

June 29, 2023

Metropolitan Planning Group
1303 Jefferson Street, Suite 100-B
Napa, California 94559

Attention: Ms. Olivia Ervin

**RE: Assessment of Current Site Conditions Relating to
Project Regulatory Agency Permitting and Compliance
Cotati Village Project Site
City of Cotati, California**

Dear Ms. Ervin:

1. INTRODUCTION

Monk & Associates, Inc., (M&A) has prepared this letter-report to document the current site conditions observed during M&A's recent site surveys conducted on May 3 and 12, 2023 at the Cotati Village project site. Note that these surveys included the frontage along Highway 116, which was not part of the project site during previous surveys. The Cotati Village was originally part of the South Sonoma Business Park Master Plan Project (Assessor's Parcel Numbers 144-050-009 & 046-286-021) and is located along Highway 116 at Alder Avenue in the City of Cotati, California (the "project site"). A significant portion of the project site has been developed with the Lowe's Home Improvement Store and the Cotati Cottages subdivision. Currently, Highway 116 Associated Investors LLC (hereinafter the Applicant) is proposing to develop the southwest one-quarter of the project site (hereinafter the Cotati Village site) with residential and commercial buildings as well as a public park. This proposed development is the Cotati Village Project (Figures 1-3, attached).

In 2016, M&A conducted a full regulatory permitting and mitigation implementation review and concluded that the project had complied with regulatory agency permits authorized for this development. A letter-report to this effect was prepared by M&A dated June 6, 2016, that summarized the regulatory history of the project (which encompasses the Cotati Village Site) and further demonstrated compliance with the City of Cotati's California Environmental Quality Act (CEQA) Biological Resources Conditions of Project Approval (COAs) that were originally adopted for the project. The 2016 letter-report demonstrated that *the mitigation requirements for the Project have been satisfied and therefore no further State, Federal, or Local agency requirements should be warranted for development of the Cotati Village Site.*

In 2019 and 2021, M&A completed similar letter reports updating the findings presented in the June 6, 2016 report. In the 2019 letter-report M&A concluded: *"As the site conditions remain similar to those found in 2016, the conclusions drawn at that time remain true in 2019 and at this time no further regulatory agency requirements are warranted for the Village Project. M&A recommends that the City of Cotati approve the Applicant to proceed with planned development of the Cotati Village Project Site."* In the 2021 letter-report M&A concluded: *"As the site*

conditions remain similar to those found in 2016 and 2019, the conclusions drawn at that time remain true in 2021 and at this time no further regulatory agency requirements are warranted for the Cotati Village Project.”

The Cotati Village Site remains undeveloped to date but was mass-graded when the entire South Sonoma Business Park Master Plan Project site was graded in June 2002. As part of the 2016, 2019, and 2021 letter-reports, M&A presented the biological conditions found on the Cotati Village site at that time corroborating that there were no areas on the project site that could be under the regulatory authority of the U.S. Army Corps of Engineers (Corps) or the California Regional Water Quality Control Board (RWQCB) and confirming that there was no remaining California tiger salamander (*Ambystoma californiense*) breeding habitat or suitable habitat for listed plants that persisted on the project site after it was mass graded in June 2002.

Since 2016, the Village Project has encountered significant delays related to the lengthy and unanticipated process of obtaining a Caltrans encroachment permit along the frontage of the property and thus has yet to be constructed. As such, M&A has prepared this supplemental letter report to document the biological conditions on the Village site in 2023 (as of May 12, 2023) and to show that the current site conditions remain similar to those observed by M&A in 2016, 2019, and again in 2021. ***Consequently, the conclusions drawn in M&A’s 2016 letter-report, and in the updated letter-reports from site visits performed in 2019 and 2021, remain true today and there should be no further regulatory agency considerations for development of the Cotati Village Site if it is developed this year.*** If development is delayed again, we recommend that a biologist visit the site in 2024 to reconfirm site conditions.

2. COTATI VILLAGE SITE BIOLOGICAL CONDITIONS ASSESSMENT IN 2023

During the May 3 and 12, 2023 site visits, M&A confirmed that the undeveloped areas of the Cotati Village project site are still dominated by a ruderal (weedy) herbaceous plant community. These surveys were conducted during the blooming period of the federal and state listed Sebastopol meadowfoam (*Limnanthes vinculans*), which was included in the Biological Opinion issued for the project in 2002 when it was part of the South Sonoma Business Park Master Plan Project. Vegetative cover varied depending on the location on the project site from a dominance of Harding grass (*Phalaris aquatica*) to smaller localized areas that are currently dominated by wild oats (*Avena barbata*), Italian rye grass (*Festuca perennis*), annual fireweed (*Epilobium brachycarpum*), curly dock (*Rumex crispus*), and bromes (*Bromus diandrus* and *B. hordeaceus*). Subdominants include, bristly ox-tongue (*Helminthotheca echioides*), English plantain (*Plantago lanceolata*), coast madia (*Madia sativa*) and silver hairgrass (*Aira caryophyllea*) among other non-native grasses and forbs (i.e., broad-leaved plants).

On November 18, 2021, M&A botanist/biologist Ms. Christy Owens and M&A biologist Ms. Sarah McNamara conducted a formal delineation of waters of the U.S. on the Cotati Village Project site using the methods in the Corps’ 1987 *Wetlands Delineation Manual*¹ in conjunction

¹ U.S. Army Corps of Engineers. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report, Y-87-1. US Army Engineer Waterways Experiment Station. Vicksburg, Mississippi. 100 pp.

with the *Regional Supplement for the Arid West Region*². It is important to note Ms. Owens also conducted the original delineation with Mr. Geoff Monk on May 28, 2016, and the reverification visit in 2019, so she is familiar with past site conditions. A total of 17 sample points were established to determine if there could be waters of the U.S. or State on the Cotati Village project site. At each sample point soil pits were hand-dug, and vegetation and hydrology characteristics were examined. As in 2016 and 2019, all soil pits still showed imported fill and mixed soil properties that clearly dates to when the project site was mass graded in June 2002. The Cotati Village project site by and large exhibited a dominant upland plant community.

During the May 12, 2023 site visit, M&A biologist Ms. Sarah Lynch surveyed the project site to determine if anything had changed since the prior visit in 2021. At this time Ms. Lynch collected data from locations on the project site where data was previously collected to confirm the status of areas on the project site had not changed. These data were collected using the methods in the Corps' 1987 *Wetlands Delineation Manual*³ in conjunction with the *Regional Supplement for the Arid West Region*⁴. At each sample point soil pits were hand-dug, and vegetation and hydrology characteristics were examined. As in 2016, 2019, and 2021, all soil pits still showed imported fill and mixed soil properties that clearly dates to when the project site was mass graded in June 2002 and these areas were either absent redoximorphic conditions or had insufficient redoximorphic conditions and did not meet the criteria of a hydric soil (that is, these areas did not have wetland soils). The Cotati Village project site still exhibits a dominant upland plant community even in the low topographic area found onsite.

This small depressional area found in 2016, 2019, and 2021 was still present in 2023 but no true hydrophytic (i.e., wetland) plant species were observed. Rather, a mix of non-native facultative (FAC) and upland (UPL) species were present with upland species as dominant: rat-tail fescue (*Festuca bromoides*), Harding grass, Italian ryegrass, curly dock (*Rumex crispus*) and bindweed (*Convolvulus arvensis*). As in 2016, 2019, and 2021, the presence of an upland-dominated plant community is a clear indication that this feature is not a water of the U.S. or State.

Similar to the site conditions in 2016, 2019, and 2021, the Cotati Village site is still mostly level with two earthen stock piles: a smaller stock pile on the southern portion of the site and a larger one on the northern portion of the site. These stockpiles were not placed in any agency jurisdictional feature (e.g., wetlands) since permitted mass grading in 2002 removed all deep depressional topography and included soil importation (fill) and the installation of four drain inlets along the northern and western project site margins. No wetlands or other water features are present onsite in 2023, based on recent data collection and analysis.

² U.S. Army Corps of Engineers. 2008. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2). Ed. J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-06-16. Vicksburg, MS: U.S. Army Engineer Research and Development Center. September 2008.

³ U.S. Army Corps of Engineers. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report, Y-87-1. US Army Engineer Waterways Experiment Station. Vicksburg, Mississippi. 100 pp.

⁴ U.S. Army Corps of Engineers. 2008. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2). Ed. J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-06-16. Vicksburg, MS: U.S. Army Engineer Research and Development Center. September 2008.

Besides a ruderal herbaceous community, there are also a few scattered trees on the Cotati Village project site including the native valley oak (*Quercus lobata*), Oregon oak (*Quercus garryana*), and other individual trees that include California black oak (*Quercus kelloggii*), northern black walnut (*Juglans nigra*), silver wattle (*Acacia dealbata*), and blackwood acacia (*Acacia melanoxylon*). Finally, a portion of the project site that was previously converted to a park as part of the Cotati Cottages subdivision is included in the Cotati Village project site area of potential effect. This area is currently maintained as a manicured lawn area and retains no naturalized habitats or resource agency regulated areas (see the project site's northeastern corner shown on Figure 3).

The four drain inlets mapped on the Cotati Village project site in 2016 are still visible and functioning. These drain inlets were installed at some time in the past to maintain a drained project site. ***As determined in 2016, reconfirmed in 2019 and 2021, and reconfirmed again in 2023, no area on the Cotati Village project site meets all three wetland criteria and thus, M&A concludes that there are no waters of the U.S. or State that remain on the Cotati Village project site today.***

Regarding the proposed Highway 116 improvements along the project site's western end to Alder Avenue and west of Alder Avenue towards the Reds property, these areas were investigated as part of the 2016/2017 wetland delineation conducted by M&A and confirmed by Ms. Roberta Morganstern at the Corps on September 8, 2017. This portion of the project site's roadside ditch and along the frontage of the Reds Property does not support wetlands or other waters and no waters of the U.S./State were confirmed to occur in this segment of roadside ditch during the Corps' verification on September 8, 2017. The Corps' Preliminary Jurisdictional Determination (PJD) letter and stamped map are still valid (PJDs do not expire). For the project site's remaining Highway 116 frontage, occurring east of the boundaries of the confirmed PJD, a draft wetland delineation map is in preparation based on May 2023 wetland delineation field work completed by M&A for the Highway 116/West Cotati Alignment Project. That wetland delineation will be available soon for the City of Cotati to see (i.e., after it has been confirmed by the Corps).

Regarding the potential presence of state and federally listed plants, and/or other special-status plant species on the Cotati Village Project site, the mass grading in June 2002 removed any suitable vernal pool habitats that could support listed vernal pool plants known from the Santa Rosa Plain, and no suitable habitat remains on the Cotati Village project site. It should be noted that the permits that the Applicant received from both the USFWS and the CDFW authorized the grading and removal of all suitable vernal pool habitats from the project site in 2002. Similarly, no breeding habitat for the California tiger salamander remains on the Cotati Village project site today. Full mitigation for the removal of vernal pool habitats, 0.12 acre of Sebastopol meadowfoam habitat and California tiger salamander breeding habitats was implemented by the Applicant, as fully detailed in M&A's 2016 letter-report.

3. CONCLUSION

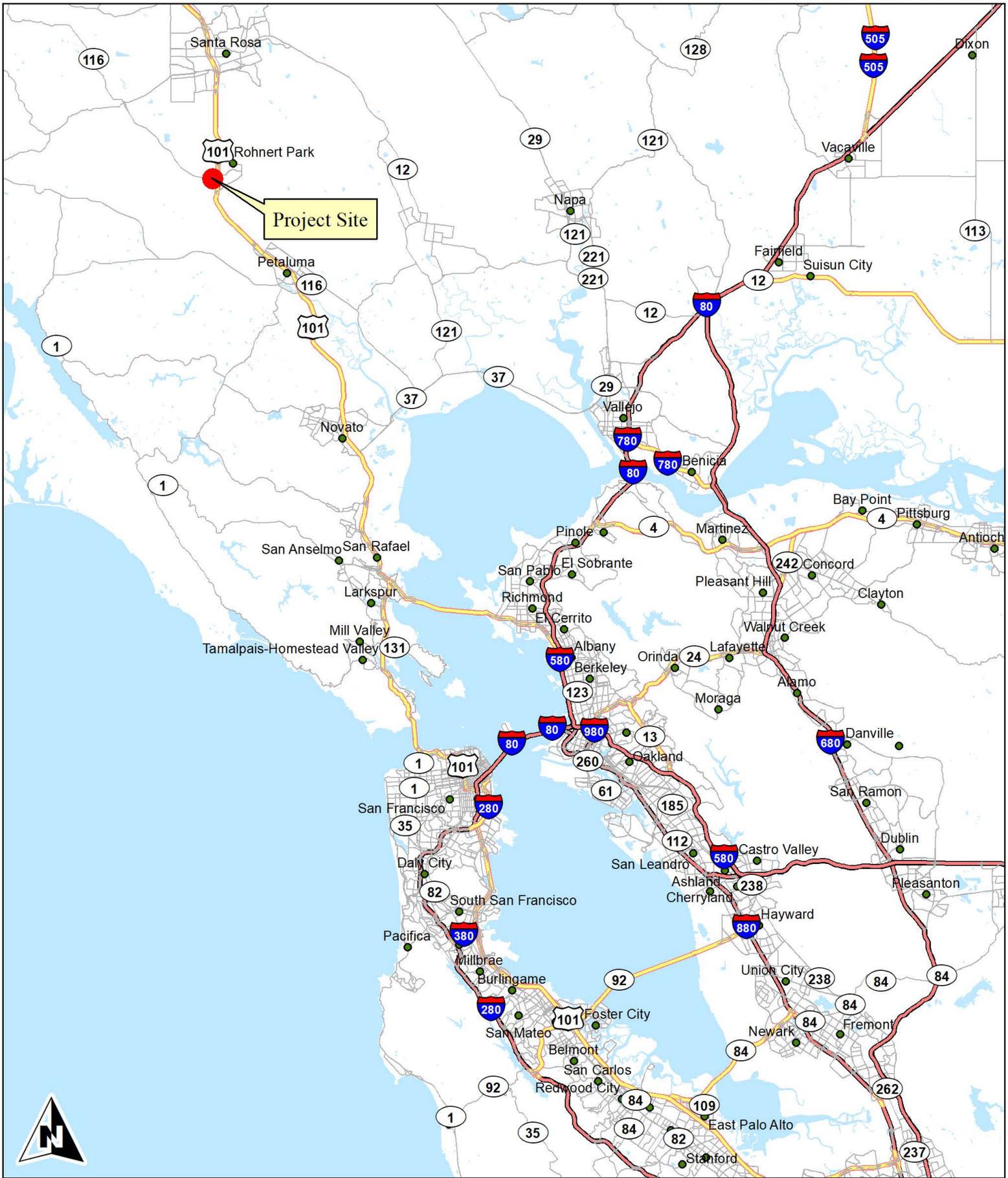
In June 2002, the Applicant mass graded the 101 South Sonoma Business Park project site. That project site includes the Cotati Village project site. All waters of the U.S. and State were removed during this mass grading, as authorized under permits issued by the Corps, USFWS, RWQCB, and the CDFW (the regulatory agencies). All regulatory required mitigation was implemented by the Applicant as detailed in M&A's 2016 letter-report and reverified in the 2019 and 2021 follow up letter-reports. As the site conditions remain similar to those found in 2016, 2019, and 2021, the conclusions drawn at that time remain true in 2023 and at this time no further regulatory agency requirements are warranted for the Cotati Village Project. M&A recommends that the City of Cotati approve the Applicant to proceed with planned development of the Cotati Village Project site. Please do not hesitate to contact me if you have any questions; I can be reached at Sarah@monkassociates.com or at (925) 947-4867, ext. 203.

Sincerely,



Sarah Lynch
Principal Biologist

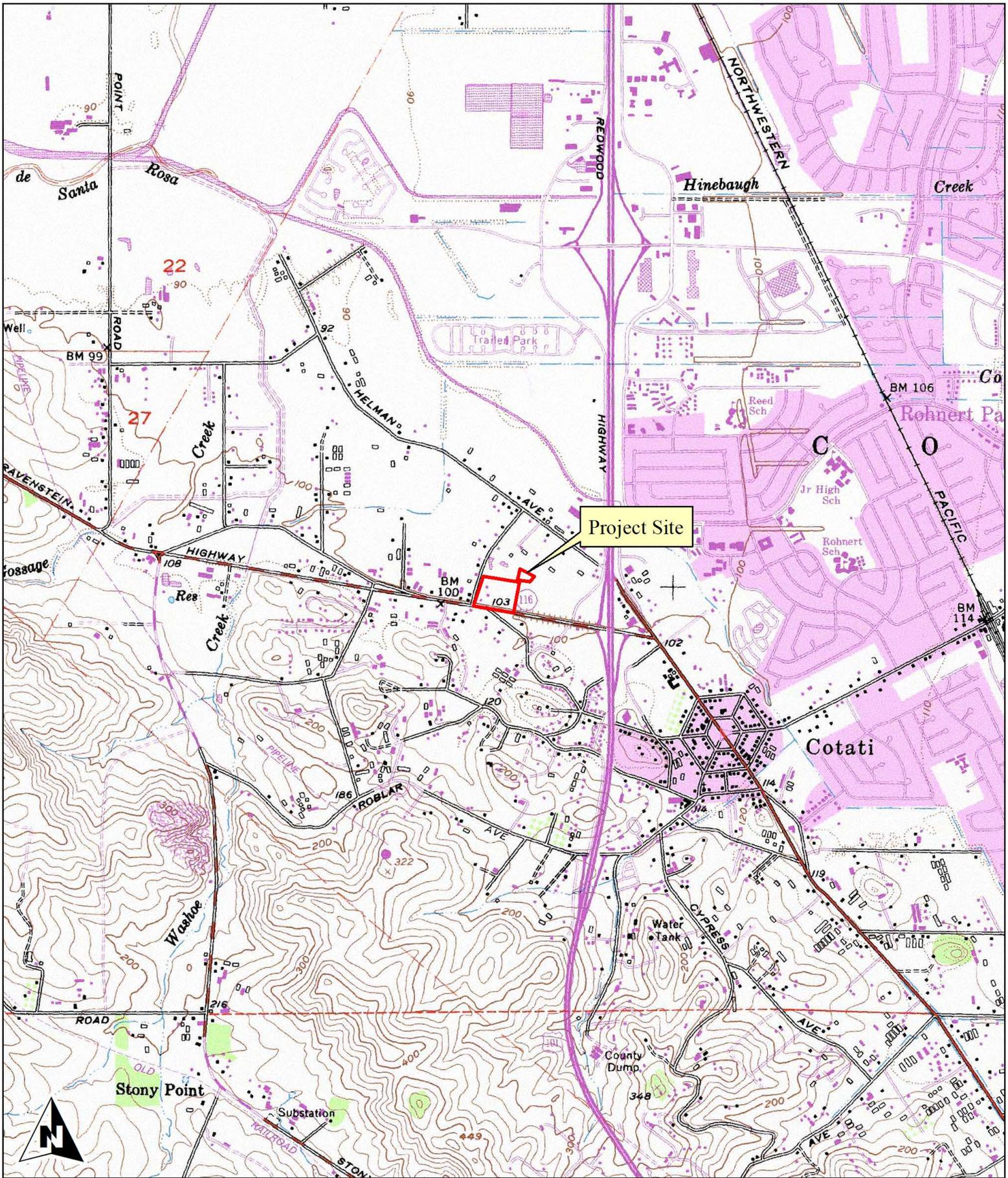
Attachments: Figures 1-3



Monk & Associates
 Environmental Consultants
 1136 Saranap Avenue, Suite Q
 Walnut Creek, California 94595
 (925) 947-4867

Figure 1. Cotati Village Community Project Site
 Regional Map
 City of Cotati, California

County: Sonoma
 Map Preparation Date: November 11, 2021



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Figure 2. Cotati Village Community Project Site
 Location Map
 City of Cotati, California

378.332865 -122.719323
 Section: 26; T6N R8W
 7.5-Minute Cotati quadrangle
 HUC08 Watershed CA: Russian
 Topography Source: USGS
 Map Preparation Date: November 11, 2021



Project Site

Alder Ave

Gravenstein Hwy

W Cotati Ave



0 50 100 200 300 400 500 Feet

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Environmental Consultants
1136 Saranap Avenue, Suite Q
Walnut Creek, California 94595
(925) 947-4867

Figure 3. Aerial Photograph of the
Cotati Village Community Project Site
City of Cotati, California

Aerial Photograph Source: ESRI
Map Preparation Date: November 11, 2021