



Potential Impact 2: Nesting raptors and other protected avian species have the potential to occur within the project site. Construction activities may result in direct mortality of individuals, disturbance of nests, and loss of habitat. This is a potentially significant impact that can be reduced to a *less-than-significant* level with implementation of the mitigation measures recommended below.

Mitigation 2a: A qualified biologist will conduct an Employee Education Program for the construction crew at least three weeks prior to any construction activities. (Specific criteria will be reviewed and three monitoring actions are required.)

Mitigation 2b: To avoid and reduce impacts to nesting raptors and other nesting avian species including, but not limited to; Cooper's hawk, oak titmouse, wrentit, Allen's hummingbird, spotted towhee, construction activities can be timed to avoid the nesting season period. Specifically, vegetation removal can be scheduled after September 1 and before January 31 to avoid impacts to these species. Alternatively, if avoidance of the nesting period is not feasible, a qualified biologist shall be retained to conduct pre-construction surveys for nesting raptors and other protected avian species within 250 feet of proposed construction activities if construction occurs between February 1 and August 31. (Specific criteria will be reviewed and four monitoring actions are required.)

Mitigation 2c: Best management practices (BMPs) shall be employed during construction to reduce impacts to special-status plant and wildlife species. (Specific criteria are included and five monitoring actions are required.)

Potential Impact 3. According to the Biological Report, the survey area does not provide breeding habitat or upland habitat. Approximately 1.2 acres (~52,690 square feet) of the project's short-term disturbance area is within the mapped dispersal range for CRLF and they may pass through the site on route to breeding or non-breeding aquatic habitat. Permanent impact will be limited to 19,160 square feet.

Mitigation 3a: A qualified biologist will survey the project site and immediately adjacent areas following the Revised Guidance for CRLF Site Assessment and Field Survey (USFWS, 2005) 48 hours before and the morning of the onset of work activities for the presence of CRLF.

Mitigation 3b: During ground disturbing and vegetation removal activities, a qualified biologist shall survey appropriate areas of the construction site daily before the onset of work activities for the presence of CRLF. The qualified biologist shall train a designated construction monitor to survey as well, and train them with a CRLF-specific Employee Educational Program. If any life stage of the CRLF is found and these individuals are likely to be killed or injured by work activities, the qualified biologist shall be contacted, and work shall stop in that area until the CRLF has moved on its own out of the work area and the USFWS has been contacted. Construction activities will not resume until the USFWS is consulted and appropriate actions are taken to allow project activities to continue.

Mitigation 3c: After ground-disturbing and vegetation removal activities are complete, or earlier if determined appropriate by the qualified biologist, the qualified biologist shall survey appropriate areas and send the results to County Planning. The biologist may designate the trained construction monitor to take over after an appropriate time. If the construction monitor does not present County Planning with sufficient and timely survey reports, steps will be taken to retrain/replace the construction monitor.

Mitigation 3d: To prevent inadvertent entrapment of CRLF during project construction, all excavated steep-walled holes or trenches more than two feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals.

Mitigation 3e: Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including CRLF.

Mitigation 3f: Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities should cease one half hour before sunset and should not begin prior to one half hour after sunrise.

Mitigation 3g: Pursuant to Monterey County Code section 20.145.040.B (Coastal Implementation Plan Part 3), the owner/applicant shall request a Coastal Development Permit for removal of ESHA and shall mitigate for the impacted habitat at a 3:1 ratio through preservation in the form of a scenic and conservation easement (SCE). The project's permanent impact to ESHA is estimated to be 19,160 square feet. The total area to be preserved in an extension of the existing SCE shall be at least 57,480 square feet (3 x 19,160 sf) and shall encompass, to the largest extent possible, areas mapped as CA-MNT-3.

(Multiple and specific monitoring actions are required for MM-3a through MM-3g.)

Potential Impact 4: Monterey Dusky-footed Woodrats (MDFW) have the potential to be present within the project site. Vegetation removal at the project site may result in direct mortality of individuals and impacts to nests, if present at the time of construction. This would be a potentially significant impact that can be reduced to a *less-than-significant* level with implementation of Mitigation Measures 2a and 4. Mitigation Measure 4: Not more than thirty (30) days prior to the start of construction (including vegetation removal), a qualified biologist shall conduct a survey of the project sites to locate existing Monterey Dusky-footed Woodrats (MDFW) nests. All MDFW nests shall be flagged for avoidance. Any MDFW that cannot be avoided shall be dismantled by hand, under the supervision of a qualified biologist. (Specific criteria are included and three monitoring actions are required.)

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

Development is in an area which is mapped as CA-MNT-3, classified as environmentally sensitive habitat area.

Provide a list of responsible or trustee agencies for the project.

USFWS, CDFW, CNPS, Monterey Bay Air District, California Coastal Commission