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January 21, 2025

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**Subject: Moss Landing Community Plan Update (Plan)
Notice of Preparation (NOP)
SCH No.: 2013041053**

Dear Phil Angelo:

The California Department of Fish and Wildlife (CDFW) received a NOP to prepare a Draft Environmental Impact Report (DEIR) from Monterey County for the Moss Landing Community Plan Update (Plan) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Plan that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Plan that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & Game Code, Section 711.7, subd. (a) & 1802; Pub. Resources Code, Section 21070; CEQA Guidelines Section 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., Section 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

Conserving California's Wildlife Since 1870

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CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, Section 21069; CEQA Guidelines, Section 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, reasonably foreseeable future project's tiered from this Plan may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & Game Code, Section 1600 et seq.). Likewise, to the extent implementation of reasonably foreseeable future project's tiered from this Plan may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & Game Code, Section 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

CDFW Ecological Reserve: Fish and Game Code section 1583 states "Except in accordance with the regulations of the commission it is unlawful to enter upon any ecological reserves established under the provisions of the article, or to take therein any bird or the nest or eggs thereof, or any mammal, fish, mollusks, crustaceans, amphibia, reptiles or any other form of plant or animal life." In addition, California Code of Regulations, Title 14, Section 630 states "All ecological reserves are maintained for the primary purpose of developing a statewide program for protection of rare, threatened, or endangered native plants, wildlife, aquatic organisms, and specialized terrestrial or aquatic habitat types", and therefore, any other activity on these lands is restricted.

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research,
- Efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock, or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

Additionally, specified types of infrastructure projects may be eligible for an Incidental Take Permit (ITP) for unavoidable impacts to fully protected species if certain conditions are met (see Fish & G. Code §2081.15). Project proponents should consult with CDFW early in the project planning process if an ITP may be pursued.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish

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and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Unlisted Species: Species of plants and animals do not need to be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Plan.

PLAN DESCRIPTION SUMMARY

Proponent: Monterey County

Objective: The Plan would designate the location and nature of allowable land uses within the community and include narrative and policies specific to Moss Landing. These policies supplement those of the North County Land Use Plan (LUP), which are also applicable in Moss Landing. The draft of the revised community plan includes a background section and elements addressing the following issues: resource management includes protection of the community's visual resources, historical resources, archaeological resources, tribal cultural resources, and water resources. Hazards are addressed within the resource management element, including coastal hazards that could impact development and uses in the community, such as flooding, tsunami, storm surge, and erosion, all of which are exacerbated by climate change.

The Plan also includes two specific development projects. One is proposed by the Monterey Bay Aquarium Research Institute (MBARI) (PLN080006) which would require a General Development Plan. The MBARI General Development Plan describes the existing uses and operations of the MBARI campus in the "Island" neighborhood of Moss Landing, along Sandholdt Road. The proposed General Development Plan contemplates the construction of a new 7,500-square foot dock house (Building K) and an approximately 100-square foot mooring dolphin (Building F). The other is the Moss Landing Road Street and Drainage Improvements project, which is a County of Monterey proposed stormwater and street improvement project along Moss Landing Road.

Location: The Plan is located in Moss Landing, California. Moss Landing is a small unincorporated town located along Highway 1, south of the City of Santa Cruz and north of the City of Monterey.

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COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist Monterey County in adequately identifying and/or mitigating the Plan's significant, or potentially significant, direct, indirect, and cumulative impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document for this Plan.

The NOP indicates that the DEIR prepared for the Plan will consider and analyze potential environmental effects to determine the level of significance. The DEIR will also identify and evaluate alternatives to the proposed Plan. When a DEIR is prepared, the specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation.

Special-Status Species

Based on aerial imagery and species occurrence records from the California Natural Diversity Database (CNDDDB) (CDFW 2024) as well as CDFW familiarity with biological resources in the Plan area, the proposed Plan area is known to and/or has the potential to support special-status species. These resources need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities as these activities have the potential to impact biological resources in the area of the Plan. CDFW recommends that the species identified in Attachment 1 of this letter be considered as part of the DEIR that will be drafted for this Plan.

Monterey Bay Aquarium Research Institute Project

The NOP states that there are two proposed developments in the MBARI, identified as building K (dock house) and F (mooring dolphin), and these developments may impact species listed in attachment 1. CDFW recommends these resources be evaluated and that the DEIR specifically identify potential impacts to biological resources, including those identified in Attachment 1, and provide sufficient mitigation measures to avoid or reduce potential significant impacts prior to any approvals that would allow ground-disturbing activities. In addition to this more general recommendation, CDFW recommends the following specific to the MBARI project:

Common Eelgrass

Common eelgrass (*Zostera marina*) is a State sensitive natural community (SNC) known to occur within and surrounding the Plan area. The NOP does not indicate if the immediate area around the MBARI project or the surrounding areas contain common eelgrass; CDFW recommends the DEIR contain detailed information

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indicating if eelgrass is in the immediate MBARI project area and/or adjacent areas. CDFW also recommends the DEIR specify identification, monitoring, and avoidance measures for in-water work that may disrupt eelgrass. Disruption to eelgrass both inside and outside of the MBARI project area can occur due to increased turbidity from support vessels, equipment, installation of structures and piles, and shading from support vessels and barges during construction activities.

Common eelgrass plays a vital role in the ecosystem and is recognized by state and federal regulations as a highly valuable and sensitive habitat. It contributes to primary production, nutrient cycling, and provides essential spawning, foraging, and nursery habitats for numerous fish and invertebrate species. Protections exist under state and federal “no-net-loss” policies for wetland habitats, emphasizing its conservation priority. In California, eelgrass habitats are listed as SNCs with a vulnerable *State Rank S3*, indicating their limited distribution and susceptibility to environmental impacts, which must be addressed during CEQA reviews (CDFW 2018). The importance of eelgrass protection and restoration, as well as the ecological benefits of eelgrass, are also identified in the California Public Resources Code (PRC §35630). Areas that hold eelgrass are labeled as a Habitat Area of Particular Concern under Essential Fish Habitat for various federally managed species underscores its critical role in supporting thriving marine ecosystems. Given its ecological value, eelgrass habitat remains a high-priority focus for conservation management.

Recommended Mitigation Measure 1: Eelgrass surveys and mitigation

CDFW recommends surveying to determine if eelgrass beds or patches are within or directly adjacent to the MBARI project area and surrounding areas identified in the NOP as defined within the California Eelgrass Mitigation Policy (CEMP) (NOAA 2014). If eelgrass is identified, CDFW recommends that plans be developed to avoid and minimize disturbance and damage or losses of eelgrass beds from construction activities. Activities include, but are not limited to, mooring dolphin piers installation, barge shading and anchoring within eelgrass habitat, pile driving, demolition and construction turbidity, sedimentation, falling debris to the maximum extent feasible, and any other in water work activities.

Recommended Mitigation Measures 2: A comprehensive analysis of impacts to eelgrass habitat

CDFW recommends using CEMP, which was developed by the National Marine Fisheries Service, for guidance on identifying eelgrass impacts, eelgrass mitigation measures and compensation for construction activities. CDFW recommend to do pre-and post-construction surveys for eelgrass beds and patches should be conducted consistent with CEMP. CDFW recommends the

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DEIR include maps and acreage of patchy and dense eelgrass habitat within and adjacent to the proposed site and fully analyze any impacts to eelgrass. If eelgrass is identified, the following measures may reduce potential impacts:

- Locate temporary docks, pile driver barges and vessels, and all anchoring outside of eelgrass habitat.
- Minimize trampling and scouring by installing piles during a tide of sufficient elevation to float construction vessels.
- Conduct pile driving activities outside of eelgrass growing seasons when they are dormant/less sensitive to disturbance.
- Use barriers, such as silt curtains to reduce sediment dispersion.
- Use Best Management Practices (BMPs) such as perimeter debris booms. If debris is observed falling into the water, retrieve debris as soon as possible.

Recommended Mitigation Measures 3: A comprehensive eelgrass mitigation plan

To ensure “no-net-loss”, CDFW recommends unavoidable impacts to eelgrass be compensated for in a method, at a minimum, consistent with CEMP. This plan should include mitigation for any impacts to eelgrass including, but not limited to, impacts from, barge shading and anchoring within eelgrass habitat, pile driving, demolition and construction turbidity, sedimentation, and falling debris.

Recommended Mitigation Measures 4: Scientific collecting permit

If eelgrass harvest and transplanting is required for mitigation, a Scientific Collecting Permit (SCP) from CDFW will be required prior to harvest and transplanting activities. The SCP may include permit conditions such as donor eelgrass surveys, submittal of an eelgrass harvest and transplant plan, limits on number of turions collected, methods for collection and transplanting, notification of activities, and reporting requirements. Please visit CDFW’s SCP webpage for more information: <https://wildlife.ca.gov/Licensing/Scientific-Collecting>.

Pile Driving and Sound Criteria

The NOP does not provide details on what methods of pile driving may be used for the MBARI project (e.g., impact hammer, vibratory hammer), types of piles, number of piles, or hydroacoustic impacts expected from pile installation/removal. Generally, CDFW recommends the use of vibratory hammers where feasible. Pile driving produces intense sound vibrations that may cause temporary or permanent impacts on fish, such as temporary movement out of the pile-driving area, barotrauma injury,

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or mortality. CDFW recommends following the Fisheries Hydroacoustic Working Group recommendations to set safe sound pressure level (SPL) criteria for pile driving activities (Fisheries Hydroacoustic Working Group 2008). The SPL dual criteria includes a peak level of 206 dB and a cumulative sound exposure level (SEL) of 187 dB for fish two grams and heavier or a cumulative SEL of 183 dB for fish less than 2 grams. Additionally, if hydraulic jetting or an impact hammer is used for pile driving, this may impact water quality, releasing contaminants from sediments into the water and/or creating turbidity that could harm fish and shade or smother eelgrass beds.

CDFW recommends that the DEIR evaluate hydroacoustic impacts to aquatic species such fish, including species such as tidewater goby (*Eucyclogobius newberryi*), South Central California Coast Steelhead (*Oncorhynchus mykiss*), and Pacific lamprey (*Entosphenus tridentatus*), which are identified in Attachment 1, and prepare a sound monitoring plan that includes a model of the expected SPL and SELs for the MBARI project's piling driving activities. CDFW further recommends using a vibratory hammer for pile driving to the greatest extent feasible, or an alternative that produces the least amount of noise. In addition, CDFW recommends the following:

Recommended Mitigation Measures 5: Impact Hammer

If an impact hammer must be used (e.g., due to pile material, refusal at bedrock), multiple minimization measures can be used to reduce sound levels. CDFW recommends the following:

- A sound attenuation and monitoring plan be submitted to the resource agencies for review prior to initiating pile driving activities.
- A wood, or similar material, cushion block is used between the pile and hammer during all pile driving using an impact hammer.
- Bubble curtains be used when feasible during all impact pile driving to reduce sound exposure levels that have been shown to cause injury and/or mortality.
- Underwater sound level monitoring be conducted during pile driving. If SPLs and SELs exceed agreed upon levels as per the 'Interim Criteria for Injury to Fish', additional steps should be taken to reduce the underwater noise to acceptable levels.
- Use of a silt curtain to control turbidity during high turbidity generating activities, such as hydraulic jetting when feasible. Additionally, high turbidity generating activities should be conducted when there are no strong outgoing tides since this could exacerbate turbid conditions and negatively impact marine life.

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Proposed Moss Landing Road Project

The NOP proposes a Moss Landing Road storm drain and sidewalk improvement project. This project, “involves the design and reconstruction of the northern portion of Moss Landing Road from its intersection of State Route 1 through the commercial district of the Moss Landing community. New storm drains will be installed along an approximately 3,680-foot length of Moss Landing Road with concrete curb, gutter and sidewalk on both sides of the road.” A section of this project intersects the Moro Cojo slough. This project may impact species listed in attachment 1. As such, CDFW recommends these resources be evaluated and that the DEIR specifically identify potential impacts to biological resources from the project, including those identified in Attachment 1, and provide sufficient mitigation measures to avoid or reduce potential significant impacts prior to any approvals that would allow ground-disturbing activities.

California Endangered Species Act

Reasonably foreseeable future projects tiered from this Plan, including the MBARI and Moss Landing Road projects, may be subject to CDFW's regulatory authority pursuant to the California Endangered Species Act (CESA). In the event that species listed under CESA are detected during surveys consultation with CDFW is warranted to discuss how to implement the project and avoid “take,” or if avoidance is not feasible, to acquire a State ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground disturbing activities. In addition, CDFW advises that mitigation measures for the CESA listed species be fully addressed in the CEQA document prepared for any future project tiered from this Plan.

CDFW therefore recommends that the DEIR for this Plan include information related to these requirements and advises that projects tiered from this Plan retain a qualified biologist to determine if potential impacts to CESA listed species may require the need to obtain a 2081 ITP.

Lake and Stream Alteration

Reasonably foreseeable future projects tiered from this Plan, including the MBARI and Moss Landing Road projects may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires project proponents to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. “Any river, stream, or lake” includes those that are ephemeral or intermittent as well as those that are perennial in nature. As an example, the proposed

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Moss Landing Road project intersects Moro Cojo slough. If this project has the potential to substantially modify the slough, notification would be required per Fish and Game Code section 1602. For additional information on notification requirements, please contact our staff in the Lake and Stream Alteration Program at (559) 243-4593, or R4LSA@wildlife.ca.gov.

CDFW therefore recommends that the DEIR for this Plan include information related to these requirements of Fish and Game code and advise that projects tiered from this Plan, including the MBARI and Moss Landing Road project, retain a qualified biologist to determine if potential impacts to streams may require the need to notify pursuant to Fish and Game Code section 1602.

Proximity of Protected Lands

CDFW would like to note that the Plan area is in close proximity to several protected areas including CDFW's Elkhorn Slough Ecological Reserve (and National Estuarine Research Reserve), Moss Landing Wildlife Area, and Moro Cojo Ecological Reserve, as well as the Moro Cojo Slough State Marine Reserve and the Elkhorn Slough State Marine Conservation Area. CDFW recommends that projects tiered from this Plan that result in ground disturbance and development be sited to avoid direct and indirect impacts to these protected areas and that a sufficient buffer be incorporated between future projects and these lands.

Botanical Surveys

CDFW recommends that the DEIR for this Plan include a measure requiring that projects tiered from this Plan located within natural habitats, including the MBARI and Moss Landing Road project, be surveyed by a qualified botanist for any possible special-status plants following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities" (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>). CDFW recommends that the plant surveys be floristic and, if necessary, utilize a known reference site for any special-status plants in order to provide a high level of confidence in the effort and results.

If a special-status plant is found, CDFW recommends that the special-status plant species be avoided whenever possible by delineating and observing a no disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State or federally listed plant species is identified during botanical surveys, it is recommended that

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consultation with CDFW and/or the United States Fish and Wildlife Service (USFWS) be conducted to determine permitting needs.

Nesting birds

CDFW recommends that all projects tiered from this Plan, including the MBARI and Moss Landing Road project, occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 15 through September 15), each future project applicant is responsible for ensuring that implementation of their project does not result in a violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate future project-related impacts on nesting birds, CDFW recommends that a qualified biologist conduct an assessment of nesting habitat during biological surveys in support of each project's CEQA document, and then conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around each future project site to identify nests and determine their status. A sufficient area means any area potentially affected by a project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline for all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from each future project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction areas would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

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CEQA Alternatives Analysis

CDFW recommends that the information and results obtained from the cumulative impacts analysis conducted as part of this Plan's DEIR be used to develop and modify the Plan's alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. Please note that when efforts to avoid and minimize impacts have been exhausted for projects tiered from this Plan, remaining impacts to sensitive biological resources may need to be mitigated to reduce impacts to a less than significant level, if feasible.

CNDDDB

Please note that the CNDDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. All projects tiered from this Plan should adequately assess any potential project-related impacts to biological resources by ensuring biological surveys are conducted by a qualified wildlife biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology as warranted in order to determine whether or not any special-status species are present at or near the project area.

Federally Listed Species

CDFW recommends projects tiered from this Plan consult with the USFWS on potential impacts to federally listed species. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground disturbing activities.

Environmental Data

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, Section 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address:

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CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

Filing Fees

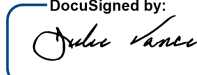
The Plan, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, Section 753.5; Fish & G. Code, Section 711.4; Pub. Resources Code, Section 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist Monterey County in identifying and mitigating this Plan's impact on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Questions regarding this letter or further coordination should be directed to Evelyn Barajas-Perez, Environmental Scientist, at (805) 503-5738 or evelyn.barajas-perez@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Julie A. Vance
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REFERENCES

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- Fisheries Hydroacoustic Working Group. 2008. Interim criteria for injury of fish exposed to pile driving operations: memorandum. Washington: Federal Highway Administration.
- National Oceanic and Atmospheric Administration. California eelgrass mitigation policy and implementing guidelines. 2014. National Oceanic and Atmospheric Administration, Fisheries West Coast Region, Portland, Oregon, USA.

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Common Name	Scientific Name	Status	
		State	Federal
Bald eagle	<i>Haliaeetus leucocephalus</i>	E; FP	-
California condor	<i>Gymnogyps californianus</i>	E; FP	E
California Ridgway's rail	<i>Rallus obsoletus obsoletus</i>	E; FP	E
Least bell's vireo	<i>Vireo bellii pusillus</i>	E	E
Santa Cruz long-toed salamander	<i>Ambystoma macrodactylum croceum</i>	E; FP	E
Bank swallow	<i>Riparia riparia</i>	T	-
California black rail	<i>Laterallus jamaicensis coturniculus</i>	T; FP	-
Tricolored blackbird	<i>Agelaius tricolor</i>	T	-
California tiger salamander - central California DPS	<i>Ambystoma californiense</i>	T	T
Monterey gilia	<i>Gilia tenuiflora</i>	T	E
Southern Sea Otter	<i>Enhydra lutris nereis</i>	FP	T
Golden eagle	<i>Aquila chrysaetos</i>	FP	-
White-tailed kite	<i>Elanus leucurus</i>	FP	-
Western burrowing owl	<i>Athene cunicularia hypugaeae</i>	C	-
Crotch's bumble bee	<i>Bombus crotchii</i>	C	-
Western bumble bee	<i>Bombus occidentalis</i>	C	-
American badger	<i>Taxidea taxus</i>	SSC	-
Monterey dusky-footed woodrat	<i>Neotoma macrotis luciana</i>	SSC	-
Monterey shrew	<i>Sorex ornatus salarius</i>	SSC	-
Black swift	<i>Cypseloides niger</i>	SSC	-
Grasshopper sparrow	<i>Ammodramus savannarum</i>	SSC	-
Loggerhead shrike	<i>Lanius ludovicianus</i>	SSC	-
Northern harrier	<i>Circus hudsonius</i>	SSC	-
Short-eared owl	<i>Asio flammeus</i>	SSC	-
Yellow warbler	<i>Setophaga petechia</i>	SSC	-
Yellow-breasted chat	<i>Icteria virens</i>	SSC	-

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Western snowy plover	<i>Charadrius nivosus nivosus</i>	SSC	T
Northern California legless lizard	<i>Anniella pulchra</i>	SSC	-
California red-legged frog	<i>Rana draytonii</i>	SSC	T
Tidewater goby	<i>Eucyclogobius newberryi</i>	SSC	E
Pacific Lamprey	<i>Entosphenus tridentatus</i>	SSC	-
Monterey hitch	<i>Lavinia exilicauda harengus</i>	SSC	-
Common eelgrass	<i>Zostera marina</i>	SNC	-
California sea lion	<i>Zalophus Californianus</i>	-	MMPA
South Central California Coast Steelhead	<i>Oncorhynchus mykiss</i>	-	T

E= Endangered; T=Threatened, C= Candidate for listing as Threatened or Endangered, SSC= Species of Special Concern, FP= Fully Protected, SNC= Sensitive Natural Community. MMPA=Marine Mammal Protection Act

Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)**

**PROJECT: Moss Landing Community Plan Update (Plan)
Notice of Preparation (NOP)**

SCH No.: 2013041053

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
<i>Common eelgrass (Zostera marina)</i>	
Recommended Mitigation Measure 1: Eelgrass surveys and mitigation	
Recommended Mitigation Measure 2: A comprehensive analysis of impacts to eelgrass habitat	
Recommended Mitigation Measures 3: A comprehensive eelgrass mitigation plan	
Recommended Mitigation Measures 4: Scientific collecting permit	
<i>Pile Driving and Sound Criteria</i>	
Recommended Mitigation Measures 5: Impact Hammer	
<i>During Construction</i>	
<i>Common eelgrass (Zostera marina)</i>	
Recommended Mitigation Measure 2: A comprehensive analysis of impacts to eelgrass habitat	
<i>Pile Driving and Sound Criteria</i>	

Recommended Mitigation Measures 5: Impact Hammer	
<i>Post Construction</i>	
Common eelgrass (<i>Zostera marina</i>)	
Recommended Mitigation Measures 2: Eelgrass impact evaluation and mitigation measures	