

Exhibit D
Addendum to Previously
Certified EIR No. 84-007

Banker's Development Group, LLC
York Highlands
PLN100020

Board of Supervisors
October 18, 2011

EXHIBIT D

Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164

York Highlands Planning File No. PLN100020 General Plan Amendment and Combined Development Permit

1. Introduction

The Board of Supervisors approved the original Monterra Ranch Subdivision and certified the EIR for the project (EIR No. 84-007) on October 6, 1987 (Resolution No. 87-527). The original project consisted of a vesting tentative map for the phased subdivision of 2,911.60 acres into 283 parcels ranging in size from 2 acres to 60 acres and included a recreation, tennis, and equestrian complex, a 47-acre parcel for inclusionary housing, and 115 acres of dedicated parkland. The applicant chose to file multiple final maps for "phases" of the subdivision, all of which have been approved by the Board of Supervisors and recorded for each phase of the subdivision.

The York Highlands Combined Development Permit modifies phases 6, 8, and 10 of the Monterra Ranch Subdivision by merging and resubdividing the 24 lots approved in the final maps for these three phases into 24 new lots. The proposed project also includes a use Permit for tree removal, an Administrative Permit for grading, a Use Permit for development on slopes exceeding 25%, and a General Plan Amendment from the land use designation of Public Quasi-Public to the land use designation of Rural Density Residential. The proposed project involves the merger and resubdivision of lots on a portion of the original subdivision that has a General Plan Designation of Public Quasi-Public that was the location of a recreation center and equestrian center. These uses are no longer a component of the project.

2. Scope and Purpose of this Addendum

An EIR for the Monterra subdivision was certified on October 6, 1987 by the Board of Supervisors in Resolution No. 87-527. The EIR is incorporated herein by reference. This Addendum has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines because some changes or additions to the EIR are necessary but none of the conditions described in Public Resources Code section 21166 or CEQA Guidelines section 15162 triggering a supplemental or subsequent EIR have occurred. None of the conditions described in Section 15162 (a) calling for the preparation of a subsequent EIR have occurred:

1. No substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete exists to show that the project will have significant effects not discussed in the previous EIR or that substantial effects previously examined will be more severe than shown in the previous EIR.

Substantial evidence supports this conclusion, including the initial study which is attached hereto and incorporated herein by reference. The initial study was prepared and circulated to the public with a proposed Negative Declaration from September 8, 2011 through September 27, 2011. Because the initial study demonstrated that none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, a determination has been made that this Addendum is more appropriate than a Negative Declaration; the underlying analysis has not changed. The Planning Department had initially proposed a Negative Declaration because the project involves a General Plan Amendment (GPA); however, analysis of the proposed General Plan amendment in the initial study shows that the General Plan Amendment does not result in the involvement of new environmental effects not previously identified in the EIR or result in a substantial increase in the severity of the previously identified effects. Therefore, the inclusion of a GPA in the project does not per se necessitate a subsequent or supplemental EIR or Negative Declaration. An additional reason for the proposed Negative Declaration was to enhance public review, and the initial study circulated for public review with a proposed Negative Declaration. An Addendum is not required to be circulated for public review (CEQA Guideline section 15164). Although County determined subsequent to the circulation period that an Addendum is more appropriate than a Negative Declaration, this process resulted in more public review than required by law for an Addendum and does not preclude the preparation of an Addendum.

The initial study and the administrative record as a whole demonstrate that the changes to the project proposed by the resubdivision do not result in the involvement of new environmental effects not previously identified in the EIR or result in a substantial increase in the severity of the previously identified effects. The resubdivision will result in the creation of larger lots with building envelopes placed in the natural clearings instead of concentrating the development on smaller lots within an oak woodland habitat. The proposed project requires less grading than the original subdivision. The proposed project will result in fewer impacts to biological resources. The project does not involve the creation of new lots. Additionally, the initial study demonstrates that there are no changes in circumstances or new information of substantial importance that would result in the involvement of new environmental effects not previously identified in the EIR or a substantial increase in the severity of the previously identified effects.

Applicable mitigation measures included in the previously certified EIR have been incorporated as conditions of approval, and a Mitigation Monitoring and Reporting Plan has been prepared to ensure compliance with the mitigation measures.

Attachment: Initial Study for the York Highlands Combined Development Permit File Number PLN100020, dated September 7, 2011

Reference: Certified Environmental Impact Report for the Monterra Ranch Subdivision, dated October 6, 1987, Resolution No. 87-527. The EIR is available for public inspection at:
http://www.in.co.monterey.ca.us/planning/major/York_Highlands_Monterra_Ranch_Properties_LLC/York_Highlands_Monterra_Ranch_Properties_LLC.htm ;
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