MONTEREY COUNTY
HOUSING & COMMUNITY DEVELOPMENT
1441 SCHILLING PL SOUTH 2nd FLOOR, SALINAS, CA 93901
PHONE: (831) 755-5025/FAX: (831) 757-9516

INITIAL STUDY

BACKGROUND INFORMATION

Project Title:	Barbur Peter
File No.:	PLN190088
Project Location:	48200 Coast Ridge Road, Big Sur
Name of Property Owner:	Peter Barbur & Tim Doody
Name of Applicant:	Barbur, Peter
Assessor's Parcel Number(s):	419-031-034-000
Acreage of Property:	49.3
General Plan Designation:	Watershed and Scenic Conservation
Zoning District:	WSC/40-D (CZ)
Lead Agency:	Monterey County
Prepared By:	Mary Israel
Date Prepared:	September 22, 2021
Contact Person:	Mary Israel
Phone Number:	(831) 755-5183

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project: New one-story off-grid single family residence of approximately 3,090 square feet with a 540 square foot basement, 540 square foot garage, 580 square foot covered screened porch, and 3,780 square feet of covered patios; new well and new septic system.

Entitlements: Combined Development Permit consisting of 1) Coastal Administrative and Design Approval to construct the buildings and porch, patios 2) Coastal Administrative Permit for the conversion of one test well to a permanent well; 3) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; and 4) Coastal Development Permit to allow development on slopes in excess of 30%.

The site is zoned WSC/40-D (CZ), or Watershed and Scenic Conservation, 40 acres per unit with design approval overlay district, in the Coastal Zone, which anticipates residential uses. Total lot coverage proposed is 11,420 square feet (approximately 1/19th or .05% of allowed lot coverage). Associated grading for the residence would consist of 5,860 cubic yards cut and all grading is proposed to be balanced onsite.

Environmentally Sensitive Habitat Areas: Biological surveys confirmed the presence of the following environmentally sensitive habitats within 100 feet of proposed development: California Red-legged Frog (*Rana draytonii,* "CRLF") Critical Habitat area. The biological survey dated April 2020 attaches a map with approximate boundary of this critical impact area and identifies the portion of the Critical Habitat area as "dispersal" (see Attachment X.1). CRLF were not present at the time of the site surveys. Harm to these animals could potentially result from the development, but is unlikely. See section VI. 4. *Biological Resources* for a full analysis, recommended conditions and mitigation measures.

B. Surrounding Land Uses and Environmental Setting:
The Barbur project is located in the Big Sur coastal zone of Monterey County. This is an unincorporated area. The parcel is approximately 27 miles south of the City of Carmel-by-the-Sea and 1.4 miles northeast of the Pacific Ocean coastline. The parcel is 49.3 acres located at 48200 Coast Ridge Road, a private road. The site is undeveloped. The parcel has ranges of mild to steep slopes, ranging from 5% to over 30% with an average slope in the proposed construction areas (house and patios) of approximately 15% (ranging from flat at the top of the knoll, or 0% to 30%). Scenic and conservation easements exist on most areas of the parcel dating back to the subdivision of an 80-acre parcel into two in 1996, due to the excessive slopes. (Source: IX.1, 2).

The parcel is located on soils classified by the Soil Survey Monterey County as Junipero Sandy Loam and Sheridan Coast Sandy Loam. Junipero Sandy Loam are generally used for wildlife habitat, and watershed. Sheridan Coast Sandy Loam are used mostly for range, although some areas are used for home-sites, recreation, wildlife habitat, or watershed. (Source IX.17, pages 38 and 74.)

The project site and immediately surrounding vicinity are zoned for watershed and scenic conservation use, which includes residential development as an allowed use. There are several homes on Coast Ridge Road, including the six neighbors who are sharing the same Mutual Well. The project site is in the Coastal Zone as defined by the California Coastal Zone Act of 1976. Distant public viewing areas include Pfeiffer State Beach, located approximately 5 miles to the west, and Highway 1 turnouts, which are located approximately 3 miles to the northwest. See Figures 1, 2, 4a through 4e, and 5.

The undeveloped land where the project is proposed is on the western-most knoll on the parcel, which affords views in all directions. The dominant vegetation is annual non-native grassland. As shown in Figure 6, the project is proposed on an area that is not currently in scenic and conservation easement. Most of the area in subject parcel which is mapped as CA-MNT-3 is in scenic and conservation easement that was established for watershed conservation and protection of steep slopes prior to CA-MNT-3. As shown in Figure 3, which is a close-up of the parcel map, much of the parcel was put into scenic and conservation easement as part of the subdivision.

C. Other public agencies whose approval is required:

This project is located within the Coastal zone of Monterey County. The County of Monterey's Local Coastal Program (LCP) has been certified by the State of California Coastal Commission (CCC); therefore, the County is authorized to issue coastal development permits. Although the project is not required to receive separate approval from the CCC, the agency has appeal authority over local decisions for development permitted as a conditional use, such as development within 100 feet of sensitive habitat.

Potential impacts to biological resources are addressed in the biology section of this document and are anticipated to be less than significant with mitigation incorporated. See section VI.4 *Biological Resources* of this Initial Study for detailed biological information. It is anticipated that no additional permits are required from the U.S. Fish and Wildlife Service (USFWS), the primary agency to designate the area of the project as critical habitat for California Red-legged Frog (*Rana draytonii*). Incidental take permits from California Fish and Wildlife (CDFW) are not anticipated, although the project is required to pay the CDFW environmental review fee.

No other public agency discretionary approvals would be required. Ministerial permits would be required from HCD - Building Services (i.e. construction permit) and the Monterey County Environmental Health Bureau (i.e. updated well permit and an on-site wastewater treatment system permit).

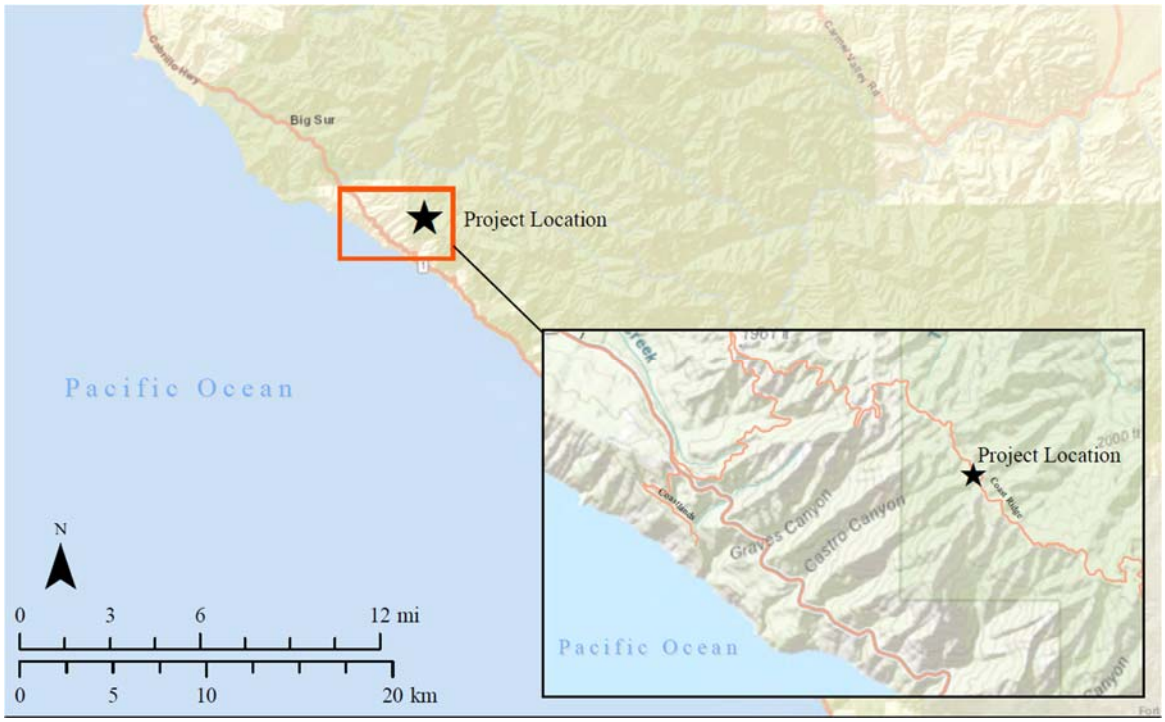


Figure 1. Regional Map – The subject property is located along the California coast of Monterey Bay in unincorporated Monterey County. (Source: IX.22)

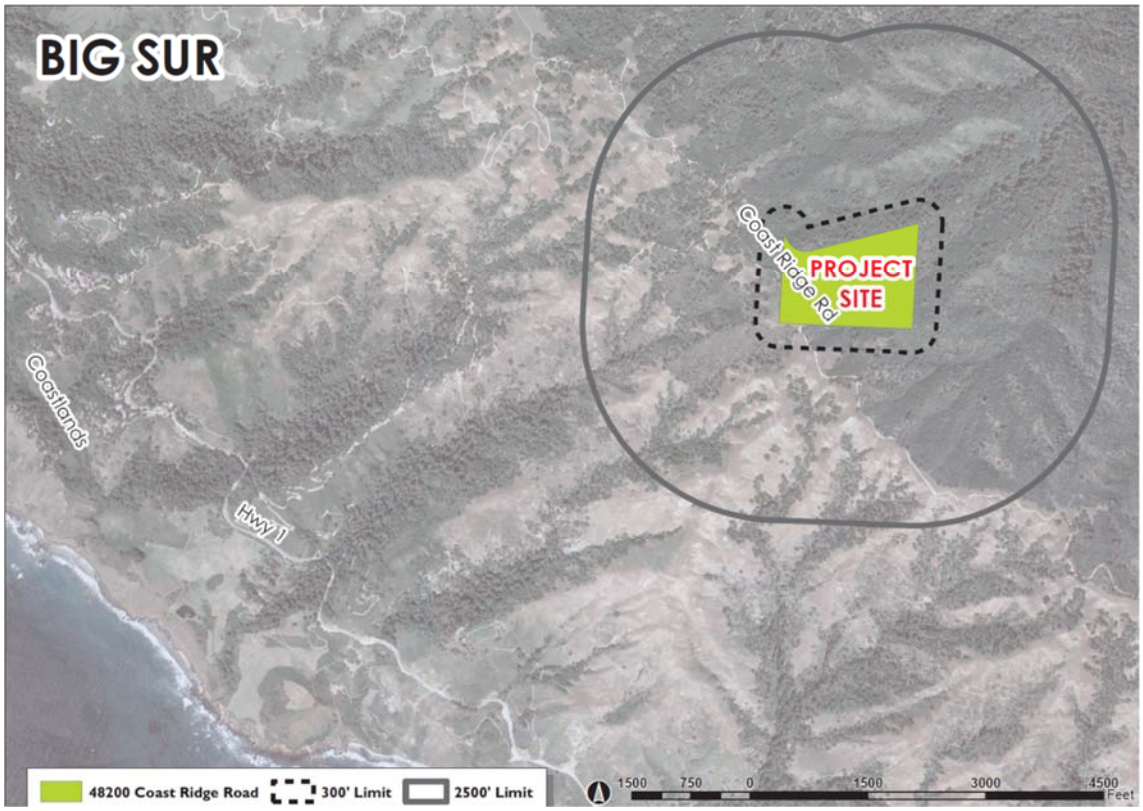


Figure 2. Vicinity Map – The subject property (green polygon) is located in a semi-developed residential private road of Big Sur in unincorporated Monterey County.

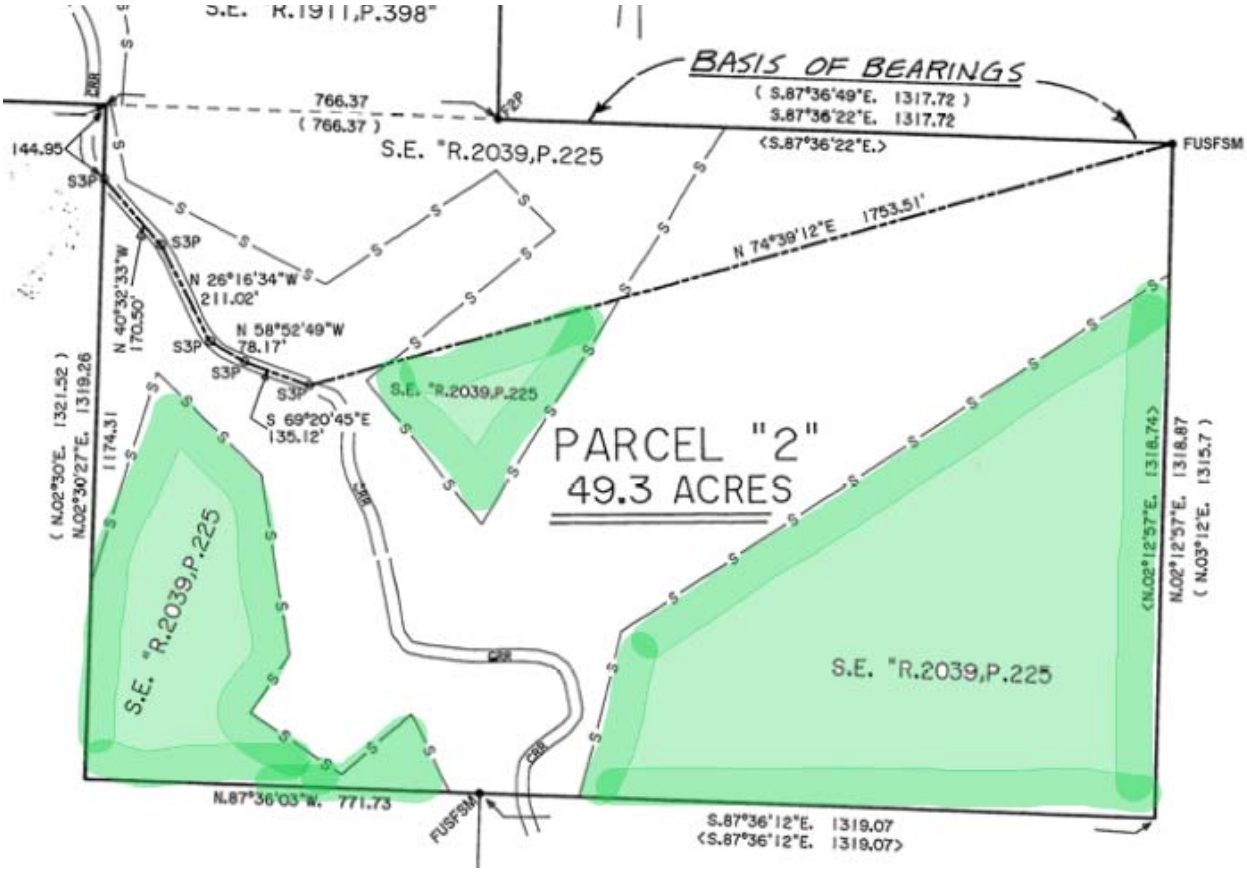


Figure 3. Close up of the parcel from the Parcel Map for the subject parcel. Areas shaded green are currently in scenic and conservation easement. (Sources: IX.1, 2)

Figure 4a. Site Photos – View to the northwest of the building site with staking and flagging of the proposed single-story single family dwelling. (Source for 4a through 4e: IX.1)

Figure 4b. Staking and flagging showing looking northeast from building site.

Figure 4c. Staking and flagging showing direct coastal view to the southwest.

Figure 4d. Staking and flagging showing southeast coastal view.

Figure 4e. Site Photos – View to the east of the building site showing the slope where driveway is proposed.

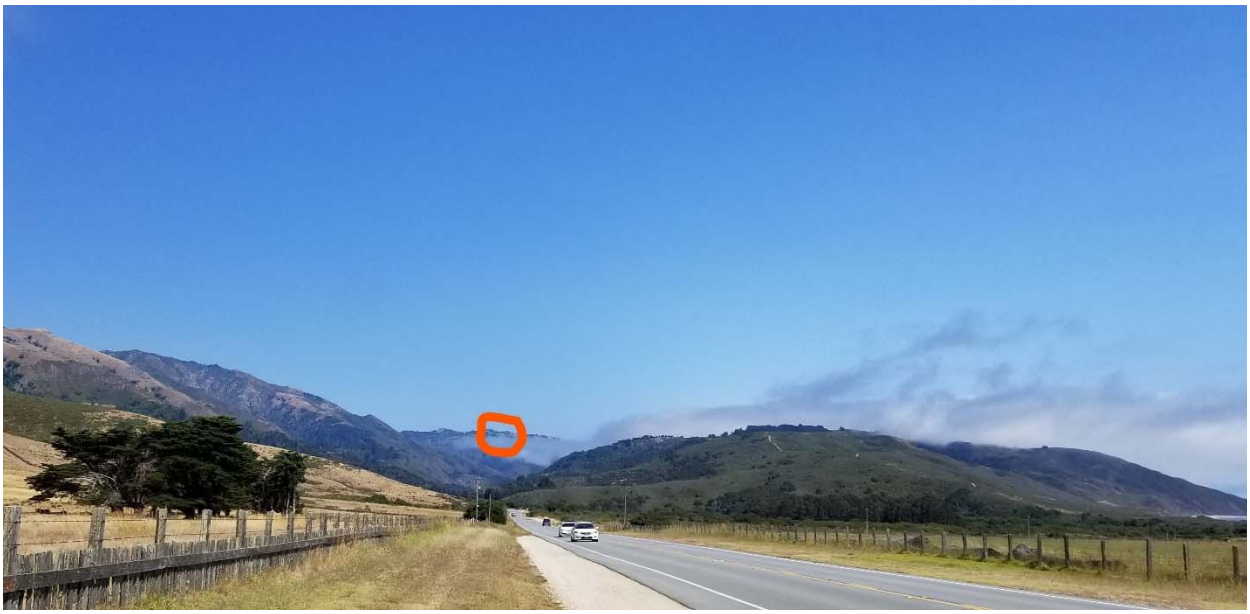


Figure 5. View from nearest Hwy 1 pullout to subject site. Subject site deduced from using Google Earth Pro and County GIS to be in orange circle. (Source: IX.20)

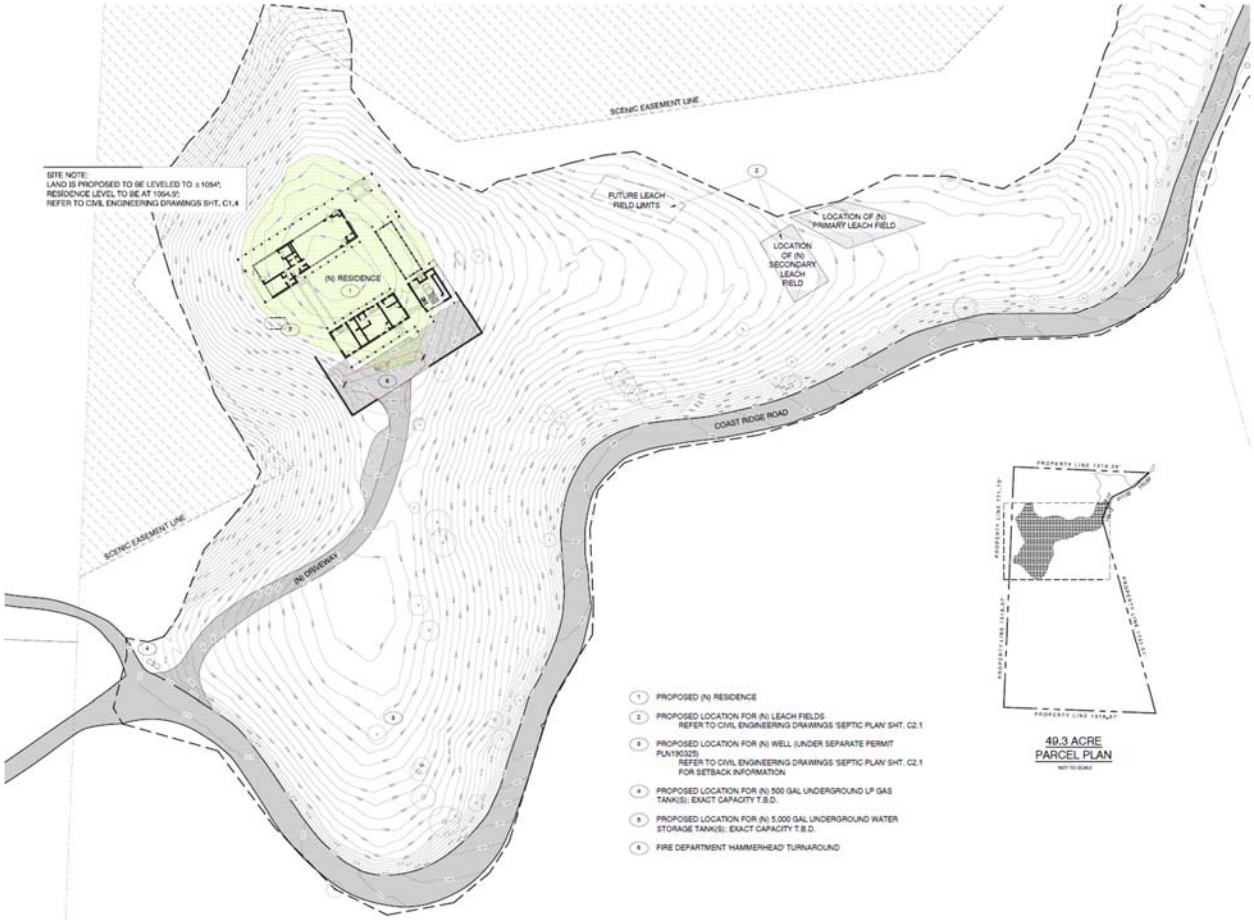


Figure 6. Site Plan – Layout of the proposed single family dwelling on the subject parcel (Source: IX.1)

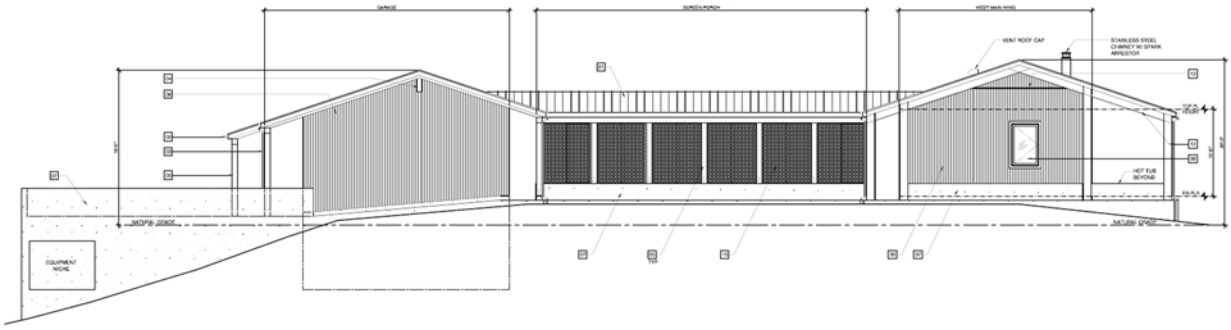


Figure 7a. Elevations – Project North (Source for 7a – 7d: IX.1)

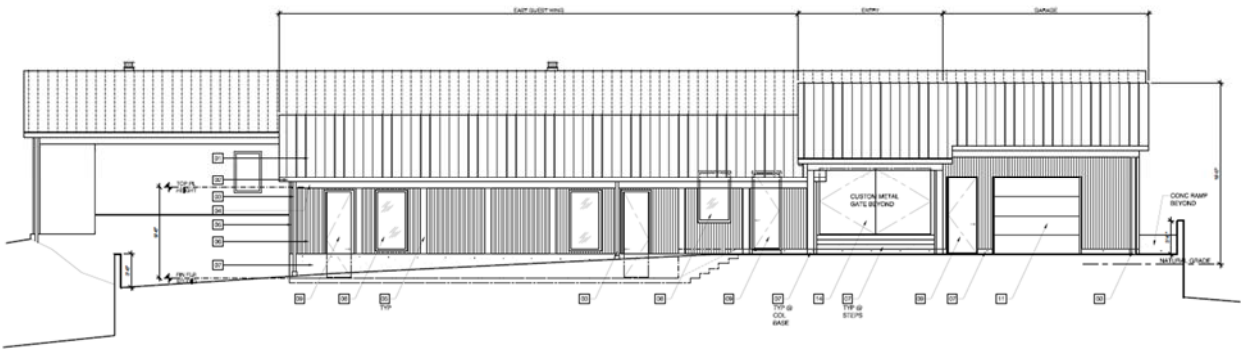


Figure 7b. Elevations – Project East

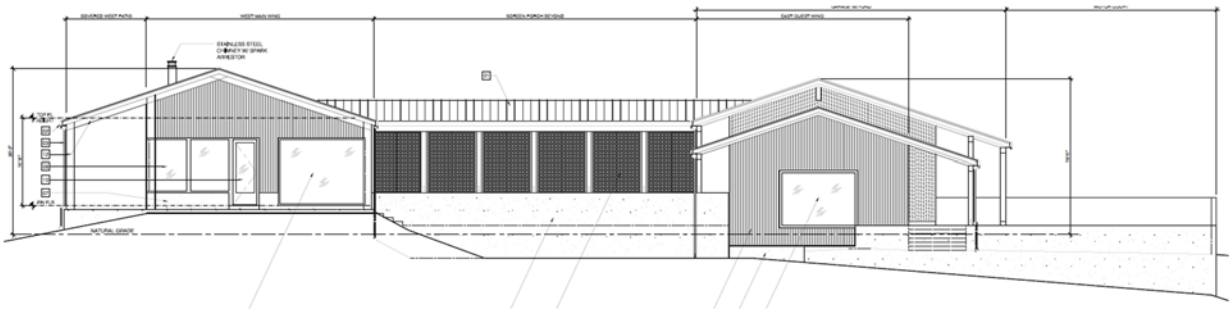


Figure 7c. Elevations – Project South

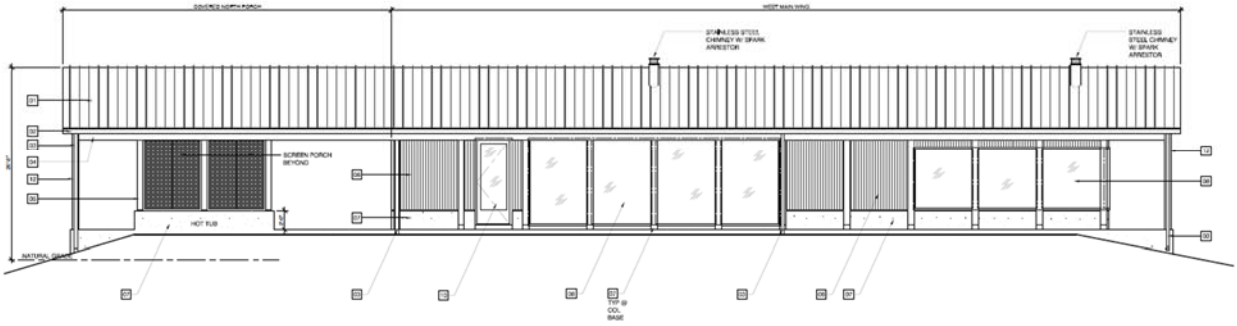


Figure 7d. Elevations – Project West

Figure 8. Primary Color and Material Finishes – warm gray pre-weathered Galvalume metal roof, warm gray stain wood body, gray concrete patio material. (Source: IX.1)

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	☒	Air Quality Mgmt. Plan	☒
Specific Plan	☐	Airport Land Use Plans	☐
Water Quality Control Plan	☐	Local Coastal Program-LUP	☒

Monterey County 1982 General Plan and Local Coastal Program – Big Sur Coast LUP
The proposal was reviewed for consistency with the 1982 Monterey County General Plan and with the Big Sur Coast Land Use Plan (LUP). The LUP designates this site as a Watershed and Scenic Conservation (WSC) land use. Single family dwellings are an allowed use in this zoning district; the use is consistent with the land use designation. The project would involve the development of a residential home and associated site improvements and would not create any noise other than minor and temporary construction noise. Therefore, the proposal is consistent with the noise and energy policies of the 1982 General Plan. As discussed in sections VI.1 *Aesthetics*, VI.4 *Biological Resources*, and VI.11 *Land Use and Planning*, the project avoids impacts to protected species and natural resources and avoids impacting the viewshed from public viewing areas. As proposed, conditioned, and mitigated, the project is consistent with the LUP. (Sources: IX.1, 3, 4, 12) **CONSISTENT**

Air Quality Management Plan:
The 2012-2015 Air Quality Management Plan (AQMP) for the Monterey Bay Region addresses attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Big Sur areas. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. Consistency with the AQMP is an indication that the project avoids contributing to a cumulative adverse impact on air quality and not an indication of project specific impacts which are evaluated according to the Monterey Bay Air Resources District's (MBARD) adopted thresholds of significance. The project includes the construction of a new residence on an existing lot, so the proposed project would not result in a population increase not already accounted for in the AQMP. The project would not cause an increase of stationary emissions. The closest air monitoring site in Carmel Valley has given no indication that development of a single residence on an existing lot would cause significant impacts to air quality or greenhouse gas emissions (GHGs). (Sources: IX.1, 3, 4, 9, 15) **CONSISTENT**

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	☐ Agriculture and Forest Resources	☒ Air Quality
☒ Biological Resources	☐ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☒ Hazards/Hazardous Materials
☒ Hydrology/Water Quality	☒ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation/Traffic	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☒ Wildfires	☒ Mandatory Findings of Significance

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

☐ Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, 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:

Agriculture and Forest Resources

Based on the General Plan and County resource maps, the property is not within an agricultural area, forest land, or timberland. The project would not convert prime farmland or otherwise conflict with agricultural zoning or uses. The property is zoned WSC (Watershed Scenic Conservation) and is not used for agricultural purposes. The project would not convert forest land to non-forest land. The California Public Resources Code (PRC) defines Forest Land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits (PRC section (§)12220(g)). Public Resources Code §4526 defines timberland as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species. The vegetation on the site is primarily non-native grassland. No part of the site meets the definition of forest land as defined in PRC §12220(g) or timberland as defined in Public Resources Code section 4526. (Sources: IX.1, 3, 4, 5, 9, 19, 21) *No impact.*

Cultural Resources

The subject parcel is in an area of moderate archaeological sensitivity (Source: IX.9). Gail Bellinger, M.A., RPA prepared a Cultural Resources Assessment for the project site in July 2020 (LIB200134; Source: IX.25). The study included a records search at the Northwest Information Center of the California Historical Resources Information Center (CHRIS) (NWIC File No. 19-2303) and a request for a Sacred Lands records search from Native American Heritage Commission (NAHC) that included the project site and a 0.25-mile distance radius of the site for resources and cultural studies. The assessment did not identify of any known archaeological resources within 750 feet of the project site, and concluded that the potential for encountering potentially significant deposits during project construction is low. In addition, the records search identified a large area general survey which had negative findings for the project vicinity. The study did not result in indications of cultural resources during a surface pedestrian reconnaissance survey of the property. The project site does not contain any built environment features that may be considered historical resources. (Sources: IX.9, 25) *No Impact.*

Energy

The project entails construction of a residence and associated site improvement on a vacant lot, which would require energy during construction to operate construction equipment and to make vehicle trips to and from the site. Given the scale of the project, construction energy use would be nominal and short-term. As such, it would not be considered wasteful, inefficient, or unnecessary.

Operational energy demand would include electricity, as well as gasoline consumption associated with operational vehicle trips. A private, owner-operated solar photovoltaic system would provide power for the residence. The project would be required to comply with all standards set in California Building Code (CBC) Title 24 2019 edition, which would minimize wasteful, inefficient, or unnecessary consumption of energy resources during operation. Therefore, compliance with existing regulations would ensure the proposed project would not conflict with state or local plans for renewable energy or energy efficiency. Therefore, the

project would not conflict with a plan for renewable energy or result in wasteful or inefficient energy use. (Sources: IX.1, 3, 6, 18, 23). *No impact.*

Greenhouse Gas Emissions
Temporary construction-related greenhouse gas (GHG) emissions would result from usage of equipment and machinery. However, the increase would not be substantial given that the project involves development of one single-family residence and associated site improvements. Operationally, the project would incrementally increase energy consumption at the project site through the use of vehicles, thereby incrementally increasing GHG emissions. The proposed power source is a solar photovoltaic system, which does not produce GHG emissions during use. Monterey County does not have a GHG reduction plan with numerical reduction targets applicable to the proposed project by which consistency or conflicts can be measured. The 2030 Monterey County Municipal Climate Action Plan is in the planning stages and the qualitative measures of the previous plan concluded in 2020, so they are not timely for reference with the construction of this project. The proposed project does not conflict with the policy direction contained in the Association of Monterey Bay Area Government's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy because it would involve development of a single-family residence on a site zoned to allow residential use. Therefore, the proposed project would not result in significant increases in GHG emissions or conflict with an applicable plan, policy or regulation. Potential impacts would be less than significant (Source: IX.1, 3, 6, 9, 10, 15, 23, 35). *The proposed project would not result in significant increases in GHG or conflict with an applicable plan, policy or regulation.*

Mineral Resources
No mineral resources or resource recovery sites have been identified on the site or in the area (Sources: IX.1, 3, 4, 9, 12, 23). *No Impact.*

Noise
The project involves the construction of a single-family residence on a property on a sparsely-populated private road and would not expose others to noise levels or ground-borne vibrations that exceed standards contained in the Monterey County General Plan or substantially increase ambient noise levels in the area. There is no evidence that the persons residing or working near the project site would be significantly impacted by noise related to this project. The nearest noise-sensitive receptor to the project site is an existing single-family residence located to the north on Coast Ridge Road, approximately 0.36 mile from the project site driveway entrance. Construction activities would be required to comply with the Monterey County Noise Ordinance (Monterey County Code Chapter 10.60). The ordinance applies to "any machine, mechanism, device, or contrivance" within 2,500 feet (or 0.47 mile) of any occupied dwelling unit and limits the noise generated to 85 dBA at a distance of 50 feet from the noise source. Operational activities must comply with the County's noise requirements. The project site is not located in the vicinity of an airport or private airstrip. (Sources: IX.1, 3, 7, 9, 12, 19) *No Impact.*

Population/Housing
As described in section II.A. *Description of Project,* the site is zoned 40 acres per unit, which anticipates residential uses. The project involves the construction of a residential dwelling on a 49.3-acre parcel, which will not make a change in growth patterns or displace existing houses or

people, requiring the construction of housing elsewhere. The project would not alter the location, distribution, or density of human population in the area in any significant way, or create a demand for additional housing. The project will provide one new dwelling unit on a residential lot. Development on the project site would not affect AMBAG population projections. (Sources: IX.1, 5, 9, 10) *No Impact.*

Public Services
As a new dwelling unit on a lot situated on a private road, the project would have no measurable effect on existing public services. Monterey County HCD - Environmental Services, HCD - Development Services, the Environmental Health Bureau, and the Carmel Highlands Fire Protection District have reviewed the project. None of the County departments/service providers indicated that this project would result in potentially significant impacts or alter acceptable service ratios or performance objectives for the following services: Fire, Police, Schools and Parks. (Sources: IX.1, 4, 9, 12, 19 28) *No Impact.*

Recreation
The project would not result in a substantial increase in use of existing recreational facilities or physical deterioration of said facilities. No parks or other recreational opportunities would be adversely impacted by the proposed project. The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program. The project does not interfere with any form of historic public use or trust rights. The project is located along a private trail as mapped in the LUP, Figure 3 North Section of the Trails Plan of the LUP. The trail is the private Coast Ridge Road and the project will not block or change the road's private trail use or adversely impact the easement. (Sources: IX.1, 2, 4, 9, 12, 13, 19) *No Impact.*

Transportation/Traffic
The construction of a single-family dwelling on an existing lot of record would not generate a significant increase in traffic movements or create new traffic hazards. Cumulative traffic impacts are mitigated through payment of the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The project does not conflict with adopted public transit plans nor will it affect any or impact programs or performance and safety of pedestrian facilities. The subject parcel is not included in the Big Sur Highway 1 Sustainable Transportation Demand Management Plan. The Level-of-service in the corresponding segment of Highway 1 is B. The proposed dwelling meets the parking requirements contained in the Zoning Ordinance. The project is located along a private trail as mapped in the LUP, Figure 3 North Section of the Trails Plan of the LUP; the trail is the private Coast Ridge Road and the project will not block or change the road's private trail use. The project site is not located in the vicinity of an airport and would not result in a change in air traffic patterns substantially increase hazards because the project will not change land use or require additional design and improvements to the existing driveways. (Sources: IX.1, 2, 4, 14, 26). *No Impact.*

Utilities/Service Systems
The proposed project involves the construction a single-family residence which will be served by a septic system and a mutual water system. Electricity is anticipated be provided onsite by solar power. The proposed development will not cause a substantial increase nor exceed the capacity of utilities and services or cause an increase of waste water exceeding the treatment requirements

of the California Regional Water Quality Control Board. The mutual water system has an available connection for this residence. Solid waste from the project cannot feasibly be collected by Waste Management, Inc. due to narrow steep access road of Coast Ridge Road, according to the franchise. Therefore, the applicant will apply for a mandatory garbage exemption and will have the option to bring their own solid waste to the Monterey Regional Waste Management District's Landfill and Recycling Facility in Marina or the Carmel Valley transfer station. The landfill has the total capacity of 47,430,000 tons, which is expected to provide service through the year 2119. Therefore, the landfill is sufficient to accommodate the project's solid waste disposal needs and will have no impact, resulting in compliance with federal, state, and local statutes and regulations related to solid waste. (Sources: IX.1, 11, 12, 23, 24, 27) *No Impact.*

B. DETERMINATION

On the basis of this initial evaluation:

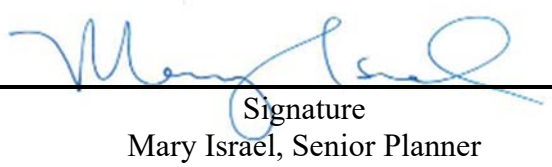
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 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.



Signature
Mary Israel, Senior Planner

October 5, 2021
Date

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 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.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (Sources: IX.1, 4, 5, 13, 19, 20)	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: IX.1, 4, 5, 9, 13, 19, 20)	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. (Sources: IX.1, 4, 5, 9, 13, 19, 20)	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: IX.1, 4, 5, 13, 19, 20)	☐	☐	☒	☐

Discussion/Conclusion:
The project area is not located in an area designated as Visually Sensitive or as a Visual Resource, but it is in the Critical Viewshed of Highway 1 as recognized by the LUP. Impacts to Aesthetics by the project are *less-than-significant* due to the great distance of the project from public access areas as well as application of standard condition of approval and *no impact*, due to project design.

Aesthetics 1(a) and (d) – Less Than Significant
As part of a site inspection on July 17, 2020, the project planner observed Highway 1 turnouts at a great distance to the north from the development site. No turnouts or beaches were visible when looking in other directions. Then, the project planner assessed the visibility of the staking and flagging and nearest trees on the subject parcel from the closest turnout to the north on Highway 1, as illustrated in Figure 5. The trees and staking and flagging were not distinctive when viewed with unaided vision from the turnout.
Potential impact to the scenic vista may be created by shiny materials, windows catching sunlight, or exterior lighting at night. The materials and colors that are proposed for the project are muted and treated to reduce glare, as shown in Figure 8. The only side of the project that would be in distant visual access from Highway 1 is the North elevation and, as shown in Figure 7a, that side of the proposed project has one small window. That window is unlikely to cause sunlight flashing when viewed from Highway 1 because the window portion of that side of the house would be behind the existing trees.
There is currently no lighting on the site, and night-time lighting in the vicinity is limited to exterior lighting from the few residences in the area. Although exterior lighting would be

incorporated into the proposed residence, the project would be required to comply with the development standards of the LUP and Coastal Implementation Plan, which require lighting to be unobtrusive, harmonious with the local area, and adequately shielded as to prevent offsite glare. The applicant submitted an exterior lighting plan to HCD - Planning for review that was found sufficient. Planning staff will confirm the exterior lighting plan is presented with construction plans when reviewing the building permits. In sum, the project would not degrade day or nighttime views in the area or disturb the scenic vista of Big Sur.

Aesthetics 1(b) and (c) – No Impact
The proposed residential development would not create damage to scenic resources, including trees, rock outcroppings, or historic buildings. The subject parcel is within a design approval overlay district. The visual character of the surroundings would not be changed by the additional of a residence on the private road. The project's design approval application was reviewed by staff for consistency with the neighborhood character and was found acceptable for the location. Design was also reviewed by the Big Sur Land Use Advisory Committee (LUAC). At the July 28, 2020 meeting, the LUAC found no issues with the proposed development and voted unanimously in support (4-0, 1 absent). *No impact.*

2. AGRICULTURAL AND FOREST RESOURCES

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

	Would the project:	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? (Sources: IX.1, 4, 9, 19)	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: IX.1, 4, 9, 19)	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Sources: IX.1, 4, 9, 19)	☐	☐	☐	☒

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Sources: IX.1, 4, 9, 19)	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Sources: IX.1, 4, 5, 9, 19, 21)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

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? (Sources: IX.1, 3, 4, 15)	☐	☐	☐	☒
b) 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? (Sources: IX.1, 3, 4, 15)	☐	☐	☒	☐
c) Result in significant construction-related air quality impacts? (Sources: IX.1, 3, 4, 15)	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations? (Sources: IX.1, 3, 4, 9, 15)	☐	☐	☐	☒

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
e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Sources: IX.1, 3, 4, 9, 15)	☐	☐	☐	☒

Discussion/Conclusion:

In order to provide protection and enhancement of Monterey County's air quality, Monterey County 1982 General Plan Policy No. 20.1.1 requires development decisions to be consistent with the natural limitation of the County's air basins. The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. The CARB has established 14 air basins statewide and the project site is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). MBARD is responsible for enforcing standards and regulating stationary sources through the *2012-2015 Air Quality Management Plan for the Monterey Bay Region* (AQMP). (MBARD achieved attainment status for CA Ambient Air Quality Standards for ozone in 2019, so they are not required to make an updated plan per CA Health and Safety Code §40910 and §40924.) Impacts to Air Quality are *less-than-significant* due to the regulatory environment and the design of the project to none, or *no impact*.

Air Quality Impacts (a), (d), and (e) – No Impact

Project construction and use would not obstruct implementation of the applicable air quality plan. Implementation of the proposed project would result in some fumes and minor odors associated with the construction process. The project site is on a private road approximately 0.36 mile from the nearest neighbor. The road is used as a private hiking trail, as indicated on Figure 3, Trails Plan of the Big Sur Coast LUP. The project would require the implementation of a Best Available Construction Management Plan (CMP) per MBARD standards for construction related air contaminants and only minor releases of air contaminants are projected during the construction. The CMP is a standard condition of approval applied by Development Services for the construction permit. Subsequently, project construction would not obstruct implementation of the applicable air quality plan or result in a cumulatively considerable net increase of criteria pollutants for which the region is in non-attainment status for, produce objectionable odors or expose sensitive receptors to substantial pollutant concentrations. *No impact.*

Air Quality Impacts (b) and (c) – Less Than Significant

Implementation of the proposed project would result dust and odors associated with the machinery and activity of grading of approximately 5,860 cubic yards of cut and terraforming on the saddle to the north of the building site, as well as building construction. CEQA Air Quality Guidelines identify threshold for construction activities with potentially significant impacts for PM_{10} to be 2.2 acres of disturbance a day. Grading for the proposed project would be less than 2.2 acres of

disturbance; therefore, implementation would not create a significant impact. The project would require the implementation of a CMP per MBARD standards for construction related dust and other particulate during the construction. The project would therefore not result in a cumulatively considerable net increase of criteria pollutants for which the region is in non-attainment status for, which is only PM_{10}. As mentioned above, the project site is on a private road approximately 0.36 mile from the nearest neighbor. The road is used as a private hiking trail, as indicated on Figure 3, Trails Plan of the Big Sur Coast LUP. User counts were not available as quantitative data for this Initial Study, but the day of the planner's site visit, only two walkers were noted on the road and it was unclear if they walked far enough to reach the proposed development site, which would have required at least an hour more of walking. It can be surmised that the potential to impact air quality for hikers on Coast Ridge Road is low. Although the project would create some construction-related air quality impacts, the amount would be limited and regulated to a level of *less-than-significant.*

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? (Sources: IX.1, 2, 4, 9, 12, 21, 22)	☐	☒	☐	☐
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? (Sources: IX.1, 2, 4, 9, 12, 21, 22)	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: IX.1, 2, 4, 9, 12, 21, 22)	☐	☐	☒	☐
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? (Sources: IX.1, 2, 4, 9, 12, 21, 22, 29)	☐	☒	☐	☐

4. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: IX.1, 2, 4, 5, 9, 12, 21, 22)	☐	☒	☐	☐
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? (Sources: IX.1, 9, 12, 21, 22, 29)	☐	☐	☐	☒

According to the Biological Resources Report prepared for the project by Denise Duffy & Associates (May 2020, LIB200094, Attachment X.1), the area proposed for development is mostly non-native annual grassland. There is California sagebrush scrub in a small area within the anticipated area of disturbance, and coast live oak woodland in close vicinity. The project is designed to avoid all direct impacts to oak woodlands. Permanent impacts are anticipated on 19,160 square feet of non-native annual grassland and, to a lesser extent, California sagebrush scrub. Some special-status plant species could potentially occupy the project area, although they were not apparent during the Spring Botanical Survey (April 2020, LIB200093). There are potential occurrences of umbrella larkspur (*Delphinium umbraculorum*) in the coast live oak and non-native grassland. There are potentially Toren's grimmia (Grimmia torenii) in the California sagebrush scrub area of this development, as one occurrence was reported in the California Natural Diversity Database (CNDDB) just 250 feet south of the survey area. Talus Fritillary (*Frittillaria falcata*) could potentially be present in the oak woodland and California sagebrush scrub area. Dudley's Lousewort (*Pedicularis dudleyi*) is a rare listed species that has the potential to occur in the non-native annual grassland and California sagebrush scrub areas; five incidences are reported in CNDDB within 7.2 miles of the development site.

The majority of the project disturbance area would be restored with native plants. As discussed in section VI.7 *Geology and Soils*, erosion would be mitigation through the regulation of CASQW and Title 16 of the Monterey County Code during the grading permit process. The civil and engineering sheets of the planning plan set demonstrate that proper compaction and key and benching would be performed to assure it is grossly stable and not prone to substantial erosion.

The Biological Report cautions that Cooper's hawk (*Accipiter cooperii*), red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), great horned owl (*Bubo virginianus*), American kestrel (*Falco sparverius*), and turkey vulture (*Cathartes aura*), have the potential to nest within any of the large trees present near the proposed development. Suitable nesting and foraging habitat is present for oak titmouse (*Baeolophus inornatus*), wrentit (*Chamaea fasciata*), spotted towhee (*Pipilo maculatus*), and Allen's hummingbird (*Selasphorus sasin*), all of which are identified as USFWS Birds of Conservation Concern.

The subject parcel is partially within a California Red-legged Frog (*Rana aurora draytonii, CRLF)* Critical Habitat area. The Biological Report clarifies:

> "Critical habitat is a term defined and used in the ESA. It is a specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. An area is designated as "critical habitat" after the USFWS publishes a proposed federal regulation in the Federal Register and then public comments are received and considered on the proposal. The final boundaries of the critical habitat area are also published in the Federal Register. Federal agencies are required to consult with the USFWS on actions they carry out, fund, or authorize to ensure that their actions will not destroy or adversely modify critical habitat. In this way, a critical habitat designation protects areas that are necessary for the conservation of the species."

CRLF critical habitat is considered ESHA by the LUP and some mitigation is required for disturbance of ESHA, which is discussed and mitigation is proposed below. With the recommended measures for avoidance to reduce the potential for direct impacts of CRLF, the restoration of the project area of disturbance to native grasses and scrub which would recreate suitable landscape for CRLF to travel through unimpeded, and a preservation measure that expands the property's scenic and conservation easement, potentially significant impacts would be reduced to *less-than-significant* level.

The critical habitat area CA-MNT-3 went into effect on April 16, 2010. The habitat includes aquatic breeding habitat where water bodies are slow moving and hold water long enough for CRLF breeding success (minimum 20 weeks) and non-breeding aquatic habitat which provides shelter, foraging, protection from predation, and aquatic dispersal for adult and juvenile CRLF. Other areas in CA-MNT-3 serve as upland habitat, within 200 feet of the riparian and aquatic habitat, where CRLF make use of structural features such as rock or debris piles and small mammal burrows to shelter. These aquatic and upland areas are where CRLF are understood to live. CRLF also have dispersal habitat, which is not "occupied" habitat but rather the landscape through which they move from one aquatic habitat to another. The project Biological Report states that dispersal habitats are on average 0.7 mile wide and are useful to CRLF if they do not include major barriers such as urban or industrial development or reservoirs over 50 acres. Radio telemetry data has shown that adults engage in dispersal on straight lines during breeding season, not necessarily following riparian corridors or topography, and that they may move up to two miles between non-breeding and breeding sites. There were no aquatic breeding, aquatic non-breeding, or upland habitat identified by the Biologist in the site survey. The subject site is not on a direct line between known aquatic resources, but could be within a curvilinear path, as shown in the following figure:

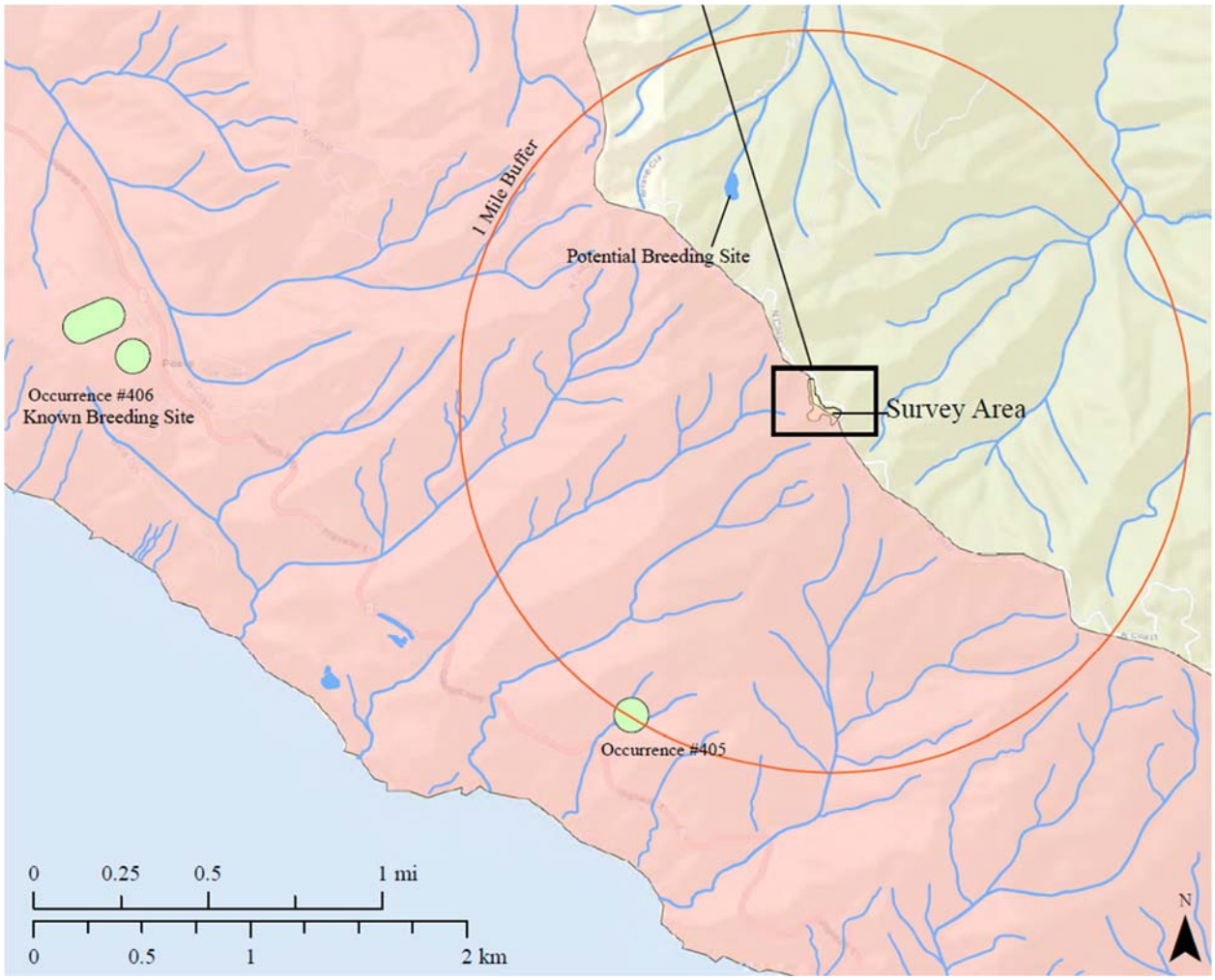


Figure 8. Aquatic breeding habitats for CRLF in relation to the subject site (Source: IX.22).

The Monterey Dusky-footed Woodrat (MDFW) is a CDFW species of special concern. It is a subspecies of the dusky-footed woodrat (*Neotoma fuscipes*), which is common to oak woodlands and other forest types throughout California. MDFW are frequently found in forest habitats with moderate canopy cover and a moderate to dense understory, including coast live oak woodland and California sagebrush scrub. Within suitable habitat, nests are often found in close proximity to each other. Although the Biological Report review of CNDDB did not reveal any occurrences of this species within the project area, MDFW is known to occur throughout Monterey County and suitable habitat for the species is present.

Biological Resources (f) – No Impact

The proposed project does 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 because there none of these plans exist in the vicinity.

Biological Resources Impacts (b), and (c) – Less Than Significant

The Biological Report describes a reported CRLF occurrence approximately one mile to the southwest of the survey area. The closest known breeding location is approximately 1.9 miles west of the survey area, as illustrated in Figure 8. A potential breeding site may exist approximately 0.6-mile northwest of the survey area, but no occurrences are documented there and it is unknown if it could support CRLF breeding. Several creeks are also present within one mile of the survey area; however, within 100 meters of the survey area, no headwaters or creeks are present, and it is very unlikely that any suitable aquatic habitat is present. Grading, excavating, and other activities that involve substantial soil disturbance will be planned and carried out in consultation with a qualified engineer and overseen by County erosion control specialists through mandatory compliance with local and State regulations such that erosion control techniques to minimize erosion and sedimentation are utilized (see section VI.7 *Geology and Soils*). Therefore, it is not anticipated that this project would 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 CDFW or USFWS, or on state or federally protected wetland through direct removal, filling, hydrological interruption, or other means.

Biological Resources Impacts (a), (d), (e) – Less Than Significant with Mitigation
Both the springtime botanical survey and the Biological Report concluded that no species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS were present. However, several sensitive plants and wildlife species could potentially occupy the area at the time of construction and impacts to them are potential significant effects. Particular to CRLF, this project is within 1 mile of known occurrence and is proposed on and adjacent to lands which are mapped as critical habitat for CRLF dispersal. Distance, topography and other factors make it unlikely that CRLF will be at the site during construction. Any take, harm, or harassment to CRLF is a potential significant effect. Mitigation measures are proposed that will reduce the potential impacts to a level of *less-than-significant*.

Figure 9. CA-MNT-3 spatial layer viewed on Google Earth with the Project site marked with a pin (USFWS https://www.fws.gov/sacramento/es/Critical-Habitat/Data/ and Google Earth). Part of the larger CA-MNT-2 is visible in the upper right corner.

Potential Impact 1: Umbrella larkspur, Toren's grimmia, talus fritillary, and Dudley's lousewort have the potential to occur within the project site. Grading and vegetation removal at the project site may result in direct mortality of individuals, 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 the mitigation measure recommended below.

Mitigation Measure 1: Focused botanical surveys should be conducted by a qualified biologist within the project site during the appropriate blooming period for umbrella larkspur, Toren's grimmia, talus fritillary, and Dudley's lousewort (approximately April) to determine the presence or absence of special-status plant species.

- If no special-status plants are found on the site, no additional mitigation is required.
- If special-status plants are found on the site, these species should be avoided to the greatest extent feasible. If avoidance is not feasible, a restoration plan should be prepared by a qualified biologist prior to development. The plan should include, but is not limited to, a detailed description of restoration areas, plant source material, planting

specifications, and a monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met.

Mitigation Monitoring Action No. 1.1
Prior to construction permits from HCD - Building Services, the owner/applicant shall submit to HCD - Planning for review and approval a contract with a qualified biologist on the County's list of approved biological consultants for the required focused botanical surveys. When the contract is reviewed and approved, and other mitigation actions and steps in conditions of approval required prior to construction permit issuance are met, HCD-Planning staff will remove hold on the issuance of construction permits from HCD - Building Services.

Mitigation Monitoring Action No. 1.2
Prior to construction permits from HCD - Building Services, the owner/applicant shall submit evidence to HCD - Planning for review and approval evidence that the botanical surveys took place during the appropriate blooming periods and submit the results of the presence/absence surveys. HCD-Planning will hold construction permits, including grading permits, until the botanical survey results are submitted and reviewed.

Mitigation Monitoring Action No. 1.3
If special-status plants are found on the site, prior to construction permits from HCD - Building Services, the owner/applicant shall submit to HCD - Planning for review and approval evidence that these species were avoided. If avoidance is not feasible, the owner/applicant or the qualified biologist shall submit to HCD - Planning for review and approval a Restoration Plan prepared by a qualified biologist. The restoration plan shall include the species and number of individual special-status plants that are expected to be impacted by development and detailed description of restoration areas, plant source material, planting specifications, and a monitoring program with annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met. If the Restoration Plan discloses take of plants that are rare, threatened or endangered within the State of California, the Restoration Plan will be shared with CDFW for review. The killing or possession of California rare, threatened or endangered plant species is prohibited by California law. Other actions may be taken by CDFW at that time; the owner/applicant shall follow those required steps and inform HCD-Planning staff of the procedures and the timing of completion.

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 prior to any construction activities. A qualified biologist will meet with the construction crew at the onset of construction at the project site to educate the construction crew on the following:
1) the appropriate access route(s) in and out of the construction area and review project boundaries;

2) how a biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities,
3) the special-status species that may be present;
4) the specific mitigation measures that will be incorporated into the construction effort;
5) the general provisions and protections afforded by the USFWS and CDFW; and
6) the proper procedures if a special-status species is encountered within the project site.

Mitigation Monitoring Action No. 2a.1
The owner/applicant shall submit to HCD - Planning for review and approval a contract with a qualified biologist on the County's list of approved biological consultants for the required education program. When the contract is reviewed and approved, and other mitigation actions and steps in conditions of approval required prior to construction permit issuance are met, HCD-Planning staff will remove hold on the issuance of construction permits from HCD - Building Services.

Mitigation Monitoring Action No. 2a.2
Within one week of the commencement of construction activities including grading, the owner/applicant shall submit evidence to HCD - Planning for review and approval that the education program took place. This evidence shall be in the form of minutes and/or a list of attendees. The list will be updated as required when new personnel start work; no staff member may work in the field without participating in the Employee Education Program.

Mitigation Monitoring Action No. 2a.3
Prior to the building final, the owner/applicant shall submit to HCD – Planning a letter from the qualified biologist demonstrating how the education program was implemented, and how it was successful. The letter shall include the full and final list of all construction staff who participated in the Employee Education Program.

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. Pre-construction surveys will be conducted no more than 14 days prior to the start of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). Because some bird species nest early in spring and others nest later in summer, some breed multiple times in a season, surveys for nesting birds may be required to continue during construction to address new arrivals. The necessity and timing of these continued surveys will be determined by the qualified biologist based on review of the final construction plans.
If raptors or other protected avian species nests are identified during the pre-construction surveys, the qualified biologist will notify the project applicant and the County Planning Department and an appropriate no-disturbance buffer will be imposed within which no

construction activities or disturbance should take place as determined by the qualified biologist to ensure avoidance of impacts to the individuals. The buffer will remain in place until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.

Mitigation Monitoring Action No. 2b.1
During construction permit application through HCD - Building Services, the owner/applicant shall submit a construction schedule detailing project activities, including when vegetation removal will be scheduled, to HCD – Planning and HCD – Building Services for review. If this action is not completed, HCD – Planning staff will place a hold on construction permits.

Mitigation Monitoring Action No. 2b.2
If, in the determination of HCD – Planning, the schedule indicates that vegetation removal is likely to occur during the raptor and other nesting avian species avoidance period, the applicant shall submit a contract with a qualified biologist from the County's list of approved consultants for the required surveying to HCD - Planning. The contract shall be submitted to HCD-Planning prior to construction permit issuance. If this action is not completed, HCD – Planning staff will place a hold on construction permits.

Mitigation Monitoring Action No. 2b.3
The owner/applicant or the qualified biologist shall promptly send the results of the qualified biologist's surveys in text and graphical form to HCD – Planning. If the qualified biologist deems a no-disturbance buffer is warranted, the owner/applicant shall establish the buffer in accordance with the qualified biologist's recommendations and update the grading plan with notes and graphical indications of the buffer areas. Alert HCD – Planning of the update to the grading permit for prompt review. HCD – Planning staff will place a hold on construction permits until this action is completed or written documentation is received from the biologist that buffers are not necessary.

Mitigation Monitoring Action No. 2b.4
If no-disturbance buffers are found to be necessary by the qualified biologist, the owner/applicant or the qualified biologist shall submit evidence to HCD - Planning for review and approval that the no-disturbance buffers have remained in place until the young of the year have fledged at the mapped locations in the form of photographic evidence and a brief report by the qualified biologist. This documentation shall be received by HCD – Planning within four months of the survey dates.

Mitigation 2c: The following best management practices (BMPs) shall be employed during construction to reduce impacts to special-status plant and wildlife species:

- Trees and vegetation not planned for removal but located within or adjacent to the construction area should be protected prior to and during construction to the maximum extent possible with exclusionary fencing. A biological monitor shall supervise the installation of protective fencing and regularly monitor the site until construction is complete to ensure that the protective fencing remains intact.

- Soil compaction, stockpiling of construction materials, and/or dumping of materials shall not be allowed adjacent to trees, especially within fenced areas, or in the critical habitat area not already within the development footprint.
- Following construction, disturbed areas will be restored to pre-project contours to the maximum extent possible and revegetated using locally occurring native species and native erosion control seed mix, per the recommendations of a qualified biologist.
- Grading, excavating, and other activities that involve substantial soil disturbance will be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist, and will utilize standard erosion control techniques to minimize erosion and sedimentation to native vegetation (pre-, during, and post-construction).
- All food-related and other trash will be disposed of in closed containers and removed from the project area at least once a week during the construction period, or more often if trash is attracting avian or mammalian predators. Construction personnel will not feed or otherwise attract wildlife to the area.
- No firearms will be allowed on the parcel at any time.

Mitigation Monitoring Action No. 2c.1
BMPs shall be noted on the grading and construction site plans.

Mitigation Monitoring Action No. 2c.2
Prior to the issuance of construction permits from HCD-Building Services, the owner/applicant shall submit to HCD - Planning for review and approval in the form of a presentation of photographic evidence with time and date stamp and brief explanations that all protective fencing proscribed by a qualified biologist is in place prior to construction.

Mitigation Monitoring Action No. 2c.3
Within one month of the commencement of construction, the owner/applicant shall submit a signed and dated report from the onsite construction manager attesting that all construction workers have been trained that soil compaction and stockpiling or construction materials or dumping will not be done adjacent to trees or in the critical habitat area not already within the development footprint, that food-related and other trash will be disposed of in closed containers and removed from the project area at least once a week during the construction period or more often if trash is attracting avian or mammalian predators, and that construction personnel will not feed or otherwise attract wildlife to the area, and that no firearms will be allowed on the parcel at any time during construction. If the documentation is not received by HCD – Planning within six weeks of the construction training, notice will be issued through the Code Compliance division of the Planning Department that the building final inspection will be on hold until MM Action No. 2c.3 is completed.

Mitigation Monitoring Action No. 2c.4
The owner/applicant or the qualified biologist shall submit evidence to HCD-Planning for review and approval in the form of a presentation of photographic evidence with date stamp and brief explanations that any protective fencing remained in place until construction was complete, that soil compaction and stockpiling or construction materials or dumping was not adjacent to trees or in the critical habitat area not already within the development footprint. The report shall include

a signed affidavit from the onsite construction manager that all food-related and other trash was disposed of in closed containers and removed from the project area at least once a week during the construction period, or more often if trash is attracting avian or mammalian predators and that construction personnel did not feed or otherwise attract wildlife to the area, and that no firearms were allowed on the parcel at any time during construction. All evidence must be submitted to HCD - Planning in a timely manner. If the documentation is not received by HCD – Planning by building final or commencement of use, whichever comes first, the Code Compliance division of the Planning Department will be alerted.

Mitigation Monitoring Action No. 2c.5
Prior to building final, the owner/applicant shall submit a revegetation plan prepared by a qualified biologist on the County's list of approved biological consultants to HCD – Planning for review and approval. The plan shall show that disturbed areas will been restored to pre-project contours to the extent possible and revegetated using locally occurring native species and native erosion control seed mix, per the recommendations of a qualified biologist. If the documentation is not received by HCD – Planning three weeks after building final, the Code Compliance division of the Planning Department will be alerted.

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 en route to other breeding or non-breeding aquatic habitat. Permanent impact will be limited to 19,160 square feet. (See Attachment X.1, Figure 5). As identified above, one occurrence of CRLF is known within one mile of the project site and a potential aquatic breeding resource was identified within one mile of the project site by the Biological Report, although there are no known occurrences within this resource it is unknown if this resource provides the specific features necessary to support CRLF breeding. No potential aquatic breeding resources are present within 100 meters of the project's area of disturbance. Because dispersal habitat is ubiquitous and migrating CRLF may be widely distributed across the landscape without specific timing of movement, the potential for take of CRLF as a result of project is low. In the unlikely event that CRLF are present within the project site, take of this species would be considered a potentially significant impact. Therefore, implementation of Mitigation Measure 2a above and the following mitigation measures would ensure that no take of CRLF results from the project. Mitigation Measure 3g addresses the permanent impacts to CA-MNT-3 that would be a result of the project as proposed. During project review, CDFW added information to strengthen these measures, such as adding reference to USFWS's 2005 Revised Guidance for CRLF Site Assessment and Field Survey (Source: IX.29).

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. If any life stage of CRLF is observed, construction activities will not commence until the USFWS is consulted and appropriate actions are taken to allow project activities to continue.

Mitigation Monitoring Action No. 3a
During construction operations, the owner/applicant or the qualified biologist shall send the results of the qualified biologist's CRLF surveys to HCD - Planning. If the qualified biologist discovers any life stage of CRLF, construction activities will not commence and the owner/applicant or biologist will notify HCD - Planning that USFWS has been consulted. Next actions taken will be in accordance with the recommendations of USFWS. Pre-construction and morning-of-onset survey results and evidence must be submitted to HCD - Planning in a timely manner which is contingent on the rate of construction activity as determined by the construction timeline per Mitigation Monitoring Action No. 2b.1; results are expected either at the end of every two weeks or at the end of every month of ground disturbing and vegetation removal activities. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

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 also train a construction monitor who remains onsite during all ground disturbing and vegetation removal activities in the a CRLF-specific Employee Education Program. This special CRLF training shall include:

a) Identifying photographs of CRLF at typical age demographic and phenotypes for the dispersal habitat area and Information about distribution and habitat needs of CRLF and their sensitivity to human activities;
b) The special status of CRLF including legal protection, recover efforts and penalties for violation.
c) Distribution of wallet-sized cards and/or a fact sheet handout containing the information identified in a - c for the construction monitor to carry when on the project site.

The Applicant/Owner shall make at least three copies of a version of the card/fact sheet in English and Spanish available to the construction monitor to provide to employees upon request. Each card or handout shall also direct personnel to contact the construction monitor if any tentative identification is made.
The qualified biologist shall remain available to come to the site if a CRLF is identified until all ground disturbing activities are completed. 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 Monitoring Action No. 3b
During ground disturbing and vegetation removal activities, the owner/applicant or the qualified biologist shall send the results of the qualified biologist's daily CRLF surveys to HCD - Planning. If the qualified biologist confirms discovery of any life stage of CRLF, ground disturbing and vegetation removal activities will stop and the owner/applicant or biologist will notify HCD - Planning that USFWS has been consulted. Next actions taken will be in accordance with the recommendations of USFWS. All daily surveys and evidence must be submitted to HCD - Planning in a timely manner which is contingent on the rate of construction activity as determined by the construction timeline per Mitigation Monitoring Action No. 2b.1; results are

expected either at the end of every two weeks or at the end of every month of ground disturbing and vegetation removal activities. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

Mitigation 3c: After ground-disturbing and vegetation removal activities are complete, or earlier if determined appropriate by the qualified biologist, the qualified biologist will designate a construction monitor to oversee on-site compliance with all avoidance and minimization measures. The qualified biologist shall ensure that this construction monitor has fully understood the training described in Mitigation 3b on the identification and enforcement of protection of CRLF. The construction monitor or the qualified biologist is authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is stopped, the USFWS shall be notified. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project.

Mitigation Monitoring Action No. 3c
The owner/applicant shall send the results of the designated construction monitor's daily CRLF surveys during ground-disturbing and vegetation removal activities in the form of a daily log summarizing activities and compliance with the CRLF monitoring to HCD - Planning. If the construction monitor or qualified biologist confirms discovery of any life stage of CRLF, construction activities will stop and the owner/applicant or biologist will notify HCD - Planning that USFWS has been notified. Next actions taken will be in accordance with the recommendations of USFWS.
All daily surveys and evidence must be submitted to HCD - Planning for review in a timely manner. Reporting timing is contingent on the rate of construction activity as determined by the construction timeline per Mitigation Monitoring Action No. 2b.1; results are expected either at the end of every two weeks or at the end of every month of construction activities. If HCD – Planning finds the daily CRLF surveys are not sufficiently complete (compared to the Biologist's survey log and evidence), then the Chief of Planning will communicate to the owner/applicant that the Biologist must 1) retrain the construction monitor, 2) train a different person for the task, or 3) monitor the grading/construction site fulltime. The change in protocol shall be commensurate with the intensity of the mishandling of the task. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

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 Monitoring Actions No. 3d, 3e, and 3f: Notes on Plans
Prior to the issuance of grading or building permits, the owner/applicant shall include a note on the plans encompassing the language within Mitigations 3d, 3e and 3f. The owner/applicant shall submit plans to HCD - Planning for review and approval.

Mitigation Monitoring Actions No. 3d, 3e, and 3f: Monitor Reports
The designated construction monitor shall make photographic evidence of Mitigations 3d, 3e and 3f as part of Mitigation Monitoring Action No. 3b and 3c reporting. The owner/applicant shall submit the evidence to HCD - Planning for review and in a timely manner. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

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. (See Attachment X.1, Figure 5). 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. An approximately 100-foot wide buffer area around the structures cannot be included in the SCE because the Fire District will require it as part of the construction permit for wildfire safety. The SCE shall prohibit uses other than those planned for onsite wastewater treatment system (e.g. leach fields) and shall be granted in perpetuity. The SCE shall be developed in consultation with a certified professional and the responsible entity. A Subordination Agreement shall be required, where necessary. The SCE deed shall be submitted to, reviewed, and approved by the Chief of Planning for HCD - Planning and the Executive Director of the California Coastal Commission prior to issuance of building construction permit, and accepted by the Board of Supervisors prior to building final or commencement of use, whichever comes first.

Mitigation Monitoring Action No. 3g.1
Prior to the issuance of construction permits from HCD - Building Services, the owner/applicant submit a signed and notarized Subordination Agreement, if required, to HCD - Planning for review and approval.

Mitigation Monitoring Action No. 3g.2
Prior to the issuance of construction permits from HCD - Building Services, the owner/applicant shall submit the scenic and conservation easement (SCE) deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description with a total area of 57,480 square feet added adjacent to the existing SCE(s) with preference given to extending the existing SCE within CA-MNT-3. The SCE deed and corresponding map shall be developed in consultation with a certified professional, to HCD - Planning for review and approval.

Mitigation Monitoring Actions No. 3g.3
Prior to building final or commencement of the use, whichever comes first, the owner/applicant shall Record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to HCD – Planning.

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. If a litter of young is found or suspected, nest material shall be replaced and the nest left alone for 2-3 weeks, after this time the nest will be rechecked to verify that young are capable of independent survival before proceeding with nest dismantling.

Mitigation Monitoring Action No. 4.1
The owner/applicant shall submit to HCD - Planning for review and approval a contract with a qualified biologist on the County's list of approved biological consultants which includes MDFW nests surveying and flagging for avoidance, and oversight of any necessary nest dismantling procedures described in MM No. 4. When the contract is reviewed and approved, and other mitigation actions and steps in conditions of approval required prior to construction permit issuance are met, HCD-Planning staff will remove hold on issuance of construction permits from HCD - Building Services.

Mitigation Monitoring Action No. 4.2
Prior to the issuance of permits by HCD - Building Services, the owner/applicant shall submit the survey results and photographs of the flagged nests to HCD - Planning.

Mitigation Monitoring Action No. 4.3
If the survey identifies any MDFW nests that must be dismantled, the qualified biologist shall dismantle them in accordance with the requirements of MM No. 4, and include discussion in the report for Mitigation Monitoring Action No. 4.2 to HCD - Planning for review and approval.

The project as proposed is positioned where it could have adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, and special status species in the LUP and by CDFW and USFWS. It could interfere with the movement of some native resident or migratory wildlife species. However, it would not interfere with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. There is not an adopted Habitat Conservation Plan or Natural Community Conservation Plan that includes or abuts the subject parcel. The CRLF Critical Habitat CA-MNT-3 is an approved regional conservation plan. The project could conflict with the provisions of the plan if it were to

proceed without controls in place to avoid impacts during construction. However, with mitigation measures 2, 3 and 4 applied to the project, the level of potential impact would be reduced to *less-than-significant*.

Conclusion:
As designed, the project has the potential to impact on Biological Resources in terms of special-status plant and wildlife species. With adherence to mitigation contained herein, the impacts would be mitigated to a level of *less-than-significant*.

5. CULTURAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Sources: IX.1, 5, 9, 25)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: IX.1,5, 9, 25)	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: IX.1, 5, 9, 25)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

6. ENERGY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Sources: IX.1, 6, 18, 23)	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Sources: IX.1, 6, 18, 23)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above**.**

7. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause 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? (Sources: IX.1, 9, 23, 28, 30)	☐	☐	☐	☒
ii) Strong seismic ground shaking? (Sources: IX.1, 9, 23, 30, 31)	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction? (Sources: IX.1, 9, 23, 30)	☐	☐	☐	☒
iv) Landslides? (Sources : IX.1, 9, 23, 30)	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? (Sources: IX.1, 9, 12, 23)	☐	☐	☒	☐
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? (Sources: IX.1, 9, 12, 17, 23, 30, 31)	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Sources: IX.1, 9, 12, 23, 25)	☐	☐	☒	☐
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? (Sources: IX.1, 9, 12, 17, 24, 30)	☐	☐	☐	☒
f) Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Sources: IX.1, 9, 12, 17, 23, 25, 30)	☐	☐	☐	☒

Discussion/Conclusion:

Monterey County is lead agency responsible for the implementation and enforcement of the *Alquist-Priolo Earthquake Fault Zoning Act* within the jurisdictions. According to a Geological Report that was done for the property prior to subdivision, the parcel is located in the northern Santa Lucia Range and lies on the crest of a northwest-trending ridge at approximate elevation of 2800 feet above mean sea level. The major active faults in the area that appear to be capable of

generating large earthquakes are the San Andreas and Hosgri-San Gregorio. An earthquake in 1984 with a Richter magnitude of 5.0 occurred with an epicenter near Point Sur. Ground rupture resulting from the earthquake was discovered in Bixby Creek. Landslides in the area of the parcel is rare and the geologist found "from previous experience in the Coast Ridge area" that soil cover is relatively thin and may erode on steep slopes but the metamorphic rock underlying the ridge appears competent and stable. (Source: IX.30.) A recently prepared California Geological Survey spatial data layer of landslides from the last 50 years depicts many landslides near Highway 1, but none on Coast Ridge Road within four miles of the subject parcel. The nearest strong-motion station in Big Sur is at Pfeiffer State Park (CGS-CSMIP Station 47136) report of earthquakes in the greater region places the closest epicenter for an earthquake recorded within the last twenty years as the TresPinos in 2019 at 63 miles away. Impacts to Geology and Soils are *less-than-significant* due to the regulatory environment and implementation of recommendations made in the project-specific Geotechnical Report (Soil Services Group, LIB200095) and additional replanting guidance found in standard conditions of approval applied pursuant to California Stormwater Quality Association (CASQW) regulations and mitigation measures 2c and 5 (see VI.4 *Biological Resources* and VI.9 *Hazards and Hazardous Materials*) or *no impact* due to site location.

Geology and Soils Impacts (a)i-iv, (e), (f) – No Impact

The site is not located within any Earthquake Fault Zones in accordance with the Alquist-Priolo Earthquake Fault Zoning Act. The nearest fault is the Coast Ridge fault, inferred to be located approximately 8/10ths of a mile away. The soil types on the parcel are (Sheridan coarse sandy loam (SoE) and Junipero sandy loam (JbG) with deeper decomposed granite. The Geotechnical Report prepared for the project concluded that the site is suitable for the proposed project, provided that the recommendations made in the report are followed. These recommendations will be made part of the construction permit requirements. None of the recommendations relate to an expectation of strong seismic ground shaking or seismic-related ground failure such as liquefaction. The project will not expose people or structures to potential substantial adverse effects involving surface rupture or lurch cracking; strong seismic ground shaking; seismic-related ground failure, including liquefaction. A Percolation Report prepared by Soil Services Group, Inc. for the project found the soils capable of adequately supporting an onsite wastewater treatment system (Soil Services Group, LIB2000096). The project site is in an area identified in County GIS as "undetermined," near the edge of "relatively unstable uplands." It is reasonable to expect that the uplands where the project is located are also relatively unstable. The development area has been situated to avoid significantly sloped terrain; in the very small areas where development is proposed on slopes, measures will be taken to ensure stability pursuant to the Geotechnical Report. Therefore, there is no potential for adverse impacts from landslides. A Geologic Report associated with the parcel related that the underlying rock is metamorphic. Metamorphic rock does not typically support the presence of paleontological resources. *No impact.*

Geology and Soils Impacts (b), (c), (d) – Less Than Significant

Associated grading for the residence would consist of 5,860 cubic yards cut and grading is proposed to be balanced onsite, including 400 cubic yards fill within the building area and other fill in the driveway area. The remaining 5,200 cubic yards of fill would be terraformed into the ridge above and below the proposed leach fields of the septic system to the north of the

residence. The civil and engineering sheets of the plan set demonstrate that proper compaction and key and benching would be performed to assure it is grossly stable and not prone to substantial erosion. Additional covering with straw or jute netting and native grass seeding will be performed per CASQW as required by Environmental Services for the grading permit and in compliance with mitigation measures 2c and 5 (see VI.4 *Biological Resources* and VI.9 *Hazards and Hazardous Materials*). Due to the prevalence of very steep slopes on the property, the applicant included an alternate setback and clearance proposal for descending slopes per California Building Code section 1808.7.2, which was reviewed and accepted during the inter-departmental review of the application. Therefore, impacts by the project on erosion and landslide potential in the area are *less-than-significant.*

The Geotechnical Report prepared for the project (Soil Services Group, LIB200095) found somewhat expansive soils in borings made in the area where the building is proposed. Recommendations for the re-compaction of any loose soils and the mitigation of expansive soils would be required for the construction permit. Therefore, impacts related to expansive soils are *less-than-significant*.

8. GREENHOUSE GAS EMISSIONS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: XI.1, 3, 6, 9, 10, 12, 15, 23)	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: IX.1, 3, 4, 9, 10, 15)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

9. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: IX.1, 9, 12)	☐	☐	☐	☒
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? (Sources: IX.1, 9, 12)	☐	☐	☐	☒

9. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: IX.1, 9, 12)	☐	☐	☐	☒
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? (Sources: IX.1, 9, 12)	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area? (Sources: IX.1, 3, 7, 9, 12)	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: IX.1, 9, 12, 16, 28)	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Sources: IX.1, 9, 12, 28, 32, 33)	☐	☒	☐	☐

Discussion:

The proposed project is a single family residence with a garage, patio, and driveway. This type of development is typically found to have no impacts. The County inter-departmental review determined that most of the potential impacts related to Hazardous Materials are *no impact*. Because the subject parcel is in High Fire Hazard State Regulated Area and the proposed project includes site improvements that could add to the risk of wildland fires, there are potential impacts but the regulatory environment in the form of State and local regulations are expected to reduce the potential additional hazard to a *less-than-significant* level.

Hazards and Hazardous Materials 9 (a, b, c, d, e, f) – No Impact

The proposal involves residential construction where there would be no use of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. No changes in land use will occur which would allow the property owner to use the residence as a holding or disposal area for hazardous materials. No transportation on, or to the site, of hazardous materials in quantities that would constitute a significant hazard or violate state or County health and safety regulations are anticipated. During the inter-departmental review of the project application, Environmental Health Bureau did not find hazardous materials associated with the project because there was no indication that the owner/occupant would store a substantial quantity of fuel onsite. There is no

anticipated presence of asbestos or lead in the proposed project because there is no older building demolition as part of the development. The closest school (Pacific Valley School K-12) is approximately 35 miles from the site. Development of homes is anticipated by the allowed uses of the properties on Coast Ridge Road, so although traffic on evacuation routes could slow emergency response time, the evacuation and transportation plan of the Office of Emergency Services is prepared to address residential uses where zoning allows in Big Sur. The site is not included on any list of hazardous sites. The property is not located within the vicinity of a public airport or private airstrip. In sum, due to the location and scale of the project, it will not interfere with emergency response or emergency evacuation described in the County Emergency Operations Plan, 2010 Evacuation and Transportation Plan, or County Hazard Mitigation Plan.

Hazards and Hazardous Materials 9 (g) – Less Than Significant
The proposed project includes permitting an onsite well. The well's purpose is proposed to be fire suppression and watering of landscaping. The potential for the well's motor to start a wildfire was raised in the LUAC discussion of the project. The use phase of the proposed project would be powered by a solar photovoltaic system. A battery system is likely to be installed for energy storage but the specifics of the system are not known at the time of this report. However, the future installation of the solar photovoltaic system would be reviewed by County offices and be required to meet Chapter 49, Regulations for Wildland/Urban Interface Fire Areas, and California Fire Code 1204.4, which would result in recommendations for base rock for a ten-foot buffer around the panels to suppress weeds and for continual weed suppression under the panels themselves as a part of a landscape plan. To ensure wildfire safety, this Initial Study recommends the owner also surround the new well with base rock and control weeds in the immediate area.

Conclusion:
The proposed residence would not involve stationary operations that might create substantial hazardous emissions. With the regulatory environment of County review of the well permit and solar photovoltaic system, the project's ability to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires is a *less-than-significant* level. See also 20. Wildfire, below.

10. 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 or otherwise substantially degrade surface or groundwater quality? (Sources: IX.1, 8, 9, 12)	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Sources: IX.1, 8, 9, 12, 19)	☐	☐	☐	☒

10. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site? (Sources: IX.1, 9, 12, 23)	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Sources: IX.1, 8, 9, 12)	☐	☐	☐	☒
iii) 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? (Sources: IX.1, 8, 9, 12)	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Sources: IX.1, 9, 12, 23)	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Sources: IX.1, 8, 9, 12)	☐	☐	☐	☒

Discussion/Conclusion:

Hydrology and Water Quality Impacts (a), (b), (c)ii, (c)iii, (d), (e) – No Impact

The site is not located within the 100-year floodplain or near a levee or dam that would expose people or structures to significant loss or death if failure resulting in flooding were to occur. The project site is not located in an area subject to inundation by seiche, tsunami, or mudflows, and is classified as minimal flood hazard in Monterey County GIS.

The proposed project would be served by septic systems and a mutual water system. The Coast Ridge Road mutual water system has six active connections set up and allows a seventh. The flow rate of the well was 24 gallons per minute as reported in July 2020 (Isa Jenkins direct communications, IX.19). The project would not violate any water quality standards or waste discharge requirements, as conditioned by Environmental Health Bureau. It would also not result in impacts on groundwater basins or groundwater recharge and would not conflict with the Monterey County Groundwater Management Plan. No groundwater was encountered in the borings to a maximum depth of 29.5 feet during geological evaluation (not in rainy months), and it is not anticipated that the depth of excavation for the proposed project would exceed 15 feet.

The project would involve approximately 5,860 cubic yards which is proposed to be balanced onsite, as discussed in section VI.7 *Geology and Soils*. The build-up of gravel would be tamped

and keyed in to minimize erosion or interference with flood flows. Other drainage characteristics of the project site would be altered by adding 0.39 acres of impervious surfaces with 0.49 acres of grading on 30% slopes. The proposed project will not violate any water quality standards or waste discharge requirements. As described in the Geotechnical Report for the project (Source IX.23, LIB200095) and the project's Temporary Erosion and Sediment Control Plan contained in the project plan set (Source IX.1, Sheet C3.1), erosion control measures would be taken. As discussed in section VI.7 *Geology and Soils*, during the County's interdepartmental review, Environmental Services found the applicant's justification for alternative setback from slopes adequate to protect health and safety. The project would comply with relevant sections of the Monterey County Code that pertain to grading, erosion control and urban stormwater management (Monterey County Code Chapters 16.08, 16.12 and 16.14). With adherence to Monterey County regulations for impervious surface cover, erosion control, and urban stormwater management, the proposed project would not result in any negative impacts related to hydrology/water quality (Sources: IX. 1, 6, 12, 23). *The proposed project would not result in significant increases in hydrology or water quality or conflict with an applicable plan, policy or regulation.*

Hydrology/ and Water Quality Impact (c)i – Less Than Significant
The project would involve approximately 5,860 cubic yards of cut. The excavated material would be balanced onsite, as discussed in above and in *Geology and Soils*. The build-up of gravel on the leach fields would be tamped and keyed in to minimize erosion or interference with flood flows. Other drainage characteristics of the project site would be altered by reshaping of the knoll and adding 0.39 acres of impervious surfaces with 0.49 acres of grading on 30% slopes. As described in the Geotechnical Report for the project (Source IX.23, LIB200095) and the project's Temporary Erosion and Sediment Control Plan contained in the project plan set (Source IX.1, Sheet C3.1), erosion control measures would be taken. Some erosion and siltation is inherent to development in a location that receives high winds, occasionally intense storm events, and wildfire. Therefore, occasional erosion impacts may occur but are anticipated to be *less-than-significant*.

11. 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? (Sources: IX. 1, 4, 5, 9, 19)	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: IX. 1, 2, 3, 4, 5, 9, 22)	☐	☒	☐	☐

Discussion:
The regulatory environmental includes protection of Big Sur viewsheds from ridgeline development, development on slopes, and protection of areas classified as ESHA. The project

was evaluated by the project planner for potential impacts to visual resources pursuant to Monterey County Code section 20.145.030.A(1) and C, and was found not to be ridgeline development or to cause impacts to the public viewshed. The proposed project was reviewed in a site visit and by the Big Sur LUAC, some of whom live on Coast Ridge Road, and was found not to have the potential to disrupt, divide, or otherwise have a negative impact on the existing neighborhood or adjacent properties.

Review of LUP and Coastal Implementation Plan policies and Chapter 20.64 of Title 20 on development on slopes (Monterey County Code sections 20.145.140.A.4 and 20.64.230) with the proposed project resulted in a potential conflict which is overcome by the appropriate authority finding, with the evidence supplied in the project plans and reports, that there is no alternative which would allow development to occur on slopes of less than 30% or that the proposed development better achieves the resource protection objectives and policies of the LUP and development standards of the Coastal Implementation Plan. (See also section VI.7, *Geology and Soils*).

Review of LUP and Coastal Implementation Plan policies and codes on ESHA with the proposed project resulted in a potential conflict with a path to a *less-than-significant* level of impact. The proposed project sits on the edge of ESHA in the form of CRLF Critical Habitat area CA-MNT-3 and pursuant to Monterey County Code section 20.145.040.B, such impacts require that, "the decision-making body must find that the disruption of such habitat caused by the development would not be significant" and allow the development with a Coastal Development Permit. Therefore, the development could be mitigated through a spatial extension of the existing scenic and conservation easement to protect areas of CA-MNT-3 not already in easement. This is discussed and mitigation is proposed in section VI.4 *Biological Resources*.

Land Use/Planning 11(a) No impact.

The proposed project was reviewed in a site visit and by the Big Sur LUAC and was found not to have the potential to disrupt, divide, or otherwise have a negative impact on the existing neighborhood or adjacent properties.

Land Use/Planning 11(b) Less than significant with mitigation.

The proposed project is generally consistent with the policies and requirements of the LUP, 1982 Monterey County General Plan, and Zoning Ordinance. Most of the property has a scenic and conservation easement in place for steep slopes and watershed protection. The zoning regulations allow for the first single family dwelling on a legal lot of record. Many of the neighbors on Coast Ridge Road live on the western side of the road, which affords the best views.

As discussed in section VI.4 *Biological Resources*, impact to the CRLF Critical Habitat area CA-MNT-3 are proportionally small (less than 1% total MNT-3 area). The LUP identifies rare and endangered species habitat as ESHA and Policy 3.3.2.8 maintains that "new development adjacent to environmentally sensitive habitat areas shall be allowed only at densities compatible with the protection and maintenance of the adjoining resources." Roughly half (1.6 acres) of the area expected to be disturbed by the construction phase of the project is within the area defined as ESHA in the LUP. All but 19,160 square feet, or 0.44 acres, would be restored to landscape that would suffice for CRLF dispersal. Policy 3.3.2.4 states "for developments approved within environmentally sensitive habitats, the removal of indigenous vegetation and land disturbance (grading, excavation, paving, etc.) associated with the development shall be limited to that

needed for the structural improvements themselves. The guiding philosophy shall be to limit the area of disturbance, to maximize the maintenance of the natural topography of the site, and to favor structural designs which achieve these goals." This philosophy guided the proposed development in that CRLF dispersal habitat will be restored after disturbance. It did not guide the proposed development in that the natural topography is manipulated; it removes the peak of a knoll and adds the cut materials to the ridge toward the nearby saddle. During the application submittal review, the applicant justified the re-distribution of graded materials by showing that additional trenching would have been necessary to route the septic system toward the leach fields without it. Furthermore, if the applicant developed over the knoll without changing the natural topography, the building footprint would likely be larger. The applicant could export graded materials but that would require many more trips to and from the construction site in dump trucks on the rough road and out onto Highway 1, which would increase the air quality, greenhouse gas and traffic impacts.
As shown in Figure 3, development on this parcel is constrained by the existing scenic and conservation easement and steep slopes. Alternative locations for this development were discussed during project review, however there is no other location on the parcel outside of existing easement that would not involve significant impacts to native trees as well as additional grading on slopes for a longer driveway.

No harm to CRLF is anticipated due to several mitigation measures described in section VI.4 *Biological Resources*. Mitigation Measure 3g requires an extension of the existing scenic and conservation easement in CA-MNT-3 to increase the size of the easement at a ratio of 3:1 for CA-MNT-3 permanently impacted by the project. With this mitigation added to offset permanent impact to ESHA, the proposed project may be allowed by County with a Coastal Development Permit pursuant to Monterey County Code section 20.145.040.B.

Conclusion:
As designed, the project has the potential to impact Land Use and Planning. With adherence to mitigation contained in section IV.4 *Biological Resources*, the impact to Land Use and Planning pertaining to the conflict with the LUP is considered *less-than-significant*.

12. 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? (Sources: IX.1, 9, 17, 23, 30)	☐	☐	☐	☒
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? (Sources: IX.1, 3, 4, 9, 23)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

13. NOISE **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: IX.1, 3, 7)	☐	☐	☐	☒
b) Generation of excessive groundborne vibration or groundborne noise levels? (Sources: IX.1, 3, 7)	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or 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? (Sources: IX.1, 3, 7, 9)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

14. POPULATION AND HOUSING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned 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)? (Sources: IX.1, 5, 9, 10)	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Sources: IX.1, 5, 9, 10)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

15. PUBLIC SERVICES **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Sources: IX.1, 6, 12, 14, 28, 32, 33)	☐	☐	☐	☒
b) Police protection? (Sources: IX.1, 9, 12, 14, 28)	☐	☐	☐	☒
c) Schools? (Sources: IX.1, 9, 12, 14, 28)	☐	☐	☐	☒
d) Parks? (Sources: IX.1, 9, 12)	☐	☐	☐	☒
e) Other public facilities? (Sources: IX.1, 9, 12, 28)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

16. RECREATION **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Sources: IX.1, 3, 4, 9)	☐	☐	☐	☒
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? (Sources: IX.1, 3, 4, 9)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

17. TRANSPORTATION/TRAFFIC **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Sources: IX.1, 3, 4, 9, 12, 19, 26, 28)	☐	☐	☐	☒
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Sources: IX.1, 3, 4, 9, 19, 26)	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: IX.1, 3, 4, 9, 19)	☐	☐	☐	☒
d) Result in inadequate emergency access? (Sources: IX.1, 3, 4, 9, 12, 26, 28)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

18. TRIBAL CULTURAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Sources: IX.1, 9, 25)	☐	☐	☐	☒

18. TRIBAL CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe (Sources: IX.1, 9, 25, 34)	☐	☐	☒	☐

Discussion/Conclusion:
The project site is considered moderately "archaeologically sensitive" by Monterey County GIS. Additionally, the site is located in an area of lands associated with the tribal history of regional native groups. California Assembly Bill (AB) 52, in effect since July 2015, provides CEQA protections for tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California Public Resources Code §21074, tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a tribe and that are eligible for or listed on the California Register of Historical Resources (CRHR) or a local historic register, or that the lead agency has determined to be of significant tribal cultural value.

Project construction activities would involve ground disturbance that has potential to result in substantial adverse changes to the significance of tribal cultural resources, if such resources were exposed or damaged during construction. Gail Bellinger, M.A., RPA prepared a Cultural Resources Assessment for the project site in July 2020 (LIB200134; Source: IX.25) which found the site *negative* for tribal cultural resources. Bellinger sent letters to all Native American representatives provided by the Native American Heritage Commission on June 22, 2020. The Esselen Tribe of Monterey County responded by letter on June 30, 2020, that they would like to be informed if cultural resources are found as a result of the project.

Two tribes were consulted in the development of this Initial Study. On December 7, 2020, the project planner sent formal notification of the proposed project pursuant to Public Resources Code Section 21080.3.1 *et seq.* and Title 20 of the Monterey County (Inland Zoning Ordinance) section 20.66.050. Both the Esselen Tribe of Monterey County and the Kakoon Ta Ruk Band of Ohlone-Costanoan Indians of the Big Sur Rancheria requested consultation. No other Native American contacts have responded. Consultations were held on January 8, 2021 and recommendations were received. One tribal representative followed up with a communication that they did not find an onsite monitor is warranted. Another tribal representative responded with an initial request for information about the site because it might be a sacred area to their

Tribe. However, when more information was sent by mail, the representative did not verify that it is a sacred area or request monitoring during construction.
Because the Bellinger Assessment concluded that the site is negative for archaeological resources and no other resources were confirmed, a standard condition of approval will be applied to the project permit such that during the course of construction, if cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Development on the project site is not anticipated to impact cultural resources. (Sources: IX.1, 5, 9, 25) *Less-than-significant impact.*

19. UTILITIES AND SERVICE SYSTEMS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Sources: IX.1, 12, 23, 24)	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: IX.1, 12, 23, 24)	☐	☐	☐	☒
c) 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? (Source: IX.1, 12, 23, 24)	☐	☐	☐	☒

Discussion/Conclusion: See Section IV(A) above.

20. WILDFIRE **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: IX.1, 2, 12, 28, 31)	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Source: IX.1, 2, 3, 4, 5, 9, 12, 19, 28, 31)	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Source: IX.1, 2, 3, 4, 5, 12, 19, 28, 33)	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Source: IX.1, 9, 12, 16, 23, 31, 32, 33)	☐	☐	☒	☐

Discussion/Conclusion:

In California, responsibility for wildfire prevention and suppression is shared by federal, state and local agencies. Federal agencies have legal responsibility to prevent and suppress wildfires in Federal Responsibility Areas (FRAs). CAL FIRE prevents and suppresses wildfires in State Responsibility Area (SRA) lands, which are non-federal lands in unincorporated areas with watershed value, are of statewide interest, defined by land ownership, population density, and land use. CAL FIRE maps fire hazards based on zones, referred to as Fire Hazard Severity Zones, based on fuels, terrain, weather and other relevant factors (PRC secs. 4201-4204, California Government Code secs. 51175-89). The primary factors that increase an area's susceptibility to fire hazards include topography and slope, vegetation type and vegetation condition, and weather and atmospheric conditions. Each of the zones influence how people construct buildings and protect property to reduce risk associated with wildland fires. Under state regulations, areas within Very High Fire Hazard Severity Zones (VHFHSZ) must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas. The project site is in an SRA and is classified as VHFHSZ. The project site is located in an area where at least three major fires have occurred: Marble-Cone (1977), Basin Complex (2008), and Soberanes (2016).

Wildfire 20(a) – (d): Less Than Significant
The area of the subject parcel is within the 2016 Multi-jurisdictional Hazard Mitigation Plan but the plan is expired as of March 2021 and the next Plan will not be released until 2022. Although it is anticipated to support hazard mitigation in the very high fire zone, the future Plan's specifics are not known. Therefore, this Initial Study does not refer to either Plan as regulatory setting which would help to reduce the potential impacts to *less-than-significant.*

Similarly, the Office of Emergency Services' Emergency Operations Plan (2020) is in draft form and is under review by the Board of Supervisors. By the time the proposed project would be constructed if granted an entitlement, the existing Emergency Operations Plan (2014) would be replaced. Therefore, this Initial Study does not refer to either Plans as regulatory setting which would help reduce the potential impacts to *less-than-significant.*

The regulatory setting of fire risk includes California Building Code Chapter 7A and California Residential Code Section R327 for construction methods and requirements, California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Section 1270 *et seq*. and Section 1299 and Title 19, Division 1, Chapter 7, Subchapter 1, Section 3.07 as well as Public Resources Code Section 4291 and California Government Code Section 51182 for hazardous vegetation and fuel management; County Code includes our local Building Code (18.02) and Fire Code (18.09).

The applicant consulted the Fire Protection District and included many of their requirements for the construction permit in the proposed fuel management plan (Sheet L1.1) and in the structural design. Proper size and percent-rise of the driveway, turn-around area for emergency vehicles, gate width and access requirements, as well as a fire-retardant roof covering are within the planning submittal. Defensible Space Guidelines and a Fuel Management Plan are requirements for the construction permit. In this way, the project is regulated by responsible agency staff so that the design helps to reduce the potential impacts to *less-than-significant.*

The nearest waterway to the project sites is the stream below and to the northwest, the Mule Canyon Creek. Because the project site is superior to the waterway, there would be no impact related to flooding resulting from post-fire geologic conditions. Impacts related to landslides resulting from post-fire geologic conditions are not anticipated if the next fire is well after the development's earth moving is complete and stabilized. Project design helps to reduce the potential impacts of flooding and landslides to *less-than-significant.*

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) Does the project have the potential to substantially 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, substantially 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? (Sources: IX.1, 2, 4, 9, 12, 21, 22, 29)	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? (Sources: IX.1, 2, 9, 10, 12, 14, 15, 16, 20, 22, 23, 24, 25, 32) ("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)?	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: IX.1, 3, 6, 7, 8, 10, 12, 14, 15, 16, 18, 19, 22, 23, 24, 31, 33, 35)	☐	☐	☒	☐

Discussion/Conclusion:
As discussed in section IV.A, the project would not impact Agriculture and Forest Resources, Cultural Resources, Energy, Greenhouse Gas Emissions, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, or Utilities and Service Systems.

All proposed uses are allowable uses under the Watershed and Scenic Conservation zoning. The zoning allows the first single-family home on a legal lot of record as a principally permitted use, allowable subject to a Coastal Administrative Permit. The development on slopes and in environmentally sensitive habitat are conditionally permitted uses, allowable subject to a Coastal Development Permit.

Mandatory Findings of Significance (a) – Less Than Significant with Mitigation

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. The project is not expected to eliminate important examples of the major periods of California history or prehistory.

Biological Resources have been identified in the greater area of the project because the project site is on the edge of CRLF critical habitat area CA-MNT-3. Direct impacts to CRLF are unlikely, and mitigations are recommended in Section VI.4 that reduce potential impacts to *less-than-significant*. Erosion control by design and as required by state and local regulatory environment is expected to reduce potential impacts to CRLF dispersal habitat and CRLF aquatic and upland habitat below the ridge to *less-than-significant*. The project site is a very small portion of the whole CA-MNT-3 (less than 1% of the area) therefore it is not expected to 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, or substantially reduce the number or restrict the range of CRLF.
Potential impact to Biological Resources would be reduced to a less than significant level by implementation of Mitigation Measures Nos. 1, 2a through 2c, 3a through 3g and 4, potential impact to Land Use and Planning are mitigated through Mitigation Measure 3g.

Mandatory Findings of Significance (b) – Less Than Considerable

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. As a single residence on a large lot among many lots that allow limited development and are controlled by the regulatory environment of the LUP, the General Plan, and Title 20, the project would not result in substantial long-term environmental impacts. Residential development in Big Sur has been and is very limited and therefore the impacts are not cumulatively considerable when viewed in connection with the effects of past projects and the effects of other current projects. The regulatory environment will continue to maintain the low intensity and the low individual project impacts. Therefore, the effects of this project on Hazards and Hazardous Materials, Wildfire, Air Quality, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, and Tribal Cultural Resources are less than cumulatively considerable in future, as well.

As discussed in IV.A, Biological Resources have the potential to be impacted and the potential is reduced to *less-than-significant* with mitigation incorporated. The incremental effect of development on the edge of CA-MNT-3 is not considerable because the area of 1.6 acres will only be impacted during the construction phase. Afterward, the development footprint during the use phase is 19,160 square feet, and three times that area will be put into permanent conservation easement within the CA-MNT-3 area. Very little development has been allowed in CA-MNT-3 since it was established or will be in future. The potential impact to native plants and avian species and Monterey Dusky-footed Woodrat is mitigated to less than significant through the implementation of avoidance measures and, where avoidance is impossible, replacement of native plants/relocation of MDFW nests. Any other entitlement for development in the area would require similar avoidance and/or replacement. In this way, the incremental effect of this project would have a less-than-considerable cumulative effect on Biological Resources.

Mandatory Findings of Significance (c) – Less Than Significant

Effects on human beings are generally associated with impacts related to issue areas such as air quality, greenhouse gas emissions, geology and soils, noise, traffic safety, hazards, and wildfire. As discussed in section IV.A *Factors*, the project would have no impact on greenhouse gas emissions, noise, or transportation and traffic. As discussed in section VI.3 *Air Quality*, the project would only temporarily affect the air quality and not directly harm sensitive receptors. As discussed in section VI.7 *Geology and Soils*, the project would not worsen existing geologic hazards related to soils and seismic stability. Vegetation removal has the potential to increase erosion runoff, however, this potential impact is mitigated to a *less-than-significant* level through incorporation of Mitigation No. 3, which would require disturbed areas to be re-vegetated. Impacts from the addition of impervious surfaces which could result in erosion or siltation on- or off-site are reduced through the regulatory setting to *less-than-significant*, as discussed in section VI.10 *Hydrology and Water Quality.* As discussed in sections VI.9 *Hazards and Hazardous Materials* and VI.20 *Wildfire*, the project would not create a substantial permanent increase in wildfire risk because it must adhere to regulations that substantially reduce potential impacts. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be *less-than-significant*.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a "de minimis" (minimal) effect on fish and wildlife resources under the jurisdiction of the California Department of Fish and Wildlife. Projects that were determined to have a "de minimis" effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of "de minimis" effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the California Department of Fish and Wildlife determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of "no effect" on fish and wildlife resources, development applicants must submit a form requesting such determination to the California Department of Fish and Wildlife. A No Effect Determination form may be obtained by contacting the Department by telephone at (916) 653-4875 or through the Department's website at www.wildlife.ca.gov.

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

Evidence: Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN190088 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. SOURCES (Attachment shown in BOLD)

1. Project Application/Plans of PLN190088
2. Easements.
   a. Non-Exclusive Easement Deed for a Road and Trail, recorded February 24, 1994 in Reel 3071, Page 362, Official Records.
   b. Scenic and Conservation Easement, recorded in Reel 2039, at page 225, Official Records.
3. 1982 Monterey County General Plan
4. Big Sur Coast Land Use Plan
5. Title 20 of the Monterey County Code (Zoning Ordinance)
6. Title 16 and Title 18 of the Monterey County Code (Building Code, Fire Code)
7. Monterey County Code Chapter 10.60, (Noise Control)
8. CA Stormwater Quality Association (CASQW)
9. Monterey County online GIS
10. 2018 Regional Growth Forecast, Association of Monterey Bay Area Governments (AMBAG), adopted June 13, 2018
11. Monterey Regional Waste Management District website http://www.mrwmd.org/disposal/
12. Interdepartmental and Agency Review (Fire Department, Public Works [now Development Services], Environmental Services, Environmental Health, and California Coastal Commission, Department of Fish and Wildlife, U.S. Fish and Wildlife Service)
13. Big Sur Land Use Advisory Committee July 28, 2020 minutes
14. *Regional Development Impact Fee Program Nexus Study Update 2018*, prepared by Wood Rodgers, dated June 2018. https://www.tamcmonterey.org/files/40892d42f/Final_2018_TAMC_RDIF_Nexus_Study_Update_10182018.pdf
15. Monterey Bay Air Resources District, MBARD website, accessed August 2021
    a. *2012-2015 Air Quality Management Plan*, adopted March 25, 2017. http://mbard.org/programs-resources/planning/air-quality-plans/
    b. CEQA Air Quality Guidelines, dated 2016
16. Department of Conservation California Geological Survey (CGS)
    a. *Earthquake Fault Zones – A guide for Assessing Fault Rupture Hazards in California*, Special Publication 42 and linked spatial data, Revised 2018.

b. CGS Information Warehouse: http://maps.conservation.ca.gov/cgs/informationwarehouse/ accessed Sept. 17, 2021.

17. "Soil Survey of Monterey County, California" United States Department of Agriculture Soil Conservation Service, April 1978, Washington DC

18. "2019 Triennial Edition of Title 24" July 1, 2021, DGS website: https://www.dgs.ca.gov/BSC/Codes

19. Site Visit conducted by the project planner on July 17, 2020.

20. Visual Impact Assessment by the project planner.

21. "Spring Botanical Survey Report for the 48200 Coast Ridge Road Residential Project" April 30, 2020 (Monterey County Document No. LIB200093), Denise Duffy & Associates, Monterey, California

22. "48200 Coast Ridge Road Residential Project Big Sur, CA Biological Resource Report" May, 2020 (Monterey County Document No. LIB200094), Denise Duffy & Associates, Monterey, California

23. "Geotechnical Investigation for the Proposed Residence with Swimming Pool, Guest House and Caretaker Unit to be Located Off of Coast Ridge Road APN 419-031-034 Big Sur, California" September 23, 2019 (Monterey County Document No. LIB200095), Soil Services Group, Inc., Salinas California

24. "Percolation Investigation Report for Septic Feasibility for the Proposed Septic System to be Location on 26 Coast Ridge Road APN 419-031-034 Big Sur, California" April 1, 2019 (Monterey County Document No. LIB200096), Soil Services Group, Inc., Salinas California

25. "Archaeological Investigation Report for the Property at 48200 Coast Ridge Road, Big Sur, Unincorporated Monterey County" July 16, 2020, (Monterey County Document No. LIB200134), Gail Bellinger, M.A., RPA, EMC Planning, Monterey, California

26. Big Sur Highway 1 Sustainable Transportation Demand Plan (accessed at https://www.sustainablehighway1.com/#documents on September 9, 2021.)

27. Email communications between project planner and Kristen Skromme, Public Sector Manager of Waste Management, August 2021.

28. Monterey County Office of Emergency Services (accessed on September 9, 2021) https://www.co.monterey.ca.us/government/departments-a-h/administrative-office/office-of-emergency-services
    a. Emergency Operations Plan,
    b. 2010 Evacuation and Transportation Plan, and
    c. County Hazard Mitigation Plan

29. U.S. Fish and Wildlife Service (USFWS). Revised Guidance for California Red-legged Frog Site Assessment and Field Survey. August 2005. Accessed at

https://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/Documents/crf_survey_guidance_aug2005.pdf on September 9, 2021.

30. "Assessment of Regional Geologic Hazards Relative to One Proposed Building Site and Lands of Free and Stahl, Coast Ridge Road, Big Sur, Monterey, California" April 26, 1984, (Monterey County Planning Department File on PC-5070, SC Permit), GeoConsultants Inc., San Jose, California.

31. Center for Engineering Strong Motion Data, accessed at https://www.cesmd.org/cgi-bin/CESMD/ on September 20, 2021.

32. "Soberanes Fire History" (map CA-BEU-003422) Central Coast Incident Management Team, September 30, 2016.

33. California Fire Code (2019)

34. Consultations with The Esselen Tribe and KaKoon Ta Ruk Band of Ohlone-Costanoan Indians on January 8, 2021.

35. Monterey County Sustainability Program accessed at https://www.co.monterey.ca.us/government/departments-a-h/administrative-office/intergovernmental-and-legislative-affairs/sustainability on September 20, 2021.

X. ATTACHMENTS

Attachment 1. Listed above as number 22.

ATTACHMENT 1

48200 Coast Ridge Road Residential Project
Big Sur, CA Biological Resource Report

May 2020

Prepared by

Denise Duffy & Associates, Inc.
947 Cass St. Suite 5
Monterey, California 93940

Prepared for

Mr. Peter Barbur
c/o Kurt Melander, AIA
1677A Church Street
San Francisco, CA 94131

This page left intentionally blank

TABLE OF CONTENTS

APPENDICIES

FIGURES

1.0 INTRODUCTION

1.1 Project Description

DENISE DUFFY & ASSOCIATES, Inc. (DD&A) was contracted by Peter Barbur c/o Melander Architects, Inc. to assess the biological resources within the 48200 Coast Ridge Road Residential Project (project). The project is located at 48200 Coast Ridge Road, Big Sur, California, in an unincorporated area of Monterey County (County) (Assessor's parcel number [APN] 419-031-034-000) (**Figure 1**). The project components consist of construction of a single-family residence, access route (driveways), a leach field, and a water well (**Appendix A**). The survey area is comprised of all proposed project components and a 20-foot buffer within the buildable area on the project parcel (**Figure 2**). The survey area is bordered by an access road (Coast Ridge Road) to the north and east and by a scenic easement to the south and west.

This report presents the findings of a biological resource assessment conducted by DD&A for the project. The emphasis of this study is to describe existing biological resources , identify any special-status species and sensitive habitats, and assess potential impacts that may occur to biological resources within and adjacent to the survey area, and recommend appropriate avoidance, minimization, and mitigation measures necessary to reduce those impacts to a less-than-significant level in accordance with local and state ordinances including the California Environmental Quality Act (CEQA).

1.2 Summary of Results

Three vegetation types were observed within the survey area: California sagebrush scrub, non-native annual grassland, and coast live oak woodland. None of the vegetation types found within the survey area are listed as sensitive on the California Department of Fish and Wildlife's (CDFW's) *California Natural Communities List* (CDFW, 2018). However, the survey area does contain critical habitat for California red-legged frog (CRLF, *Rana draytonii*) as defined by the federal Endangered Species Act (ESA). Additionally, although no Environmentally Sensitive Habitat Area (ESHA) is mapped within the survey area, the area of CRLF critical habitat may also be considered ESHA under the California Coastal Act (CCA) and the Monterey County Big Sur Coast Land Use Plan (LUP).

Several special-status species have the potential to occur within the survey area based on presence of appropriate habitat, and known occurrences within the vicinity of the project. All other species evaluated have a low potential to occur, are assumed unlikely to occur, or were determined not present within the survey area for the species-specific reasons presented in **Appendix B**.

The following special-status wildlife species have the potential to occur within the survey area:

- California red-legged frog (*Rana draytonii*) – FT[1],
- Monterey dusky-footed woodrat (*Neotoma macrotis luciana*) – CNDDB,
- Oak titmouse (*Baeolophus inornatus*) – BCC,
- Wrentit (*Chamaea fasciata*) – BCC,
- Spotted towhee (*Pipilo maculatus*) – BCC, and
- Allen's hummingbird (*Selasphorus sasin*) – BCC.

[1] Status Definitions – FT: Federally threatened; CSC: California Species of Concern; BCC: USFWS Bird of Conservation Concern; SR: listed as rare under the California Native Plant Protection Act, CRPR 1B: California Rare Plant Rank (CRPR) 1B; CNDDB: animal species on the CNDDB "Special Animals" list that are not assigned any of the other status designations but the CDFW considers to be those of greatest conservation need, regardless of their legal or protection status.

The following special-status plant species have the potential to occur within the survey area.

- Umbrella larkspur (*Delphinium umbraculorum*) – CRPR 1B,
- Toren's grimmia (*Grimmia torenii*) – CRPR 1B,
- Talus fritillary (*Fritillaria falcata*) – CRPR 1B, and
- Dudley's lousewort (*Pedicularis dudleyi*) – SR and CRPR 1B.

Project Location Map

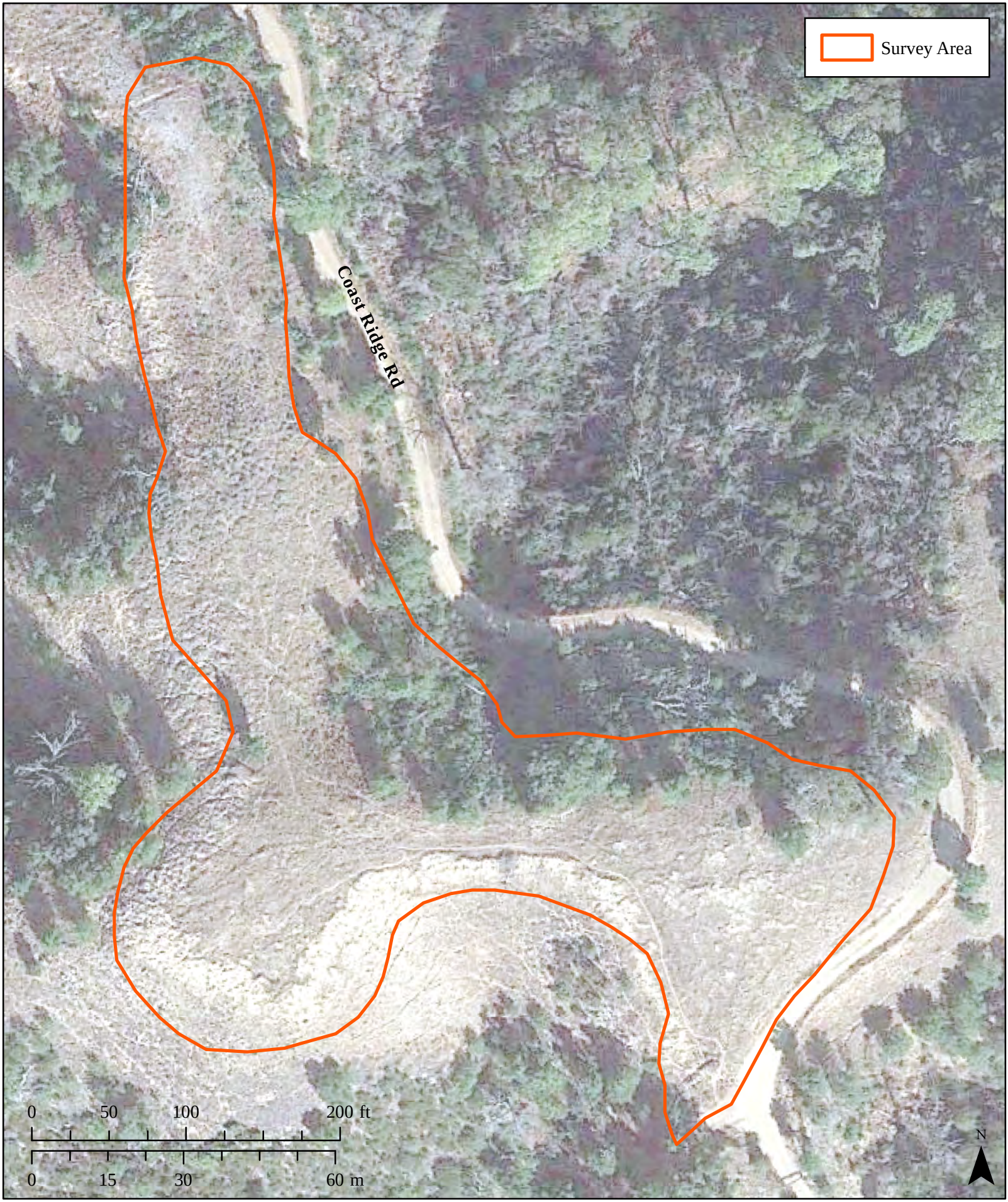
Date: 10/1/2019

Scale: 1 inch = 5 miles

Project: 48200 Coast Ridge Rd

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Figure 1



Survey Area Map

Date: 10/1/2019

Scale: 1 inch = 80 feet

Project: 48200 Coast Ridge Rd

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Figure 2

2.0 METHODS

2.1 Personnel and Survey Dates

DD&A biologists evaluated the survey area on August 23, 2019. The survey area was defined by placing a 20-foot buffer around project components based on data provided by Melander Architects, Inc. (**Figure 2, Appendix A**). Botanical survey methods included walking the survey area and using aerial maps to identify general and sensitive vegetation types, conducting focused surveys for perennial and summer-blooming annual special-status plant species, and identifying potential habitat for spring-blooming special-status plant species. Concurrently, reconnaissance-level wildlife habitat surveys were conducted to identify suitable habitat and observe any special-status wildlife species. Data collected during the surveys were used to assess the environmental conditions of the survey area and its surroundings, evaluate environmental constraints at the site and within the local vicinity, and provide a basis for recommendations to minimize and avoid impacts.

The survey area was evaluated for botanical resources following the applicable guidelines outlined in: *Guidelines for Conducting and Reporting Botanical Inventories for Federally listed, Proposed and Candidate Plants* (U.S. Fish and Wildlife Service [USFWS], 2000), *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, 2019c), and *CNPS Botanical Survey Guidelines* (California Native Plant Society [CNPS], 2001).

2.2 Special-Status Species

Special-status species are those plants and animals that have been formally listed or proposed for listing as endangered or threatened or are candidates for such listing under the ESA or the California Endangered Species Act (CESA). Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of rare or endangered under the CEQA Section 15380 are also considered special-status species. Animals on the CDFW's list of "species of special concern" (most of which are species whose breeding populations in California may face extirpation if current population trends continue) and avian species on USFWS's "Birds of Conservation Concern" list (birds that, without additional conservation actions, are likely to become candidates for listing under the ESA) meet this definition and are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA. Additionally, the CDFW also includes some animal species that are not assigned any of the other status designations in the CNDDB "Special Animals" list; however, these species have no legal or protection status.

Plants listed as rare under the California Native Plant Protection Act (CNPPA) or included in CNPS California Rare Plant Ranks (CRPR; formerly known as CNPS Lists) 1A, 1B, 2A, and 2B are also treated as special-status species as they meet the definitions of Sections 2062 and 2067 of the CESA and in accordance with CEQA Guidelines Section 15380.[2] In general, the CDFW requires that plant species on CRPR 1A (Plants presumed extirpated in California and Either Rare or Extinct Elsewhere), CRPR 1B (Plants rare, threatened, or endangered in California and elsewhere), CRPR 2A (Plants presumed extirpated in California, but more common elsewhere); and CRPR 2B (Plants rare, threatened, or endangered in California, but more common elsewhere) of the CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2019) be fully considered during the preparation of environmental documents relating

[2] CNPS initially created five CRPR to categorize degrees of concern; however, to better define and categorize rarity in California's flora, the CNPS Rare Plant Program and Rare Plant Program Committee have developed the new CRPR 2A and CRPR 2B.

to CEQA.[3] In addition, species of vascular plants, bryophytes, and lichens listed as having special-status by the CDFW are considered special-status plant species (CDFW, 2019a). CNPS CRPR 4 species (plants of limited distribution) may, but generally do not, meet the definitions of Sections 2062 and 2067 of the CESA, and are not typically considered in environmental documents relating to CEQA. While other species (i.e., CRPR 3 or 4 species) are sometimes found in database searches or within the literature, these were not included within the analysis as they did not meet the definitions of Section 2062 and 2067 of the CESA.

Raptors (e.g., eagles, hawks, and owls) and their nests are protected in California under Fish and Game Code Section 3503.5. Section 3503.5 states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except otherwise provided by this code or any regulation adopted pursuant thereto."

In addition, fully protected species under the Fish and Game Code Section 3511 (birds), Section 4700 (mammals), Section 5515 (fish), and Section 5050 (reptiles and amphibians) are also considered special-status animal species. Species with no formal special-status designation but thought by experts to be rare or in serious decline may also be considered special-status animal species in some cases, depending on project-specific analysis and relevant, localized conservation needs or precedence.

2.3 Sensitive Habitats

Sensitive habitats include riparian corridors, wetlands, habitats for legally protected species, areas of high biological diversity, areas supporting rare or special-status wildlife habitat, and unusual or regionally restricted vegetation types. Vegetation types considered sensitive include those listed on the CDFW's *California Natural Communities List* (i.e., those habitats that are rare or endangered within the borders of California) (CDFW, 2018), those that are occupied by species listed under the ESA or are critical habitat in accordance with the ESA, and those that are defined as ESHA under the CCA. Specific habitats may also be identified as sensitive in city or county general plans or ordinances. Sensitive habitats are regulated under federal regulations (such as the Clean Water Act [CWA] and Executive Order [EO] 11990 – Protection of Wetlands), state regulations (such as CEQA and the CDFW Streambed Alteration Program), or local ordinances or policies (such as city or county tree ordinances and general plan policies).

2.4 Data Sources

The primary literature and data sources reviewed in order to determine the occurrence or potential for occurrence of special-status species within the survey area are as follows:

- Current agency status information from USFWS and CDFW for species listed, proposed for listing, or candidates for listing as threatened or endangered under the ESA or CESA, and those considered CDFW "species of special concern", including:
    - CNDDB occurrences reports from the Partington Ridge quadrangle and the six surrounding quadrangles, including Big Sur, Pfeiffer Point, Tassajara Hot Springs, Lopez Point, Chews Ridge, and Ventana Cones (CDFW, 2019b; **Appendix C**); and
    - USFWS IPaC Resource List (USFWS, 2019a; **Appendix D**).
- CDFW's Special Animals List (CDFW, 2019a); and
- The CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2019).

[3] CRPR 3 species (Plants about which we need more information - a review list) and CRPR 4 species (Plants of limited distribution - a watch list) may, but generally do not, meet the definitions of Sections 2062 and 2067 of the CESA, and are not typically considered in environmental documents relating to CEQA.

From these resources, a list of special-status plant and wildlife species known or with the potential to occur in the vicinity of the survey area was created (**Appendix B**). This list presents these species along with their legal status, habitat requirements, and a brief statement of the likelihood to occur.

2.4.1 Botany

Vegetation types identified in *A Manual of California Vegetation* (Sawyer et.al., 2009) were utilized to determine if vegetation types identified as sensitive on CDFW's *California Natural Communities List* (CDFW, 2018) are present within the survey area. Information regarding the distribution and habitats of local and state vascular plants was also reviewed (Howitt and Howell, 1964 and 1973; Munz and Keck, 1973; Baldwin et al., 2012; Matthews and Mitchell, 2015; Jepson Flora Project, 2019). All plants observed within the survey area during the evaluation were identified to species or intraspecific taxon necessary to eliminate them as being special-status species using keys and descriptions in *The Jepson Manual: Vascular Plants of California, Edition 2* (Baldwin et al., 2012) and *The Plants of Monterey County an Illustrated Field Key* (Matthews and Mitchell, 2015). Scientific nomenclature for plant species identified within this document follows Baldwin, et. al, (2012); common names follow Matthews and Mitchell (2015). A full botanical inventory was recorded for the survey area and the dominant species within each habitat were noted. Dominant plant species are those which are more numerous than its competitors in an ecological community or makes up more of the biomass; generally, the species that are most abundant. Most ecological communities are defined by their dominant species.

The California Invasive Plant Council (Cal-IPC) Inventory (Cal-IPC, 2019) was reviewed to determine if any invasive plant species are present within the survey area.

2.4.2 Wildlife

The following literature and data sources were reviewed: CDFW reports on special-status wildlife (Remsen, 1978; Williams, 1986; Jennings and Hayes, 1994; Thelander, 1994; Thomson et. al, 2016); California Wildlife Habitat Relationships Program species-habitat models (Zeiner et al., 1988 and 1990); and general wildlife references (Stebbins, 1972, 1985, and 2003).

2.5 Regulatory Setting

The following regulatory discussion describes the major laws that may be applicable to the project.

2.5.1 Federal Regulations

Federal Endangered Species Act

Provisions of the ESA of 1973 (16 USC 1532 et seq., as amended) protect federally listed threatened or endangered species and their habitats from unlawful take. Listed species include those for which proposed and final rules have been published in the Federal Register. The ESA is administered by USFWS or National Oceanic and Atmospheric Administration Marine Fisheries Service (NMFS). In general, the NMFS is responsible for the protection of ESA-listed marine species and anadromous fish, whereas other listed species are under USFWS jurisdiction.

Section 9 of ESA prohibits the take of any fish or wildlife species listed under ESA as endangered or threatened. Take, as defined by ESA, is "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." Harm is defined as "any act that kills or injures the fish or wildlife…including significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife." In addition, Section 9 prohibits removing, digging up, and

maliciously damaging or destroying federally listed plants on sites under federal jurisdiction. Section 9 does not prohibit take of federally listed plants on sites not under federal jurisdiction. If there is the potential for incidental take of a federally listed fish or wildlife species, take of listed species can be authorized through either the Section 7 consultation process for federal actions or a Section 10 incidental take permit process for non-federal actions. Federal agency actions include activities that are on federal land, conducted by a federal agency, funded by a federal agency, or authorized by a federal agency (including issuance of federal permits).

Critical Habitat

Critical habitat is a term defined and used in the ESA. It is a specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. An area is designated as "critical habitat" after the USFWS publishes a proposed federal regulation in the Federal Register and then public comments are received and considered on the proposal. The final boundaries of the critical habitat area are also published in the Federal Register. Federal agencies are required to consult with the USFWS on actions they carry out, fund, or authorize to ensure that their actions will not destroy or adversely modify critical habitat. In this way, a critical habitat designation protects areas that are necessary for the conservation of the species.

3.5.2 State Regulations

California Endangered Species Act

The CESA was enacted in 1984. The California Code of Regulations (Title 14, §670.5) lists animal species considered endangered or threatened by the state. Section 2090 of CESA requires state agencies to comply with endangered species protection and recovery and to promote conservation of these species. Section 2080 of the Fish and Game Code prohibits "take" of any species that the commission determines to be an endangered species or a threatened species. “Take” is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." A Section 2081 Incidental Take Permit from the CDFW may be obtained to authorize “take” of any state listed species.

California Native Plant Protection Act

The CNPPA of 1977 directed CDFW to carry out the legislature’s intent to “preserve, protect and enhance rare and Endangered plants in the State.” The CNPPA prohibits importing rare and Endangered plants into California, taking rare and Endangered plants, and selling rare and Endangered plants. The CESA and CNPPA authorized the Fish and Game Commission to designate endangered, threatened, and rare species and to regulate the taking of these species (§2050-2098, Fish and Game Code). Plants listed as rare under the CNPPA are not protected under CESA; however, these plants may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research.

California Fish and Game Code

Birds. Section 3503 of the Fish and Game Code states that it is “unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected

birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal MBTA. Section 3800 prohibits take of nongame birds.

Fully Protected Species. The classification of fully protected was the state's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish (§5515), mammals (§4700), amphibians and reptiles (§5050), and birds (§3511). Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Species of Special Concern. As noted above, the CDFW also maintains a list of animals "species of special concern." Although these species have no legal status, the CDFW recommends considering these species during analysis of project impacts to protect declining populations and avoid the need to list them as endangered in the future.

Native Plant Protection Act

The CNPPA of 1977 directed the CDFW to carry out the legislature's intent to "preserve, protect and enhance rare and endangered plants in the state." The CNPPA prohibits importing rare and endangered plants into California, taking rare and endangered plants, and selling rare and endangered plants. The CESA and CNPPA authorized the Fish and Game Commission to designate endangered, threatened and rare species and to regulate the taking of these species (§2050-2098, Fish and Game Code). Plants listed as rare under the CNPPA are not protected under CESA.

California Coastal Act

The California Coastal Commission (CCC) was established by voter initiative in 1972 (Proposition 20) and later made permanent by the California State Legislature through adoption of the CCA of 1976. The CCC, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. California's coastal zone generally extends 1,000 yards inland from the mean high tide line. In significant coastal estuarine habitat and recreational areas, it extends inland to the first major ridgeline or five miles from the mean high tide line, whichever is less. In developed urban areas, the boundary is generally less than 1,000 yards. Development activities, which are broadly defined by the CCA to include (among others) construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, generally require a Coastal Development Permit (CDP) from either the CCC or the local government if a Local Coastal Program (LCP) has been certified. After certification of a LCP, coastal development permit authority is delegated to the appropriate local government, but the CCC retains original permit jurisdiction over certain specified lands (such as tidelands and public trust lands). The Commission also has appellate authority over development approved by local governments in specified geographic areas as well as certain other developments. A CDP is required in addition to any other permit required from resource agencies.

The CCC or the local government may designate areas of rare or unique biological value, such as wetland and riparian habitat and habitats for special-status species, as ESHA. Section 30107.5 of the CCA defines an "environmentally sensitive area" as any area in which plant or animal life or their habitat are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. Development is restricted within the coastal zone and prohibited within designated ESHA, unless the development is coastal dependent and does not

have a significant effect on the resources. Section 30240 of the CCA states that "environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas." This section also states that "development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat and recreation areas."

The project site is located within the Monterey County Big Sur Coast LUP. The LUP identifies the land use category of the project site as "Watershed and Scenic Conservation." The primary objective of this land use category is protection of watersheds, streams, plant communities, and scenic values; however, a number of land uses are permitted, including ranches, rural residences, low intensity recreation, rustic visitor accommodations, and, under careful controls, forestry, mining, and aquaculture. The development and resource policies of the LUP guide landowners in assuring that development is compatible with protection of the area. At the same time, the flexibility that this category permits provides an opportunity for landowners to obtain a reasonable return from the land.

3.0 RESULTS

3.1 Vegetation Types

Three vegetation types were mapped within the survey area: California sagebrush scrub, coast live oak woodland, and non-native annual grassland (**Figure 3**). A brief description of each vegetation type can be found below along with a statement of the presence or potential presence of special-status species within each. In addition, each vegetation type description identifies the vegetation classification from *A Manual of California Vegetation* (Sawyer et al., 2009) and whether the vegetation type is identified as sensitive on CDFW's *California Natural Communities List* (CDFW, 2019b).

3.1.1 California Sagebrush Scrub

- *A Manual of California Vegetation 2009 classification: California sagebrush* series
- CDFW's *California Natural Communities List:* Not sensitive

This vegetation type is composed of several shrub species that form a canopy of approximately one to five feet high with a sparse understory. California sagebrush (*Artemisia californica*) is the dominant species, other species in this type include: coyote brush (*Baccharis pilularis*) chamise (*Adenostoma fasciculatum*), blue blossom (*Ceanothus thyrsiflorus*), coast ceanothus (*C. cuneatus* var. *fascicularis*), toyon (*Heteromeles arbutifolia*), ocean spray (*Holodiscus discolor*), California coffeeberry (*Frangula californica*), poison oak (*Toxicodendron diversilobum*), blue elderberry (*Sambucus nigra* ssp. *caerulea*), common snowberry (*Symphoricarpos albus*), and pink flowering currant (*Ribes sanguineum* var. *glutinosum*).

California sagebrush scrub provides cover and food for a number of wildlife species, including songbirds, snakes, lizards, rodents, and other small mammals. There are few openings and very little understory vegetation was observed during the site visits. Approximately 0.34 acres of California sagebrush scrub vegetation is present within the survey area (**Figure 3**).

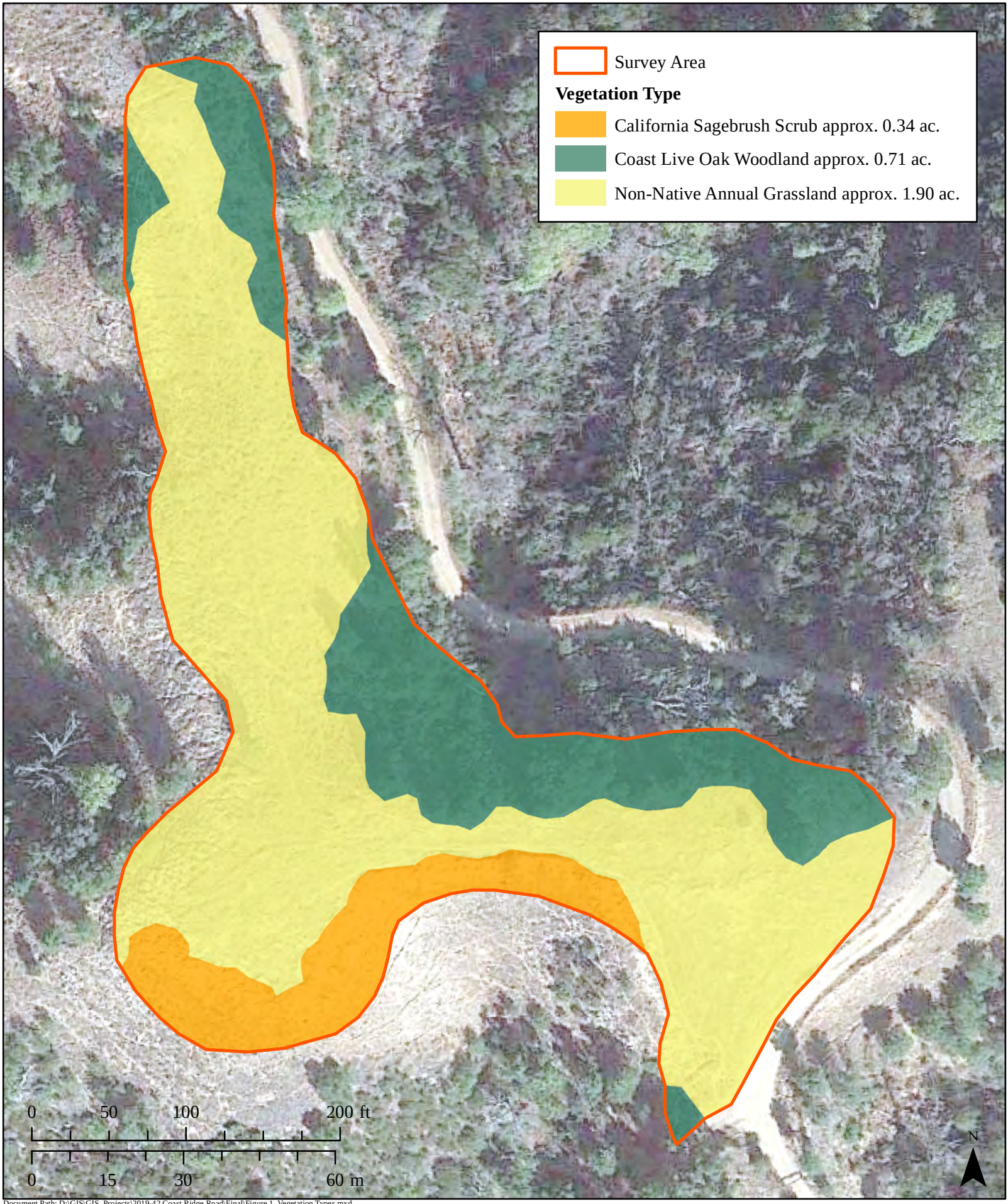
No special-status wildlife species were observed within the California sagebrush scrub vegetation type; however, Monterey dusky-footed woodrat (MDFW) and CRLF have the potential to utilize this habitat. Approximately 0.34 acre of the California sagebrush scrub is located within CRLF critical habitat mapping unit MNT-3 and CRLF may use this vegetation type for dispersal habitat.

No special-status plant species were identified within this vegetation type during the focused botanical survey; however, Toren's grimmia talus fritillary, and Dudley's lousewort have the potential to occur.

3.1.2 Coast Live Oak Woodland

- *A Manual of California Vegetation Classification:* Coast live oak woodland *(Quercus agrifolia/Toxicodendron diversilobum/*grass Association*)*
- CDFW's *California Natural Communities List*: Not sensitive

Coast live oak woodland is important habitat to many wildlife species. Oak trees provide nesting sites for many avian species and cover for a variety of mammals, including mourning dove (*Zenaida macroura*), American kestrel (*Falco sparverius*), California ground squirrel (*Spermophilus beecheyi*), and California pocket mouse (*Chaetodipus californicus*). Acorns provide an important food source for acorn woodpecker (*Melanerpes formicivorus*), western scrub jay (*Aphelocoma californica*), and black-tailed deer (*Odocoileus hemionus columbianus*). Other common wildlife species found in the coast live oak woodland are raccoon (*Procyon lotor*), Nuttall's woodpecker (*Picoides nuttallii*), northern flicker (*Colaptes auratus*), bobcat



Document Path: D:\GIS\GIS_Projects\2019-42 Coast Ridge Road\Final\Figure 1. Vegetation Types.mxd

Vegetation Types Map

Date: 10/8/2019

Scale: 1 inch = 80 feet

Project: 48200 Coast Ridge Rd

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Figure 3

(*Lynx rufus*), and coyote (*Canis latrans*). Generally, red-tailed hawks (*Buteo jamaicensis*) and great-horned owls (*Bubo virginianus*) nest and roost in the coast live oaks.

Within this vegetation type, coast live oak trees (*Quercus agrifolia*) create a dense canopy over an understory dominated by poison oak (*Toxicodendron diversilobum*) and sparse California sagebrush scrub species. Approximately 0.71 acres of coast life oak woodland is present within the survey area (**Figure 3**).

No special-status wildlife species were observed within the coast live oak vegetation type; however, CRLF have the potential to use this vegetation type for dispersal habitat and approximately 0.15 acre is located within CRLF critical habitat mapping unit MNT-3. Additionally, MDFW has the potential to occur within this vegetation type.

No special-status plant species were identified within this vegetation type during the focused botanical survey; however, umbrella larkspur and talus fritillary have the potential to occur.

3.1.3 Non-Native Annual Grassland

- *A Manual of California Vegetation 2009 classification: Wild oats grasslands (Avena [barbata, fatua] semi-natural herbaceous stands*
- *CDFW California Natural Communities List: Not sensitive*

Throughout California, wild oats grasslands typically occur in open areas of valleys and foothills, usually on fine-textured clay or loam soils that are somewhat poorly drained (Holland, 1986). They are dominated by non-native annual grasses and forbs along with scattered native grasses and wildflowers. Within the survey area, this community is dominated by non-native annual grass species and weedy forbs such as slender wild oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), soft chess (*B. hordeaceus*), silvery hair-grass (*Aira caryophyllea*), rat-tail fescue (*Festuca myuros*), summer mustard (*Hirschfeldia incana*), windmill pink (*Petrorhagia dubia*), and sheep sorrel (*Rumex acetosella*). A few native grass and forb species such as purple needle grass (*Stipa pulchra*), California poppy (*Eschscholzia californica*), holly-leaved navarretia (*Navarretia atractyloides*), pretty face (*Triteleia ixioides*), and Fremont's star lily (*Toxicoscordion fremontii*) occur mixed within the non-native species. Approximately 1.9 acres of non-native annual grassland is present within the survey area (**Figure 3**).

No special-status wildlife species were observed within the non-native annual grassland vegetation type; however, CRLF may use this vegetation type for dispersal habitat and approximately 1.1 acres of the non-native annual grassland is located within CRLF critical habitat mapping unit MNT-3. No other special-status species are expected to occur within this vegetation type.

No special-status plant species were identified within this habitat during the focused botanical survey; however, umbrella larkspur and Dudley's lousewort have the potential to occur within this vegetation type.

3.2 Special-Status Species

Published occurrence data within the project area and surrounding USGS quadrangles were evaluated to compile a table of special-status species known to occur in the vicinity of the survey area (see "Methods"). Each of these species was evaluated for their likelihood to occur within and immediately adjacent to the survey area (**Appendix B**). The special-status species that are known to or have been determined to have a moderate or high potential to occur within or immediately adjacent the survey area are discussed below. All other species are assumed unlikely to occur or have a low potential to occur based on the species-

specific reasons presented in **Appendix B**, are therefore unlikely to be impacted by the project, and are not discussed further.

3.2.1 Special-Status Wildlife Species

California Red-Legged Frog

The CRLF was listed as a federally Threatened species on June 24, 1996 (61 FR 25813-25833) and is also a CDFW species of special concern. Critical habitat was designated for CRLF on April 13, 2006 (71 FR 19244-19346) and revised on March 17, 2010 (75 FR 12816-12959). The revised critical habitat went into effect on April 16, 2010.

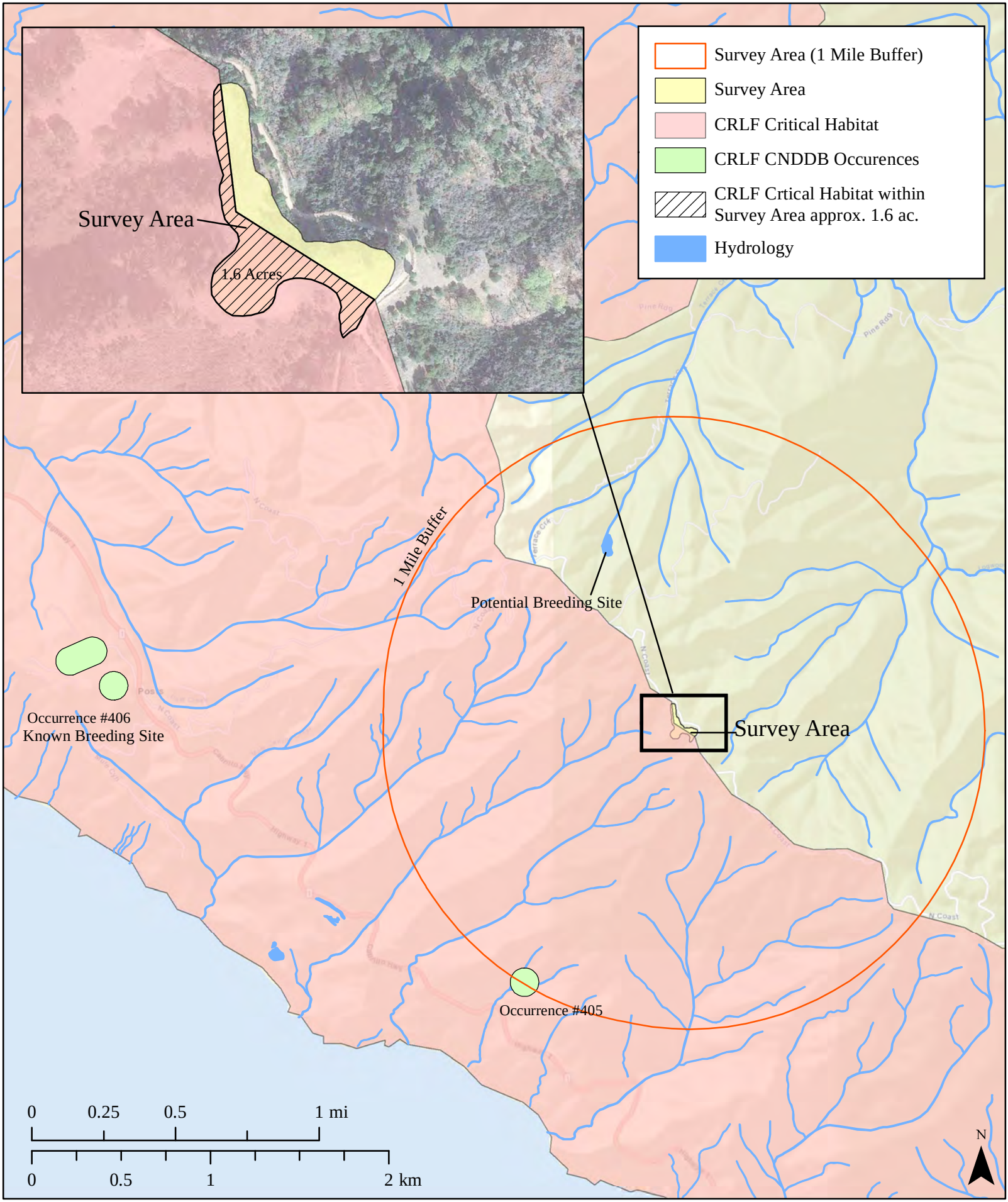
The CRLF is the largest native frog in California (44-131 mm snout-vent length) and was historically widely distributed in the central and southern portions of the state (Jennings & Hayes, 1994). Adults generally inhabit aquatic habitats with riparian vegetation, overhanging banks, or plunge pools for cover, especially during the breeding season (Jennings and Hayes, 1988). They may take refuge in small mammal burrows, leaf litter, or other moist areas during periods of inactivity or to avoid desiccation (Rathbun, et al., 1993; Jennings and Hayes, 1994). Radio telemetry data indicates that adults engage in straight-line breeding season movements irrespective of riparian corridors or topography and they may move up to two miles between non-breeding and breeding sites (Bulger et. al., 2003). During the non-breeding season, a wider variety of aquatic habitats are used, including small pools in coastal streams, springs, water traps, and other ephemeral water bodies (USFWS, 1996). CRLF may also move up to 100 meters from aquatic habitats into surrounding uplands, especially following rains, where individuals may spend days or weeks (Bulger et al., 2003).

This species requires still or slow-moving water during the breeding season where it can deposit large egg masses, which are most often attached to submergent or emergent vegetation. Breeding typically occurs between December and April depending on annual environmental conditions and locality. Eggs require six to 12 days to hatch and metamorphosis generally occurs after 3.5 to seven months, although larvae are also capable of over-wintering. Following metamorphosis, generally between July and September, juveniles are 25-35 mm in size. Juvenile CRLF appear to have different habitat needs than adults. Jennings and Hayes (1988) recorded juvenile frogs mostly from sites with shallow water and limited shoreline or emergent vegetation. Additionally, it was important that there be small one-meter breaks in the vegetation or clearings in the dense riparian cover to allow juveniles to sun themselves and forage, but to also have close escape cover from predators. Jennings and Hayes also noted that tadpoles have different habitat needs and that in addition to vegetation cover, tadpoles use mud. It is speculated that CRLF larvae are algae grazers; however, foraging larval ecology remains unknown (Jennings, et. al., 1993).

It has been shown that occurrences of CRLF are negatively correlated with presence of non-native bullfrogs (Moyle, 1973; Jennings and Hayes, 1986 and 1988), although both species are able to persist at certain locations, particularly in the coastal zone. It is estimated that CRLF has disappeared from approximately 75% of its former range and has been nearly extirpated from the Sierra Nevada, Central Valley, and much of southern California (USFWS, 1996).

The CNDDB reports an occurrence of CRLF approximately one mile to the southwest of the survey area. A single adult CRLF was observed in 1998 within a stock trough fed by a perennial creek and it was noted that residents had subsequently observed other individual CRLF (**Figure 4**). The closest known breeding location is located approximately 1.9 miles west of the survey area. Additionally, a buffer of one mile (1.6-km) was created to identify surrounding aquatic resources and potential breeding sites (**Figure 4**). A

potential breeding site may exist approximately 0.6-mile northwest of the survey area, this is described by the USFWS National Wetlands Inventory (NWI) as a freshwater forested/shrub wetland (USFWS, 2019b); however, no occurrences are known to be documented within this resource and it is unknown if this resource provides the specific features necessary to support CRLF breeding. Several creeks are also present within one mile of the survey area; however, within 100 meters of the survey area, no headwaters or creeks are present, and it is very unlikely that any suitable aquatic habitat is present. The survey area does not provide breeding habitat or upland habitat (i.e. rocks, logs, mammal burrows within 100 meters of breeding resources). Although no aquatic or upland habitat is present, the survey area is within the known dispersal range for this species and CRLF may use the site as dispersal habitat. Please also see the discussion of CRLF Critical Habitat below.



CRLF Critical Habitat And CNDDB Occurrence Map

Date: 10/8/2019

Scale: 1 inch = 0.4 miles

Project: 48200 Coast Ridge Rd

Monterey | San Jose

Denise Duffy and Associates, Inc.

Environmental Consultants Resource Planners

947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Figure 4

Monterey Dusky-Footed Woodrat

The MDFW is a CDFW species of special concern. This is a subspecies of the dusky-footed woodrat (*Neotoma fuscipes*), which is common to oak woodlands and other forest types throughout California. Dusky-footed woodrats are frequently found in forest habitats with moderate canopy cover and a moderate to dense understory, including coast live oak woodland and California sagebrush scrub. Relatively large nests are constructed of grass, leaves, sticks, and feathers and are built in protected spots, such as rocky outcrops or dense brambles of blackberry and/or poison oak. Typical food sources for this species include leaves, flowers, nuts, berries, and truffles. Dusky-footed woodrats may be a significant food source for small- to medium-sized predators. Populations of this species may be limited by the availability of nest material. Within suitable habitat, nests are often found in close proximity to each other.

Although the CNDDB does not report any occurrences of this species within the five quadrangles reviewed, this species is known to occur throughout Monterey County in various woodland and forest habitats. Suitable habitat for this species is present within the survey area.

Nesting Raptors and Other Protected Avian Species

Raptors, their nests, and other nesting birds are protected under California Fish and Game Code. While the life histories of these species vary, overlapping nesting (approximately February through August) and foraging similarities allow for their concurrent discussion. Most raptors are breeding residents throughout most of the wooded portions of the state. Stands of live oak, riparian deciduous, or other forest habitats, as well as open grasslands, are used most frequently for nesting. Breeding occurs February through August, with peak activity May through July. Prey for these species includes small birds, small mammals, and some reptiles and amphibians. Many raptor species hunt in open woodland and habitat edges.

Various species of raptors, such as Cooper's hawk (*Accipiter cooperii*), red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), great horned owl (*Bubo virginianus*), American kestrel (*Falco sparverius*), and turkey vulture (*Cathartes aura*), have a potential to nest within any of the large trees present within the survey area. In addition, suitable nesting and foraging habitat is present for several species identified on the USFWS's "Birds of Conservation Concern" list, including oak titmouse (*Baeolophus inornatus*), wrentit (*Chamaea fasciata*), spotted towhee (*Pipilo maculatus*), and Allen's hummingbird (*Selasphorus sasin*).

3.2.2 Special-Status Plant Species

Umbrella Larkspur

Umbrella larkspur is a CNPS CRPR 1B species. It is an erect perennial herb in the Ranunculaceae family that blooms from April to June. Umbrella larkspur is associated with cismontane woodlands and valley and foothill grasslands within a range of 400-1600 meters in elevation.

Umbrella larkspur has a moderate potential to occur within the survey area within the coast live oak woodland and non-native annual grassland areas. The CNDDB reports two occurrences of the species within the quadrangles reviewed, the nearest of which is located approximately 10.7 miles from the survey area.

Toren's Grimmia

Toren's grimmia is a CNPS CRPR 1B species. Occurrences are known from Lake, Monterey, Mendocino, Contra Costa, and Santa Cruz Counties. This species is found in the Coast Range at elevations ranging from 325-1160 meters. Toren's grimmia is a moss in the Grimmiaceae family and can be associated with

cismontane woodlands, pillow basalts, and some sand stones. Often serpentine soil occurs in areas occupied by this species.

Suitable habitat for this species is present within the California sagebrush scrub within the survey area. The CNDDB reports one occurrence of the species within the quadrangles reviewed, located approximately 250 feet to the south of the survey area.

Talus Fritillary

Talus fritillary is a CNPS CRPR 1B species. It is an erect perennial herb in the Liliaceae family that blooms from March to May. Talus fritillary is associated with cismontane woodlands, chaparral, and lower montane coniferous forests on serpentine or often talus soils at elevations within a range of 300-1525 meters.

Talus fritillary has a moderate potential to occur within the survey area within the coast live oak woodland and California sagebrush scrub areas. The CNDDB reports two occurrences of the species within the quadrangles reviewed, the nearest of which is located approximately 4.7 miles from the survey area.

Dudley's Lousewort

Dudley's lousewort is listed as rare under the CNPPA and is a CNPS CRPR 1B species. It is an erect perennial herb in the Orobanchaceae family that blooms from April to June. Dudley's lousewort is associated with cismontane woodlands, maritime chaparral, North Coast coniferous forest, and foothill grasslands at elevations within a range of 60-900 meters.

Dudley's lousewort has a moderate potential to occur within the survey area within the non-native annual grassland and California sagebrush scrub areas. The CNDDB reports five occurrences of the species within the quadrangles reviewed, the nearest of which is located approximately 7.2 miles from the survey area.

3.2.3 Sensitive Habitats

CRLF Critical Habitat

Critical habitat was designated for CRLF on April 13, 2006 (71 FR 19244-19346) and revised on March 17, 2010 (75 FR 12816-12959; USFWS, 2010b). The revised critical habitat went into effect on April 16, 2010. The primary constituent elements (PCEs) CRLF critical habitat are:

1) **Aquatic Breeding Habitat:** Standing bodies of fresh water (with salinities less than 7.0 ppt.), including natural and manmade ponds, slow moving streams or pools within streams, and other ephemeral or permanent water bodies that typically become inundated during winter rains and hold water for a minimum of 20 weeks in all but the driest years.

2) **Non-Breeding Aquatic Habitat:** Fresh water habitats, as described above, that may or may not hold water long enough for the subspecies to hatch and complete its aquatic life cycle but that do provide for shelter, foraging, predator avoidance, and aquatic dispersal for juvenile and adult CRLF. Other wetland habitats that would be considered to meet these elements include, but are not limited to: plunge pools within intermittent creeks; seeps; quiet water refugia during high water flows; and springs of sufficient flow to withstand the summer dry period.

3) **Upland Habitat:** Upland areas within 200 feet (60 meters) of the edge of the riparian vegetation or dripline surrounding aquatic and riparian habitat, and comprised of various vegetational series such as grasslands, woodlands, and/or wetland/riparian plant species that provides the frog shelter, forage, and predator avoidance. Upland features are also essential in that they are needed to maintain the

hydrologic, geographic, topographic, ecological, and edaphic features that support and surround the wetland or riparian habitat. These upland features contribute to the filling and drying of the wetland or riparian habitat and are responsible for maintaining suitable periods of pool inundation for larval frogs and their food sources, and provide breeding, non-breeding, feeding, and sheltering habitat for juvenile and adult frogs (e.g., shelter, shade, moisture, cooler temperatures, a prey base, foraging opportunities, and areas for predator avoidance). Upland habitat can include structural features such as boulders, rocks and organic debris (e.g. downed trees, logs), as well as small mammal burrows and moist leaf litter.

4) **Dispersal Habitat:** Accessible upland or riparian dispersal habitat within designated units and between occupied locations within 0.7 mile (1.2 km) of each other that allows for movement between such sites. Dispersal habitat includes various natural habitats and altered habitats such as agricultural fields, which do not contain barriers to dispersal (an example of a barrier to dispersal is a heavily traveled road constructed without bridges or culverts). Dispersal habitat does not include moderate to high density urban or industrial developments with large expanses of asphalt or concrete, nor does it include large reservoirs over 50 acres (20 ha) in size, or other areas that do not contain those features identified in PCE 1, 2, or 3 as essential to the conservation of the subspecies.

The survey area is within CRLF critical habitat mapping unit MNT-3. As identified above no aquatic breeding, aquatic non-breeding, or upland habitat is present within the survey area. However, the survey area contains approximately 1.6 acres of potential dispersal habitat for CRLF (**Figure 4**).

Environmentally Sensitive Habitat Area

The LUP does not identify ESHA within the survey area. However, habitats for special-status species may be considered ESHA. As such, the CRLF critical habitat within the survey area may be considered ESHA by the CCC. Approximately 1.6 acres of potential ESHA is present within the survey area.

4.0 IMPACTS AND MITIGATION MEASURES

4.1 Impacts and Mitigation Measures

Potential Impact 1: *Umbrella larkspur, Toren's grimmia, talus fritillary, and Dudley's lousewort have the potential to occur within the project site. Grading and vegetation removal at the project site may result in direct mortality of individuals, 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 the mitigation measure recommended below.*

Mitigation Measure 1: Focused botanical surveys should be conducted by a qualified biologist within the project site during the appropriate blooming period for umbrella larkspur, Toren's grimmia, talus fritillary, and Dudley's lousewort (approximately April) to determine the presence or absence of special-status plant species.

- If no special-status plants are found on the site, no additional mitigation is required.
- If special-status plants are found on the site, these species should be avoided to the greatest extent feasible. If avoidance is not feasible, a restoration plan should be prepared by a qualified biologist prior to development. The plan should include, but is not limited to, a detailed description of restoration areas, plant source material, planting specifications, and a monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met.

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 prior to any construction activities. A qualified biologist will meet with the construction crew at the onset of construction at the project site to educate the construction crew on the following: 1) the appropriate access route(s) in and out of the construction area and review project boundaries; 2) how a biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; 5) the general provisions and protections afforded by the USFWS and CDFW; and 6) the proper procedures if a special-status species is encountered within the project site.

Mitigation 2b: To avoid and reduce impacts to nesting raptors and other nesting avian species including the, 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, tree and 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. Pre-construction surveys will be conducted no more than 14 days prior to the start of construction activities during the early part of the breeding season

(February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). Because some bird species nest early in spring and others nest later in summer, some breed multiple times in a season, surveys for nesting birds may be required to continue during construction to address new arrivals. The necessity and timing of these continued surveys will be determined by the qualified biologist based on review of the final construction plans.

If raptors or other protected avian species nests are identified during the pre-construction surveys, the qualified biologist will notify the project applicant and an appropriate no-disturbance buffer will be imposed within which no construction activities or disturbance should take place as determined by the qualified biologist to ensure avoidance of impacts to the individuals. The buffer will remain in place until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.

Mitigation 2c: The following best management practices (BMPs) shall be employed during construction to reduce impacts to special-status plant and wildlife species:

- Trees and vegetation not planned for removal but located within or adjacent to the construction area should be protected prior to and during construction to the maximum extent possible with exclusionary fencing. A biological monitor shall supervise the installation of protective fencing and regularly monitor the site until construction is complete to ensure that the protective fencing remains intact.
- Soil compaction, stockpiling of construction materials, and/or dumping of materials shall not be allowed adjacent to trees, especially within fenced areas.
- Following construction, disturbed areas will be restored to pre-project contours to the maximum extent possible and revegetated using locally occurring native species and native erosion control seed mix, per the recommendations of a qualified biologist.
- Grading, excavating, and other activities that involve substantial soil disturbance will be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist, and will utilize standard erosion control techniques to minimize erosion and sedimentation to native vegetation (pre-, during, and post-construction).
- All food-related and other trash will be disposed of in closed containers and removed from the project area at least once a week during the construction period, or more often if trash is attracting avian or mammalian predators. Construction personnel will not feed or otherwise attract wildlife to the area.
- No firearms will be allowed on the at any time.

Potential Impact 3: *No CRLF aquatic breeding or non-breeding or upland habitat is present within the project site; however, suitable dispersal habitat for CRLF is present. As identified above, one occurrence of CRLF is known within one mile of the project site and a potential aquatic breeding resource was identified within one mile of the project site from the USFWS NWI. However, no occurrences are known within this resource it is unknown if this resource provides the specific features necessary to support CRLF breeding. Additionally, no potential aquatic breeding resources are present within 100 meters of the survey area. Therefore, because dispersal habitat is ubiquitous and migrating CRLF are widely distributed across the landscape in space and time, the potential for take of CRLF as a result of development of the project site is low and specific protections for migrating CRLF are*

probably unwarranted (Bulger et al., 2003). However, in the unlikely event that CRLF are present within the project site, take of this species would be considered a potentially significant impact. Therefore, implementation of Mitigation Measure 2a above and the following mitigation measures would ensure that no take of CRLF results from the project.

Additionally, although a portion of the project is located within CRLF critical habitat MNT-3, a critical habitat designation applies only when federal funding, permits, or projects are involved. Critical habitat requirements do not apply to citizens engaged in activities on private land that do not involve a federal agency. However, CRLF critical habitat may be considered ESHA by the CCC. This is a potentially significant impact that can be reduced to less than significant with the mitigation below.

Mitigation 3a: A qualified biologist will survey the project site and immediately adjacent areas 48 hours before and the morning of the onset of work activities for the presence of CRLF. If any life stage of CRLF is observed, construction activities will not commence until the USFWS is consulted and appropriate actions are taken to allow project activities to continue.

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 remain available to come to the site if a CRLF if identified until all ground disturbing activities are completed. 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 will designate a construction monitor to oversee on-site compliance with all avoidance and minimization measures. The qualified biologist shall ensure that this construction monitor receives the sufficient training in the identification of CRLF. The construction monitor or the qualified biologist is authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is stopped, the USFWS shall be notified. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project.

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: If ESHA is determined to be present within the project site during the Coastal Development Permit (CDP) process, the project applicant shall implement all permit requirements provided in the CDP. Permit requirements typically involve the preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. If it is determined that no ESHA is present within the project, no additional measures are necessary.

Potential Impact 4: *MDFW have the potential to be present within the project site. Tree and 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 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. If a litter of young is found or suspected, nest material shall be replaced and the nest left alone for 2-3 weeks, after this time the nest will be rechecked to verify that young are capable of independent survival before proceeding with nest dismantling.

This page left intentionally blank

5.0 REFERENCES

Baldwin, B. G, et. al. 2012. The Jepson Manual – Vascular Plants of California, Second Edition, Thoroughly Revised and Expanded. University of California Press. Berkeley, CA. 1600 pp.

Bulger, J. B., N. J. Scott Jr., and R. B. Seymour. 2003. Terrestrial activity and conservation of adult California red-legged frog *Rana aurora draytonii* in coastal forests and grasslands. Biological Conservation, Vol 110. Pp. 85-95.

California Department of Fish and Wildlife (CDFW). 2018. California Natural Communities List. Available online at https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities/List

CDFW. 2019a. California Natural Diversity Database Rare Find Report. Accessed April 2019.

CDFW. 2019b. California Natural Diversity Database Special Animals List. Available online at https://www.dfg.ca.gov/wildlife/nongame/list.html

CDFW. 2019c. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.

California Invasive Plant Council (Cal-IPC). 2019. The Cal-IPC Inventory. Available online at https://www.cal-ipc.org/

California Native Plant Society (CNPS). 2001. Botanical Survey Guidelines.

CNPS. 2019. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Available online at http://www.rareplants.cnps.org

Hayes, M. P. and M. R. Jennings. 1986. Decline of ranid frog species in western North America: are bullfrogs (*Rana catesbeiana*) responsible? Journal of Herpetology, Vol. 20 (4). Pp. 490-509.

Howitt, B.F. and J.T. Howell. 1964. The vascular plants of Monterey County, California.

Howitt, B.F. and J.T. Howell. 1973. Supplement to the vascular plants of Monterey County, California. Pacific Grove Museum of Natural History Association, Pacific Grove, CA. 60 pp.

Jepson Flora Project. 2019. Jepson Online Interchange for California floristics. Available online at http://ucjeps.berkeley.edu/interchange.html

Jennings, M.R. and M.P. Hayes. 1988. Habitat correlates of distribution of the California red-legged frog (*Rana draytonii*) and the foothill yellow-legged frog (*Rana boylii*): implications for management. Proceedings form Management of Amphibians, Reptiles and Small Mammals in North America Symposium 1988.

Jennings, M. R. and M. P. Hayes. 1994. Amphibian and reptile species of special concern in California. Final report to the California Department of Fish and Game, Inland Fisheries Division. 255 pp.

Jennings, M.R. and M.P. Hayes, and D.C. Holland. 1993. A petition to the US fish and wildlife service to place the California red-legged frog and the Western pond turtle (*Clemmys marmorata*) on the list of endangered and threatened wildlife and plants.

Matthews, M.A. and M. Mitchell. 2015. The Plants of Monterey County, an Illustrated Field Key; Second Edition. California Native Plant Society Press, Sacramento, California. 446 pp.

Moyle, P.B. 1973. Effects of introduced bullfrogs, Rana catesbeiana, on the native frogs of the San Joaquin Valley, California. Copeia 1973. Pp. 18-22.

Munz, P. A. and D. D. Keck.1973. A California flora and supplement. University of California Press, Berkeley, CA. 1681 pp., + 224 pp. supplement.

Remsen, J.V. Jr. 1978. Bird species of special concern in California. California Dept. of Fish and Wildlife, Nongame Wildlife Investigations, Wildlife Management Branch Administrative Report No. 78-1.

Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. A manual of California vegetation 2nd Edition. California Native Plant Society, Sacramento, CA. 1300 pp.

Stebbins, R.C. 1972. California Amphibians and Reptiles. University of California Press, Berkeley, CA. 152 pp.

Stebbins, R.C. 1985. Western reptiles and amphibians. Houghton Mifflin Company, Boston, MA. 336 pp

Stebbins, R.C. 2003.Western reptiles and amphibians, 3rd edition. Houghton Mifflin Company, New York, NY. 533 pp.

Thelander, C. (ed.). 1994. Life on the edge: A guide to California's endangered natural resources: wildlife. BioSystems Books, Santa Cruz, CA.

Thomson, R.C., A.N. Wright, and H.B. Shaffer. 2016. California Amphibian and Reptile Species of Special Concern. University of California Press, Oakland, CA. Co-published with the California Department of Fish and Wildlife. 390 pp.

U.S. Fish and Wildlife Service (USFWS). 1996. Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the California Red-legged Frog; Final Rule. Federal Register, Vol. 61(101). Pp. 25813-25833.

USFWS. 2000. Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants.

USFWS. 2019a. Information for Planning and Consultation (IPaC) Resources List for the 482000 Coast Ridge Residential Project.

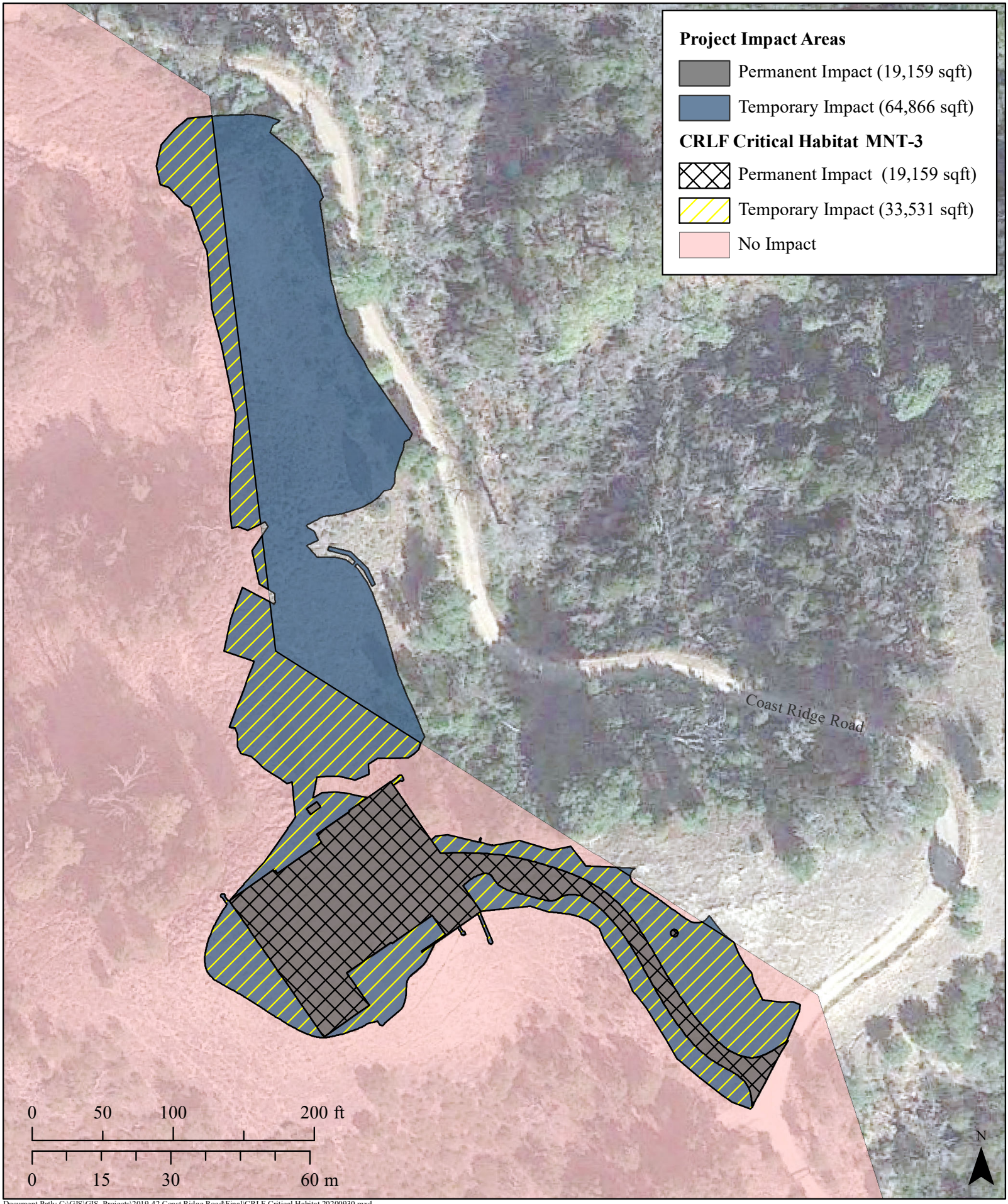
USFWS. 2019b. National Wetlands Inventory available online at https://www.fws.gov/wetlands/data/mapper.html

Williams, D. 1986. Mammalian species of special concern in California. California Department of Fish and Wildlife Report 86-1. 112 pp.

Zeiner, D. C., W. F. Laudenslayer, Jr., K. E. Mayer, and M. White (eds.). 1988. California's wildlife, Volume I: Amphibians and reptiles. California Department of Fish and Wildlife, Sacramento, California.272 pp.

Zeiner, D. C., W. F. Laudenslayer, Jr., K. E. Mayer, and M. White (eds.). 1990. California's Wildlife, Volume II: Birds. California Department of Fish and Wildlife, Sacramento, California.731 pp.

This page left intentionally blank



Document Path: C:\GIS\GIS_Projects\2019-42 Coast Ridge Road\Final\CRLF Critical Habitat 20200930.mxd

CRLF Critical Habitat MNT-3

Date: 10/2/2020

Scale: 1 in = 86 ft

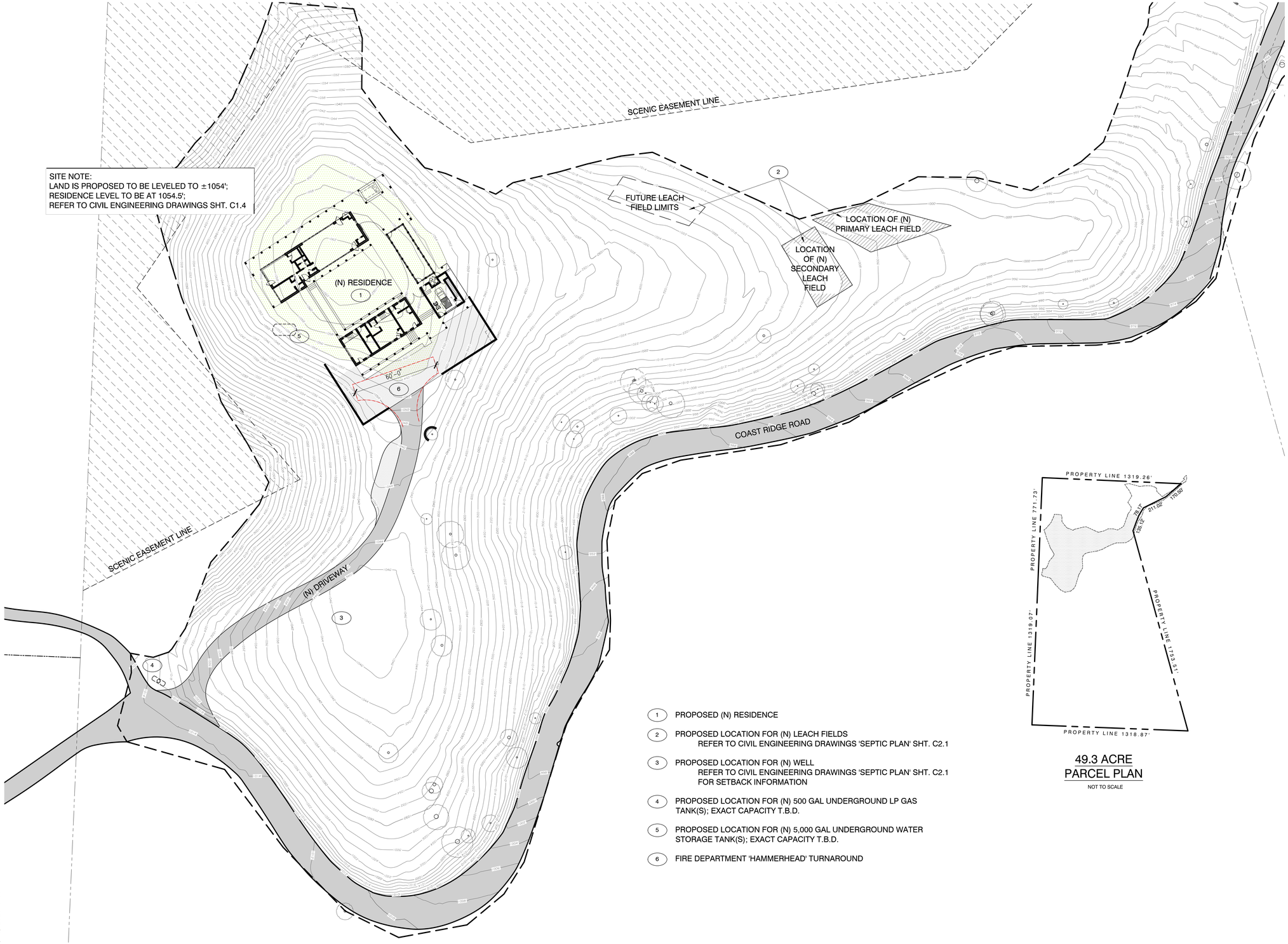
Project: 48200 Coast Ridge Rd

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Figure 5

APPENDIX A

Project Plans



1. PROPOSED (N) RESIDENCE
2. PROPOSED LOCATION FOR (N) LEACH FIELDS
   REFER TO CIVIL ENGINEERING DRAWINGS 'SEPTIC PLAN' SHT. C2.1
3. PROPOSED LOCATION FOR (N) WELL
   REFER TO CIVIL ENGINEERING DRAWINGS 'SEPTIC PLAN' SHT. C2.1 FOR SETBACK INFORMATION
4. PROPOSED LOCATION FOR (N) 500 GAL UNDERGROUND LP GAS TANK(S); EXACT CAPACITY T.B.D.
5. PROPOSED LOCATION FOR (N) 5,000 GAL UNDERGROUND WATER STORAGE TANK(S); EXACT CAPACITY T.B.D.
6. FIRE DEPARTMENT 'HAMMERHEAD' TURNAROUND

49.3 ACRE
PARCEL PLAN

NOT TO SCALE

5/10/2020 6:09 PM

architect:

MA

Melander Architects

1677A Church Street
San Francisco, CA 94131
melanderarchitects.com

project:

Big Sur Residence

48200 Coast Ridge Road
Big Sur, CA 93920

contractor:

NOT FOR CONSTRUCTION

DRAWING ISSUE:

	12 MAY 2020	PLANNING SUBMITTAL

SCALE @ 24"X36": 1/50" = 1'-0"

PHASE: DESIGN DEVELOPMENT

DRAWN BY: TN & TNT CHECKED BY: KRM

true north

SITE PLAN

A1.0

APPENDIX B

Special-Status Species Table

Appendix B. Special-Status Species Table

Big Sur, Partington Ridge, Pfeiffer Point, Tassajara Hot Springs, Lopez Point, Chews Ridge, and Ventana Cones Quadrangles

Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence within Survey Area
MAMMALS			
Corynorhinus townsendii Townsend's big-eared bat	-- / CSC / --	Found primarily in rural settings from inland deserts to coastal redwoods, oak woodland of the inner Coast Ranges and Sierra foothills, and low to mid-elevation mixed coniferous-deciduous forests. Typically roost during the day in limestone caves, lava tubes, and mines, but can roost in buildings that offer suitable conditions. Night roosts are in more open settings and include bridges, rock crevices, and trees.	**Low** Only low-quality habitat found within the survey area. The closest CNDDB occurrence is a historic occurrence from 1936, located approximately six miles northeast from the survey area.
Lasiurus blossevilii Western red bat	-- / CSC / --	Roosting habitat includes trees and sometimes shrubs in forests and woodlands from sea level up through mixed conifer forests. Roost sites are often in edge habitats adjacent to streams, fields, or urban areas. Feeds over a wide variety of habitats, including grasslands, shrublands, open woodlands and forests, and croplands.	**Low** Only low-quality habitat found within the survey area. The closest CNDDB occurrence is a historic occurrence from 1936, located approximately 8 miles northeast from the survey area.
Lasiurus cinereus Hoary bat	-- / CNDDB / --	Prefers open habitats or habitat mosaics with access to trees for cover and open areas or edge for feeding. Generally roost in dense foliage of trees; does not use buildings for roosting. Winters in California and Mexico and often migrates towards summer quarters in the north and east during the spring. Young are born and reared in summer grounds, which is unlikely to occur in California.	**Low** Only low-quality habitat found within the survey area. The closest CNDDB occurrence is a historic occurrence from 1983, located approximately 13 miles northeast from the survey area.
Neotoma macrotis luciana Monterey dusky-footed woodrat	-- / CSC / --	Forest and oak woodland habitats of moderate canopy with moderate to dense understory. Also occurs in chaparral habitats.	**High** Suitable habitat exists within the coast live oak woodland habitat.
Taxidea taxus American badger	-- / CSC / --	Dry, open grasslands, fields, pastures savannas, and mountain meadows near timberline are preferred. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated grounds.	**Unlikely** No suitable habitat within survey area.
BIRDS			
Charadrius alexandrinus nivosus Western snowy plover (nesting)	FT / CSC / --	Sandy beaches on marine and estuarine shores, also salt pond levees and the shores of large alkali lakes. Requires sandy, gravelly or friable soil substrate for nesting.	**Unlikely** No suitable habitat within survey area.
Chamaea fasciata Wrentit	BCC / -- / --	Common resident of California chaparral habitat. Also, other shrub habitats, such as coastal scrub, from the coast throughout cismontane regions.	**High** Suitable habitat exists within the survey area.

Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence within Survey Area
Cypseloides niger Black swift	-- / CSC / --	Regularly nests in moist crevice or cave on sea cliffs above the surf, or on cliffs behind, or adjacent to, waterfalls in deep canyons. Forages widely over many habitats.	**Unlikely** No suitable habitat within survey area.
Brachyramphus marmoratus Marbled murrelet (nesting)	FT / SE / --	Occur year-round in marine subtidal and pelagic habitats from the Oregon border to Point Sal. Partial to coastlines with stands of mature redwood and Douglas-fir. Requires dense mature forests of redwood and/or Douglas-fir for breeding and nesting.	**Unlikely** No suitable habitat within survey area.
Empidonax traillii extimus Southwestern willow flycatcher (nesting)	FE / SE / --	Breeds in riparian habitat in areas ranging in elevation from sea level to over 2,600 meters. Builds nest in trees in densely vegetated areas. This species establishes nesting territories and builds and forages in mosaics of relatively dense and expansive areas of trees and shrubs, near or adjacent to surface water or underlain by saturated soils. Not typically found nesting in areas without willows (*Salix sp*.), tamarisk (*Tamarix ramosissima)*, or both.	**Unlikely** No suitable habitat within survey area.
Gymnogyps californianus California condor	FE / SE / --	Roosting sites in isolated rocky cliffs, rugged chaparral, and pine covered mountains 2000-6000 feet above sea level. Foraging area removed from nesting/roosting site (includes rangeland and coastal area - up to 19-mile commute one way). Nest sites in cliffs, crevices, potholes.	**Unlikely** No suitable habitat within survey area.
Pipilo maculatus clementae Spotted towhee	BCC / -- / --	Common resident throughout California except at high elevations in the Sierra Nevada Mountains and lowlands of southern deserts. Found in chaparral and other shrub habitats and in open stands of riparian, hardwood, hardwood-conifer, and lower-elevation conifer habitats. Nests on the ground with dense surrounding vegetation.	**High** Suitable habitat exists within the survey area
Selasphorus sasin Allen's hummingbird	BCC / -- / --	Common summer resident and migrant along most of the California coast. Most commonly breeds in coastal scrub, valley foothill hardwood and valley foothill riparian habitats, but also in close-cone pine-cypress, urban, and redwood habitats.	**High** Suitable habitat exists within the survey area.
Sternula antillarum browni California least tern	FE / SE / --	Prefers undisturbed nest sites on open, sandy/gravelly shores near shallow-water feeding areas in estuaries. Sea beaches, bays, large rivers, bars.	**Unlikely** No suitable habitat within survey area.

Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence within Survey Area
Vireo bellii pusillus Least Bell's vireo (nesting)	FE / SE / --	Riparian areas and drainages. Breed in willow riparian forest supporting a dense, shrubby understory. Oak woodland with a willow riparian understory is also used in some areas, and individuals sometimes enter adjacent chaparral, coastal sage scrub, or desert scrub habitats to forage.	**Unlikely** No suitable habitat within survey area.
REPTILES AND AMPHIBIANS			
Anniella pulchra California legless lizard (includes *A. p. nigra* and *A. p. pulchra* as recognized by the Department)	-- / CSC / --	Requires moist, warm habitats with loose soil for burrowing and prostrate plant cover, often forages in leaf litter at plant bases; may be found on beaches, sandy washes, and in woodland, chaparral, and riparian areas.	**Unlikely** No suitable habitat within survey area.
Emys marmorata Western pond turtle	-- / CSC / --	Associated with permanent or nearly permanent water in a wide variety of habitats including streams, lakes, ponds, irrigation ditches, etc. Require basking sites such as partially submerged logs, rocks, mats of vegetation, or open banks.	**Unlikely** No suitable habitat within survey area.
Rana boylii Foothill yellow-legged frog	-- / SC&CSC / --	Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats, including hardwood, pine, and riparian forests, scrub, chaparral, and wet meadows. Rarely encountered far from permanent water.	**Unlikely** No suitable habitat within survey area.
Rana draytonii California red-legged frog	FT / CSC / --	Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent riparian vegetation. During late summer or fall adults are known to utilize a variety of upland habitats with leaf litter or mammal burrows.	**Moderate** The survey area is within the critical habitat for this species and suitable dispersal habitat is present; however, no breeding or upland (i.e. rocks, logs, mammal burrows within 100 meters of an aquatic resource) habitat present within the site. The closest CNDDB occurrence was documented in 1998 and is located approximately one mile southwest of the survey area.
Taricha torosa Coast range newt	-- / CSC / --	Occurs mainly in valley-foothill hardwood, valley-foothill hardwood-conifer, coastal scrub, and mixed chaparral but is known to occur in grasslands and mixed conifer types. Seek cover under rocks and logs, in mammal burrows, rock fissures, or man-made structures such as wells. Breed in intermittent ponds, streams, lakes, and reservoirs.	**Unlikely** No breeding or upland (i.e. rocks, logs, mammal burrows) habitat present within survey area.

Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence within Survey Area
FISH			
Eucyclogobius newberryi Tidewater goby	FE / CSC / --	Brackish water habitats; found in shallow lagoons and lower stream reaches. Tidewater gobies appear to be naturally absent (now and historically) from three large stretches of coastline where lagoons or estuaries are absent and steep topography or swift currents may prevent tidewater gobies from dispersing between adjacent localities. The southernmost large, natural gap occurs between the Salinas River in Monterey County and Arroyo del Oso in San Luis Obispo County.	**Unlikely** No suitable habitat within survey area.
Oncorhynchus mykiss irideus Steelhead (south-central California coast DPS)	FT / -- / --	Cold headwaters, creeks, and small to large rivers and lakes; anadromous in coastal streams.	**Unlikely** No suitable habitat within survey area.
INVERTEBRATES			
Bombus caliginosus Obscure bumble bee	-- / CNDDB / --	Native to the West Coast of the United States. Occurs primarily along the coast in grassy prairies and meadows within the Coast Range. This species can nest both under and above ground. When nesting above ground the species may utilize abandoned bird nests. Found in areas that are relatively humid including areas that are frequently foggy.	**Low** Only low-quality habitat is present within the survey area. The closest CNDDB occurrence is located approximately 10 miles to the southeast of the survey area.
Bombus crotchii Crotch bumble bee	-- / CNDDB / --	Occurs primarily in California and is also in Mexico. Within California this species is known to occur in the Mediterranean, Pacific Coast, Western Desert, as well as Great Valley and adjacent foothill regions. This species nests underground in open grassland and scrub. Occurs at relatively warm and dry sites.	**Low** Only low-quality habitat is present within survey area. The closest CNDDB occurrence is located approximately 10 miles to the southeast of the survey area.
Branchinecta lynchi Vernal pool fairy shrimp	FT / -- / --	Require ephemeral pools with no flow. Associated with vernal pool/grasslands from near Red Bluff (Shasta County), through the central valley, and into the South Coast Mountains Region. Require ephemeral pools with no flow.	**Unlikely** No suitable habitat within survey area.
Coelus globosus Globose dune beetle	-- / CNDDB / --	Coastal dunes. These beetles are primarily subterranean, tunneling through sand underneath dune vegetation.	**Unlikely** No suitable habitat within survey area.
Danaus plexippus Monarch butterfly (California overwintering population)	-- / CNDDB / --	Overwinters in coastal California using colonial roosts generally found in Eucalyptus, pine and acacia trees. Overwintering habitat for this species within the Coastal Zone represents ESHA. Local ordinances often protect this species as well.	**Unlikely** No suitable habitat within survey area. The survey area is within a CNDDB wintering occurrence; however, this is a general occurrence that includes the entire quadrangle. This occurrence notes the wintering site is near buildings and in a redwood grove, this does not resemble the survey area.

Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence within Survey Area
Euphilotes enoptes smithi Smith's blue butterfly	FE / -- / --	Most commonly associated with coastal dunes and coastal sage scrub plant communities in Monterey and Santa Cruz Counties. Plant hosts are *Eriogonum latifolium* and *E. parvifolium*.	**Not Present** No suitable habitat within survey area. The host plant species were not identified during 2019 botanical surveys.
Euphydryas editha bayensis Bay checkerspot butterfly	FT / -- / --	Restricted to native grasslands on outcrops of serpentine soil in the vicinity of the San Francisco Bay. *Plantago erecta* is the primary host plant; *Orthocarpus densiflorus* and *O. purpurascens* are secondary host plants.	**Not Present** No suitable habitat within survey area.
Meta dolloff Dolloff cave spider	-- / CNDDB / --	Live in large, vertically-oriented orb webs, typically placed at the entrance and twilight regions of caves.	**Unlikely** No suitable habitat within survey area.
Optioservus canus Pinnacles optioservus riffle beetle	-- / CNDDB / --	Species of this genus generally prefer gravelly or rocky streams and some often occur on moss covered rocks. Both adults and larvae crawl on rocks and gravel mostly in riffle areas.	**Unlikely** No suitable habitat within survey area.
PLANTS			
Abies bracteata Bristlecone fir	-- / -- / 1B	Endemic to Santa Lucia Mountains. Broadleaved upland forest, chaparral, and lower montane coniferous forest on rocky soils at elevations of 183-1600 meters. Evergreen tree in the Pinaceae family.	**Not Present** Not identified during 2019 botanical surveys.
Agrostis blasdalei Blasdale's bent grass	-- / -- / 1B	Coastal bluff scrub, coastal dunes, and coastal prairie at elevations from 0-150 meters. Perennial rhizomatous herb in the Poaceae family. Blooms May – July.	**Unlikely** Appropriate habitat is present within survey area; however, the survey area located outside of elevation range for this species.
Arctostaphylos edmundsii Little sur manzanita	-- / -- / 1B	Coastal bluff scrub and chaparral on sandy soils at elevations of 30-105 meters. Evergreen shrub in the Ericaceae family; blooms November-April.	**Not Present** Not identified during 2019 botanical surveys.
Arenaria paludicola Marsh sandwort	FE / SE / 1B	Known from only two natural occurrences in Black Lake Canyon and at Oso Flaco Lake. Sandy openings of freshwater of brackish marshes and swamps at elevations of 3-170 meters. Stoloniferous perennial herb in the Caryophyllaceae family; blooms May-August.	**Not Present** Not identified during 2019 botanical surveys.
Calyptridium parryi var. hesseae Santa Cruz Mountains pussypaws	-- / -- / 1B	Sandy or gravelly openings of chaparral and cismontane woodlands at elevations of 305-1530 meters. Annual herb in the Montiaceae family; blooms May-August.	**Not Present** Not identified during 2019 botanical surveys.
Carex obispoensis San Luis Obispo sedge	-- / -- / 1B	Closed-cone coniferous forests, chaparral, coastal prairie, coastal scrub, and valley foothill grasslands, often on serpentinite seeps and clay soils, but also sometimes on gabbro soils, at elevations of 10-820 meters. Perennial rhizomatous herb in the Cyperaceae family; blooms April-June.	**Unlikely** Appropriate habitat is present within survey area; however, the survey area located outside of elevation range for this species.

Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence within Survey Area
Cirsium occidentale var. *compactum* Compact cobwebby thistle	-- / -- / 1B	Chaparral, coastal dunes, coastal scrub, and coastal prairie at elevations of 5-150 meters. Perennial herb in the Asteraceae family blooms April-June.	**Unlikely** Appropriate habitat is present within survey area; however, survey area located outside of elevation range for this species.
Clarkia jolonensis Jolon clarkia	-- / -- / 1B	Cismontane woodland, chaparral, riparian woodland, and coastal scrub at elevations of 20-660 meters. Annual herb in the Onagraceae family; blooms April-June.	**Unlikely** Appropriate habitat is present within survey area; however, the survey area located outside of elevation range for this species.
Dacryophyllum falcifolium Tear drop moss	-- / -- / 1B	North coast coniferous forests on carbonate soils at elevations of 50-275 meters. Moss. Known only in Monterey and Santa Cruz counties.	**Unlikely** Not identified during 2019 botanical surveys. Appropriate habitat does not exist within survey area and the survey area located outside of elevation range for this species.
Delphinium hutchinsoniae Hutchinson's larkspur	-- / -- / 1B	Broadleaved upland forest, chaparral, coastal scrub, and coastal prairie at elevations of 0-427 meters. Perennial herb in the Ranunculaceae family; blooms March-June.	**Unlikely** Marginal habitat is present within survey area; however, the survey area located outside of elevation range for this species.
Delphinium umbraculorum Umbrella larkspur	-- / -- / 1B	Cismontane woodland at elevations of 400-1600 meters. Perennial herb in the Ranunculaceae family; blooms April-June.	**Moderate** Marginal habitat is present within survey area. The nearest CNDDB occurrence is approximately 10.7 miles from the survey area.
Eriogonum nortonii Pinnacles buckwheat	-- / -- / 1B	Chaparral and valley and foothill grassland on sandy soils, often on recent burns, at elevations of 300-975 meters. Annual herb in the Polygonaceae family; blooms May-September.	**Not Present** Not identified during 2019 botanical surveys.
Fritillaria falcata Talus fritillary	-- / -- / 1B	Chaparral, cismontane woodland, and lower montane coniferous forest on serpentine or often talus soils at elevations of 300-1525 meters. Bulbiferous, perennial herb in the Liliaceae family; blooms March-May.	**Moderate** Marginal habitat is present within the survey area. The nearest CNDDB occurrence is approximately 4.7 miles from the survey area.
Fritillaria liliacea Fragrant fritillary	-- / -- / 1B	Cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grassland, often serpentinite, at elevations of 3-410 meters. Bulbiferous perennial herb in the Liliaceae family; blooms February-April.	**Unlikely** Appropriate habitat within survey area; however, survey area located outside of elevation range for this species.
Galium californicum ssp. *luciense* Cone Peak bedstraw	-- / -- / 1B	Broadleaved upland forest, chaparral, cismontane woodland, and lower montane coniferous forest at elevations of 400-1525 meters. Perennial herb in the Rubicaceae family; blooms March-September.	**Not Present** Not identified during 2019 botanical surveys.
Galium clementis Santa Lucia bedstraw	-- / -- / 1B	Lower and upper montane coniferous forest on granitic or serpentine rocky soils at elevations of 1130-1780 meters. Perennial herb in the Rubicaceae family; blooms May-July.	**Unlikely** No suitable habitat is present within survey area and the survey area located outside of elevation range for this species.

Species	Status (Service/CDFW/CNPS)	General Habitat	Potential Occurrence within Survey Area
Grimmia torenii Toren's grimmia	-- / -- / 1B	Endemic to California. Occurrences are known from Lake, Mendocino, Contra Costa, and Santa Cruz Counties. Found in the Coast Range at elevations of 325-1160 meters. Occurs on pillow basalts and some sand stones. Often serpentine soil occurs in areas occupied by this species. A moss in the Gimmiaceae family.	**Moderate** Marginal habitat exists within the survey area. The closest CNDDB occurrence is approximately 250 feet south from the survey area.
Malacothamnus palmeri var. *lucianus* Arroyo Seco bush-mallow	-- / -- / 1B	Chaparral, cismontane woodland, meadows, and seeps at elevations of 10-915 meters. Perennial deciduous shrub in the Malvaceae family; blooms: April-August.	**Not Present** Not identified during 2019 botanical surveys.
Malacothrix saxatilis var. *arachnoidea* Carmel Valley malacothrix	-- / -- / 1B	Chaparral and coastal scrub on rocky soils at elevations of 25-1036 meters. Perennial rhizomatous herb in the Asteraceae family; blooms June-December.	**Not Present** Not identified during 2019 botanical surveys.
Orthotrichum kellmanii Kellman's Bristle Moss	--/ -- /1B	Sandstone, carbonate in Chaparral or Cismontane woodland. Blooms January-February. 343-685 meters.	**Unlikely** Appropriate habitat does not exist within survey area.
Pedicularis dudleyi Dudley's lousewort	-- / SR / 1B	Maritime chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland at elevations of 60-900 meters. Perennial herb in the Orbanchaceae family; blooms April-June.	**Moderate** Marginal habitat is present within the survey area. The nearest CNDDB occurrence is approximately 7.2 miles from the survey area.
Rosa pinetorum Pine rose	-- / -- / 1B	Closed-cone coniferous forest at elevations of 2-300 meters. Perennial shrub in the Rosaceae family; blooms May-July. Possible hybrid of *R. spithamea*, *R. gymnocarpa*, or others; further study needed.	**Unlikely** Marginal habitat is present within the survey area; however, the survey area located outside of elevation range for this species.
Sanicula maritima Adobe sanicle	-- / -- / 1B	Chaparral, coastal prairie, meadows, seeps, and valley and foothill grassland on clay or serpentine soils at elevations of 3-240 meters. Perennial herb in the Apiaceae family; blooms February-May.	**Not Present** Not identified during 2019 botanical surveys.
Sidalcea hickmanii ssp. *anomala* Cuesta Pass checkerbloom	-- / SR / 1B	Closed-cone coniferous forest and chaparral on serpentinite soils at elevations of 600-800 meters. Perennial herb in the Malvaceae family; blooms May-June	**Unlikely** Appropriate habitat does not exist at survey area.
Streptanthus albidus ssp. *peramoenus* Most beautiful jewel-flower	-- / -- / 1B	Chaparral, cismontane woodlands, and valley and foothill grasslands on serpentinite soils at elevations of 94-1000 meters. Annual herb in the Brassicaceae family; blooms March-October.	**Not Present** Not identified during 2019 botanical surveys.

STATUS DEFINITIONS

Federal

FE = listed as Endangered under the federal Endangered Species Act
FT = listed as Threatened under the federal Endangered Species Act
BCC = USFWS Birds of Conservation Concern
-- = no listing

State

SE = listed as Endangered under the California Endangered Species Act
SC = Candidate for listing under California Endangered Species Act
SR = listed as Rare under the California Native Plant Protection Act
CSC = CDFW Species of Concern
CNDDB = This designation is being assigned to animal species that are not assigned any of the other status designations defined in this table. These animal species are included in CDFW's CNDDB "Special Animals" list (2010), which includes all taxa the CNDDB is interested in tracking, regardless of their legal or protection status. This list is also referred to as the list of "species at risk" or "special-status species." The California Department of Fish and Wildlife considers the taxa on this list to be those of greatest conservation need.
-- = no listing

California Native Plant Society

1B = California Rare Plant Rank 1B species; plants rare, threatened, or endangered in California and elsewhere
-- = no listing

POTENTIAL TO OCCUR

Present = known occurrence of species within the site; presence of suitable habitat conditions; or observed during field surveys
High = known occurrence of species in the vicinity from the CNDDB or other documentation; presence of suitable habitat conditions
Moderate = known occurrence of species in the vicinity from the CNDDB or other documentation; presence of marginal habitat conditions within the site
Low = species known to occur in the vicinity from the CNDDB or other documentation; lack of suitable habitat or poor quality
Unlikely = species not known to occur in the vicinity from the CNDDB or other documentation, no suitable habitat is present within the site
Not Present = species was not observed during surveys

APPENDIX C

California Natural Diversity Database Report

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Partington Ridge (3612126) OR Big Sur (3612137) OR Pfeiffer Point (3612127) OR Tassajara Hot Springs (3612125) OR Lopez Point (3612115) OR Chews Ridge (3612135) OR Ventana Cones (3612136))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Abies bracteata bristlecone fir	PGPIN01030	None	None	G2G3	S2S3	1B.3
Agrostis blasdalei Blasdale's bent grass	PMPOA04060	None	None	G2	S2	1B.2
Anniella pulchra northern California legless lizard	ARACC01020	None	None	G3	S3	SSC
Arctostaphylos edmundsii Little Sur manzanita	PDERI04260	None	None	G2	S2	1B.2
Bombus caliginosus obscure bumble bee	IIHYM24380	None	None	G4?	S1S2	
Bombus crotchii Crotch bumble bee	IIHYM24480	None	Candidate Endangered	G3G4	S1S2	
Calyptridium parryi var. hesseae Santa Cruz Mountains pussypaws	PDPOR09052	None	None	G3G4T2	S2	1B.1
Carex obispoensis San Luis Obispo sedge	PMCYP039J0	None	None	G3?	S3?	1B.2
Carlquistia muirii Muir's tarplant	PDASTDU010	None	None	G2	S2	1B.3
Cirsium occidentale var. compactum compact cobwebby thistle	PDAST2E1Z1	None	None	G3G4T2	S2	1B.2
Clarkia jolonensis Jolon clarkia	PDONA050L0	None	None	G2	S2	1B.2
Coelus globosus globose dune beetle	IICOL4A010	None	None	G1G2	S1S2	
Corynorhinus townsendii Townsend's big-eared bat	AMACC08010	None	None	G3G4	S2	SSC
Cypseloides niger black swift	ABNUA01010	None	None	G4	S2	SSC
Dacryophyllum falcifolium tear drop moss	NBMUS8Z010	None	None	G2	S2	1B.3
Danaus plexippus pop. 1 monarch - California overwintering population	IILEPP2012	None	None	G4T2T3	S2S3	
Delphinium hutchinsoniae Hutchinson's larkspur	PDRAN0B0V0	None	None	G2	S2	1B.2
Delphinium umbraculorum umbrella larkspur	PDRAN0B1W0	None	None	G3	S3	1B.3
Emys marmorata western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Eriogonum nortonii Pinnacles buckwheat	PDPGN08470	None	None	G2	S2	1B.3
Euphilotes enoptes smithi Smith's blue butterfly	IILEPG2026	Endangered	None	G5T1T2	S1S2	
Euphydryas editha bayensis Bay checkerspot butterfly	IILEPK4055	Threatened	None	G5T1	S1	
Falco mexicanus prairie falcon	ABNKD06090	None	None	G5	S4	WL
Fritillaria falcata talus fritillary	PMLIL0V070	None	None	G2	S2	1B.2
Fritillaria liliacea fragrant fritillary	PMLIL0V0C0	None	None	G2	S2	1B.2
Galium californicum ssp. luciense Cone Peak bedstraw	PDRUB0N0E3	None	None	G5T3	S3	1B.3
Galium clementis Santa Lucia bedstraw	PDRUB0N0H0	None	None	G2	S2	1B.3
Grimmia torenii Toren's grimmia	NBMUS32330	None	None	G2	S2	1B.3
Lasiurus blossevillii western red bat	AMACC05060	None	None	G5	S3	SSC
Lasiurus cinereus hoary bat	AMACC05030	None	None	G5	S4	
Malacothamnus palmeri var. lucianus Arroyo Seco bush-mallow	PDMAL0Q0B2	None	None	G3T1Q	S1	1B.2
Malacothrix saxatilis var. arachnoidea Carmel Valley malacothrix	PDAST660C2	None	None	G5T2	S2	1B.2
Meta dolloff Dolloff Cave spider	ILARA17010	None	None	G1	S1	
North Central Coast Fall-Run Steelhead Stream North Central Coast Fall-Run Steelhead Stream	CARA2631CA	None	None	GNR	SNR	
Oncorhynchus mykiss irideus pop. 9 steelhead - south-central California coast DPS	AFCHA0209H	Threatened	None	G5T2Q	S2	
Optioservus canus Pinnacles optioservus riffle beetle	IICOL5E020	None	None	G1	S1	
Orthotrichum kellmanii Kellman's bristle moss	NBMUS56190	None	None	G2	S2	1B.2
Pedicularis dudleyi Dudley's lousewort	PDSCR1K0D0	None	Rare	G2	S2	1B.2
Phalacrocorax auritus double-crested cormorant	ABNFD01020	None	None	G5	S4	WL
Plagiobothrys uncinatus hooked popcornflower	PDBOR0V170	None	None	G2	S2	1B.2

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Rana boylii foothill yellow-legged frog	AAABH01050	None	Candidate Threatened	G3	S3	SSC
Rana draytonii California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
Rosa pinetorum pine rose	PDROS1J0W0	None	None	G2	S2	1B.2
Sanicula maritima adobe sanicle	PDAPI1Z0D0	None	Rare	G2	S2	1B.1
Sidalcea hickmanii ssp. hickmanii Hickman's checkerbloom	PDMAL110A2	None	None	G3T2	S2	1B.3
Sidalcea malachroides maple-leaved checkerbloom	PDMAL110E0	None	None	G3	S3	4.2
Streptanthus albidus ssp. peramoenus most beautiful jewelflower	PDBRA2G012	None	None	G2T2	S2	1B.2
Taricha torosa Coast Range newt	AAAAF02032	None	None	G4	S4	SSC
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Valley Needlegrass Grassland Valley Needlegrass Grassland	CTT42110CA	None	None	G3	S3.1	

Record Count: 50

APPENDIX D

IPaC Resource List

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Monterey County, California

Local office

Ventura Fish And Wildlife Office

(805) 644-1766
(805) 644-3958

2493 Portola Road, Suite B
Ventura, CA 93003-7726

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Birds

NAME	STATUS
California Condor Gymnogyps californianus There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/8193	Endangered
California Least Tern Sterna antillarum browni No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8104	Endangered
Least Bell's Vireo Vireo bellii pusillus There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/5945	Endangered
Marbled Murrelet Brachyramphus marmoratus There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/4467	Threatened
Southwestern Willow Flycatcher Empidonax traillii extimus There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/6749	Endangered
Western Snowy Plover Charadrius nivosus nivosus There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/8035	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog Rana draytonii There is **final** critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/2891	Threatened

Fishes

NAME	STATUS
Tidewater Goby Eucyclogobius newberryi There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/57	Endangered

Insects

NAME	STATUS
Smith's Blue Butterfly Euphilotes enoptes smithi There is **proposed** critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/4418	Endangered

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp Branchinecta lynchi There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/498	Threatened

Flowering Plants

NAME	STATUS
Marsh Sandwort Arenaria paludicola No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2229	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

This location overlaps the critical habitat for the following species:

NAME	TYPE
California Red-legged Frog Rana draytonii https://ecos.fws.gov/ecp/species/2891#crithab	Final

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)
Allen's Hummingbird Selasphorus sasin This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9637	Breeds Feb 1 to Jul 15
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Black Oystercatcher Haematopus bachmani This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9591	Breeds Apr 15 to Oct 31
Black Swift Cypseloides niger This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	Breeds Jun 15 to Sep 10
Black Turnstone Arenaria melanocephala This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Common Yellowthroat Geothlypis trichas sinuosa This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/2084	Breeds May 20 to Jul 31
Golden Eagle Aquila chrysaetos This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31
Nuttall's Woodpecker Picoides nuttallii This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9410	Breeds Apr 1 to Jul 20

Oak Titmouse Baeolophus inornatus — Breeds Mar 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9656

Rufous Hummingbird selasphorus rufus — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/8002

Song Sparrow Melospiza melodia — Breeds Feb 20 to Sep 5
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Spotted Towhee Pipilo maculatus clementae — Breeds Apr 15 to Jul 20
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/4243

Wrentit Chamaea fasciata — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

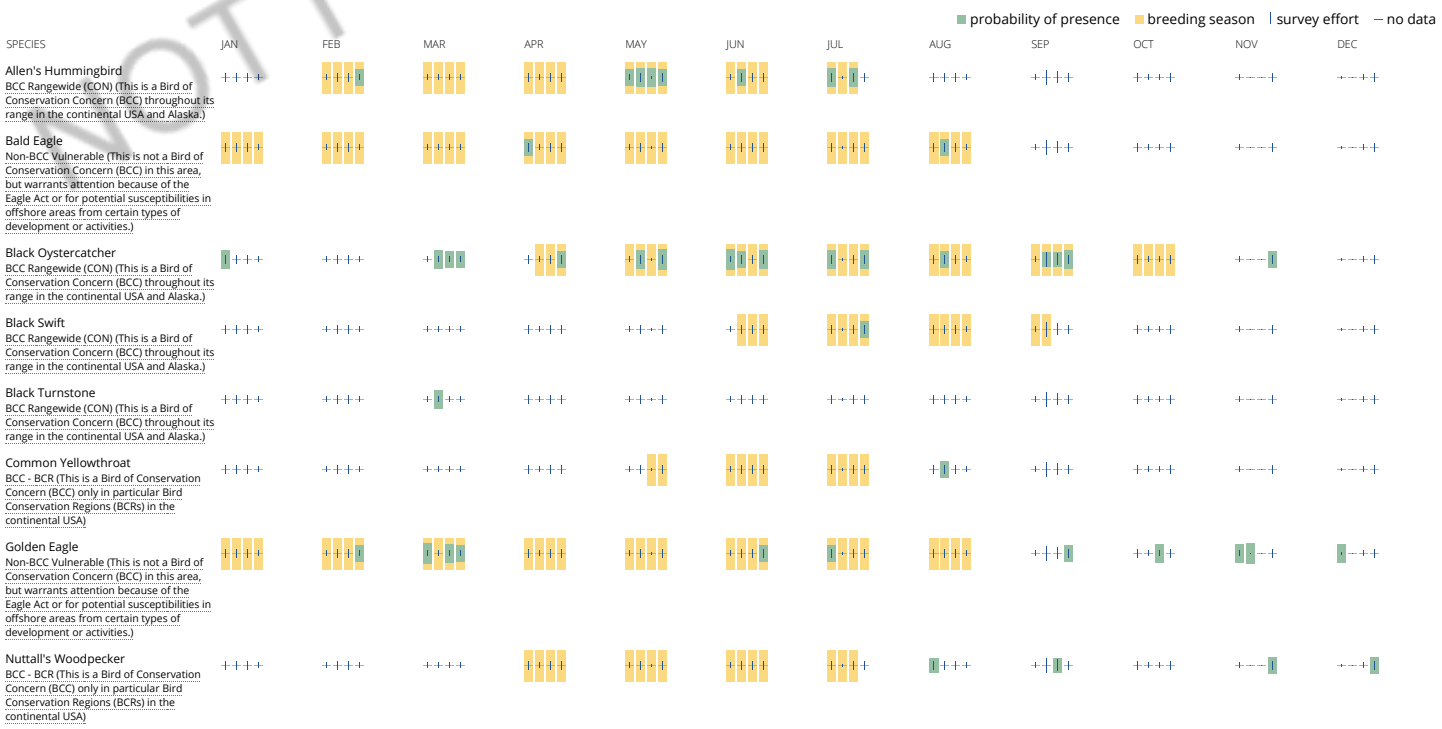
Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

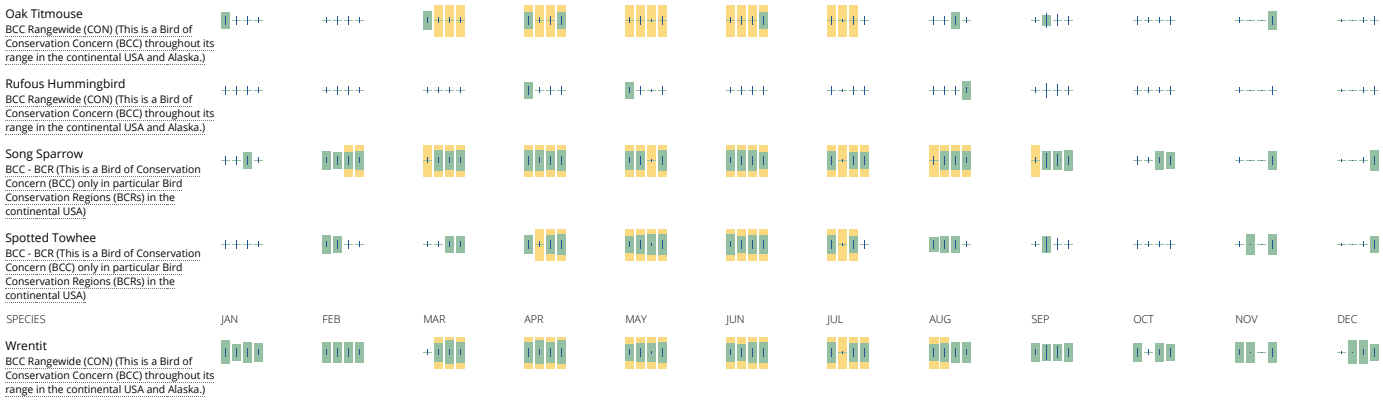
Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the AKN Phenology Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.