Project Planner

Monterey County Planning & Building Inspection Department

2620 1st Avenue

Marina, CA 93933

(831) 883-7519

Er

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

Distribution: (see below)

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

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

Return to: Paul C. Muga  
Associate Planner  
Monterey Co. Planning and Building Inspection Dept.  
2620 1<sup>st</sup> Avenue  
Marina, CA 93933

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

**DISTRIBUTION**

1. State Clearinghouse (15 copies) --include Notice of Completion
2. County Clerk's Office
3. Association of Monterey Bay Area Governments
4. Salinas Union High School District
5. California American Water Company
6. California Utilities Service, Inc.
7. Pacific Gas & Electric
8. Pacific Bell
9. Monterey Bay Unified Air Pollution Control District
10. CA State Department of Fish and Game
11. CalTrans





COUNTY OF MONTEREY  
PLANNING AND BUILDING INSPECTION DEPARTMENT  
2620 1st. Avenue  
MARINA, CALIFORNIA 93933

NOTICE OF PREPARATION

TO: All Responsible Agencies

FROM: Planning & Building Inspection Department  
168 W. Alisal - Second Floor  
Seaside, CA 93901

Subject: NOTICE OF PREPARATION of a Draft Environmental Impact Report.

The County of Monterey will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are detailed in the attached materials. An Initial Study/Mitigated Negative Declaration is on file at the Monterey County Planning and Building Inspection Department and is available for review at:

Monterey County Planning and Building Inspection Department  
168 W. Alisal - Second Floor  
Salinas, CA 93901

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but no later than 30 days after receipt of this notice.

Please send your response to Paul Mugan, Senior Planner, at the address shown above. We will need the name for a contact person in your agency.

Project Title: HARPER CANYON/ENCINA HILLS  
Project Applicant: Michael D. Cling

Paul Mugan, Senior Planner  
Telephone #: (831) 755-5130  
Date: July 18, 2005



**PROJECT LOCATION:**

THE PROJECT IS LOCATED APPROXIMATELY ONE HALF TO THREE QUARTERS OF A MILE SOUTH/SOUTHEAST OF STATE HIGHWAY 68, AND NORTH/NORTHEAST OF SAN BENANCIO ROAD, (ASSESSOR'S PARCEL NUMBERS 416-611-001-000 AND 416- 611-002-000), SOUTH OF THE CITY OF SALINAS IN THE TORO PLANNING AREA.

**PROJECT DESCRIPTION:**

THE PROPOSED PROJECT IS A STANDARD SUBDIVISION (VESTING TENTATIVE MAP) TO DIVIDE 344 ACRES INTO 17 PARCELS WITH A 180-ACRE REMAINDER PARCEL AND GRADING OF APPROXIMATELY 2,000 CUBIC YARDS. THE LAND USE ENTITLEMENTS REQUIRED HEREIN INCLUDE A USE PERMIT FOR THE REMOVAL OF 79 COAST LIVE OAK TREES AND A USE PERMIT FOR DEVELOPMENT ON SLOPES GREATER THAN 30 PERCENT.

Potential environmental effects preliminarily identified related to the following:

1. Aesthetics; including visually impacts on a state or local scenic corridor, impacts on the rural character of the area.
2. Air Quality; including air emissions that could exceed the air district's thresholds of significance
3. Biological Resources; potential habitat for sensitive species exist on site. See initial study.
4. Cultural Resources; including possibility of cultural resources on site.
5. Geology/Soils; including erosion and soil stability for building sites
6. Hydrology/water quality; including water availability and impacts on groundwater levels and water systems in the area.
7. Land use/planning; conflicts with policies regarding traffic impacts. See initial study.
8. Noise; including impacts from additional traffic on adjacent residential areas
9. Public Services; population based public services would be impacted.
10. Transportation/Traffic; including impacts on already deficient levels of service on State Highway 68 and availability of Highway/Road infrastructure to accommodate traffic generated by the project and cumulative impacts of foreseeable projects.
11. Utilities/Service Systems; capacity of wastewater disposal including availability of sewer infrastructure to transport sewage and capacity for sewage processing and disposal.

LAW OFFICES

**RICHARD H. ROSENTHAL**  
A PROFESSIONAL CORPORATION

27880 DORRIS DRIVE, SUITE 110, CARMEL, CA 93923  
P.O. BOX 1021, CARMEL VALLEY, CA 93924  
(831) 625-5193  
FAX (831) 625-0470

3891L10.doc

11 January, 2005

Monterey County Planning Commission  
Attn: Linda Rotharmel  
Secretary to the Planning Commission  
2620 1<sup>st</sup> Avenue  
Marina, CA 93933

**HAND DELIVERED**

Re: Harper Canyon Realty, LLC – PLN 000696

Dear Planning Commissioners:

I have been requested by the Meyer Community Group to respond to the Planning Department's proposed recommendation of approval based upon a mitigated negative declaration. The staff report contains recommended findings that find the project consistent with the County's General Plan and Toro Area Plan, Finding 1, and permit the approval of the project based upon a mitigated negative declaration, Finding 2. The Meyer Community Group believes the CEQA assessment of the project is inadequate and its staff's conclusion to recommend approval based upon a mitigated negative declaration flawed.

Mitigated Negative Declaration: Finding 2 recommends the adoption of a mitigated negative declaration to support the approval of the project. The Meyer Community Group respectfully disagrees with the staff's conclusions that all significant environmental impacts addressed in the initial study have been mitigated and/or conditioned away. The Group also questions the adequacy of the Initial Study, including its failure to assess cumulative and growth inducing impacts. Furthermore, it is clear that the assessment of California Utilities Service, Inc.'s capacity is woefully inadequate and the Health Department's review is grossly negligent. The following argument and evidence supports a fair argument that this project may result in significant unmitigated environmental impacts and that the Initial Study is woefully flawed as a decision-making tool for the Planning Commission to make an informed decision regarding the development entitlements at issue. *Citizens Association For Sensible Growth Of Bishop Area vs. County of Inyo (County of Inyo)* (1985) 172 Cal.App. 3d 151; *Sundstrom vs. County of Mendocino (Sundstrom)* (1988) 202 Cal.App. 3d 296, 311. The fair argument standard is a "low threshold" test for requiring preparation of an EIR. *Pocket Protectors vs. City of Sacramento* (2004) 2004 DJDAR 14524, 1431.

FOR U.S. MAIL DELIVERY: P.O. BOX 1021, CARMEL VALLEY, CA 93924  
FOR EXPRESS MAIL DELIVERY: 27880 DORRIS DRIVE, SUITE 110, CARMEL, CA 93923

1. **Initial Study.** The Initial Study is flawed in many respects:

a. Section VII (B), page 34, of the Initial Study addresses cumulative impacts. The discussion contained therein ignores the Broccoli Lots (14), the San Benancio Oaks lots (9), the remainder lots associated with Encina Hills and San Benancio Oaks, and the Phelps Shopping Center. This list of projects and the impacts associated therewith are also ignored in Hydrology § VI(7), page 21, Utilities and Service Systems, § VI(16), page 32, and Traffic, § VI (15), page 28. The cumulative impacts from these projects have been ignored. A proper cumulative impact analysis is vital because the full environmental impact of a project cannot be gauged in a vacuum. Environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact. *Communities For A Better Environment vs. California Resources Agency* (2002) 103 Cal.App. 4<sup>th</sup> 98, 114. This is exactly the situation the Planning Commission has before it with the instant initial study.

b. California Utilities Services (Sewer). The initial study indicates at E-35 that California Utilities' sewer treatment plant has a capacity of 300,000 gallons per day and its current useage is only 200,000 gallons per day. Substantial credible evidence was presented to the Subdivision Committee that went unanswered, that current useage, based upon 375 gallons per day, exceeds 489,750 gallons. See Declaration of Susan Clark Bacigalupi filed simultaneously herewith. If you add approved projects and projects in the planning stage, current useage approximates 500,000 gallons. Therefore, the conclusions reached at 16(a)(b) and (e) at E-34 of the initial study are incorrect. This is a significant impact.

Furthermore, it should be noted that the project contemplates adding sewer lines for one mile south of San Benancio Canyon Road, then up through Meyer Road to the project site. The growth inducing impacts of the extension of the sewer line have not been considered or its impact on the remainder parcels for this and the Oaks project. See Initial Study VII (b) at E-36. See Declaration of Susan Clark Bacigalupi filed simultaneously herewith. See map attached hereto as Exhibit "1".

c. Geology/Geotechnical. The initial study reflects the volatility of the soils for the project site and the surrounding area. See E-22. Members of the Meyer Community Group are going to bring pictures of erosion that takes place in wet periods. The initial study proposes MM8 and MM9 at E-22 and E-23 to reduce these impacts to less than significant. However, there is no evidence in the initial study or the underlying studies of the effectiveness of the proposed mitigation measures. The underlying studies do not consider the 14 Broccoli lots that sit underneath the proposed 17 lots. Therefore, there is no evidence that these significant impacts from landslides and/or erosion are reduced by the mitigation measures to insignificant. The mitigation measures impermissibly permit for later studies and approvals without public hearings. (*Sundstrom*) It should also be noted that the Board of Supervisors required an

11 January, 2005

Page 3

environmental impact report for the San Benancio Oaks project based, in part, from the unstable geology in the area. See Exhibit "2" hereto.

d. Traffic. There is no surprise at the very poor level of service on Highway 68 in the project vicinity, identified by Tables 1 and 2 at pages E-32 and E-33 of the initial study. What is surprising is that the only mitigation measure, MM12, discusses contributing monies to lengthen the eastbound right turn lane located at the intersection of Highway 68 and Laureles Grade. There is no mitigation measure to deal with the LOS in the project vicinity. There is no evidence in the initial study or the traffic reports that would suggest that LOS on Highway 68 is going to be returned to the county recommended LOS of C. Therefore, as noted in the initial study at E-26, the project conflicts with General Plan Policies 37.2.1, 38.1.5 and 39.1.4 and with the county recommended level of service C. This is a significant environmental impact. Certainly a project's impacts may be significant if they are greater than those deemed acceptable in the general plan. *Gentry vs. City of Murietta* (1995) 36 Cal. 4<sup>th</sup> 1359, 1416. Continued operations at LOS D, E and F on Highway 68 are significant environmental impacts that have not been mitigated. Furthermore, continued operation of Highway 68 at LOS below C renders the circulation element internally inconsistent with the remaining elements of the County's General Plan (which is woefully out of date). TAMC has also found that Hwy. 68 is running at LOS F in many segments at peak traffic times. Without an adequate circulation element, a consistency finding between the project and the General Plan is impossible. See *Kings County Farm Bureau vs. City of Hanford* (1990) 221 Cal. App. 692. A consistency finding cannot and should not be made.

e. Water. The project requires the use of an offsite well. Is this subject to Monterey County Ordinance 4037? The precedent of using an offsite well is not discussed. The viability of the well to produce water for this and other proposed projects is also questioned. There is no discussion or consideration of the B-8 overlay zone and how it might apply to the project. Condition 35 at D-15 requires a basic flow requirement of 1,000 gallons per minute with a residual pressure of 20 PSI. Where is the evidence that the well can deliver these requirements? In addition, the March 27, 2002 Draft Environmental Impact Report for the County's General Plan update process cautions that additional data from monitoring wells to determine the extent of overdraft and to identify interactions between sub-basins is required. § 5.4-6. None has been undertaken for this project.

2. **Project Description.** The project description neglects to discuss the need to expand CUS nor does it adequately describe the vicinity of the project that is subject to a B-8 overlay zone and LOS F on Hwy. 68.

3. **Piecemeal Development.** The Initial Study only considers the development of this project. This is segmenting the project from other projects, thereby limiting the total environmental impacts from the proposed project. CEQA prohibits improperly submerging the aggregate environmental considerations of the total project. CEQA requires assessing environmental impacts of a project at the earliest possible time. This especially applies to the extension of the waste water line up San Benancio Road and potential development on the remainder parcels in the San Benancio Oaks and Encina projects.

4. **Growth Inducing Impacts.** The extension of the sewage line up San Benancio Canyon is growth inducing, permitting not only the above referred to projects to build out, but also provides incentive to build out the remainder parcels to the Oaks and this project.

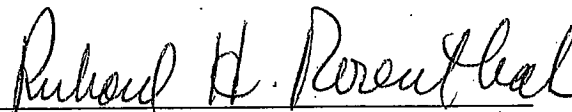
5. The Board of Supervisors required an Environmental Impact Report for the San Benancio Oaks Subdivision. An EIR should be prepared for a 17 unit (31 units counting Broccoli) subdivision in the same geological formation that has experienced flooding and earth movement.

6. **General Consideration.** This project is urban sprawl, not in fill. It is discouraged by the guiding policies in the General Plan update and must be discouraged until such time as the General Plan and General Plan Environmental Impact Report are complete. Furthermore, the lack of environmental review, the obvious environmental impacts associated with this project, dictate denial until such time as an Environmental Impact Report is prepared that adequately addresses the significant environmental impacts that accompany this project.

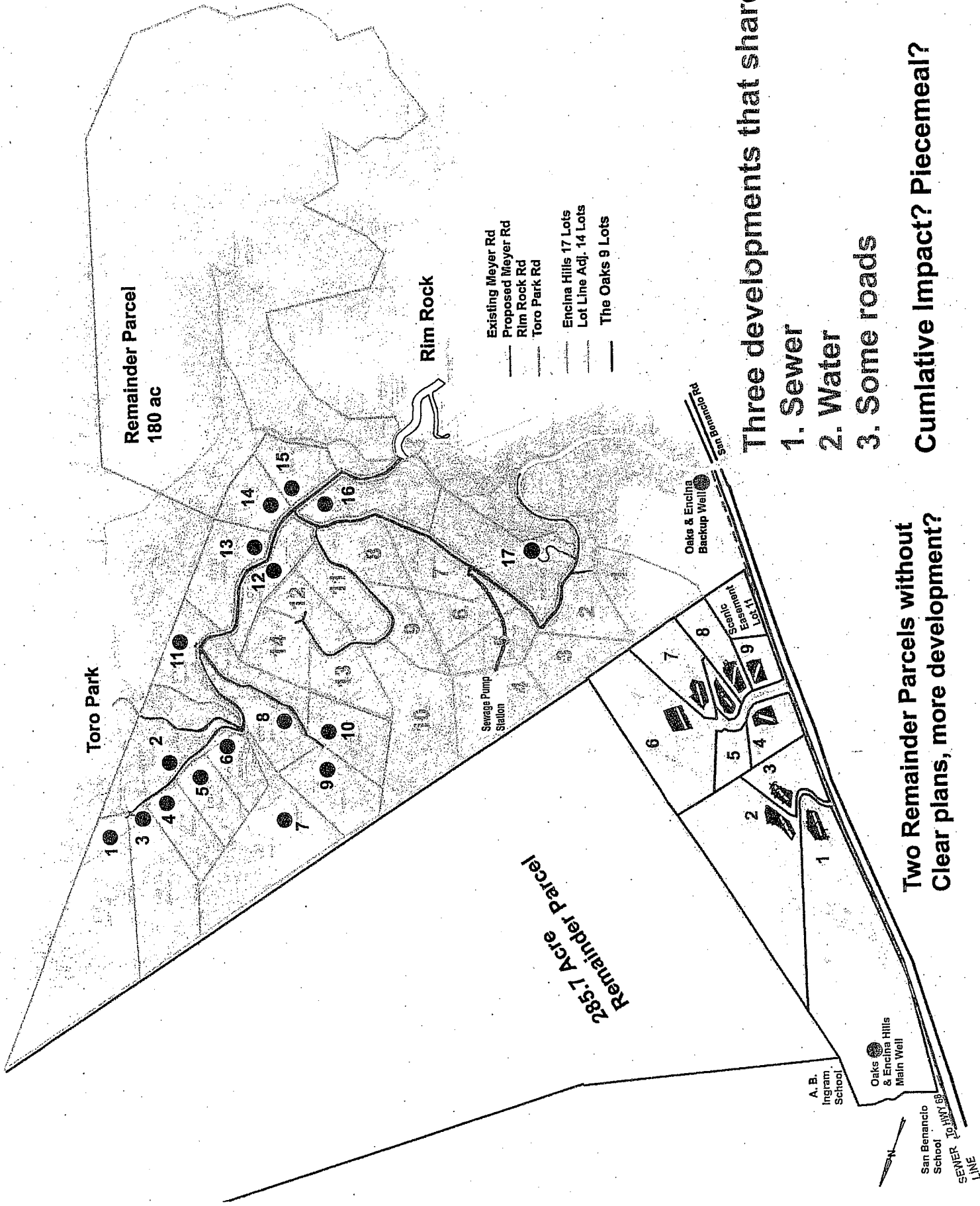
If you have any questions or would further like to discuss the matter, please feel free to call.

Sincerely,

LAW OFFICES RICHARD H. ROSENTHAL  
A PROFESSIONAL CORPORATION

BY:   
RICHARD H. ROSENTHAL

RHR/cd  
cc: Client



- Existing Meyer Rd
- Proposed Meyer Rd
- Rim Rock Rd
- Toro Park Rd
- Encina Hills 17 Lots
- Lot Line Adj. 14 Lots
- The Oaks 9 Lots

**Three developments that share:**

1. Sewer
2. Water
3. Some roads

**Cumulative Impact? Piecemeal?**

**Two Remainder Parcels without Clear plans, more development?**

# OAKS RESIDENTIAL SUBDIVISION Draft EIR

***Prepared for:***

Monterey County Planning and Building Inspection Department  
P.O. Box 1208  
Salinas, California 93902  
831.755.5025  
Contact: Luis Osorio, Associate Planner

**November 15, 1999**

---

***Prepared by:***



**GOLDEN STATE PLANNING AND  
ENVIRONMENTAL CONSULTING**

988 Fountain Avenue  
Monterey, California 93940  
831.372.1314/fax: 372-6373  
msundt@thegrid.net

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# Summary

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## A. Introduction

This environmental impact report (EIR) has been prepared by the County of Monterey pursuant to applicable provisions of the California Environmental Quality Act (CEQA) and its implementing guidelines (CEQA Guidelines), to inform the public and decision makers of the environmental impacts of the proposed project.

The County of Monterey Board of Supervisors (hereinafter "the Board"), as the lead agency, determined at their hearing on October 27, 1998, that a focused EIR is required to evaluate the potential environmental impacts of the proposed Oaks Residential Subdivision (hereinafter "the proposed project"), as defined by CEQA Guidelines Section 15064.

This EIR focuses on four issues determined to require environmental evaluation by the Monterey County Board of Supervisors. The four issues are hydrology, drainage, geology, and transportation. These issues are discussed in detail in Section 2.0 of this EIR.

In conformance with CEQA, California *Public Resources Code*, Section 21000 *et seq.*, this EIR provides information addressing the environmental effects of the proposed project and possible means of reducing or avoiding its potentially significant impacts.

CEQA requires decision-makers to balance the benefits of a proposed project against its significant and unavoidable environmental impacts in determining whether to approve a project. If the decision-makers determine that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, they may find the adverse environmental effects to be nonetheless acceptable and approve the project, with appropriate findings and evidence, as well as a Statement of Overriding Considerations (CEQA Guidelines Sections 15091 & 15093).

## B. Project Location and Surrounding Uses

The proposed project site is located on San Benancio Road, which is tributary to Highway 68 (Monterey-Salinas Highway). The site is approximately one-quarter mile east of Highway 68. The Assessor's Parcel Number is 161-011-78.



**IN THE MATTER OF HARPER CANYON REALTY, LLC  
PLN 000696**

**DECLARATION OF SUSAN CLARK BACIGALUPI**

I, SUSAN CLARK BACIGALUPI, DECLARE AS FOLLOWS:

1. That if called as a witness I could testify competently to the facts herein stated from my own personal knowledge and belief.
2. That I am a member of the Meyer Community Group. I appeared at two meetings of the Subdivision Committee and testified about the results of my survey regarding the sewage capacity of the California Utilities Services, Inc.
3. That I have resided at 97 San Benancio Road, Salinas, California, for twenty-six (26) years. My property is adjacent to Meyer Road that will serve as access to the proposed subdivision and the previously approved Broccoli lot line adjustment that consists of 14 lots. I have a college degree and background in electrical engineering.
4. As a member of the Meyer Community Group I was assigned the task of determining what level of capacity California Utilities Services, Inc. ("CUS") wastewater disposal plant is currently operating. After extensive investigation it was determined that CUS is exceeding its wastewater permit that permits 300,000 gallons a day. Order Number 95-23. See Exhibit "1". These results are depicted in Chart 1 that shows all current sewer connections served by CUS.
5. Pursuant to determining the level of capacity, I undertook the following tasks:
  - a. The information on the spreadsheet, Chart 1, was obtained during the summer of 2004 by physical canvass of the entire Toro Area. This was necessary because the County Department of Health did not have any records that indicated area served, number of hook ups, etc. The canvas was done by driving to the various areas, interviewing homeowners,

representatives of homeowners groups, business owners and one e-mail response from the Meadows development. In November 2004 this canvas was repeated, again by going door-to-door and asking questions. The areas covered were: Corral de Tierra from HWY 68 to four corners, North and South side of Hwy 68 from Corral de Tierra to the Salinas river bridge, including Toro Park, all of the business parks on Portola Drive, various developments on the north side of Hwy 68 behind Toro Park, and the Hilltown business park. I also reviewed the California Regional Water Quality Board files and the County's Health Department files. I also conducted interviews of employees of the Monterey Regional Waste Water District.

b. I discovered that there are a lot more people on CUS's sewer system than any of us thought! Without exception everyone interviewed was very cooperative, and more than willing to share their sewer information and "sewer stories." Cypress Church and the very large houses next to the church were extremely interesting. The church is a large sewer user and is planning on adding a day care center, while the houses are extremely large square footage with guesthouses, etc. The Toro Park Equine Center was required by the county to have the equivalent of 6 sewer hook ups in order to build their new facility.

c. The second canvass (November 2004) was made necessary by a letter sent to the California Regional Water Quality Control Board from CUS dated 10.29.04 in which Mr. Adcock states his total number of hookups to be 1,114. According to Mr. Adcock this represents a "full and accurate count of all hookups to the utility's collections system." This response from Mr. Adcock was due to another notice of violation of WDR Order 95-23 from Roger Briggs, C.R.W.Q.C.B., dated 10.01.04. A copy of these letters are attached collectively as Exhibit "2". I did this the Monday after Thanksgiving.

d. Because my numbers were not even close to CUS's numbers, I found it necessary to go back out in the field and double check my original numbers. This, in fact, resulted in discovering more hook ups than I had originally found. In several instances in the

Portola Dr. business areas, CUS lists an address that in fact is the landlord's address, but actually has many businesses in the compound. For instance, at 18921 Portola Dr. there are 5 businesses. (This address is not even listed on CUS's "full and accurate count of all hookups to the utility's collections system.") There are several other instances of not included addresses as noted on the spreadsheet. At 19065 Portola Dr. CUS reports it as one hook up. This is in fact an office building with an average of 65 employee cars per weekday, and 7-10 employee cars on the weekend. Toro Park School is listed on the report as the equivalent of 14 hook ups, when they actually have 450 people per weekday on the campus. The Toro Park Deaf School is not even included in CUS's report and yet they have 18 students and 10 employees. See Exhibit "3" for listing of addresses serviced by CUS that was submitted by CUS in their October 29, 2004 letter to Water Quality.

## CHART 1

### California Utilities Service Sewer Hookups

Permitted for 300,000 gallons average daily flow per day  
Emergency conditions 450,000 gallons per day

Robert T. Addcock-Owner  
Order 95-23 C.R.W.Q.B.

Development	Houses	Avg Household Daily Flow (gallons per day***)			
		375 Gallons	300 Gallons	250 Gallons	
Toro Park School	26	9750	7800	6500	410 Students 40 EMP.
Toro Park Deaf School	3	1125	900	750	18 students 10 EMP.
Toro Little League Stand	1	375	300	250	
Toro Park	476	178,500	142,800	119,000	
Toro Views	10	3,750	3,000	2,500	
Toro Sunshine	37	13,875	11,100	9,250	
Toro Hills Estates	42	15,750	12,600	10,500	
Serra Village	132	49,500	39,600	33,000	
The Villas + Clubhouse	64	24,000	19,200	16,000	
Corral de Tierra C.C.	27	10,125	8,100	6,750	30-35 EMP. -60-100
The Meadows	121	45,375	36,300	30,250	golf /lunch-not include
Vista Dorada	20	7,500	6,000	5,000	spcl events-weddings
El Rancho Corral de Tierra	26	9,750	7,800	6,500	
Corral de Tierra Terrace	10	3,750	3,000	2,500	
Markham Ranch Lower	100	37,500	30,000	25,000	
700 Block Mtry-Sal Hwy	8	3,000	2,400	2,000	
Cypress Church & School	15	5,625	4,500	3,750	
Villa Allegra Estates	8	3,000	2,400	2,000	
7-11 Business Park	14	5,250	4,200	3,500	
15881 Toro Hills Equine Vet	5	1,875	1,500	1,250	
15885 Toro Hills-next to vet	2	750	600	500	
Encina Hills et al	0	0	0	0	
Creekside	102	38,250	30,600	25,500	
Phelps Shopping Center	0	0	0	0	
18391 Portola	3	1,125	900	750	
18911 Portola	3	1,125	900	750	
18921 Portola	5	1,875	1,500	1,250	
19000 Portola	6	2,250	1,800	1,500	
19040 Portola	7	2,625	2,100	1,750	
19045 Portola	10	3,750	3,000	2,500	
19055 Portola C H P	5	1,875	1,500	1,250	
19065 Portola	14	5,250	4,200	3,500	
305 Hilltown Sheib Vineyard	4	1,500	1,200	1,000	
<b>Total hookups</b>	<b>1306</b>	<b>489,750</b>	<b>391,800</b>	<b>326,500</b>	<b>Total Flow per Day</b>

Encina Hills=17  
The Oaks=9  
14 Lot Line=14  
total=40+  
Existing homes=10=50

Shopping Cntr C. de  
T./hwy68 200+  
employees, 25+  
hookups

\*\*\* 375= National Avg No., 300= realistic no, 250= CUS no

1. Numbers gathered by door to door canvassing 11-30-04
2. Institutional numbers by canvas, observation and calculation
3. Calculations reference: Wastewater Engineering -Treatment, Disposal, and Reuse Metcalf & Eddie, Inc. 3rd Edition, Chapter 2, pp 18-25
5. numbers are BEFORE the addition of the 3 San Benancio developments, the Corral de Tierra shopping Center and the expansion of Corral de Tierra Country Club.
- those projects are currently up for county approval with The Oaks, and 14 Lot already approved
6. Addresses in Magenta not on CUS Report 10-29-04
7. CUS 10-29-04 1,114 hookups

6. All of this information was brought to the attention of the Subdivision Committee at the hearings held for this development (10.14.04). This committee is chaired by a Ms. Laura Lawrence from the Health Department. During the first meeting of the committee I presented my initial spreadsheet displaying number of hookups. Ms. Lawrence totally dismissed it and then said (this is a direct quote): "people don't know whether they are on sewer or septic, and Cypress Church is NOT on the sewer system." Well, according to the Pastor of Cypress Church, they are on the sewer system and have been since they built the church. Ms Lawrence was rude and obnoxious both to me and to other members of the Meyer Community Group. Because of her abhorrent conduct to the public, Barbara Schwefel and myself set up a meeting with Alan Stroh, the director of the Health Department. We met with him (10.22.04) for approximately 1 hour, presented our evidence, and reported Ms. Lawrence's conduct towards the public.

7. At the next meeting of the subdivision committee, (10.28.04), Ms. Lawrence continued her rude and obnoxious behavior toward the public. When the project came up on the agenda, Ms. Lawrence dictated that anyone who had spoken at the first subdivision committee hearing could not speak at this one, and then she left the dais. This did not allow me to present any other evidence to the committee. A John Hodges of the Health Department sat in on the board representing the Health Department. Bryce Hori assumed the chair. They voted to pass this on to the planning commission; little to no mention of the sewer situation was made. However, while Ms. Lawrence was still present, she stated that she and Scott Phillips from C.R.W.C.B. had visited CUS and found everything in order. (I have no idea what that means because I was not allowed to ask questions.) In fact, in a letter dated 10-01-04 to CUS from Mr. Robert Briggs, executive officer of CRWQCB, in response to the site visit by Ms. Lawrence and Scott Phillips he writes: "Settable solids, pH, and dissolved solids test are reportedly performed on site as

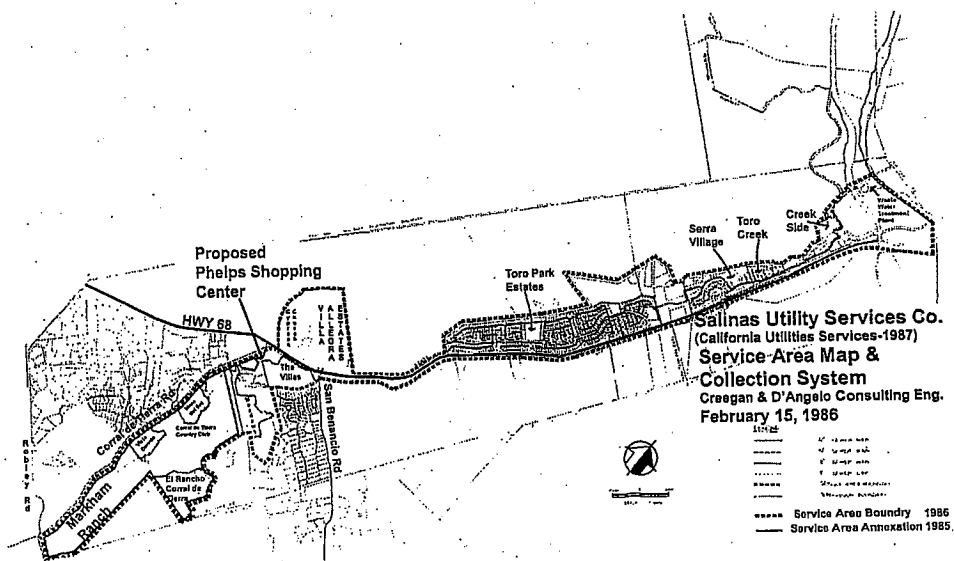
often as every other day during normal plant operation; however the lab area was quite dirty and disorganized, with lab equipment appearing dusty and unused. No written and unalterable records of plant performance could be presented during the inspection." See Exhibit "2", October 1, 2004 letter from Roger Briggs to Robert Adcock.

8. After this meeting, Don Eshoff, Lowell Webster, Rosemarie Ray and myself were standing out on the sidewalk of the courthouse to discuss what had just happened in the committee meeting. At this time Bryce Hori (a subdivision committee member) exited the courthouse and we engaged in conversation. He expressed his empathy for our position. We were asking him why the sewer issue had not been addressed, during which time John Hodges from the health department joined our discussion. Mr. Hodges was asked by Bryce Hori about the sewer question. Mr. Hodges responded (this is a direct quote as I wrote it down immediately): "this will not be leveraged to stop this project. They are in compliance." He stomped off down the street immediately. Bryce Hori shrugged his shoulders, and also supplied us with Mr. Hodges' name, as we did not know his name.

9. This was the second instance of being treated poorly by a member of the County Health Department. Later that afternoon, I called Mr. Alan Stroh's office and asked for another appointment to meet with him. They said they would call me back. That was October 28, 2004. Since then I have called a number of times, and finally Barbara Schwefel sent a registered letter on December 5, 2004 with the same request. (I have the signed receipt) No response. Finally, on December 17<sup>th</sup> a Mr. Richard Le Warne from the Health Department called me to report that all was well with the sewer company, as a surprise inspection by John Hodges and Patrick Truffy had been made "on a Friday a couple of weeks ago" and everything was fine. I asked him for specifics and got no information. When I insisted to know what had been inspected he did say the spray fields had been inspected for erosion and were fine. When I asked when Mr. Stroh could meet with us he evaded the question and finally said he would be happy to meet with us. I

insisted on Mr. Stroh, and he said he would get back to me. He has not. He mentioned that they had been very busy with the Rancho San Juan project. He also supplied me with a phone number and name for the Public Utilities Commission, and said this was not the county's job to enforce the permit. Based upon my investigation and interaction with CHD, it is my opinion that the health department is not adequately overseeing the operation of CUS per Monterey County Ordinance 15-23.

**FIGURE 1**



10. Figure 1 is a map of the service area map and collection system of CUS. It was prepared by Creegan and D'Angelo. It covers the Toro area from Reservation Road to Corral de Tierra. CUS does not serve the San Benancio Canyon Road area and there is no sewer system infrastructure in San Benancio Canyon, although California Utilities Services has signed "can and will serve" letters for "Encina Hills" and the 2001 approved "San Benancio Oaks" subdivision. Please note the mid 1980's date on the map. I could not find a more recent map in either the state or county records. After reviewing the county and state files there is no evidence that the boundary for this service area has been expanded into San Benancio Canyon.

11. I want to address flow rate. Chart 1 is the revised spreadsheet as of 11.30.04. I've used three different numbers for average daily flow per household. The generally accepted daily average flow rate, on a national level, is 375gpd per household. I arbitrarily chose two smaller average daily flow rates in case a debate broke out on this issue. The totals do not include the numbers of the proposed "Encina Hills" subdivision, adjacent 14 legal lots (with the sewer pump station site slated for lot #4, adjacent "San Benancio Oaks" subdivision and the proposed Omni development Shopping Center at Corral de Tierra and the expansion of the Corral de Tierra Country club. All of those projects are currently before the county for approval or have already been approved. The numbers, regardless of which flow rate one uses, make it obvious that the system is over the permitted capacity of 300kgd, and has no ability to service these developments. This determination is made after house-to-house canvassing, observation, a sewer engineer, and the book "Wastewater Engineering -Treatment, Disposal, and Re-use" published by Metcalf & Eddie, Inc., Third Edition, Chapter 2 pp. 18-25 to obtain this data.

12. Why did I go house to house? We were told by the county health department (Marianne Dennis) to do so if we wished to know the total number of hook ups. The 2001 CUS annual report states the number of hookups to be 1100. Scott Phillips of the Regional Water Board asked CUS on September 21, 2004 for the number of hook ups and was told there were 1070, a decrease of 30 hook ups 3 years after the 2001 annual report. On October 29, 2004 CUS reports the number to be 1114, an increase of 44 hook ups in 5 weeks time! Using CUS's figure of 1070 hook ups and the lower number of 300gd per hook up the volume is 321kgd. This is out of compliance per Order #95-23. The bottom line is neither the state, nor the county knows the total number of hook ups. I do, I counted.



13. In addition, CUS flow metering is on the effluent, not influent. Mr. Scott Phillips, from the State Water Board, stated on September 22, 2004: "We would prefer influent monitoring, but have been met with resistance from CUS on this issue".

In 1998, per Phil Ash, CUS plant operator: "there was no flow monitoring from May through October, as the meter was inoperable." That may be hard to believe, but it is taken from CUS's own records as they were submitted to the state that I personally reviewed.

With no monitoring on influent, no monitoring on discharge to holding ponds, and no records of quantity of solid waste taken to the Monterey Regional Waste Management District, which by the way contains roughly 15% liquid per Richard D. Shedden, Senior Engineer, the reported flow volume in what records do exist is not accurate. I personally spoke to Mr. Shedden.

If the flow totals in the county and state records are not accurate, can we trust the coliform totals, the nitrate totals, nitrite totals, ph levels, percolation rates, seepage into the Salinas River and spray field rest area to be accurate? The answer is no.

14. The Record keeping at CUS is spotty at best, in spite of very stringent record keeping requirements as set forth in their permit. Also, in 1995, the state even sent CUS a sample form they could use to help in getting their records up to date. They have not used it.

Deficiencies in record keeping include:

**California Counties Services Record Keeping**

Monthly Volume of Flow Inconsistencies			
DATE	County Records	State Records	Plant Op
3/1/00	5.915mg	5.2mg	Pierre Gouly
6/1/00	7.865mg	7.3mg	Charlie Barr
10/1/00	5.6mg	6.6mg	Charlie Barr
3/1/94	5.73mg	0mg	Annual Report

Permit application of September 1987 states average flow = 225,000gd  
 CUS petitioning for more flow = 300,000gd  
 1994 CUS Annual Report states average flow = 185,000gd  
 This is a **DECREASE** of 40,000 gd 7 years after petition for **HIGHER** permitted volume  
**WHY???**

Monthly Flow Report Filed With State And County

4/1/00 Avg flow/day reported as 335,000 3 of the 30 days used for averaging not reported

5/1/00 Avg flow/day reported as 277,000 4 of the 31 days used for averaging not reported

1/1/02 Avg flow/day reported as 300,000 7 of the 31 days used for averaging not reported

May-October 1998 **No flow reported as meter inoperable**

1993-Per letter from Walter Wong **No Reports received for entire year**

Letter from Rhod Alden C.S.R.W.Q.B. April 25, 1995, **"..reporting is not necessarily what we wanted and when we wanted it."**

2004 Scott Phillips CRWCB **"I am concerned about the record keeping"**

In conclusion, the data I have reviewed shows:

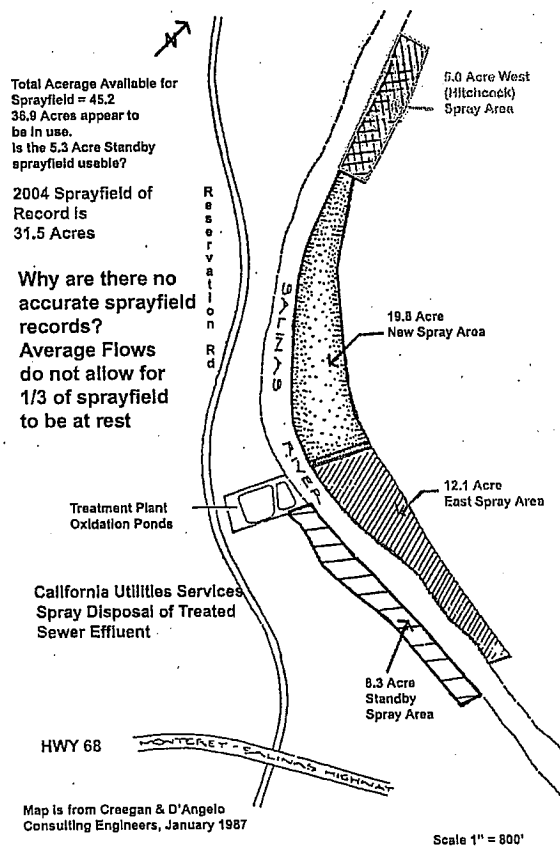
1. Average monthly volumes calculated without complete data
2. Different numbers reported to the state vs. county
3. No reports at all for entire calendar years
4. Many months missing from reports
5. Requests from state and county for reports.
6. Petitions for higher flow volume, in 1987, 7 years later flow is reported decreased
7. No Spray field inspection reports as required by order 95-23

I requested from Monterey County Health Department records for the last 4 years and upon inspection found them to be very incomplete, with tremendous gaps in reports etc. I went to the California Regional Water Quality Control Board's offices in San Luis Obispo and inspected the entire state file. The state's records were better, but still incomplete.

15. In the 1987 Creegan and D'Angelo report, which was the basis of CUS original permit #87-124 being issued, recommendations were made and there are no records of any being implemented. These questions are presented:

a. Back up power and back up pumps were two of the recommendations. November 21, 1994 CUS had a 200-gallon overflow at Markham Ranch. This problem was determined to be caused by the failure of a backup pump. (1994 Annual report Philip Ash plant operator) Are we to assume the primary pump failed also? How many pumps are in this system? What are the maintenance schedules for the pumps? What is the back up pump testing schedules? Is back up power provided for the pumps located off site, such as the Markham Ranch lift station? Are there any back ups at all? If so, what is the testing and maintenance schedule? If not, why not? CUS's permit clearly requires backup. These questions have not been asked and answered by anyone.

(Spray field)



b. Per state order 95-23 "The daily wastewater application rate shall not exceed 17kgd/acre" with 1/3 of the spray area always at rest. It is not possible to comply with this portion of the order given the excessive daily flow volume.

Using CUS's figures for 1987 when the spray field was 20 acres and the average daily design flow was 228kgd resulted in 17.1kgd on 2/3 (16.86) acres. A negligible amount in excess of permitted volume.

Using the figures from the Creegan and D'Angelo report of an 18-acre spray field, results in a 19kgd per acre when resting 1/3 of the spray field, as ordered. This is clearly excessive.

Whose numbers are correct?

In 2004 the spray field of record as stated by CUS is 31.5 acres and the average daily flow permitted is 300kgd. In January 2002, and April 2000, again using CUS's figures, the permitted limit of 17kgd/acre was clearly exceeded.

There is, so far, no record of the spray fields being enlarged, or even an accurate accounting of the actual spray field acreage. Also Per order #95-23 there is to be a disposal area inspection log, kept daily and submitted with monthly monitoring reports. I could find no record of this in either the state or county files. Where is it?

c. During the years of operation, there has been much correspondence between CUS, the State and the County. There have also been many violations reported.

**This is a partial list of correspondence and or violations incurred by C. U. S. gleaned from my review of County and State files.**

**February 23, 1993 Walter Wong requesting compliance to Monterey County Code Chapter 15.23 (monitoring requirements), this after granting CUS a two week extension**

**August 20, 1993 Walter Wong final request to comply 15.23**

**January 10, 1994 Walter Wong letter stating no reports for 1993 no compliance with 15.23**

**Nov 1994 back up pump failure**

**Nov 1994 Effluent diverted to holding ponds**

**Nov 1994 200-gallon overflow**

**April 14, 1995 Rhod Aiden request flow reports, and even includes a sample form to be used in compiling the reports**

April 28, 1995 Rhod Alden requesting CUS to complete 1992 application

April 25 1995 Inspector Rhod Alden-overflow pond overrun by Salinas River and in need of repair. Spray fields damaged and in need of repair. Spray field only 20 acres

Nov 1995 Coliform greater than the 23 limit

October 26, 1998 Inoperable flow meter from May to October, and discrepancy in written reports regarding the flow meter

November 2001 Coliform Violation, Charlie Barr, plant operator, "believes the contamination was done by himself or at the lab"

June 26, 2002 Notice of violation for lack of adequate sludge drying facilities. This problem had been brought to CUS attention on December 5, 1997 and again on January 10, 1998, per Lida Tan and Ryan Lodge inspectors fro water quality board.

d. Then there is the matter of sludge disposal. According to Monterey Regional Waste Departments records, CUS disposes the same volume of sludge as a sewer company in Carmel. The difference, the Carmel sewer company is permitted for 3 million gallons of waste, not 3 hundred thousand. Why are the sludge figures the same?

16. To me, there is an obvious problem with this sewer company's operations. From all information I have learned, the actual type of process of this sewage plant is quite good, and is the preferred method of waste disposal by the state. However, there is much to question on the reporting, and other daily operations. Volume of Flow is very important, and also very easily documented, and yet, it is not being documented accurately or in a timely fashion, as required by the permit.

What about the other required reports? Kjeldahl Nitrogen, Nitrate Nitrogen, Nitrite Nitrogen, Coliform levels, daily chlorine residual, settleable solids, pH, and quantitative chemical analysis of effluent?

In a letter from Edward Alexandre, November 24, 2003, Plant Operator, to the California Regional Water Quality Control Board, he states in part: ".....You will notice that the August 2003 report in regards to the following data is incomplete...." This is a continuing theme dating back to 1986 when CUS took over the sewage system.

17. In conclusion, it is my opinion that CUS cannot and should not serve this or any other development if and until their operation can be certified by an independent agency, and is found to be in full compliance with the California Regional Water Quality Control Board order #95-23 and Monterey County Code 15-23. Until these and other questions can be adequately and honestly answered the reality is that CUS is already at or over maximum permitted capacity, is not in compliance with #95-23 or 15-23 and has very questionable self-reporting practices. The operation of CUS has a questionable track record in complying with state agency rules and requirements. See article regarding "Largest Penalty Ever Awarded Against A Public Water System In Monterey County, California", Exhibit "4".

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of JANUARY, 2005, at SALINAS, California.

  
SUSAN CLARK BACIGALUPI

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

81 Higuera Street, Suite 200  
San Luis Obispo, California 93401-5427

ORDER NO. 95-23

**WATER DISCHARGE REQUIREMENTS  
FOR**

**CALIFORNIA UTILITIES SERVICE, INC.  
AND INDIRECT DISCHARGES  
MONTEREY COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds:

1. California Utilities Service, Inc. (CUS), P.O. Box 5100, Salinas, CA (hereafter Discharger), owns and operates a wastewater collection, treatment, and disposal system to provide sewage service to Toro Area of Monterey County, as shown on Attachment "A".
2. On November 8, 1994, Robert T. Adcock, President, submitted a complete application for reissuance of Waste Discharge Requirements to incorporate changes in the sewage treatment system. Waste Discharge Requirements Order No. 87-124, adopted by the Board on July 10, 1987, is being revised pursuant to §13260 of the California Water Code as a result of significant changes in wastewater treatment capacity and processes.
3. The Discharger's wastewater treatment system was formerly owned and operated by Salinas Utility Services and Toro Management Services. The ownership was transferred to the Discharger in March, 1986.
4. The Discharger is directly responsible for wastewater collection, transport, treatment, and disposal from each user connected to the system. It is incumbent upon the Discharger to protect the environment to the greatest degree possible and insure its system is protected and utilized properly. This responsibility includes preventing overflows and may include restricting sewer connections to the system.
5. Wastewater treatment consists of screening, two Sequencing Batch Reactors, an aerobic sludge digester, and a chlorine disinfection system.
6. California Utilities Services's wastewater treatment plant has a 300,000 gallons per day (1,137 m<sup>3</sup>/day) average daily flow design capacity and a peak daily flow capacity of 450,000 gallons per day. Treated effluent is discharged to 31.5 acres of spray disposal fields adjacent to the Salinas River, as shown on Attachment "A". A total of 45 acres, owned by the discharger, is designated and available for development as effluent disposal area.
7. Digested sludge produced from the facility is dewatered and disposed to the Marina landfill.
8. An area wide waste treatment management plan, entitled Water Quality Management Plan for the Monterey Bay Area (208 Plan), was adopted by the Association of Monterey Area Governments, a designated 208 agency, on July 12, 1978, and subsequently certified by the State Water Quality Control Board on September 21, 1978. The 208 Plan recommends investigations of municipal treatment and disposal methods within the Salinas Valley for alternatives that would reduce nitrates discharges to ground waters. The CUS treatment system has shown significant nitrogen removal capability from influent wastewater.
9. Soils in the irrigation area consist of river silts which readily absorb wastewater. Depth to ground water varies seasonally depending on rainfall and river state. Depth to ground water was 18 feet in

February 1992. Saline ground water condition exists in the vicinity of the irrigation areas due to saltwater intrusion from the Monterey Bay.

10. The Water Quality Control Plan, Central Coast Basin (Basin Plan) was adopted by the Board on November 17, 1989, and approved by the State Water Resources Control Board on August 16, 1990. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State waters.
11. Present and anticipated beneficial uses of the ground water in the vicinity of the discharge include:
  - a. agricultural water supply;
  - b. municipal and domestic water supply,
  - c. industrial use.
12. The present and potential beneficial uses of the Salinas River include:
  - a. Water Contact Recreation,
  - b. Non-contact Water Recreation,
  - c. Agricultural Water Supply,
  - d. Warm Freshwater Habitat,
  - e. Migration of Aquatic Organisms,
  - f. Wildlife Habitat.
13. These waste discharge requirements are for an existing facility and must comply with the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15101, Chapter 3, Title 14, of the California Code of Regulations.
14. Discharge of waste is a privilege, not a right, and authorization to discharge is conditional upon the discharge complying with provisions of Division 7 of the California Water Code and any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses and to prevent nuisance. Compliance with this Order should assure this and mitigate any potential adverse changes in water quality due to the discharge.

15. On December 9, 1994, the Board notified the Discharger and interested agencies of its intent to issue waste discharge requirements for the discharge, provided them with an opportunity to submit their written views and recommendations, and scheduled a public hearing.

16. In a public hearing on February 10, 1995, the Board heard and considered all comments pertaining to the discharge and found this Order consistent with the above findings.

IT IS HEREBY ORDERED, pursuant to authority in Section 13263 of the California Water Code, that California Utilities Service, Inc., its agents, successors, and assigns, may discharge waste from its Reservation Road wastewater facility providing they comply with the following:

(General permit conditions, definitions and the method of determining compliance are contained in the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," dated January 1984. Applicable paragraphs are referenced in paragraph D.3. of this Order.)

Requirements specified in the proposed Order are based on staff's professional judgement and the:

A = Basin Plan.

Throughout the proposed Orders and Monitoring and Reporting Program (MRP), footnotes are included to indicate the source of specified requirements. Requirements not referenced are based on professional judgement.

#### A. DISCHARGE PROHIBITIONS

1. Discharge of any wastewater from transport, treatment, or disposal systems (including overflow, bypass, and overspray) to the Salinas River, the Salinas River Channel, drainageways, and adjacent properties, is prohibited.



*E-mail memo*

2. Discharge to any location other than the spray disposal area shown on Attachment "A", is prohibited.

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Dissolved Solids	mg/l	1000	1500
Settleable Solids	ml/l	-	0.5

3. Discharge within 100 feet of any well used for domestic supply is prohibited.<sup>A</sup>
4. Discharge of any waste other than treated domestic-type sewage wastewater from the service area as described in Finding No. 1 is prohibited.
5. Discharge of any runoff from the sludge drying areas to the Salinas River, the Salinas River Channel, drainageways, and adjacent properties, is prohibited.
6. Discharge of waste sludge within the floodplain is prohibited.<sup>A</sup>

**B. EFFLUENT LIMITATIONS**

1. The discharge to the irrigation areas shall be secondary wastewater and shall not exceed the following limits:<sup>A</sup>
2. Volume discharged shall not exceed average annual flow of 300,000 GPD (1,137 m<sup>3</sup>/day).
3. The discharge shall not have a pH of less than 6.5 or greater than 8.3.<sup>A</sup>
4. The discharge shall contain at least 1.0 mg/l Dissolved Oxygen at all times.<sup>A</sup>
5. Freeboard shall exceed 0.5 meters (20 in.) in wastewater ponds and wastewater discharge area shall be completely diked with at least 0.5 meters (20 in.) above adjacent grade.<sup>A</sup>
6. Extraneous surface drainage shall be excluded from wastewater ponds and irrigation areas.

7. Free chloride residual shall equal or exceed one (1) mg/l, as measured within the chlorine contact zone.

8. Existing wastewater facilities shall retain wastewater flows, sewer infiltration or inflow, and precipitation from a 100-year rainfall season and allow for six days extra storage for spray field drying and repairs.

9. Wastewater loading rates (pounds of pollutants/acre/day and gallons of wastewater/acre/day) of land areas shall be based on rational engineering considerations and shall assure that wastewater percolate meets the terms of this Order. For duration of this Order, the daily wastewater application rate shall not exceed 17,000 gallons-per-acre-per day.

10. Wastewater disposal areas shall be managed to rest successively one-third of the area at any time.

11. Wastewater disposal areas shall be posted in English and in Spanish, around the perimeter of the discharge area to warn: Wastewater Disposal Area - Access Restricted.

12. Discharge to wastewater disposal areas shall cease and all wastewater shall be diverted immediately to the emergency storage reservoir if:
  - a. Disinfection of wastewater ceases at any time; or
  - b. Discharge specifications are violated or are threatened with violation.

12. Wastewater application to disposal areas shall not exceed the infiltration rates of the underlying soils after adjustment for slopes. Ponding in the discharge area shall not occur.

13. No wastewater discharge shall occur when it is raining or the discharge area is flooded.

14. Discharge to the spray disposal areas shall occur only when there is at least two (2) feet separation between the surface and the ground water.

### C. GROUND WATER LIMITATIONS

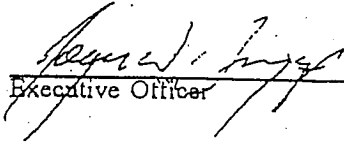
1. The discharge shall not cause nitrate concentrations in the ground water downgradient of the irrigation area to exceed 8 mg/l (as N).<sup>A</sup>
2. The discharge shall not cause a significant increase of mineral constituent concentrations in underlying ground waters, as determined by comparison of samples collected from wells located upgradient and downgradient of the irrigation area.<sup>A</sup>
3. The discharge shall not cause concentrations of chemicals and radionuclides in ground water to exceed limits set forth in Title 22, Chapter 15, Articles 4, 4.5, 5, and 5.5 of the California Code of Regulations.<sup>A</sup>
4. The discharge shall not cause a violation of any applicable water quality standard for ground waters adopted by the Regional Board or the State Water Resources Control Board as required by the Clean Water Act and regulations adopted thereunder.<sup>A</sup>

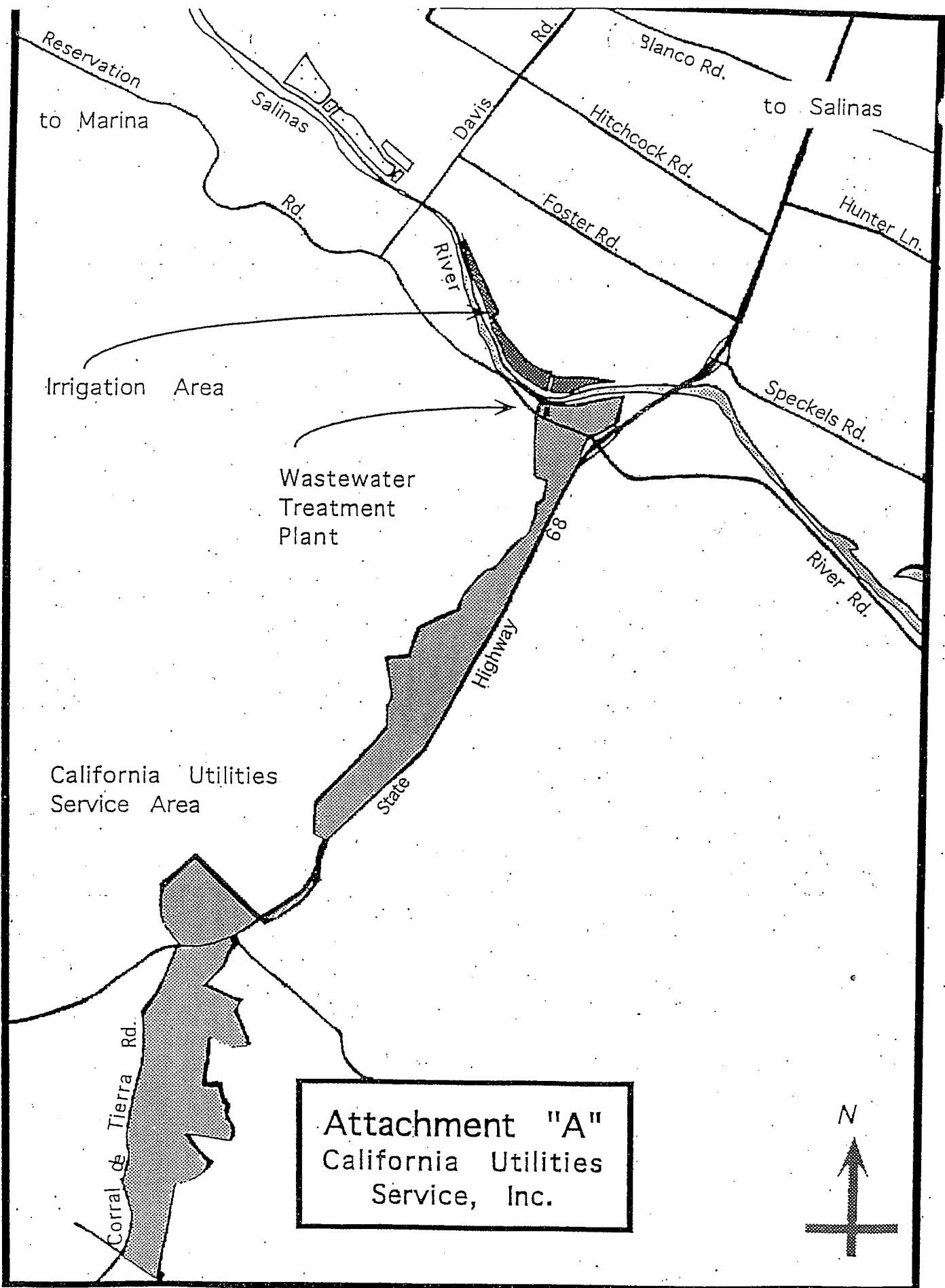
### D. PROVISIONS

1. Order No. 87-124, "Waste Discharge Requirements for California Utilities Services and Indirect Dischargers, Monterey County," adopted by the Board on July 10, 1987, is hereby rescinded.
2. The Discharger shall comply with "Monitoring and Reporting Program No. 95-23," as ordered by the Executive Officer.

3. The Discharger shall comply with all items of the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," (also referred to as "Standard Provisions") dated January, 1984. In the Standard Provisions, "disposal ponds" and "disposal areas" as used therein shall mean "storage reservoirs" and "spray disposal areas," respectively.
4. The discharger shall prepare and follow operation and contingency plans (see standard provisions A.24. and A.25.). The plans and its revisions are subject to review and approval by the Executive Officer.
5. Standby power with automatic switch-over devices shall be provided to assure a continuous power source to all sewage system components that are dependent upon power or proper functioning.
6. The Discharger shall maintain an ongoing sewer infiltration and inflow correction program.
7. Pursuant to Title 23, Chapter 3, Subchapter 9, of the California Code of Regulations, the Discharger must submit a written report to the Executive Officer not later than September 1, 1999, addressing:
  - a. Whether there will be changes in the continuity, character, location, or volume of the discharge; and,
  - b. Whether, in its opinion, there is any portion of the Order that is incorrect, obsolete, or otherwise in need of revision.

I, ROGER W. BRIGGS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 10, 1995.

  
Executive Officer

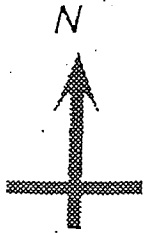


Irrigation Area

Wastewater Treatment Plant

California Utilities Service Area

Attachment "A"  
California Utilities Service, Inc.





California Regional Water Quality Control Board  
Central Coast Region

Internet Address: <http://www.cwrqcb.ca.gov/rwqcb3>  
895 Aericvista Place, Suite 101, San Luis Obispo, California 93401  
Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzeneg  
Governor

October 1, 2004

Mr. Robert Adcock, President  
California Utility Services, Inc  
P.O. Box 5100  
Salinas, CA 93915

Dear Mr. Adcock:

**CALIFORNIA UTILITY SERVICES, INC (CUS), NOTICE OF VIOLATION, WASTE DISCHARGE REQUIREMENT ORDER (WDR) NO. 95-23**

On August 21, 2004, Scott Phillips of the Regional Board staff met with and Laura Lawrence of the Monterey County Department of Environmental Health and operator Edward Alexandre at California Utility Services, Inc.'s wastewater treatment plant for a routine inspection of the facility. The plant appeared to be running well and regularly submitted monitoring reports show compliance with effluent limits of Waste Discharge Requirements Order No. 95-23. However, the inspection revealed some shortcomings in the monitoring of the plant waste stream that need to be addressed.

Settleable solids, pH, and dissolved solids tests are reportedly performed on site as often as every other day during normal plant operation; however, the lab area was quite dirty and disorganized, with lab equipment appearing dusty and unused. No written and unalterable records of plant performance could be presented during the inspection. Though computer data entry has become a standard for record keeping, some onsite record of daily operations must be available for review by Regional Board Staff and other regulatory agencies during an inspection. The lack of such unalterable records (such as lab books or sheets) made confirmation of any submitted monitoring reports impossible during the inspection. Please refer to Standard Provisions No. 18 a. and b. which state;

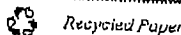
18. The Regional Board shall be allowed;

- a) entry upon premises where an effluent source is located or where records *must be kept* under the conditions of this order;
- b) access to copy any records *that must be kept* under the conditions of this order;

Also note Standard Provisions B. 6 and 7:

6. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

California Environmental Protection Agency



7. The discharger shall maintain records of all monitoring information, including all calibration and maintenance records; all original strip chart recordings for continuous monitoring instrumentation; the date, exact place, and time of sampling; the individual who performed the sampling; the date analysis was performed, the laboratory and individual who performed the analysis; the analytical techniques used; and results. Records shall be maintained for a minimum of three years. This period may be extended during the course of any unresolved litigation or when requested by the Board.

Waste discharge requirements list the plant capacity at 300,000 gallons per day. Flows at the facility have been reported to be at around 275,000 gallons per day since the first report of waste discharge was filed in 1987. Though average flows going to the spray field remain under the design limit, it is unclear exactly how much wastewater the plant is actually treating. With the only flow measurement occurring on the flow going to the spray field, all percolation, evaporation, and sludge moisture loss prior to that apparently remain unaccounted for. According to Standard Provisions C. 9, if flows are indeed found to be above 300,000 gallons per day, or expected to exceed that amount within the next 4 years, the discharger is required to submit a new report of waste discharge within 120 days of that discovery.

Please review the Standard Provisions thoroughly and update operating procedures and record keeping accordingly. Furthermore, please submit the following information to the Regional Board by November 1, 2004:

- 1.) A full and accurate count of all hookups to the California Utilities collection system;
- 2.) Confirmation that onsite records are being kept which can be correlated with submitted monitoring data.
- 3.) Verification that all available flow meters have been calibrated;
- 4.) Complete flow records for all waste processed daily at the facility, not just that discharged to the spray field (using pump cycling or tank volume calculations if necessary); and
- 5.) Future growth plans for the next 4 years, including projected treatment system or disposal area expansion to handle any expected increase in flow.

Upon the submittal of this information, we will evaluate the need to modify and update California Utility Services Inc.'s waste discharge requirements.

This report is required pursuant to Section 13267 of the California Water Code. The reason we need this information is to verify compliance with Regional Board requirements. The evidence supporting this request includes inspection and monitoring reports submitted by the discharger.

"Any person affected by this action of the Regional Board may petition the State Water Resources Control Board (State Board) to review the action in accordance with section 13320 of the California Water Code and Title 23, California code of Regulations, Section 2050. The petition must be received by the State Board within 30 days of the date of this order. Copies of the law and regulations applicable to filing petitions will be provided upon request."



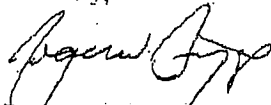
Mr. Robert Adcock

2

October 1, 2004

Additional information may be found in the Regional Board's file. If you have any questions regarding this matter, please feel free to contact Scott Phillips at (805) 549-3550 or Harvey Packard at (805) 542-4639.

Sincerely,



Roger W. Briggs  
Executive Officer

S:\WDR\WDR Facilities\Monterey Co\California Utility\Inspection, NOV,2004.doc

cc: Ed Alexandre

Laura Lawrence  
Monterey County Department of Health Service  
1200 Aguajito Road  
Monterey, CA 93940-1887

*California Environmental Protection Agency*



Recycled Paper

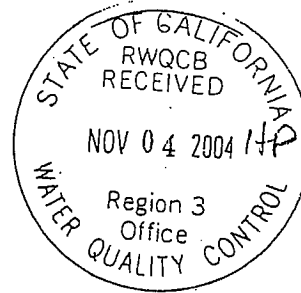
*Scott / [unclear]*

# CALIFORNIA UTILITIES SERVICE, INC.

A California Corporation

Robert T. Adcock  
President  
(831) 424 - 0442 Phone

P.O. Box 5100  
Salinas, CA 93915  
(831) 424 - 0611 Fax



October 29, 2004

Roger Briggs  
California Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

**RE: California Utilities Service Notice of Violation WDR Order No. 95-23**

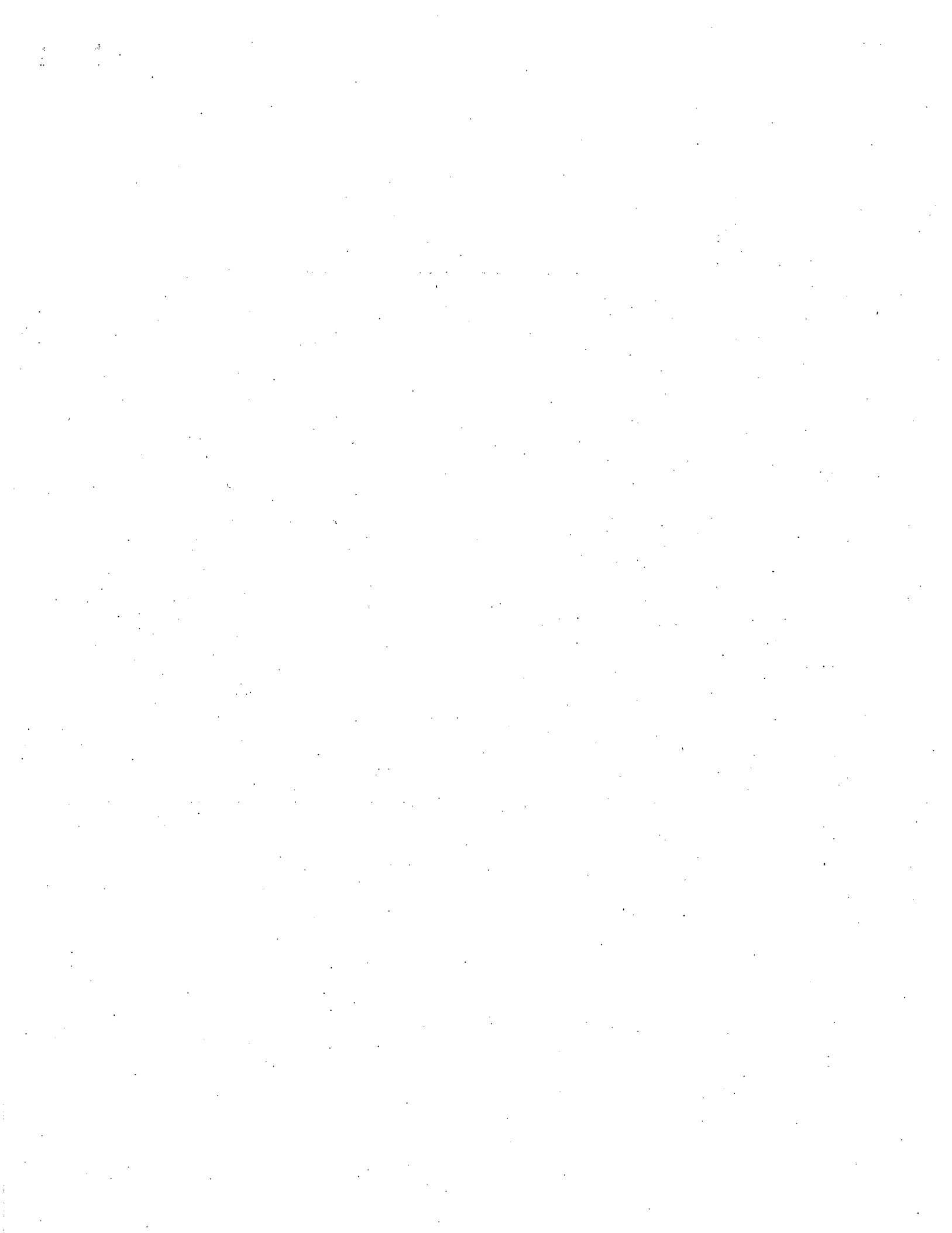
1. Enclosed please find a customer list which represents a full and accurate count of all hookups to the utility's collection system. Also enclosed are assessor's parcel maps which designate those hookups. As you can see from the enclosed materials, the total number of connections is 1,114. Included in this number is an elementary school which we have computed to be the equivalent of 14 single-family units, a country club which we have computed to be the equivalent of 8 single-family units, and a church that we have computed to be the equivalent of 4 single-family units. If you or any other party is knowledgeable about additional connections to our wastewater service area, please notify us immediately and the utility will investigate the alleged connections.
2. As Scott Phillips saw during his visit of October 14, 2004, there are onsite records that reflect the monitoring and they will continue to be kept onsite at the treatment plant.
3. The utility has arranged for the flow meters to be sent to the manufacturer for calibration. Verification of this calibration will be sent to you as soon as it is available.
4. Please refer to the table in this correspondence which summarizes the flow records for the waste processed daily at the treatment plant since October 14, 2004, the date when the utility began recording the number of cycles in each SBR.
5. The only project that I am aware of that currently has approval for construction is a project called the Oaks, which includes 9 houses to be built off of San Benancio Road. The projected additional flow for this project is estimated to be 2,250 gallons per day (250 gpd per household). There is a proposed project for 17 homes, which I believe is called the Broccoli Subdivision, that has not yet been approved by the county. The flow for that proposed project is estimated to be 4,250 gallons per day. The final project that I am aware of that would have the

potential for additional flow to the treatment plant would be an estimated 4,500 gallons per day from a proposed California American Water Company potable water treatment facility. The total additional flow for all of these projects would be a potential additional flow of 11,000 gallons per day through the treatment plant. From time to time we get asked by individual homeowners if there is sewer service in the area, but I am not aware of any project proposed or otherwise with a specific number of connections and/or flow rates other than the three aforementioned projects. I intend to work closely with you on any future requests for sewer service that would change the inflow volume to our wastewater plant.

Your letter states that, "Waste discharge requirements list the plant capacity at 300,000 gallons per day. Flows at the facility have been reported to be at around 275,000 gallons per day since the first report of waste discharge was filed in 1987. Though average flows going to the spray field remain under the design limit, it is unclear exactly how much wastewater the plant is actually treating. With the only flow measurement occurring on the flow going to the sprayfield, all percolation, evaporation, and sludge moisture loss prior to that apparently remain unaccounted for. According to Standard Provisions C.9, if flows are indeed found to be above 300,000 gallons per day, or expected to exceed that amount within the next 4 years, the discharger is required to submit a new report of waste discharge within 120 days of that discovery." I am not familiar with the 275,000 gallons per day flows from 1987 on. I know in 1987 that we did not have a flow of 275,000. I believe that the number you are referring to was the projected wastewater flows to the sewer plant at full build-out of California Utilities Service's service area.

The reason that the utility has always measured only the effluent discharge from the wastewater plant to the sprayfield is because that was the only flow measurement that was required by the utility's Monitoring and Reporting Program of the Waste Discharge Requirement Order No. 95-23, which states that the utility is required to measure the daily flow volume of the effluent discharged to the sprayfield area. Nowhere in the Waste Discharge Requirement Order No. 95-23 is the utility required to take influent flow measurements into the plant. The utility is in no way adverse to measuring the influent flow to the plant, but since it is not required to do so per its Waste Discharge Requirement Order No. 95-23, the utility did not perform such measurements in the past. However, as per your request in your current letter, the utility has started, as of October 14, 2004, recording the number of cycles for each of the two sequential batch reactors per day and, since we know the volume of water treated per cycle to be 29,130 gallons, this allows us to make an accurate estimate of the flow through the plant on a daily basis.





We continue to measure our effluent flow, as we are required by our Waste Discharge Requirement Order No. 95-23, and now, we are also monitoring the number of cycles in our SBRs, illustrated in the table below:

Date	# of cycles SBR 1	# of cycles SBR 2	Total Inflow (gallons)	Total Discharge as per flowmeter (gallons)*
10/14/04	5	5	291,230	300,000
10/15/04	4	4	232,984	190,000
10/16/04	5	5	291,230	320,000
10/17/04	4	4	232,984	240,000
10/18/04	4	4	232,984	141,000
10/19/04	4	5	262,107	120,000
10/20/04	4	4	232,984	60,000
10/21/04	4	4	232,984	80,000
10/22/04	4	4	232,984	196,000
10/23/04	5	4	262,107	128,000
10/24/04	4	4	232,984	93,000
10/25/04	4	5	262,107	121,000
10/26/04	4	4	232,984	200,000
10/27/04	4	3	203,861	0
10/28/04	4	5	262,107	204,000
10/29/04	4	4	232,984	110,000
<b>Average</b>	<b>4.19</b>	<b>4.25</b>	<b>245,725</b>	<b>156,438</b>

\* The amount of flow discharged from the plant is highly dependent on weather conditions. During wet weather, as we are currently experiencing, the discharges to the sprayfield may be limited so as to not oversaturate the sprayfield. The difference in the flow from what came into the plant and what went to the sprayfield goes to the utility's wet weather storage pond to be discharged during dry weather.

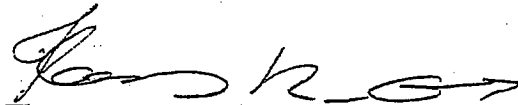
Please note that these inflow volumes are theoretically maximized volumes because of the method of cycle-counting for the SBRs, i.e., while 5 cycles may have been counted for a particular day, the SBR in question may not be completely finished with the 5<sup>th</sup> cycle and therefore may not have the total 29,123 gallons of a full cycle. Also, approximately 10% of the daily flow is a recycling of water from the digester back through the plant due to our daily digester decants and sludge drying process.

We have also included the two documents from René Fuog, of Fuog Water Resources, the utility's consulting engineer, where he had measured certain influent flows to the wastewater plant in 1998 and 2000. As can be seen from those flows, the influent flow to the plant was less than 300,000 gallons per day.

I would like to further point out that the utility's Waste Discharge Requirement Order No. 95-23 does not actually put a hard limit of 300,000 gpd of average daily flow of influent on the utility. Finding number 6 of the Waste Discharge Requirement Order No. 95-23 states "California Utilities Service's wastewater treatment plant has a 300,000 gallons per day (1,137 m<sup>3</sup>/day) average daily flow design capacity and a peak daily flow capacity of 450,000 gallons per day." The hard limit of 300,000 gallons per day average flow is found in the **Effluent Limitations** section of the Waste Discharge Requirement Order No. 95-23, number 2, which states "Volume discharged shall not exceed average annual flow of 300,000 GPD (1,137 m<sup>3</sup>/day)."

If you have any questions or would like additional information, please do not hesitate to contact me at (831) 424-0442.

Sincerely,



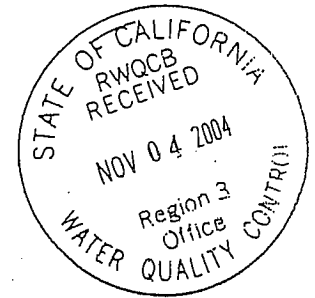
Thomas R. Adcock  
Vice President

TRA/ams

enclosures

cc: Scott Phillips, CRWQCB  
Ed Alexandre, CUS  
Laura Lawrence, MCHD  
René Fuog, Fuog Water Resources

CALIFORNIA UTILITIES SERVICE  
SERVICE CONNECTIONS



	A	B
1	tblPremise.StrNum	tblPremise.StrName
2	20135	ANZA CIR
3	20141	ANZA CIR
4	20145	ANZA CIR
5	20271	ANZA DR
6	20280	ANZA DR
7	20281	ANZA DR
8	20308	ANZA DR
9	20120	ANZA DR
10	20130	ANZA DR
11	20131	ANZA DR
12	20151	ANZA DR
13	20160	ANZA DR
14	20161	ANZA DR
15	20170	ANZA DR
16	20171	ANZA DR
17	20180	ANZA DR
18	20181	ANZA DR
19	20190	ANZA DR
20	20191	ANZA DR
21	20200	ANZA DR
22	20201	ANZA DR
23	20211	ANZA DR
24	20221	ANZA DR
25	20222	ANZA DR
26	20230	ANZA DR
27	20231	ANZA DR
28	20240	ANZA DR
29	20241	ANZA DR
30	20251	ANZA DR
31	20260	ANZA DR
32	20261	ANZA DR
33	20281	ANZA DR
34	20290	ANZA DR
35	20291	ANZA DR
36	20295	ANZA DR
37	20302	ANZA DR
38	20304	ANZA DR
39	20306	ANZA DR
40	20309	ANZA DR
41	16086	BALFOUR LN
42	16087	BALFOUR LN
43	16088	BALFOUR LN
44	16089	BALFOUR LN
45	16090	BALFOUR LN
46	16091	BALFOUR LN
47	16092	BALFOUR LN
48	24310	BARN OWL CT
49	24320	BARN OWL CT
50	24325	BARN OWL CT
51	20083	BERRA WY

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
52	20084	BERRA WY
53	20085	BERRA WY
54	20086	BERRA WY
55	22760	BRAVO CT
56	22765	BRAVO CT
57	22770	BRAVO CT
58	22775	BRAVO CT
59	22780	BRAVO CT
60	22785	BRAVO CT
61	22790	BRAVO CT
62	22800	BRAVO PL
63	22805	BRAVO PL
64	22810	BRAVO PL
65	22815	BRAVO PL
66	22820	BRAVO PL
67	22825	BRAVO PL
68	22830	BRAVO PL
69	22835	BRAVO PL
70	22840	BRAVO PL
71	22845	BRAVO PL
72	22850	BRAVO PL
73	22855	BRAVO PL
74	22860	BRAVO PL
75	22865	BRAVO PL
76	22870	BRAVO PL
77	22875	BRAVO PL
78	22279	CAPOTE DR
79	22280	CAPOTE DR
80	22281	CAPOTE DR
81	22282	CAPOTE DR
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101	22311	CAPOTE DR
102	22312	CAPOTE DR
103	22313	CAPOTE DR

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
104	22314	CAPOTE DR
105	22315	CAPOTE DR
106	22316	CAPOTE DR
107	22317	CAPOTE DR
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115	22328	CAPOTE DR
116	22672	COLETA DR
117	22673	COLETA DR
118	22674	COLETA DR
119	22675	COLETA DR
120	22676	COLETA DR
121	22677	COLETA DR
122	22678	COLETA DR
123	22679	COLETA DR
124	22680	COLETA DR
125	22681	COLETA DR
126	22682	COLETA DR
127	22684	COLETA DR
128	22686	COLETA DR
129	22688	COLETA DR
130	22690	COLETA DR
131	22692	COLETA DR
132	22694	COLETA DR
133	22697	COLETA DR
134	22902	CORDOBA CT
135	22903	CORDOBA CT
136	22912	CORDOBA CT
137	22913	CORDOBA CT
138	22922	CORDOBA CT
139	22923	CORDOBA CT
140	22942	CORDOBA PL
141	22943	CORDOBA PL
142	22952	CORDOBA PL
143	22953	CORDOBA PL
144	22962	CORDOBA PL
145	22963	CORDOBA PL
146	22972	CORDOBA PL
147	22973	CORDOBA PL
148	22982	CORDOBA PL
149	22983	CORDOBA PL
150	60-A	CORRAL DE TIERRA RD
151	101	CORRAL DE TIERRA RD
152	107	CORRAL DE TIERRA RD
153	12	CORRAL DE TIERRA RD
154	60-E	CORRAL DE TIERRA RD
155	62	CORRAL DE TIERRA RD.

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
156	72	CORRAL DE TIERRA RD
157	76A	CORRAL DE TIERRA RD
158	81	CORRAL DE TIERRA RD
159	19300	CREEKSIDE CIR
160	19301	CREEKSIDE CIR
161	19302	CREEKSIDE CIR
162	19303	CREEKSIDE CIR
163	19304	CREEKSIDE CIR
164	19305	CREEKSIDE CIR
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204	19538	CREEKSIDE CT
205	19540	CREEKSIDE CT
206	19542	CREEKSIDE CT
207	19544	CREEKSIDE CT

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
208	19546	CREEKSIDE CT
209	19523	CREEKSIDE DR
210	19526	CREEKSIDE DR
211	19200	CREEKSIDE LN
212	19201	CREEKSIDE LN
213	19202	CREEKSIDE LN
214	19203	CREEKSIDE LN
215	19204	CREEKSIDE LN
216	19205	CREEKSIDE LN
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248	19107	CREEKSIDE PL
249	19108	CREEKSIDE PL
250	19109	CREEKSIDE PL
251	19110	CREEKSIDE PL
252	19111	CREEKSIDE PL
253	19112	CREEKSIDE PL
254	19113	CREEKSIDE PL
255	19114	CREEKSIDE PL
256	19115	CREEKSIDE PL
257	19116	CREEKSIDE PL
258	19117	CREEKSIDE PL
259	19118	CREEKSIDE PL



CALIFORNIA UTILITIES SERVICE  
SERVICE CONNECTIONS

	A	B
260	19120	CREEKSIDE PL
261	19122	CREEKSIDE PL
262	25603	CREEKVIEW CIR
263	25604	CREEKVIEW CIR
264	25607	CREEKVIEW CIR
265	25608	CREEKVIEW CIR
266	25611	CREEKVIEW CIR
267	25612	CREEKVIEW CIR
268	25616	CREEKVIEW CIR
269	25620	CREEKVIEW CIR
270	25624	CREEKVIEW CIR
271	25628	CREEKVIEW CIR
272	25632	CREEKVIEW CIR
273	25636	CREEKVIEW CIR
274	25640	CREEKVIEW CIR
275	25649	CREEKVIEW CT
276	25650	CREEKVIEW CT
277	25653	CREEKVIEW CT
278	25654	CREEKVIEW CT
279	25657	CREEKVIEW CT
280	25658	CREEKVIEW CT
281	25661	CREEKVIEW CT
282	25664	CREEKVIEW CT
283	16079	DARCIE LN <i>part of a between Beiro &amp; S.H.M.C.W.</i>
284	16080	DARCIE LN
285	16081	DARCIE LN
286	16082	DARCIE LN
287	16083	DARCIE LN
288	16084	DARCIE LN
289	16085	DARCIE LN
290	16086	DARCIE LN
291	16087	DARCIE LN
292	16088	DARCIE LN
293	16089	DARCIE LN
294	16090	DARCIE LN
295	22260	DAVENRICH DR
296	22262	DAVENRICH DR
297	22264	DAVENRICH DR
298	22266	DAVENRICH DR
299	22268	DAVENRICH DR
300	22270	DAVENRICH DR
301	22271	DAVENRICH DR
302	22272	DAVENRICH DR
303	22273	DAVENRICH DR
304	22274	DAVENRICH DR
305	22275	DAVENRICH DR
306	22276	DAVENRICH DR
307	22277	DAVENRICH DR
308	22278	DAVENRICH DR
309	22292	DAVENRICH DR
310	22293	DAVENRICH DR
311	22294	DAVENRICH DR

CALIFORNIA UTILITIES SERVICE  
SERVICE CONNECTIONS

	A	B
312	22295	DAVENRICH DR
313	22296	DAVENRICH DR
314	22297	DAVENRICH DR
315	22298	DAVENRICH DR
316	22299	DAVENRICH DR
317	22300	DAVENRICH DR
318	22301	DAVENRICH DR
319	22302	DAVENRICH DR
320	22303	DAVENRICH DR
321	22304	DAVENRICH DR
322	22305	DAVENRICH DR
323	22306	DAVENRICH DR
324	22307	DAVENRICH DR
325	22308	DAVENRICH DR
326	22309	DAVENRICH DR
327	22310	DAVENRICH DR
328	22311	DAVENRICH DR
329	22313	DAVENRICH DR
330	22315	DAVENRICH DR
331	22317	DAVENRICH DR
332	22319	DAVENRICH DR
333	22321	DAVENRICH DR
334	22323	DAVENRICH DR
335	22324	DAVENRICH DR
336	22325	DAVENRICH DR
337	22326	DAVENRICH DR
338	22327	DAVENRICH DR
339	22328	DAVENRICH DR
340	22329	DAVENRICH DR
341	22330	DAVENRICH DR
342	22331	DAVENRICH DR
343	24302	EAGLE'S NEST CT <i>C. det CC off mtin Q102</i>
344	24312	EAGLE'S NEST CT
345	24315	EAGLE'S NEST CT
346	24322	EAGLE'S NEST CT
347	22907	ESPADA DR
348	22916	ESPADA DR
349	22917	ESPADA DR
350	22927	ESPADA DR
351	22937	ESPADA DR
352	22946	ESPADA DR
353	22947	ESPADA DR
354	22956	ESPADA DR
355	22957	ESPADA DR
356	22966	ESPADA DR
357	22967	ESPADA DR
358	22976	ESPADA DR
359	22977	ESPADA DR
360	22986	ESPADA DR
361	22987	ESPADA DR
362	22996	ESPADA DR
363	22997	ESPADA DR

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
364	23006	ESPADA DR
365	23007	ESPADA DR
366	23016	ESPADA DR
367	23017	ESPADA DR
368	23026	ESPADA DR
369	23027	ESPADA DR
370	23036	ESPADA DR
371	23037	ESPADA DR
372	23047	ESPADA DR
373	23048	ESPADA DR
374	23056	ESPADA DR
375	23057	ESPADA DR
376	23066	ESPADA DR
377	23067	ESPADA DR
378	23076	ESPADA DR
379	23077	ESPADA DR
380	23086	ESPADA DR
381	23087	ESPADA DR
382	23096	ESPADA DR
383	23097	ESPADA DR
384	23106	ESPADA DR
385	23107	ESPADA DR
386	20320	ESPANA CT
387	20325	ESPANA CT
388	20330	ESPANA CT
389	20335	ESPANA CT
390	20345	ESPANA CT
391	20355	ESPANA CT
392	20365	ESPANA CT
393	20375	ESPANA CT
394	20385	ESPANA CT
395	20395	ESPANA CT
396	22470	ESTOQUE PL
397	22471	ESTOQUE PL
398	22473	ESTOQUE PL
399	22475	ESTOQUE PL
400	22477	ESTOQUE PL
401	22478	ESTOQUE PL
402	22479	ESTOQUE PL
403	22480	ESTOQUE PL
404	22481	ESTOQUE PL
405	22482	ESTOQUE PL
406	22483	ESTOQUE PL
407	22484	ESTOQUE PL
408	22485	ESTOQUE PL
409	22365	FERDINAND CT
410	22366	FERDINAND CT
411	22368	FERDINAND CT
412	22369	FERDINAND CT
413	22370	FERDINAND CT
414	22477	FERDINAND CT
415	22478	FERDINAND CT

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
416	22481	FERDINAND CT
417	22482	FERDINAND CT
418	22483	FERDINAND CT
419	22484	FERDINAND CT
420	22490	FERDINAND CT
421	22492	FERDINAND CT
422	22467	FERDINAND DR
423	22468	FERDINAND DR
424	22469	FERDINAND DR
425	22470	FERDINAND DR
426	22471	FERDINAND DR
427	22473	FERDINAND DR
428	22475	FERDINAND DR
429	22479	FERDINAND DR
430	22480	FERDINAND DR
431	22485	FERDINAND DR
432	22486	FERDINAND DR
433	22487	FERDINAND DR
434	22488	FERDINAND DR
435	22489	FERDINAND DR
436	22491	FERDINAND DR
437	20260	FRANCISCAN CIR
438	20265	FRANCISCAN CIR
439	20273	FRANCISCAN CIR
440	20275	FRANCISCAN CIR
441	20250	FRANCISCAN CT
442	20251	FRANCISCAN WY
443	20260	FRANCISCAN WY
444	20261	FRANCISCAN WY
445	20270	FRANCISCAN WY
446	20271	FRANCISCAN WY
447	20280	FRANCISCAN WY
448	20281	FRANCISCAN WY
449	20291	FRANCISCAN WY
450	20295	FRANCISCAN WY
451	20302	FRANCISCAN WY
452	20312	FRANCISCAN WY
453	20322	FRANCISCAN WY
454	20332	FRANCISCAN WY
455	20335	FRANCISCAN WY
456	20342	FRANCISCAN WY
457	20345	FRANCISCAN WY
458	20352	FRANCISCAN WY
459	20362	FRANCISCAN WY
460	20372	FRANCISCAN WY
461	20382	FRANCISCAN WY
462	20392	FRANCISCAN WY
463	20402	FRANCISCAN WY
464	20412	FRANCISCAN WY
465	20422	FRANCISCAN WY
466	20425	FRANCISCAN WY
467	20432	FRANCISCAN WY

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
468	20435	FRANCISCAN WY
469	20442	FRANCISCAN WY
470	20452	FRANCISCAN WY
471	20462	FRANCISCAN WY
472	20472	FRANCISCAN WY
473	20482	FRANCISCAN WY
474	22900	GUIDOTTI CT
475	22901	GUIDOTTI CT
476	22905	GUIDOTTI CT
477	22915	GUIDOTTI CT
478	22910	GUIDOTTI DR
479	22920	GUIDOTTI DR
480	22930	GUIDOTTI DR
481	22935	GUIDOTTI DR
482	22940	GUIDOTTI DR
483	22945	GUIDOTTI DR
484	22950	GUIDOTTI DR
485	22955	GUIDOTTI DR
486	22960	GUIDOTTI DR
487	22965	GUIDOTTI DR
488	22970	GUIDOTTI DR
489	22975	GUIDOTTI DR
490	22980	GUIDOTTI DR
491	22985	GUIDOTTI DR
492	22990	GUIDOTTI DR
493	22995	GUIDOTTI DR
494	23000	GUIDOTTI DR
495	23005	GUIDOTTI DR
496	23010	GUIDOTTI DR
497	23015	GUIDOTTI DR
498	23020	GUIDOTTI DR
499	23025	GUIDOTTI DR
500	23030	GUIDOTTI DR
501	23035	GUIDOTTI DR
502	23040	GUIDOTTI DR
503	23045	GUIDOTTI DR
504	23050	GUIDOTTI DR
505	23060	GUIDOTTI PL
506	23070	GUIDOTTI PL
507	23075	GUIDOTTI PL
508	23080	GUIDOTTI PL
509	23085	GUIDOTTI PL
510	23090	GUIDOTTI PL
511	23095	GUIDOTTI PL
512	23100	GUIDOTTI PL
513	23110	GUIDOTTI PL
514	23120	GUIDOTTI PL
515	23130	GUIDOTTI PL
516	681	HWY 68
517	25432	JOHN STEINBECK TRAIL
518	25436	JOHN STEINBECK TRAIL
519	25440	JOHN STEINBECK TRAIL

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
520	25444	JOHN STEINBECK TRAIL
521	25448	JOHN STEINBECK TRAIL
522	25452	JOHN STEINBECK TRAIL
523	25455	JOHN STEINBECK TRAIL
524	25459	JOHN STEINBECK TRAIL
525	25463	JOHN STEINBECK TRAIL
526	25467	JOHN STEINBECK TRAIL
527	25470	JOHN STEINBECK TRAIL
528	25474	JOHN STEINBECK TRAIL
529	25479	JOHN STEINBECK TRAIL
530	25483	JOHN STEINBECK TRAIL
531	25487	JOHN STEINBECK TRAIL
532	25491	JOHN STEINBECK TRAIL
533	25495	JOHN STEINBECK TRAIL
534	25499	JOHN STEINBECK TRAIL
535	25503	JOHN STEINBECK TRAIL
536	25504	JOHN STEINBECK TRAIL
537	25507	JOHN STEINBECK TRAIL
538	25511	JOHN STEINBECK TRAIL
539	25515	JOHN STEINBECK TRAIL
540	24135	MALLARD COURT
541	24100	MALLARD CT
542	24105	MALLARD CT
543	24110	MALLARD CT
544	24115	MALLARD CT
545	24120	MALLARD CT
546	24125	MALLARD CT
547	24130	MALLARD CT
548	24140	MALLARD CT
549	24145	MALLARD CT
550	22696	MANOLETE DR
551	22698	MANOLETE DR
552	22699	MANOLETE DR
553	22700	MANOLETE DR
554	22701	MANOLETE DR
555	22702	MANOLETE DR
556	22703	MANOLETE DR
557	22704	MANOLETE DR
558	22705	MANOLETE DR
559	22706	MANOLETE DR
560	22707	MANOLETE DR
561	22708	MANOLETE DR
562	25351	MARKHAM LN
563	25350	MARKHAM LN
564	25360	MARKHAM LN
565	25361	MARKHAM LN
566	25362	MARKHAM LN
567	25371	MARKHAM LN
568	25373	MARKHAM LN
569	25375	MARKHAM LN
570	25377	MARKHAM LN
571	25379	MARKHAM LN

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
572	25381	MARKHAM LN
573	25383	MARKHAM LN
574	25385	MARKHAM LN
575	25387	MARKHAM LN
576	25389	MARKHAM LN
577	25391	MARKHAM LN
578	25393	MARKHAM LN
579	25395	MARKHAM LN
580	25397	MARKHAM LN
581	25399	MARKHAM LN
582	25401	MARKHAM LN
583	25403	MARKHAM LN
584	25405	MARKHAM LN
585	25407	MARKHAM LN
586	25409	MARKHAM LN
587	25411	MARKHAM LN
588	25413	MARKHAM LN
589	25415	MARKHAM LN
590	25417	MARKHAM LN
591	25419	MARKHAM LN
592	25421	MARKHAM LN
593	25423	MARKHAM LN
594	25425	MARKHAM LN
595	25427	MARKHAM LN
596	25429	MARKHAM LN
597	25431	MARKHAM LN
598	25520	MEADOWVIEW CIR <i>off castlerock c. de T cc</i>
599	25523	MEADOWVIEW CIR
600	25524	MEADOWVIEW CIR
601	25528	MEADOWVIEW CIR
602	25531	MEADOWVIEW CIR
603	25532	MEADOWVIEW CIR
604	25535	MEADOWVIEW CIR
605	25536	MEADOWVIEW CIR
606	25540	MEADOWVIEW CIR
607	25544	MEADOWVIEW CIR
608	25547	MEADOWVIEW CIR
609	25548	MEADOWVIEW CIR
610	25551	MEADOWVIEW CIR
611	25552	MEADOWVIEW CIR
612	25555	MEADOWVIEW CIR
613	25556	MEADOWVIEW CIR
614	25559	MEADOWVIEW CIR
615	25560	MEADOWVIEW CIR
616	25675	MEADOWVIEW CT
617	25679	MEADOWVIEW CT
618	25682	MEADOWVIEW CT
619	25683	MEADOWVIEW CT
620	25686	MEADOWVIEW CT
621	25687	MEADOWVIEW CT
622	25691	MEADOWVIEW CT
623	22392	MONTERA CT

CALIFORNIA UTILITIES SERVICE  
SERVICE CONNECTIONS

	A	B
624	22394	MONTERA CT
625	22396	MONTERA CT
626	22398	MONTERA CT
627	22400	MONTERA CT
628	22402	MONTERA CT
629	22404	MONTERA CT
630	22408	MONTERA CT
631	22293	MONTERA DR
632	22294	MONTERA DR
633	22295	MONTERA DR
634	22297	MONTERA DR
635	22299	MONTERA DR
636	22301	MONTERA DR
637	22303	MONTERA DR
638	22305	MONTERA DR
639	22306	MONTERA DR
640	22307	MONTERA DR
641	22308	MONTERA DR
642	22309	MONTERA DR
643	22311	MONTERA DR
644	22312	MONTERA DR
645	22314	MONTERA DR
646	22316	MONTERA DR
647	22392	MONTERA PL
648	22394	MONTERA PL
649	22396	MONTERA PL
650	22398	MONTERA PL
651	22400	MONTERA PL
652	22402	MONTERA PL
653	22404	MONTERA PL
654	22406	MONTERA PL
655	721	MONTEREY SALINAS HWY
656	723	MONTEREY SALINAS HWY
657	725	MONTEREY SALINAS HWY
658	729	MONTEREY SALINAS HWY
659	13975	MOUNTAIN QUAIL RD
660	13985	MOUNTAIN QUAIL RD
661	14200	MOUNTAIN QUAIL RD
662	14310	MOUNTAIN QUAIL RD
663	14330	MOUNTAIN QUAIL RD
664	14350	MOUNTAIN QUAIL RD
665	14440	MOUNTAIN QUAIL RD
666	14445	MOUNTAIN QUAIL RD
667	14460	MOUNTAIN QUAIL RD
668	14480	MOUNTAIN QUAIL RD
669	14485	MOUNTAIN QUAIL RD
670	14500	MOUNTAIN QUAIL RD
671	14510	MOUNTAIN QUAIL RD
672	14520	MOUNTAIN QUAIL RD
673	14545	MOUNTAIN QUAIL RD
674	14550	MOUNTAIN QUAIL RD
675	14560	MOUNTAIN QUAIL RD

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CALIFORNIA UTILITIES SERVICE  
SERVICE CONNECTIONS

	A	B
676	14565	MOUNTAIN QUAIL RD
677	14570	MOUNTAIN QUAIL RD
678	14580	MOUNTAIN QUAIL RD
679	13995	MOUNTAIN QUAIL RD
680	14005	MOUNTAIN QUAIL RD
681	14007	MOUNTAIN QUAIL RD
682	14015	MOUNTAIN QUAIL RD
683	14025	MOUNTAIN QUAIL RD
684	14035	MOUNTAIN QUAIL RD
685	14045	MOUNTAIN QUAIL RD
686	14055	MOUNTAIN QUAIL RD
687	14065	MOUNTAIN QUAIL RD
688	14075	MOUNTAIN QUAIL RD
689	14085	MOUNTAIN QUAIL RD
690	14095	MOUNTAIN QUAIL RD
691	14105	MOUNTAIN QUAIL RD
692	14115	MOUNTAIN QUAIL RD
693	14125	MOUNTAIN QUAIL RD
694	14135	MOUNTAIN QUAIL RD
695	14145	MOUNTAIN QUAIL RD
696	14155	MOUNTAIN QUAIL RD
697	14160	MOUNTAIN QUAIL RD
698	14165	MOUNTAIN QUAIL RD
699	14170	MOUNTAIN QUAIL RD
700	14175	MOUNTAIN QUAIL RD
701	14180	MOUNTAIN QUAIL RD
702	14185	MOUNTAIN QUAIL RD
703	14190	MOUNTAIN QUAIL RD
704	14210	MOUNTAIN QUAIL RD
705	14220	MOUNTAIN QUAIL RD
706	14230	MOUNTAIN QUAIL RD
707	14240	MOUNTAIN QUAIL RD
708	14250	MOUNTAIN QUAIL RD
709	14255	MOUNTAIN QUAIL RD
710	14260	MOUNTAIN QUAIL RD
711	14265	MOUNTAIN QUAIL RD
712	14270	MOUNTAIN QUAIL RD
713	14275	MOUNTAIN QUAIL RD
714	14280	MOUNTAIN QUAIL RD
715	14285	MOUNTAIN QUAIL RD
716	14290	MOUNTAIN QUAIL RD
717	14295	MOUNTAIN QUAIL RD
718	14300	MOUNTAIN QUAIL RD
719	14305	MOUNTAIN QUAIL RD
720	14315	MOUNTAIN QUAIL RD
721	14320	MOUNTAIN QUAIL RD
722	14330	MOUNTAIN QUAIL RD
723	14340	MOUNTAIN QUAIL RD
724	14360	MOUNTAIN QUAIL RD
725	14370	MOUNTAIN QUAIL RD
726	14380	MOUNTAIN QUAIL RD
727	14390	MOUNTAIN QUAIL RD

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
728	14400	MOUNTAIN QUAIL RD
729	14410	MOUNTAIN QUAIL RD
730	14420	MOUNTAIN QUAIL RD
731	14430	MOUNTAIN QUAIL RD
732	14435	MOUNTAIN QUAIL RD
733	14450	MOUNTAIN QUAIL RD
734	14455	MOUNTAIN QUAIL RD
735	14465	MOUNTAIN QUAIL RD
736	14470	MOUNTAIN QUAIL RD
737	14475	MOUNTAIN QUAIL RD
738	14490	MOUNTAIN QUAIL RD
739	14495	MOUNTAIN QUAIL RD
740	14505	MOUNTAIN QUAIL RD
741	14515	MOUNTAIN QUAIL RD
742	14525	MOUNTAIN QUAIL RD
743	14530	MOUNTAIN QUAIL RD
744	14535	MOUNTAIN QUAIL RD
745	14540	MOUNTAIN QUAIL RD
746	14555	MOUNTAIN QUAIL RD
747	14850	MULETA DR
748	23002	MULETA PL
749	23012	MULETA PL
750	23013	MULETA PL
751	23022	MULETA PL
752	23023	MULETA PL
753	23032	MULETA PL
754	23033	MULETA PL
755	23042	MULETA PL
756	23043	MULETA PL
757	22702	ORDONEZ DR
758	22712	ORDONEZ DR
759	22713	ORDONEZ DR
760	22722	ORDONEZ DR
761	22723	ORDONEZ DR
762	22732	ORDONEZ DR
763	22733	ORDONEZ DR
764	22742	ORDONEZ DR
765	22743	ORDONEZ DR
766	22752	ORDONEZ DR
767	22753	ORDONEZ DR
768	22762	ORDONEZ DR
769	22772	ORDONEZ DR
770	22782	ORDONEZ DR
771	22783	ORDONEZ DR
772	22792	ORDONEZ DR
773	22802	ORDONEZ DR
774	22803	ORDONEZ DR
775	22812	ORDONEZ DR
776	22813	ORDONEZ DR
777	22822	ORDONEZ DR
778	22823	ORDONEZ DR
779	22832	ORDONEZ DR

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
780	22833	ORDONEZ DR
781	22842	ORDONEZ DR
782	22359	ORTEGA DR
783	22361	ORTEGA DR
784	22363	ORTEGA DR
785	22365	ORTEGA DR
786	22366	ORTEGA DR
787	22367	ORTEGA DR
788	22368	ORTEGA DR
789	22369	ORTEGA DR
790	22370	ORTEGA DR
791	22371	ORTEGA DR
792	22372	ORTEGA DR
793	22373	ORTEGA DR
794	22374	ORTEGA DR
795	22375	ORTEGA DR
796	22376	ORTEGA DR
797	22377	ORTEGA DR
798	22378	ORTEGA DR
799	22379	ORTEGA DR
800	22380	ORTEGA DR
801	22381	ORTEGA DR
802	22382	ORTEGA DR
803	22383	ORTEGA DR
804	22384	ORTEGA DR
805	22385	ORTEGA DR
806	22386	ORTEGA DR
807	22387	ORTEGA DR
808	22388	ORTEGA DR
809	22390	ORTEGA DR
810	22391	ORTEGA DR
811	20249	PALOU DR
812	20238	PALOU DR
813	20240	PALOU DR
814	20241	PALOU DR
815	20242	PALOU DR
816	20243	PALOU DR
817	20244	PALOU DR
818	20245	PALOU DR
819	20246	PALOU DR
820	20248	PALOU DR
821	20250	PALOU DR
822	24210	PHEASANT CT
823	24215	PHEASANT CT
824	24220	PHEASANT CT
825	24225	PHEASANT CT
826	24230	PHEASANT CT
827	24235	PHEASANT CT
828	24240	PHEASANT CT
829	24245	PHEASANT CT
830	24250	PHEASANT CT
831	24255	PHEASANT CT

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
832	24260	PHEASANT CT
833	24265	PHEASANT CT
834	24270	PHEASANT CT
835	24275	PHEASANT CT
836	24280	PHEASANT CT
837	24285	PHEASANT CT
838	24290	PHEASANT CT
839	24295	PHEASANT CT
840	22690	PICADOR
841	22692	PICADOR
842	22694	PICADOR
843	22696	PICADOR
844	22697	PICADOR
845	22698	PICADOR
846	22699	PICADOR
847	22700	PICADOR
848	22701	PICADOR
849	22702	PICADOR
850	22703	PICADOR
851	22704	PICADOR
852	22705	PICADOR
853	22706	PICADOR
854	22708	PICADOR
855	22709	PICADOR
856	22710	PICADOR
857	22712	PICADOR
858	22713	PICADOR
859	22714	PICADOR
860	22715	PICADOR
861	22716	PICADOR
862	22717	PICADOR
863	22718	PICADOR
864	22719	PICADOR
865	22720	PICADOR
866	22721	PICADOR
867	19000	PORTOLA DR
868	19040	PORTOLA DR
869	19055	PORTOLA DR
870	19065	PORTOLA DR
871	19900	PORTOLA DR
872	19940	PORTOLA DR
873	19950	PORTOLA DR
874	19960	PORTOLA DR
875	20070	PORTOLA DR
876	20090	PORTOLA DR
877	20091	PORTOLA DR
878	20100	PORTOLA DR
879	20101	PORTOLA DR
880	20110	PORTOLA DR
881	20111	PORTOLA DR
882	20120	PORTOLA DR
883	20121	PORTOLA DR

CALIFORNIA UTILITIES SERVICE  
SERVICE CONNECTIONS

	A	B
884	20130	PORTOLA DR
885	20131	PORTOLA DR
886	20140	PORTOLA DR
887	20160	PORTOLA DR
888	20161	PORTOLA DR
889	20170	PORTOLA DR
890	20171	PORTOLA DR
891	20180	PORTOLA DR
892	20210	PORTOLA DR
893	20211	PORTOLA DR
894	20220	PORTOLA DR
895	20221	PORTOLA DR
896	20231	PORTOLA DR
897	20241	PORTOLA DR
898	20251	PORTOLA DR
899	20260	PORTOLA DR
900	20261	PORTOLA DR
901	20270	PORTOLA DR
902	20271	PORTOLA DR
903	20280	PORTOLA DR
904	20290	PORTOLA DR
905	22510	PORTOLA DR
906	22720	PORTOLA DR
907	22730	PORTOLA DR
908	22732	PORTOLA DR
909	22736	PORTOLA DR
910	22740	PORTOLA DR
911	22742	PORTOLA DR
912	22748	PORTOLA DR
913	22750	PORTOLA DR
914	22760	PORTOLA DR MKT 2234,STORE 14258
915	18931	PORTOLA DR SUITE #A
916	15925	PRIDDY DR
917	15930	PRIDDY DR
918	15935	PRIDDY DR
919	23799	SALINAS MONTEREY RD
920	23799	SALINAS-MONTEREY HWY #1
921	23799	SALINAS-MONTEREY HWY #10
922	23799	SALINAS-MONTEREY HWY #11
923	23799	SALINAS-MONTEREY HWY #12
924	23799	SALINAS-MONTEREY HWY #13
925	23799	SALINAS-MONTEREY HWY #14
926	23799	SALINAS-MONTEREY HWY #15
927	23799	SALINAS-MONTEREY HWY #16
928	23799	SALINAS-MONTEREY HWY #17
929	23799	SALINAS-MONTEREY HWY #18
930	23799	SALINAS-MONTEREY HWY #19
931	23799	SALINAS-MONTEREY HWY #2
932	23799	SALINAS-MONTEREY HWY #20
933	23799	SALINAS-MONTEREY HWY #21
934	23799	SALINAS-MONTEREY HWY #22
935	23799	SALINAS-MONTEREY HWY #23

*V 11/05*

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
936	23799	SALINAS-MONTEREY HWY #24
937	23799	SALINAS-MONTEREY HWY #25
938	23799	SALINAS-MONTEREY HWY #26
939	23799	SALINAS-MONTEREY HWY #27
940	23799	SALINAS-MONTEREY HWY #28
941	23799	SALINAS-MONTEREY HWY #29
942	23799	SALINAS-MONTEREY HWY #3
943	23799	SALINAS-MONTEREY HWY #30
944	23799	SALINAS-MONTEREY HWY #31
945	23799	SALINAS-MONTEREY HWY #32
946	23799	SALINAS-MONTEREY HWY #33
947	23799	SALINAS-MONTEREY HWY #34
948	23799	SALINAS-MONTEREY HWY #35
949	23799	SALINAS-MONTEREY HWY #36
950	23799	SALINAS-MONTEREY HWY #37
951	23799	SALINAS-MONTEREY HWY #38
952	23799	SALINAS-MONTEREY HWY #39
953	23799	SALINAS-MONTEREY HWY #4
954	23799	SALINAS-MONTEREY HWY #40
955	23799	SALINAS-MONTEREY HWY #41
956	23799	SALINAS-MONTEREY HWY #42
957	23799	SALINAS-MONTEREY HWY #43
958	23799	SALINAS-MONTEREY HWY #44
959	23799	SALINAS-MONTEREY HWY #45
960	23799	SALINAS-MONTEREY HWY #46
961	23799	SALINAS-MONTEREY HWY #47
962	23799	SALINAS-MONTEREY HWY #48
963	23799	SALINAS-MONTEREY HWY #49
964	23799	SALINAS-MONTEREY HWY #5
965	23799	SALINAS-MONTEREY HWY #50
966	23799	SALINAS-MONTEREY HWY #51
967	23799	SALINAS-MONTEREY HWY #52
968	23799	SALINAS-MONTEREY HWY #53
969	23799	SALINAS-MONTEREY HWY #54
970	23799	SALINAS-MONTEREY HWY #55
971	23799	SALINAS-MONTEREY HWY #56
972	23799	SALINAS-MONTEREY HWY #57
973	23799	SALINAS-MONTEREY HWY #58
974	23799	SALINAS-MONTEREY HWY #59
975	23799	SALINAS-MONTEREY HWY #6
976	23799	SALINAS-MONTEREY HWY #60
977	23799	SALINAS-MONTEREY HWY #61
978	23799	SALINAS-MONTEREY HWY #62
979	23799	SALINAS-MONTEREY HWY #63
980	23799	SALINAS-MONTEREY HWY #7
981	23799	SALINAS-MONTEREY HWY #8
982	23799	SALINAS-MONTEREY HWY #9
983	16083	SHARON LN
984	16084	SHARON LN
985	16085	SHARON LN
986	16086	SHARON LN
987	16087	SHARON LN

CALIFORNIA UTILITIES SERVICE  
SERVICE CONNECTIONS

	A	B
988	16088	SHARON LN
989	16089	SHARON LN
990	16090	SHARON LN
991	16091	SHARON LN
992	16092	SHARON LN
993	CREEK	SIDE SWIMMING POOL
994	22572	TOREADOR
995	22573	TOREADOR
996	22574	TOREADOR
997	22575	TOREADOR
998	22576	TOREADOR
999	22577	TOREADOR
1000	22578	TOREADOR
1001	22579	TOREADOR
1002	22580	TOREADOR
1003	22581	TOREADOR
1004	22582	TOREADOR
1005	22583	TOREADOR
1006	22584	TOREADOR
1007	22585	TOREADOR
1008	22623	TORERO CT
1009	22700	TORERO CT
1010	22705	TORERO CT
1011	22710	TORERO CT
1012	22715	TORERO CT
1013	22720	TORERO CT
1014	22725	TORERO CT
1015	22730	TORERO CT
1016	22735	TORERO CT
1017	22740	TORERO CT
1018	22622	TORERO DR
1019	22632	TORERO DR
1020	22642	TORERO DR
1021	22652	TORERO DR
1022	22662	TORERO DR
1023	22672	TORERO DR
1024	22682	TORERO DR
1025	22692	TORERO DR
1026	15881	TORO HILLS AVE
1027	15961	TORO HILLS AVE
1028	16610	TORO HILLS CT
1029	16613	TORO HILLS CT
1030	16614	TORO HILLS CT
1031	16617	TORO HILLS CT
1032	16618	TORO HILLS CT
1033	16621	TORO HILLS CT
1034	16625	TORO HILLS CT
1035	16629	TORO HILLS CT
1036	22022	TORO HILLS DR
1037	22120	TORO HILLS DR
1038	22140	TORO HILLS DR
1039	22121	TORO HILLS DR

CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
1040	22141	TORO HILLS DR
1041	22160	TORO HILLS DR
1042	22161	TORO HILLS DR
1043	22180	TORO HILLS DR
1044	22181	TORO HILLS DR
1045	22200	TORO HILLS DR
1046	22201	TORO HILLS DR
1047	22220	TORO HILLS DR
1048	22221	TORO HILLS DR
1049	22240	TORO HILLS DR
1050	22241	TORO HILLS DR
1051	22260	TORO HILLS DR
1052	22261	TORO HILLS DR
1053	22280	TORO HILLS DR
1054	22281	TORO HILLS DR
1055	22300	TORO HILLS DR
1056	22301	TORO HILLS DR
1057	22321	TORO HILLS DR
1058	22340	TORO HILLS DR
1059	22341	TORO HILLS DR
1060	22142	TORO VIEWS DR
1061	21902	TORO VIEWS DR
1062	21962	TORO VIEWS DR
1063	22082	TORO VIEWS DR
1064	22259	VERONICA DR
1065	22260	VERONICA DR
1066	22261	VERONICA DR
1067	22262	VERONICA DR
1068	22263	VERONICA DR
1069	22264	VERONICA DR
1070	22266	VERONICA DR
1071	22267	VERONICA DR
1072	22268	VERONICA DR
1073	22269	VERONICA DR
1074	22270	VERONICA DR
1075	22272	VERONICA DR
1076	22274	VERONICA DR
1077	22276	VERONICA DR
1078	22568	VERONICA DR
1079	22570	VERONICA DR
1080	22571	VERONICA DR
1081	22572	VERONICA DR
1082	22573	VERONICA DR
1083	22574	VERONICA DR
1084	22576	VERONICA DR
1085	22577	VERONICA DR
1086	22578	VERONICA DR
1087	22579	VERONICA DR
1088	22580	VERONICA DR
1089	22581	VERONICA DR
1090	22582	VERONICA DR
1091	22583	VERONICA DR



CALIFORNIA UTILITIES SERVICE  
 SERVICE CONNECTIONS

	A	B
1092	22584	VERONICA DR
1093	22585	VERONICA DR
1094	22586	VERONICA DR
1095	22587	VERONICA DR
1096	22588	VERONICA DR
1097	22589	VERONICA DR
1098	22590	VERONICA DR
1099	22591	VERONICA DR
1100	22592	VERONICA DR
1101	22594	VERONICA DR
1102	22596	VERONICA DR
1103	22598	VERONICA DR
1104	22600	VERONICA DR
1105	22602	VERONICA DR
1106	22604	VERONICA DR
1107	20351	VIA ESPANA
1108	20321	VIA ESPANA
1109	20331	VIA ESPANA
1110	20332	VIA ESPANA
1111	20341	VIA ESPANA
1112	20342	VIA ESPANA
1113	20352	VIA ESPANA
1114	20362	VIA ESPANA
1115	20372	VIA ESPANA
1116		
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1127		
1128		



# Department of Justice

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FOR IMMEDIATE RELEASE  
TUESDAY, MAY 25, 2004  
WWW.USDOJ.GOV

ENRD  
(202) 514-2007  
EPA (202) 564-9828  
TDD (202) 514-1888

## U.S. ANNOUNCES LARGEST PENALTY EVER AWARDED AGAINST A PUBLIC WATER SYSTEM IN MONTEREY COUNTY, CALIFORNIA

WASHINGTON, D.C. - The Justice Department and the U.S. Environmental Protection Agency today announced that Judge Jeremy Fogel, of the U.S. District Court for the Northern District of California in San Jose, issued an order on May 20 imposing the largest penalty ever against a public water system. Defendants Alisal Water Corporation, related companies, and **Robert and Patricia Adcock**, the individual owners of the systems, were ordered to pay a penalty of \$500,000 for violations of the federal Safe Drinking Water Act. "This case is an example of how the federal government can work together with state and local governments in enforcing environmental laws," said Thomas L. Sansonetti, Assistant Attorney General for Environment & Natural Resources. "The Justice Department was able to provide the resources to bring the action in federal court and convince the judge of the need for extraordinary relief. The water systems will be placed in the hands of reputable purveyors and the large penalty sends a message to these defendants and other providers that violations of the Safe Drinking Water Act will not be tolerated."

"The EPA will continue to be vigilant in ensuring that Monterey County residents have water safe to drink at all times," said Alexis Strauss the EPA's water division director for the Pacific Southwest region. "The county, state and EPA together pursued these violators to ensure false test results and other violations were exposed."

The case involves privately owned drinking water companies serving 28,000 consumers in Salinas and other parts of Monterey County, California. The U.S. originally filed the action in 1997 alleging that defendants submitted false drinking water reports to state and local regulators in the early 1990s. Under the federal Safe Drinking Water Act, the U.S. retains the right to enforce the Act even when the state has primary enforcement responsibility. In this case, the State of California asked the U.S. Environmental Protection Agency to intervene and bring an action against Alisal Water Corporation and related entities.

In 2000 and 2001, while the case was pending before the court, two of defendants' small systems, the Moss Landing and Vierra Canyon Water Systems, experienced boil water orders extending for months. Government inspections of the water company facilities at this time and defendants' inability to resolve the boil water orders in a timely manner led the U.S. to seek to have the companies put in receivership and sold to reputable purveyors. After trial in early 2002, the court agreed with the U.S. and appointed a receiver to take over all but one of defendants'

systems. In April of this year, the Court ordered the systems in receivership sold to a number of different water companies. The sales are pending.

The penalty, higher than that in any reported SDWA public water system case, was, according to the Court, warranted "in light of the number and nature of violations at issue, Defendants' repeated refusals to cooperate with regulators over a span of years, the serious risks to public health and the fears and inconvenience imposed upon thousands of Defendants' customers." The Court specifically found that the violations spanned approximately a decade and that defendants conduct reflects a persistent pattern of non-compliance with the most basic responsibilities of a public utility." In settling on a \$500,000 penalty, the Court found no evidence to warrant mitigation of the penalty except defendants' limited ability to pay.

Excerpting two sections of the decision:

1. "Defendants Alisal Water Corporation, related companies, and **Robert and Patricia Adcock**, the individual owners of the systems, were ordered to pay a penalty of \$500,000 for violations of the federal Safe Drinking Water Act. "

**Are these not the same two people who are principals in CUS?**

2. "The U.S. originally filed the action in 1997 alleging that defendants submitted false drinking water reports to state and local regulators in the early 1990s."

**Is this not the same issue of poor reporting?**



STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Sean Walsh  
Director

Arnold  
Schwarzenegger  
Governor

August 18, 2005

Paul C. Mugan  
Monterey County Planning & Building Inspection  
168 W. Alisal Street  
Salinas, CA 93901

Subject: Harper Canyon / Encina Hills  
SCH#: 2003071157

Dear Paul C. Mugan:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on August 17, 2005, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

**DEPARTMENT OF TRANSPORTATION**

50 HIGUERA STREET  
SAN LUIS OBISPO, CA 93401-5415  
PHONE (805) 549-3101  
FAX (805) 549-3077  
TDD (805) 549-3259  
<http://www.dot.ca.gov/dist05/>



*Flex your power!  
Be energy efficient!*

July 29, 2005

MON-101-13.33  
SCH# 2003071157

Paul Muga  
Monterey County Planning and Building Inspection  
168 West Alisal Street  
Salinas, CA 93901

Dear Mr. Muga:

**COMMENTS TO HARPER CANYON/ENCINA HILLS DEVELOPMENT**

The California Department of Transportation, District 5, Development Review, has reviewed the above referenced project and offers the following comments in response to your summary of impacts on transportation facilities. Please consider these comments as additions to those made on September 22, 2004 for this development.

1. While we appreciate the study acknowledging the need to mitigate the project-specific traffic impacts (e.g., lengthen turning lanes at Laureles Grade), what is missing from the traffic study is the need to mitigate cumulative impacts. As you are aware, the Transportation Agency for Monterey County (TAMC) has adopted a Nexus Study for Regional Development Impact Fees. This program addresses the cumulative needs for regional transportation improvements. For clarification to your document, and in accordance with the TAMC Nexus fee schedule, the cumulative impact fees are approximated for you as follows:  
  
--\$139,264 (17 homes @ \$8,192/per)
2. We would appreciate being notified when all fees are collected, or a schedule for collection and transfer to TAMC for holding.

If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Olejnik".

JOHN J. OLEJNIK  
Associate Transportation Planner  
District 5 Development Review Coordinator

cc: Roger Barnes (D5)  
Andy Cook (TAMC)  
Ron Lundquist (Monterey DPW)

# **The Meyer Community Group**

**97 San Benancio Canyon Rd**

**Salinas CA 93908**

**831.484.1902 message 831.484.1956fax**

**nansus@aol.com**

**08.15.05**

**Mr. Paul Mukan, Senior Planner  
Planning & Building Inspection Department  
168 W. Alisal-Second Floor  
Salinas CA 93901**

**SUBJECT: Notice of Preparation of Draft Environmental Impact Report,  
HARPER CANYON/ENCINA HILLS**

**Dear Paul,**

**In response to your notice and request for our views as to the scope and content of the environmental impact report which is germane to your responsibilities as the Lead Agency in connection with the proposed project, HARPER CANYON/ENCINA HILLS, The Meyer Community Group would like to be included as a member of the selection committee that pick the consultants for the EIR. We are intimately familiar with the issues at hand and eminently qualified to choose consultants.**

**Our response to the potential environmental impacts and other issues that should be assessed are as follows:**

**The description of the project is not accurate. The project is described as a 17 lot subdivision with a 180 acre remainder parcel, but as was shown at the Planning Commission meeting of January 18, 2005, is not a stand alone project Encina Hills is adjacent to 14 legal lots also owned by the applicant which currently does not have road access. The project at issue, if approved, will provide road access to these 14 additional lots. The road to these 14 legal lots is shown on the Vesting Tentative map of Encina Hills prepared by Whitson Engineers. There is no mention of these lots in the staff report, although they appear on the map of the project. Additionally, we do not know what is happening to the 180 remainder parcel. CEQA addresses the issue of "piece meal" development and this issue needs to be addressed in the Draft EIR as well as the issue of cumulative impacts on traffic, water, sewer disposal. In this regard, the project at issue cannot be approved without expansion of the sewer system and running sewer lines up San Benancio Rd. This should be assessed both to the direct effects and indirect effects of the growth inducing impacts to the region.**

The planning commissioners voted to require an EIR on the project as we presented it; 17 lot Encina Hills, 14 lot lot line adjustment, and the previously approved 9 lot "Oaks" Subdivision. Commissioner Vandevere moved to direct staff to proceed with an Environmental Impact Report and the motion passed 8 to 1.

1. Aesthetics;

2. Air Quality;

3. Biological Resources;

Where is the report on the day roosting bats? Where is the report on dusky footed wood rats? Where is the report on the raptors and other migratory birds?

What are the requirements to limit the introduction of non native species in home site landscaping?

4. Cultural Resources;

Where is the archeological survey of the sight? What are the conditions to reduce potentially significant impacts of discovering cultural resources.

5. Geology/Soils;

Development on slopes greater than 30% is on land located in an area within a fault zone and identified by the Toro Area Plan as a high fire hazard. The Mitigated Negative Declaration states that: "These soils are weak, compressible, highly errodable and unstable on steep slopes. Ground shaking could therefore cause potentially significant impacts without mitigation." The mitigation measures are undeveloped and non-existent.

The project will make substantial alteration of the existing drainage pattern and will expose persons and property to geologic hazards such as erosion, and liquefaction. It will cause substantial increase of the rate or amount of surface runoff, especially if the requested permits are granted.(tree removal and 30% slopes). It is degradation and removal of sensitive and critical habitat. The land topography and the unstable soil conditions require environmental review; especially, in view of the fact that the adjoining approved San Benancio Oaks subdivision's 72 conditions of approval, requires the construction of retaining walls around each building envelope to prevent damage from soil slippage and erosion.

Stated in a thesis prepared by Bronwyn Feikert (CSUMB 2001) titled "How Land Use Affects Sediment Yields and Surface Runoff in a Small Semi Arid

**Watershed – A Case Study of the El Toro Watershed” the erosion problems of the San Benancio Gulch is well documented.**

**“One example of land use alteration is the extension of urban development into a small semi arid watersheds flood plane, causing changes in stream morphology and hydrological processes. Low land areas in a watershed will flood more frequently when impervious surfaces from urban development cause surface absorption to decrease.”**

**This thesis is available upon request.**

**Additionally, the Meyer Community Group provided photographs both historic and current of soil slippage and erosion to the Planning department during the negative declaration stage.**

#### **6. Hydrology/water quality;**

**The Hydrology report for the Encina Hills project did not include a field report. It assumed from written reports that the well located on the San Benancio Oaks project was up and pumping water to the 9 lots and had sufficient water to accommodate the 17 lot Encina Hills project with a backup well located on the Encina Hills property. It is a well known fact in the Toro Area that the long term quantity and quality of water in the San Benancio Gulch is an unknown. The developer’s water consultant, Todd Engineers states, “Additional hydrogeologic understanding of this area on a local level is needed as additional developments are approved. This may involve construction of groundwater elevation maps, hydrographs and aquifer testing of existing wells”. According to the Water Resource Agency of Monterey County, there are no test wells in this area.**

**At the request of Monterey County Environmental Health, a report was prepared in 2001 by water consultants, Kenneth D. Schmidt & Associates, who reviewed three existing reports on groundwater conditions in the El Toro area and I quote from the report:**

**“These significant water-level declines indicate ground water overdraft in the lower part of the San Benancio Gulch sub area.”**

**“The accuracy of any estimates of recharge cannot be confirmed (calibrated) without better water-level data for the area..” (Fugro West, Inc., 1996)**

**The consultants employed by Monterey County and the consultant hired by the developer clearly state that there is not enough adequate and current information to make well informed decisions about water issues in the El Toro area. This information alone should initiate environmental review before any more water is sucked out.**



This project is also located in an area that has been under study by FEMA, after the torrential rains of the El Nino year of 1998/1999. FEMA has mapped and designated a flood plain for the San Benancio Gulch/Harper Canyon area and is in the process of providing the County with this data, which should be considered in the environmental review.

**7. Land use/planning;**

The project description includes a use permit for removal of 79 oak trees and a use permit for development on slopes greater than 30%. The County of Monterey does have an ordinance against removing oak trees with an 8" diameter or larger. Tree removal of this magnitude with the probable resulting erosion problems in an area that historically has experienced significant landslides, has been glossed over.

The project description includes a use permit for removal of 79 oak trees and a use permit for development on slopes greater than 30%. The County of Monterey does have an ordinance against removing oak trees with an 8" diameter or larger. Tree removal of this magnitude with the probable resulting erosion problems in an area that historically has experienced significant landslides, has been glossed over.

**8. Noise;**

As residents of Meyer Canyon Road, ( a 15' wide lane) the prospect of upwards of 100 car trips daily is daunting. In the proposed construction process with the removal of 2000 cubic yards of soil (approximately 400 dump truck loads and 800 trips ) the resulting noise and traffic is unacceptable for the rural character of the area. School children, school buses, joggers, walkers, bicyclists, and animals will be at high risk. The sight lines on San Benancio and Meyer Canyon roads are inadequate for this volume of traffic.

**9. Public Services;**

These developments are in a very high fire zone according to the 1982 Monterey County General Plan. In May of 2005 Salinas Rural Fire was out checking the flow volume of the two existing fire hydrants on Meyer Rd. Both were found to be well below the standard flow requirements. SRF stated this would be solved by combining the new well for the "Oaks" subdivision, and the the new well for the Encina Hills / 14 adjacent lots with the existing Cal-Am Meyer Road system, mixing "B-8" water with zone 2A water. This is in violation of the B-8 designation, and the "stand alone" requirement for the "Oaks" subdivision. This is also piecemeal development.

## **10. Transportation/Traffic;**

The three projects will also increase traffic volumes on a rural county road, with scenic easement designation (San Benancio Canyon Rd); and will alter the fundamental rural character of the roadway. Traffic will feed into the intersection of Hwy 68 and San Benancio Road which is currently at service level F, at which point, one more car is considered significant impact under CEQA guidelines.

The response is in the Initial study prepared by Higgins Associates for Harper Canyon Realty on February 11, 2002. Section II D, p 13.

### **“Recommended Improvements under Existing Conditions”**

Highway 68 currently operates below the level of service C standard established by the County of Monterey. The recommended improvements would improve several intersections to an acceptable level of service. However, the improvements at the intersections would not improve the Highway 68 segment operations to an acceptable level ..... There are no interim improvements that could be constructed along the corridor that would achieve and maintain the level of service C standard established by the County of Monterey for the long term except widening the whole road to a four-lane facility.” The “whole road” is Highway 68 from Toro Park to Highway 1. In addition there should be no additional impacts to Highway 68, in the stretch at issue, unless mitigations can be implemented that will reduce the LOS from level of F.

The Proposed main access road for Encina Hills and the 14 adjacent lots is an extension of Meyer Canyon road. In 1978 the road was deeded to and accepted by the Monterey County Board of Supervisors with specifications as to its use with environmental restrictions prohibiting changes to its scenic character.

In 1986 the applicant obtained an easement through Rim Rock Canyon Road for access to the Encina Hills property. The Rim Rock Canyon Homeowners Association understood this access to be limited to cattle grazing operations only. These limitations are not spelled out in the wording of the easement. What are the plans for Rim Rock Road?

The CEQA Guidelines require the DEIR’s analysis of significant irreversible changes to include not only the project’s primary effect, but also its secondary effects. For example, the secondary effect of highway or road improvement adjacent to a roadless area may irretrievably increase access to an otherwise inaccessible area. This project clearly is an example of this

situation. There are no roads to the 14 adjacent lots. The developer's own map clearly shows roads to the 14 adjacent lots coming from the non-existent extension of "Meyer Road".

#### **11. Utilities/Service Systems;**

At both the Planning Commission and the small subdivision committee hearings we clearly showed that the California Utilities Services Sewer plant is over capacity and has been for several years and cannot possibly provide sewer service to Encina Hills, 14 adjacent lot line adjustments and The Oaks.

CUS's is operating on an expired permit. There have been constant violations of the permit ( dating back to 1986) from poor reporting, inadequate testing facilities, unused testing facilities, no influent metering, inadequate spray fields ad infinitum.

Provisions D3 of Order no 95-23 Waste Discharge Requirements for CUS requires that the discharger comply with all items of CRWQCB Standard Provisions and Reporting Requirements for Waste Discharge Requirements, dated January 1984. This obligation has not been met with any degree or regularity. Please reference the sewer package (including the Declaration of Susan Clark Bacigalupi) given to all the Planning Commissioners and Planning Department Staff. It is our opinion that no further connections should be allowed to this wastewater treatment plant until independent studies can be completed and the company in question obtains a valid permit to operate.

The disposal of sludge to the Marina Land Fill was also demonstrated to both the Subdivision Committee and Planning Commission to be excessive for the then current Permit under which California Utilities Service was operating. This needs to be further identified and assessed.

#### **12. Cumulative Impact;**

The CEQA definition of cumulative impact "Two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts", and "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time," are amply demonstrated by this project. A brief mention of Bollenbacher & Kelton Inc., a Santa Monica real estate development company, that has filed an application for the proposed Ferrini Ranch project on adjacent 900 acres that will all tie in to this 17 home "Encina hills" development. (Bollenbacher & Kelton Inc. are the developers of "the Oaks" 9 lot subdivision that is sharing water and sewer with "Encina Hills.")

### **13. Piecemeal Development:**

Another aspect of this project that has not been clearly discussed is that the applicant (Harper Canyon Realty, LLC) is working in conjunction with the developer (Bollenbacher & Kelton) of another adjacent approved 9 lot subdivision, entitled San Benancio Oaks. The two developers are sharing wells and the cost of a proposed new sewer access. The fact that two developers are cooperating is "piece meal" development and is "growth inducing". CEQA standards are being ignored and Monterey County, as the lead agency for the Draft EIR, is not looking at the whole record.

This proposed project is inefficient land use that adversely impacts the County's abilities to provide desirable levels of public service and infrastructure. It does not provide affordable housing or housing that is located in proximity to employment centers. It is land use that generates physical impacts on natural resources, such as the water availability and water quality of the area and continues the chronic decline in ground water levels. It will also increase traffic volumes on a rural county road, with scenic easement designation; and will alter the fundamental rural character of the roadway. Environmental problems should be considered at a point in the planning process where genuine flexibility remains.

This project will substantially degrade the existing visual character of Meyer Road and its surroundings and its scenic resources. Feasible alternatives need to be identified and assessed:

1. No project alternative
2. Restrict access to the subdivision only from the Monterey Salinas Highway.
3. Utilize current paved roads through the Rim Rock Subdivision for which the developer already has an easement.
4. Secure funds for the county to purchase the land from the developer for an addition to Toro Park.
5. Alternative site: Locate this development in a non-rural area that already has infrastructure in place for fire, water, sewage, transportation and traffic.

**Meyer Community Group Contacts:**  
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Monterey County Planning Department  
c/o Mr. Paul Mugan, Project Planner  
Re: Harper Cyn Subdivision Scoping  
County File PLN000696

March 8, 2006

Dear Mr. Mugan,

The Highway 68 Coalition is concerned about the environmental effects of the above referenced subdivision. Our concerns need to be fully addressed in the Draft Environmental Impact Report. We are sending you this letter in response to your published notice of today's scoping meeting.

- 1) On site water availability, both quality and quantity. San Benancio has historically had serious water issues. Ambler Water Service draws most of their water from Corral de Tierra and are constrained from going outside their service area.
- 2) How much Right of Way does the County own up Myers Road?  
It is a very narrow road that currently serves an established group of homes. How much wider is this going to be? Who owns the right of way?  
Is it a 60 foot right of way?
- 3) The stretch of San Benancio road from the Village to Titus Park is one of The most scenic on this County designated Scenic Road. Myers Road is near the crest of a hill. How is access and egress from the additional traffic (17 parcels at 10 trips per day average = 170 additional vehicle trips per day) planned to be accommodated without compromising scenic values?
- 4) Highway 68 is currently operating at LOS F during peak hours. When a highway is LOS F, even one additional vehicle trip is a significant impact. What specific plan and date of completion can mitigate these additional trips?
- 5) Archeological: The Corral de Tierra and San Benancio areas are a couple of the richest archeological areas in all of Monterey County. An extensive investigation needs to be done, especially at the intersection of San Benancio Road and State Route 68 if modifications are planned here to help mitigate this projects traffic impacts.
- 6) A thorough examination of wildlife corridors, and the flora and fauna growing on, and living on the property, should be conducted. Nesting birds and migratory birds should be examined. Hawks are a particular concern.
- 7) Drainage issues and erosion issues are a very serious concern, as the area is noted historically for mudslides during wet Winters. Are holding

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ponds planned? What locations would the holding ponds be in? This property is close to San Benancio School and this needs to be considered in any pond location due to safety issues.

8) What is the capacity, or lack of capacity of the sewage treatment plant next to the Salinas River? It is our understanding that this plant is already over capacity. How is sewage to be handled?

9) Any traffic studies should utilize CalTrans Highway Capacity Manual methodology and be done during appropriate times. Also the link between the 12<sup>th</sup> St Gate to Reservation Road alternative (East-West) should be considered as we have noticed a shift of traffic back to State Route 68 since the signal lights went in on this road through former Fort Ord.

10) The project should be publicly noticed as the "Harper Canyon Subdivision in San Benancio", for clarification

Thank you for the opportunity to comment on the scoping for the Harper Canyon Subdivision. Please put the Highway 68 Coalition on the notice and mailing list for all aspects of this proposed project.

Sincerely,

Mike Weaver  
Marit Evans

Co-Chairs, The Highway 68 Coalition  
c/o 52 Corral de Tierra Rd  
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