

**DRAFT
SUBSEQUENT
MITIGATED NEGATIVE DECLARATION**

for

**SAN JOSE CREEK TRAIL PROJECT, POINT LOBOS RANCH
(UNCLASSIFIED UNIT OF CALIFORNIA STATE PARKS) AND THE
WHISLER-WILSON RANCH (MONTEREY PENINSULA REGIONAL
PARK DISTRICT)**

State Clearinghouse #

**March
2016**

Lead Agency



**State of California
DEPARTMENT OF PARKS AND RECREATION**

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TABLE OF CONTENTS

Section 1: Introduction.....	1
1.1 Background	2
1.2 Lead Agency Determination and Regulatory Guidance	4
1.3 Project Purpose and Need	6
1.4 Summary of Findings	6
1.5 Availability of documents:	9
Section 2: Project Description.....	11
2.1 Project Location:	11
2.2 Project Description:	11
2.3 Summary of Mitigation Measures and DPR Standard Project Requirements	14
Aesthetics	15
Agricultural Resources	15
Air Quality	15
Biological Resources.....	15
Cultural Resources.....	19
Geology and Soils	20
Hazards and Hazardous Materials	21
Hydrology and Water Quality	21
Land Use and Planning.....	21
Mineral Resources	21
Noise.....	21
Population and Housing	21
Public Services.....	21
Recreation.....	21
Transportation/Traffic	21
Utilities and Service Systems	21
Section 3. Environmental Checklist.....	25
Section 4. Potential Environmental Impacts and Mitigation Measures	41
Biological Resources.....	41
Cultural Resources.....	44
Geology/Soils	45
Hydrology/Water Quality	46
Air Quality	46
Recreation.....	47
Traffic	47
Section 5. List of Preparers and References.....	51

LIST OF FIGURES

Figure 1: Project Location Map7
Figure 2 Proposed Trailhead parking lot area Area.....8
Figure 3 Habitat Classifications for the Trailhead parking lot area Area.....43

LIST OF APPENDICES

APPENDIX A. WHISLER PROJECT 2006 ADOPTED IS/MND
APPENDIX B. BIOLOGICAL REPORT
APPENDIX C. CULTURAL RESOURCES STUDY
APPENDIX D. TRAFFIC STUDY

SUBSEQUENT MITIGATED NEGATIVE DECLARATION

PROJECT: SAN JOSE CREEK TRAIL PROJECT, POINT LOBOS RANCH (UNCLASSIFIED UNIT OF CALIFORNIA STATE PARKS) AND THE WHISLER-WILSON RANCH (MONTEREY PENINSULA REGIONAL PARK DISTRICT)

LEAD AGENCY: California Department of Parks and Recreation (DPR)

Section 1: Introduction

1.1 SUMMARY

The 1.5-mile San Jose Creek Trail is a cooperative project between California State Parks (DPR), Big Sur Land Trust (BSLT), and the Monterey Peninsula Regional Park District (MPRPD) that is being undertaken via a three-party Memorandum of Understanding (MOU) describing this partnership. BSLT has received funding from the California Natural Resources Agency (CNRA) River Parkways grant program to fund the San Jose Creek Trail project, and its construction will be implemented by DPR.

This document is a Subsequent Initial Study/Mitigated Negative Declaration (IS/MND) to the California Environmental Quality Act (CEQA) IS/MND prepared for a previously proposed road improvement project on the easement to access the Whisler Wilson Ranch (WWR) by Monterey County (County) as the lead agency in 2006 (SCH#2006041068). In 2014, the County approved a minor and trivial permit amendment revising the road improvement project to a public access trail with three pedestrian bridges across San Jose Creek. The County retained the mitigation measures from the previously adopted Mitigated Negative Declaration (MND) and made a finding that because of the reduced scale, the proposed trail and pedestrian bridge project substantially complied with the IS/MND of the earlier road improvement project (SCH#2006041068). The adopted MND impact analyses and mitigation measures pertaining to the San Jose Creek Trail pedestrian bridges are incorporated herein (**Appendix A**).

This Draft Subsequent MND for the San Jose Creek Trail project has now been prepared by DPR as the lead agency for the addition of a 25-space trailhead parking area that was not addressed in the previously adopted MND. The purpose of the analysis was to determine whether the addition of the trailhead parking lot area resulted in any additional impacts not previously identified in the adopted IS/MND. It discloses changes in project conditions and analyzes new potential environmental effects and mitigation measures that required the preparation of this Draft Subsequent MND (per CCR §15162). This document has been prepared in accordance with CEQA (Public Resources Code [PRC] §21000 *et seq.*) and CEQA Guidelines (California Code of Regulations [CCR] §15000 *et seq.*).

Section 2 of this document includes the Project Description and a Summary of the Mitigation Measures and DPR Standard Requirements that are being applied to the trailhead parking lot area. Section 3 of this document is the Environmental Checklist. Section 4 is the analyses of potential environmental effects identified in the checklist.

1.1 BACKGROUND

DPR is the lead agency for the San Jose Creek trailhead parking lot area due to its ownership of Point Lobos Ranch (PLR) where the trailhead parking lot area would be located. The trailhead parking lot area would be sited on PLR, within a disturbed roadside area that is currently used by DPR for informal parking and as a vehicle turnaround. PLR contains the lower San Jose Creek where it flows into the Monterey Bay, and portions of the lower creek drainage and landscape upstream. DPR has managed this property since the 1990's, but no General Plan for PLR has yet been adopted and to date public access has been limited. Since its acquisition, PLR has remained an unclassified unit of the State Parks system. A General Plan document for the unit is underway anticipated to be completed in 2016.

The existing dirt road and easement where the San Jose Creek Trail Project is planned, traverses through DPR's PLR unclassified unit to provide access to the WWR. The WWR property and road easement are now held by MPRPD. BSLT first acquired the PLR in 1993 and it was fully transferred to DPR in 2003. BSLT subsequently acquired the WWR in 2010 and transferred it to MPRPD in 2014.

Between 2006 and 2009, then owners of the WWR proposed the Whisler Road Improvement Project (Whisler project) to improve an existing dirt road located at the end of a 1.5 mile long roadway starting at State Route 1 (SR-1). The purpose of the Whisler project was to provide year round motor vehicle access to a future new single family dwelling and existing cabin on the site, as well as for agricultural grazing uses. Proposed improvements on the 16 foot wide easement road included construction of turnouts for fire safety; construction of three motor vehicular bridges to replace existing wet crossings; and placement of an all-weather roadway surface. The road improvement project had not been constructed when BSLT acquired the WWR property. As part of BSLT's acquisition of WWR, the previously obtained permits and authorizations were transferred to BSLT and MPRPD.

An IS/MND was prepared for the Whisler project and adopted in accordance with the CEQA by the County as the lead agency. The County adopted the MND and granted a Coastal Development Permit (CDP) for the Whisler project on 28 June 2006 (SCH#2006041068). The primary project objective stated in the adopted MND for the Whisler project was replacement of three existing wet crossings in San Jose Creek with vehicular bridges to avoid further siltation of the creek. Following an appeal to the California Coastal Commission in 2008 over concerns about environmentally sensitive

habitat, the Whisler's reduced the scope of their project and the County issued an amended permit for the Whisler project on 5 May 2009 to reflect the project changes. The amendment reduced the Whisler project by eliminating 13 of 19 originally proposed road turnouts and extent of road widening. In addition to the CDP, all other permits were obtained for the Whisler project, including a Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) (No. 1600-2008-0094-R4); Biological Opinions (BO) from U.S. Fish and Wildlife Service (USFWS) (File Number 28289S) and National Marine Fisheries Service (NMFS) (File #151422SWR2006SR0038); and U.S. Army Corp of Engineers (USACE) Nationwide Permit under Section 404 of the Clean Water Act (File 2003-28289S).

BSLT's WWR acquisition included the 16 foot wide road easement. The easement begins at the SR-1 right-of-way, continues through DPR's PLR for approximately 6,526 feet, and then enters into MPRPD's WWR for a distance before continuing through PLR for another 945 feet. The total length of easement on the DPR's PLR parcel is approximately 7,472 feet. Per the road easement agreement, road maintenance is a shared long term responsibility between DPR and the interior parcel owner, now MPRPD. The existing road is fairly level and surfaced in aggregate road base. The Whisler project had not been constructed when BSLT acquired the WWR property in 2010. As part of BSLT's acquisition of the property, the Whisler project permits and authorizations were transferred to BSLT and MPRPD. The San Jose Creek Trail through PLR would be located on this existing dirt road/easement.

In 2014, the County approved a minor and trivial permit amendment revising the Whisler project to a public access trail with three pedestrian bridges across San Jose Creek. The County retained the mitigation measures from the adopted MND and made a finding that because of the reduced scale of the pedestrian bridges and elimination of other road improvements, the proposed trail project substantially complied with the scope of IS/MND of the earlier road improvement project (SCH#2006041068). The County's retained mitigation measures for the pedestrian bridges and trail are included in **Section 2, the Summary of Mitigation Measures and DPR Standard Requirements**, and are also applied to the trailhead parking lot area facilities that are additional to the road easement/pedestrian bridge improvements and the focus of this Draft Subsequent IS/MND. The adopted MND impact analyses for these mitigation measures pertaining to the San Jose Creek Trail pedestrian bridges are incorporated herein (**Appendix A**).

The pedestrian bridges are proposed in the same locations as the Whisler project and have been determined by the County to be within the scope of the Whisler project's adopted CEQA document, as they also would avoid further siltation of the creek. They are not further analyzed by this Subsequent IS/MND. The County's permit amendment to BSLT also recognized that the amendment was for the purpose of creating new public access trail rather than to allow year-round vehicle access for farming activities

and private development of a new single family home.

WWR was the last piece in a series of acquisitions to create a network of several local, state, and federal properties and a mosaic of 10,000 acres of public open space reaching from Carmel Bay to Big Sur. This landscape includes DPR's Carmel River State Beach, Point Lobos Natural Preserve, PLR and Garrapata State Park; MPRPD's Palo Corona Regional Park (including the WWR); CDFW's Joshua Creek Canyon Ecological Reserve, and Ventana Wilderness/Los Padres National Forest. BSLT, MPRPD and DPR, through the MOU, plan to utilize the existing access road easement as a pedestrian trail for public access through PLR to WWR and Palo Corona Regional Park. The pedestrian trail reduces the overall extent of the Whisler road project. The Whisler project is now referred to as the San Jose Creek Trail project.

1.2 LEAD AGENCY DETERMINATION AND REGULATORY GUIDANCE

DPR is the lead agency for the trailhead parking lot area that would be constructed as a separate component of the San Jose Creek Trail project. As part of the cooperative MOU with BSLT and MPRPD that DPR agreed to, the parking lot/trailhead would be located on DPR's PLR unit. Section 15051 of CEQA states that where two or more public agencies will be involved with a project, the determination of which agency will be the Lead Agency shall be governed by the following criteria:

- If the project will be carried out by a public agency, that agency shall be the Lead Agency even if the project would be located within the jurisdiction of another public agency.
- Where two or more public agencies with a substantial claim to be the Lead Agency, the public agencies may by agreement designate an agency as the Lead Agency. An agreement may also provide for cooperative efforts by two or more agencies by contract, joint exercise of powers, or similar devices (e.g. Memorandum of Understanding).

DPR owns the PLR property that contains San Jose Creek where it flows into the Monterey Bay, and a section of the lower creek drainage and landscape upstream. The WWR property and road easement to WWR are under MPRPD ownership. BSLT has a River Parkways grant from the CNRA for the San Jose Creek Trail Project, and its construction will be implemented by DPR. DPR has assumed the role of the lead agency under Section 15050(a) of the CEQA Guidelines, as most of the physical changes necessitating the Draft Subsequent IS/MND occur on DPR-owned land.

Under CEQA, DPR has the distinction of being considered a lead agency, a responsible agency, and a trustee agency. A lead agency is a public agency that has the primary responsibility for carrying out or approving a project and for implementing CEQA. A responsible agency is a public agency (other than the lead agency) that has responsibility for carrying out or approving a project and for complying with CEQA. A

trustee agency is a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. With this distinction comes the responsibility to ensure actions that protect sensitive resources are always implemented on every project. Therefore, DPR maintains a list of Standard Project Requirements that are included in project design to reduce impacts to sensitive resources.

The trailhead parking lot area was not considered in the permit amendment approved by the County in 2014, and is outside the scope of the 2006 IS/MND. The 2006 IS/MND did not anticipate or consider operational impacts resulting from this new public access. DPR has determined that the additional project components and new public access uses constitute substantial changes to the project description that warrant revisions to the previous MND analysis pursuant to Section 15162 of the CEQA Guidelines. Thus, a determination has been made that this Draft Subsequent MND is required. This document has been prepared in accordance with the CEQA (PRC §21000 *et seq.*) and CEQA Guidelines (CCR §15000 *et seq.*). DPR applies a set of Standard Project Requirements in lieu of Mitigation Measures to reduce or eliminate potential environmental effects. Section 2 includes a summary of mitigation measures carried over from the Whisler project to apply to the trailhead parking area, a new mitigation measure related to cultural resources, as well as Standard Project Requirements to be applied to the San Jose Creek Trail Project.

This Draft Subsequent IS/MND addresses environmental issues that may result from the expanded project scope to include short-term construction impacts associated with the trailhead parking lot area and long-term operation impacts (user access) for the whole of the project. Issues addressed include biological resources, cultural resources, geology/soils, hydrology/water quality, air quality, recreation, and traffic. All other portions of the project have been determined by DPR and the County to have been adequately analyzed under the 2006 IS/MND and mitigated through conditions of approval/mitigation measures carried over from the Whisler project. The County's adopted IS/MND (SCH#2006041068) has been determined to be valid for construction-related impacts of the three pedestrian bridges entitled by County Permit PLN140690.

Thus, this Draft Subsequent IS/MND only describes and analyzes the trailhead parking lot area. It includes mitigation measures the County retained from the adopted IS/MND to also apply to the trailhead parking lot area. It describes and analyzes impacts from construction of the trailhead parking lot area features, as well as the long-term operational impacts from expanding public access where it is presently limited. Additionally, this document identifies appropriate mitigation measures or applies DPR Project Requirements in the subsequent analysis of potential impacts from the trailhead parking lot area where needed to minimize impacts that were identified. This Draft Subsequent MND will receive the same kind of notice and public review given to a draft

MND, under CCR §15087 *et seq.*, and will be filed with the Office of Planning and Research/State Clearinghouse (OPR).

1.3 PROJECT PURPOSE AND NEED

The WWR is bordered by Palo Corona Regional Park and PLR public lands and was acquired with the intent to improve and expand public access to these regional open space areas. The proposed project would enhance access to the existing trail system in Palo Corona Regional Park. The purpose of the proposed project is as follows:

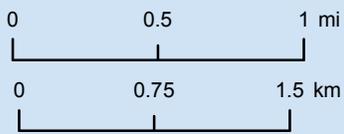
- Construct a 1.5-mile public trail with three pedestrian bridge crossings over San Jose Creek on an existing access road easement. The purpose of the trail is to connect several regional open space areas together, including increasing public access through PLR to MPRPD's WWR and future back country access to Palo Corona Regional Park.

The proposed trailhead parking lot area would contribute to the proposed project by providing off highway parking for visitors to be able to access the San Jose Creek trail. Additionally, the additional parking and trail facilities are likely to result in a redistribution of existing parking demand on SR-1 and user demand to access Point Lobos State Natural Reserve.

1.4 SUMMARY OF FINDINGS

This Draft Subsequent IS/MND makes the following findings:

- There was no potential for adverse impacts on Aesthetics, Agricultural Resources, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, and Utilities and Service Systems associated with the proposed project.
- Potential adverse impacts resulting from the proposed project were found to be less than significant in the following areas: Air Quality, Recreation and Transportation/Traffic.
- Full implementation of the proposed mitigation measures and DPR Standard Project Requirements included in this MND would reduce potential project-related adverse impacts on Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Mandatory Finding of Significance to a less than significant level.



-  San Jose Creek Trail
-  Project Parcels
-  State Parks
-  Palo Corona Regional Park
-  Whisler Ranch

Carmel River Lagoon and Wetland

Ohlone Coastal CP

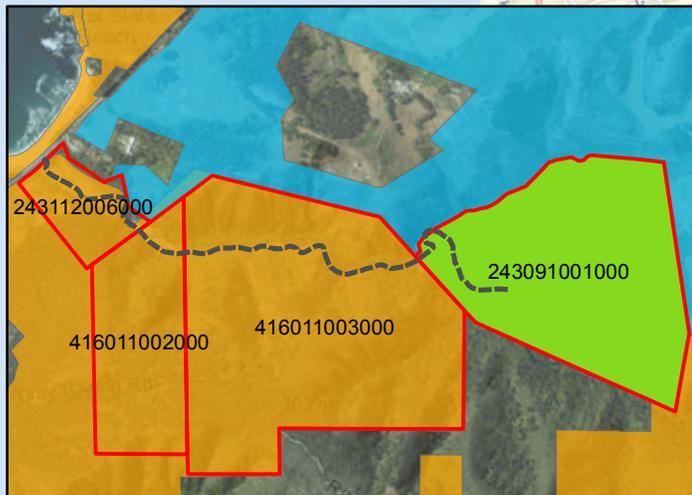
Point Lobos SR

Point Lobos Ranch

Point Lobos Ranch

Palo Corona Regional Park

Garrapata SP



Service Layer Credits: Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan,

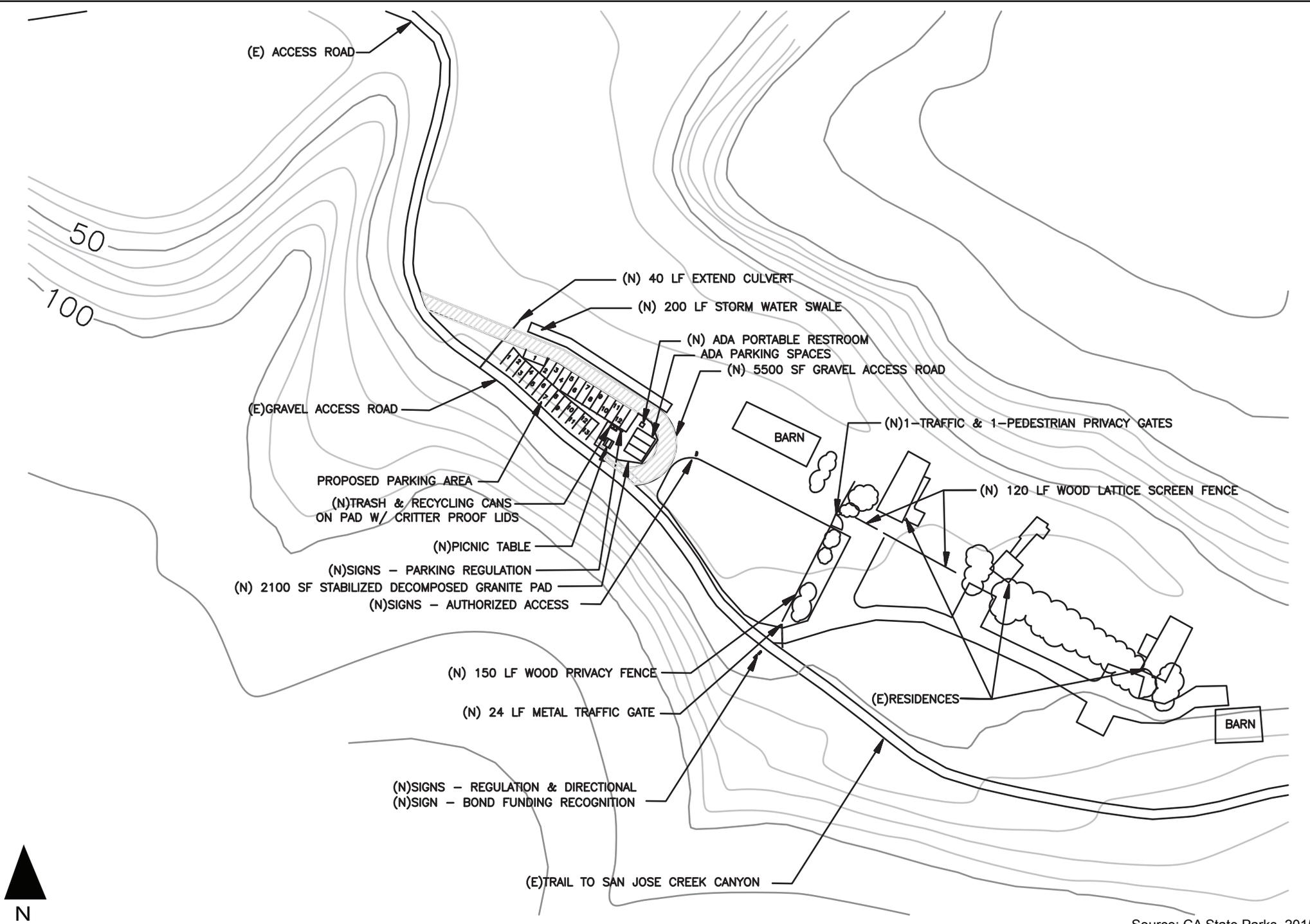
Project Location Map

Date: 10/30/2015
 Scale: 1 inch = 0.7 miles
 Project: 2015-25



Monterey | San Jose
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 Environmental Consultants Resource Planners
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 Monterey, CA 93940
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Figure
1



Source: CA State Parks, 2015

Parking Lot/Trailhead Area Site Plan

Date: 10/30/2015
 Project: 2015-25



Denise Duffy and Associates, Inc.
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Figure
2

1.5 AVAILABILITY OF DOCUMENTS:

This Draft Subsequent MND for the San Jose Creek Trail trailhead parking lot area will be available throughout the 30-day public review period at the following locations:

Monterey Library
625 Pacific St.
Monterey, CA 93940

Harrison Memorial Library
Ocean & Lincoln
Carmel, CA 93923

California State Parks
Monterey District Headquarters
2211 Garden Road
Monterey, CA 93940-5317

DPR's website http://www.parks.ca.gov/?page_id=982

The Initial Study (IS) for this MND will be made available throughout the 30-day public review period at the reference desks of the City of Monterey and City of Carmel public libraries. It is also available at the public information desks of DPR's Monterey District Headquarters offices and available on DPR's website. This Draft Subsequent MND and will be available by request, along with all supporting materials, at DPR's Monterey District Headquarters office.

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Section 2: Project Description

2.1 PROJECT LOCATION:

The project is located near Carmel, Monterey County, California. The project site includes PLR, an Unclassified Unit of California State Parks (APNs 243-112-006, 416-011-002, and 416-011-003) and the WWR, which is a part of the Palo Corona Ranch Regional Park, owned and operated by the MPRPD (APN 243-091-001).

2.2 PROJECT DESCRIPTION:

The San Jose Creek Trail project is a 1.5-mile trail that will connect DPR's PLR unit to MPRPD Palo Corona Regional Park and several regional parks and open spaces. The project will provide infrastructure for public access through DPR lands within PLR to WWR, now a part of Palo Corona Ranch Regional Park (Figure 1). The trail alignment is within an existing access road alignment, in an easement held by MPRPD through PLR. The access road is accessed through a gate, east of SR-1, across from Monastery Beach, approximately 1.5 miles south of the Carmel River. The existing road extends approximately 1.5 miles inland from SR-1 (across from Monastery Beach) to the MPRPD WWR. It runs parallel to San Jose Creek, cutting across San Jose Creek at three wet crossings. The existing dirt road is approximately 8-10 feet wide and the easement provides access to the MPRPD's WWR property as well as through PLR. The San Jose Creek Trail project is an improvement of an existing road and is not a new facility.

The San Jose Creek Trail project will utilize the existing access road and construct three pedestrian bridge crossings over San Jose Creek. All newly constructed facilities (parking, bridges, and bridge approaches) will be compliant with the Americans with Disabilities Act (ADA) and meet Class I trail standards. The goal of the project is to eliminate the most difficult barriers to access by building the bridges where there are currently wet crossings of the creek. However, the remaining portion of the trail route is unimproved and will be classified as an "Unimproved Trail". Future work on the route will continue the process of removing barriers to access with the goal of achieving the classification "Improved Trail".

The revisions to the Project Description which necessitate this Draft Subsequent IS/MND entail construction of a 25 space trailhead parking lot area (decomposed granite over aggregate). The following is a summary of the proposed work:

- 2,500 square foot vegetated swale and culvert extension
- 6,500 square foot aggregate base rock parking lot for 25 vehicles, including two designated ADA compliant parking stalls and an aisle
- 5,500 square foot aggregate base rock access road for parking lot

- 2,100 square foot area of stabilized pavement for universal access
- 270 linear foot redwood fence and gate
- 1 picnic table, 1 trash receptacle, and 1 recycling receptacle
- 1 portable accessible restroom
- 5 signs - regulatory, funding recognition, and directional
- 0.4 mile post and cable fencing

Vegetated Swale and Culvert Extension:

The San Jose Creek Trail project will comply with Monterey Regional Stormwater Management Program requirements for a Tier 2 Project (less than 15,000 sf of new impervious area). The stormwater swale shown on the plans slightly exceeds the size required by the Stormwater Technical Guide. The final design will allow for on-site detention and treatment of stormwater runoff from the parking area for up to the 85 percentile storm. The natural drainage through the area will be prevented from running onto the new parking area. The new swale area will be protected by cable fence or edge control to prevent pedestrian access. Species planted in or near the swale shall be locally derived native plants suitable for the moisture conditions as approved by the DPR Environmental Scientist.

The vegetated swale will help prevent sediment from washing out of the parking area and into the natural drainage. During high intensity rainfall, sheet runoff will collect in the depression created by the swale and be stored temporarily. As the water collects, sediment will settle out in the swale before the water continues downslope toward the creek or absorbs into the ground. Regular maintenance of the swale will be required to remove sediment if it accumulates. The swale will be seeded with appropriate native grass species. The swale when over topped by runoff (during prolonged intense rain), will discharge water into the adjacent flat grass area where it can remain dispersed and unconcentrated. The goal of the facility will be to mimic existing hydrology by providing a space (the swale) where rain runoff can absorb into the soil and recharge the ground water and not increase the rate of run off from the area and trap sediment from the parking lot. There is an existing 12 inch diameter metal culvert that allows natural drainage to pass under the existing gravel access road near the proposed parking lot to San Jose Creek. The existing culvert will be extended so this natural runoff can continue to drain without running across the surface of the road or parking lot. The culvert extension will be in uplands, and will not extend into riparian or wetlands associated with San Jose Creek.

Aggregate Base Rock Parking Lot:

The area selected for the parking lot is currently a roadside area used for informal parking and vehicle turnaround in part of the former ranch area of the property. It is vegetated in mowed grass. After preparing the ground by removing organic material, the aggregate will be laid in a layer about four to six inches thick and compacted. The

entire area will be flat or slightly sloped (less than 2%) toward the new swale and away from the creek.

Aggregate Base Rock Access Road: An extension of the existing access road will be constructed to provide a designated turnaround route and access for vehicles to the parking area. Currently there is no large vehicle or fire truck turn around designated in the area. The footprint of the proposed parking area will be on the interior of the turnaround loop to minimize the total facility and maintain a buffer of 200 feet between the access road, parking and San Jose Creek.

Area of Stabilized Aggregate Pavement:

At one end of the parking area a space will be paved in stabilized aggregate with timber edging to comply with requirements for universal accessibility while retaining the rural character of the site. The stabilized aggregate paving will provide access between two designated ADA parking spaces, the picnic table, the trash receptacles, and signage. The existing access road into the San Jose Creek drainage and MPRPD lands is the only available public use facility and it is not compliant for universal access at this time.

Redwood Fence and Gate:

The redwood fencing is needed to screen public uses from the existing employee housing area. The fence will be made of six foot tall solid redwood boards attached to pressure treated framing and posts. Where located directly in front of an existing residence, the top two to four feet of the fence may be constructed of redwood lattice in place of solid redwood boards. The posts will be located 8 feet on center (approximately 40 posts total) and will be set in post holes that are 3 feet deep and backfilled with concrete. Gates will be constructed where existing points of ingress and egress exist.

Picnic Table and Trash and Recycling Receptacles:

One universal access compliant picnic table will be located on the stabilized aggregate area. Trash and recycling receptacles will include tops that prohibit animals from getting in the receptacles and are also universally accessible for people.

Portable Restroom:

A portable, universally accessible, restroom will be placed on the stabilized aggregate area.

Signs:

One regulatory sign will be placed near the trash receptacles regarding rules of use. One regulatory sign will be placed outside the parking area to inform visitors the area ahead is for authorized use only (housing area). One directional sign regarding distances and hiking routes, one regulatory sign regarding special use restrictions on the access road/trail, and one sign regarding funding recognition for the project will be placed near the trailhead. Sign posts will be four inch by four inch wood posts set in

post holes that are three feet deep and backfilled with concrete. Sign size will be the minimum required for accessible size text, fonts, and message required. All signs will be on a single post, except the funding recognition sign, which will be mounted on two posts. The funding recognition sign is temporary and may be removed after the terms of the funding grant are fulfilled.

Fence:

A post and cable fence will be installed along both sides of the existing gravel road from the entrance off of SR-1 to the entrance of the trailhead parking lot area and continue around the northerly side of the parking area by the proposed stormwater swale. The purpose of the fence is to remind people to stay on the designated route and to prevent parking along the roadway.

Long Term Operations

The intended long term operation of the project, including the trailhead parking lot area, is public access for recreational use (walking/hiking). Currently, MPRPD and the Point Lobos Foundation provide guided walks and events on the existing road easement and there are existing public access uses that occur within the project area. The trailhead parking lot area is on DPR's land. Therefore, authorization to open the parking area/trailhead to will be assessed via the DPR's General Plan process and this will not occur until the General Plan has been adopted.

DPR has developed a list of Standard Project Requirements consisting of actions that have been standardized statewide for the purpose of avoiding significant project-related impacts to the environment in park units **C**. The proposed project, including the parking lot/ trailhead area, will be subject to implementation of DPR's Standard Project Requirements listed below.

2.3 SUMMARY OF MITIGATION MEASURES AND DPR STANDARD PROJECT REQUIREMENTS

As noted in Section 1.2, DPR's list of Standard Project Requirements consist of standardized statewide actions to avoid significant project-related impacts to the environment in park units. Appropriate DPR Standard Project Requirements to be implemented for the trailhead parking lot area are identified below, along with the retained mitigation measures incorporated in the County Conditions of Approval for PLN140690 and new mitigation measures identified by this Draft Subsequent MND. The appropriate DPR Standard Project Requirements, in combination with mitigation identified in the adopted IS/MND for the Whisler project and this Draft Subsequent IS/MND for the trailhead parking lot area, will avoid or reduce all significant impacts to a less than-significant level.

The following mitigation measures and DPR Standard Project Requirements have been incorporated into the scope of work for the San Jose Creek Trail project and will be fully implemented by DPR to avoid or minimize adverse environmental impacts identified in this MND. These mitigation measures and DPR Standard Project Requirements will be

included in contract specifications and instructions to DPR personnel involved in implementing the project.

AESTHETICS

No mitigation measures required.

DPR Standard Requirement

- Project will be designed to incorporate appropriate park scenic & aesthetic values includes the choices for the fencing materials and colors, use of compatible aesthetic treatments on pathways, location of and materials used in parking area and picnic area, and development of appropriate landscaping. The park scenic and Aesthetic values will also consider views into the park from neighboring properties.

AGRICULTURAL RESOURCES

No mitigation measures or Standard Project Requirements required.

AIR QUALITY

No mitigation measures required.

DPR Standard Requirements

- During dry, dusty conditions, all active construction areas will be lightly sprayed with dust suppressant to reduce dust without casting runoff.
- All trucks or light equipment hauling soil, sand, or other loose materials on public roads will be covered or required to maintain at least two feet of freeboard.

BIOLOGICAL RESOURCES

Retained from Adopted Whisler Project MND:

MM#-1 – Spring Survey

Require completion of a spring flowering survey for Hutchinson's delphinium by a qualified biologist prior to construction. Protect retained Hutchinson's delphinium during construction and require that a biological monitor be present within 50 feet of marked Hutchinson delphinium locations to ensure that retained plants are not harmed.

MM#2-1 – Grading

Allow grading and construction in areas below the top-of-bank only from June 15 to October 15 when steelhead are less likely to be present or potentially spawning.

MM#2-2 – Fish Protection

Prior to bridge construction¹ and use of equipment in the creek, the creek shall be dewatered and cofferdam and bypass pipe installed as set forth on project plans, and as monitored by a qualified fisheries biologist that is permitted to conduct fish relocation

MM#2-3 – Water Quality Protection

In order to protect water quality and aquatic species during construction, include the following measures on the construction specifications, as well as other measures that may be required by CDFW pursuant to an amendment to the 1600 agreement dated August 15, 2008, and other agencies, with construction oversight by a qualified biological monitor:

- Prohibit grading during the rainy season (typically November 1 through April 15).
- Store all cut and fill in designated storage areas provided these are at least 25 feet from the top of the creek bank. All stockpiled cut and fill materials shall be covered with plastic sheeting prior to rainfall or high winds.
- All staging areas within 100 feet of San Jose Creek, or its tributaries, shall have two rows of straw wattles, sediment logs, or silt fence installed between the edge of the staging area and the top of the end of the bank in order to contain accidental spills or erosion from stockpiles.
- Stationary equipment such as motors, pumps, generators and welders located within 100 feet of the stream shall be stored overnight in staging areas and will be positioned over drip pans.
- Project-related vehicle traffic shall be restricted to established roads and the area of potential impact for the project. Temporary fencing or flagging shall be installed along the perimeter of the area of potential impact for special-status species prior to construction so that vehicles and equipment will be excluded from the protected portions of the property.
- Any hazardous or toxic materials deleterious to aquatic life that could be washed into San Jose Creek or its tributaries shall be contained in watertight containers or removed from the project site.
- All construction debris and associated materials stored in staging areas shall be removed from the work site upon completion of the project.
- Whenever possible, refueling of equipment² shall take place within turnouts or staging areas at least 50 feet from the top of the creek bank or other wetland. This includes turnouts and staging areas at Stations 2+00, 34+00, 44+00 and 45+00, as well as portions of the staging area at Station 79+60 that are at least

1 Pedestrian bridge construction methodology will no longer require temporary bridges, dewatering or use of a cofferdams. However, this mitigation measure was retained by Monterey County and included herein in the event it becomes applicable.

2 Pedestrian bridge construction methodology is being planned with minimal use of mechanized equipment and is not anticipated to require refueling of any equipment. However, this mitigation measure was retained by Monterey County and included herein in the event it becomes applicable.

50 feet from the creek. Due to the close proximity of the road to the creek, there are no refueling locations at least 50 feet from the creek bank between Stations 46+00 and 79+00. Travel from the bridge locations to the designated refueling locations would increase the number of equipment crossings and extend the project timeline. Therefore, in cases where equipment would have to make an additional trip across the creek to reach one of the above refueling locations (e.g. during bridge construction), refueling may take place outside of the designated locations provided refueling takes place at least 25 feet from the top of the creek bank.

- All refueling shall be conducted over plastic bags filled with sawdust or other highly absorbent material. Clean-up materials for spills will be kept on hand at all times. Any accidental spills of fuel or other contaminants will be cleaned up immediately.

MM#3-1 – Seacliff Buckwheat Removal

Permit buckwheat removal and grading in butterfly habitat only between September 16 and June 14 during the non-flight season for the butterfly to reduce the potential or indirect take of butterflies that may be present.

MM#3-2 – Smith’s Blue Butterfly Monitoring

A USFWS approved biologist shall be present during vegetation clearing to inspect plants for Smith’s blue butterfly larvae and shall periodically monitor the site during construction.

MM#3-3 – Buckwheat Replacement

Replace the removed buckwheat plants at a minimum 1:1 replacement ratio at designated enhancement sites, conducted in accordance with the specifications provided in the proposed Revegetation, Mitigation, and Monitoring Plan.

MM#4-1 – California Red-Legged Frog Survey

Require pre-construction surveys to be conducted to determine whether California Red-Legged Frogs (CRLFs) are present on the site, and if found, implement a program to relocate individuals as permitted by the CDFW and USFWS.

MM#4-2 – Amphibian Protection

To avoid potential take of amphibians (CRLF) utilizing mammal burrows, grading shall not occur in grassland areas that contains California ground squirrel or gopher burrows as determined and monitored by the qualified biologist/monitor.

MM#5-1 – Coast Range Newt

To avoid potential impacts to Coast range newt (and nesting pond turtles and two-striped garter snake) grading and use of heavy equipment in the coastal shrub and chaparral areas will be avoided.

MM#6-1 – Western Pond Turtle and Two-striped garter snake

A qualified biologist shall be present during initial construction activities to monitor for Western pond turtle.

MM#7-1 – Revegetation

Replace sensitive habitat permanently removed at a 1:1 ratio. Revegetation and monitoring shall be conducted in accordance with the provision of the applicants “Revegetation, Mitigation and Monitoring Plan for the Whisler/Wilson Road Improvement Project” prepared by Rana Creek Habitat Restoration, September 7, 2004 and as modified by Rana Creek Habitat Restoration’s Letter of July 3, 2008.

County Condition of Approval 11 – Revegetation, Mitigation and Monitoring Plan:

The applicant shall submit a revised letter report for the current proposal. Revegetation and Monitoring shall be conducted in accordance with the provision of the latest revised letter report. Require implementation of disease control prevention measures during construction in accordance with California Department of Forestry Recommendations.

MM#7-2 – Revegetation

Once construction is completed, all exposed soils will be revegetated with native vines, trees and shrubs, as appropriate in accordance with the specifications and success criteria provided in the Revegetation, Mitigation and Monitoring Plan.

MM#8-1 – Bird Pre-Construction Survey

Require that a pre-construction survey for special-status nesting avian species (and other species protected under the Migratory Bird Act) be conducted by a qualified biologist at least 30 days prior to tree removal or initiation of construction activities that occur during the nesting/breeding season of native bird species (typically February through August). If nesting birds are not found, no further action would be necessary. If a nest or nesting bird are found, construction within 150 feet of the nest site should be postponed until after the bird has fledged, or an appropriate construction buffer has been established in consultation with CDFW.

MM#9-1 – Tree Replacement

Replace the 7 inch Redwood and 15 inch Coast Live Oak at a 2:1 ratio in accordance with the specifications and success criteria provided in the Revegetation, Mitigation, and Monitoring Plan, and implement tree protection measures specified in the Tree Removal and Tree Protection Report for the Whisler/Wilson Road (Flamik 2004). These measures include but are not limited to fencing, placement of straw bales, trunk wrapping, and limb and root pruning.

State Parks Standard Project Requirement:

- All construction will be consistent with the State Parks Trail Manual guidelines.

CULTURAL RESOURCES

Retained Mitigation Measures from Adopted Whisler Project MND:

MM#10-1 – Cultural Resources

Require that a qualified archaeological monitor be present during all earthmoving activities. If intact cultural features or human remains are discovered, work shall be halted within 50 meters (165 feet) of the find until it can be evaluated. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Samples of prehistoric shell shall be collected for chronological analysis to generate two radiocarbon dates.

New Mitigation Measure

MM#10-2 – Cultural Resources Treatment Plan

Prior to construction of the Parking Area/Trailhead, a qualified archaeologist shall prepare a Cultural Resources Treatment Plan for review and approval by DPR Cultural Resources staff. Implementation of the Cultural Resources Treatment Plan shall be completed prior to the Parking Area/Trailhead being opened to public use.

DPR Standard Requirements:

- Prior to the start of Construction, and at the discretion of a DPR Archaeologist, a Project Archaeologist will flag and/or fence all cultural resources with a buffer of 10 meters (33 feet) for avoidance during construction. The fencing will be removed after remediation has been completed.
- Prior to any earthmoving activities, a DPR-qualified archaeologist will approve all subsurface work, including the operation of heavy equipment within 10 meters (33 feet) of the identified Environmentally Sensitive Area (ESA).
- A DPR qualified archaeologist will monitor all ground disturbing phases of this project at his/her discretion.
- The Project Manager will notify the appropriate DPR-personnel a minimum of three weeks prior to the start of ground-disturbing work to schedule archaeological monitoring, unless other arrangements are made in advance.
- If a Project Archaeologist discovers previously undocumented cultural resources during project construction work within the immediate vicinity of the find will be temporarily halted until the archaeologist designs and implements appropriate treatments in accordance with the Secretary of the Interior's Standards and Guidelines for archaeological resource protection.
 - The Project Archaeologist will modify the project to ensure that construction activities will avoid cultural resources upon review and approval of a DPR Archaeologist.
 - If ground disturbing activities uncover intact cultural features (including but not limited to dark soil containing shellfish, bone, flaked stone,

groundstone, or deposits of historic ash), when a DPR Qualified cultural resources specialist is not on-site, the Project Manager will contact the DPR State Representative immediately and the Project Manager will temporarily halt or divert work within the immediate vicinity of the find a DPR-qualified cultural resources specialist evaluates the find and determines the appropriate treatment and disposition of the cultural resource.

- In the event that human remains are discovered, work will cease immediately in the area of the find and the project manager/site supervisor will notify the appropriate DPR personnel. Any human remains and/or funerary objects will be left in place or returned to the point of discovery and covered with soil. The DPR Sector Superintendent (or authorized representative) will notify the County Coroner, in accordance with §7050.5 of the California Health and Safety Code, and the Native American Heritage Commission (NAHC) (or Tribal Representative). If a Native American monitor is on-site at the time of the discovery, the monitor will be responsible for notifying the appropriate Native American authorities.
- The local County Coroner will make the determination of whether the human bone is of Native American origin.
 - If the Coroner determines the remains represent Native American interment, the NAHC in Sacramento and/or tribe will be consulted to identify the most likely descendants and appropriate disposition of the remains. Work will not resume in the area of the find until proper disposition is complete (PRC §5097.98). No human remains or funerary objects will be cleaned, photographed, analyzed, or removed from the site prior to determination.
 - If it is determined the find indicates a sacred or religious site, the site will be avoided to the maximum extent practicable. Formal consultation with the State Historic Preservation Office and review by the Native American Heritage Commission/Tribal Cultural representatives will occur as necessary to define additional site mitigation or future restrictions.
- Before, during, and after construction, the Project Archaeologist will photo-document all aspects of the project and will add the photos to the historical records (archives) for the park.

GEOLOGY AND SOILS

Retained Mitigation Measures from Adopted Whisler Project MND:

MM#11-1 – Geologic Hazards

Require implementation of all recommendations provided in the project “Geologic Hazards Evaluation and Geotechnical Engineering Investigation, Whisler/Wilson Access Road Improvements, Monterey County, California” report, dated July 2004 by Craig S.

Harwood and John H. Friar, which address site preparation, grading, bridge foundation design, retaining walls, surface drainage and slope protection.

No Standard Project Requirements required.

HAZARDS AND HAZARDOUS MATERIALS

No mitigation measures or Standard Project Requirements required.

HYDROLOGY AND WATER QUALITY

No mitigation measures or Standard Project Requirements required.

LAND USE AND PLANNING

No mitigation measures or Standard Project Requirements required.

MINERAL RESOURCES

No mitigation measures or Standard Project Requirements required.

NOISE

No mitigation measures or Standard Project Requirements required.

POPULATION AND HOUSING

No mitigation measures or Standard Project Requirements required.

PUBLIC SERVICES

No mitigation measures or Standard Project Requirements required.

RECREATION

No mitigation measures or Standard Project Requirements required.

TRANSPORTATION/TRAFFIC

No mitigation measures or Standard Project Requirements required.

UTILITIES AND SERVICE SYSTEMS

No mitigation measures or Standard Project Requirements required.

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Pursuant to Section 21082.1 of CEQA, the California Department of Parks and Recreation (DPR) has independently reviewed and analyzed the information contained in the Subsequent MND for the proposed project and finds that this document reflects the independent judgment of DPR. DPR, as lead agency, also confirms that the project mitigation measures detailed in these documents are feasible and will be implemented as stated in the Final MND.

Signature

Date

Printed Name

Agency

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Section 3. Environmental Checklist

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages. All of the “Potentially Significant Impacts” checked can be mitigated to a less-than-significant level with mitigation included in the attached Initial Study/Mitigated Negative Declaration.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> 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 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.

FINDING:

For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur either from construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

1. Aesthetics. The existing roadway is not located within the viewshed of an identified scenic road, except for a short segment adjacent to SR-1. A planted

Monterey cypress grove is located adjacent to SR-1, which blocks views into the site from the roadway. The trailhead parking lot area would not expand the visibility of the existing roadway, would not detract from the natural beauty of the area, and would not result in ridgeline development. The installation of the trailhead parking lot area would not be visible from public viewpoints and would not block scenic views. The project would not result in removal of trees that would be considered scenic resources. The low intensity scale of the trailhead parking lot area improvements would not substantially degrade the visual character of the area. *Therefore, the proposed project will not result in impacts related to scenic views or aesthetics.*

2. Agricultural Resources. The trailhead parking lot area project site is adjacent to an existing roadway and the surrounding properties are not designated for agricultural uses in the County's General Plan and are not in agricultural production. The site is not identified as Prime, Unique or Important Farmland on the County and California Department of Conservation's Farmland Mapping and Monitoring Program map. Thus, project construction will not result in conversion of prime agricultural lands. The roadway or adjacent sites are not under a Williamson Act Contract. *Therefore, the proposed project will not result in impacts to agricultural resources.*
7. Hazards/Hazardous Materials. The proposal involves construction of a trailhead parking lot area and there would be no use, transport or disposal of hazardous materials that would constitute a threat of explosion or that would pose a threat to neighboring properties. The project is on a road easement and would have no impact on emergency response or emergency evacuation and is not located near an airport or airstrip. *Therefore, the proposed project will not result in impacts related to hazards/hazardous materials.*
9. Land Use. The proposed construction of the trailhead parking lot area would not physically divide an existing community or conflict with applicable land use policies. There are no Habitat Conservation or Natural Community Conservation Plans in the area. *Therefore, the proposed project will not result in impacts related to land use.*
10. Mineral Resources. No mineral resources have been identified or will be affected by this project. *Therefore, the proposed project will not result in impacts to mineral resources.*
11. Noise. The proposed construction of the trailhead parking lot area would not increase ambient noise levels, expose sensitive receptors to noise levels that exceed standards, or result in significant construction impacts due to the short duration and limited equipment during construction. The parking area and motorized access area is a disturbed area with a long history of farming. The existing uses at the site include, motorized vehicles, mobile trailers, livestock, dogs, pumps, generators, and residential uses. There are near neighbors on the

other side of the creek with additional rural residential uses. Noise from recreational use will be limited to day light hours when ambient noise levels are highest. Non-motorized recreational access on the trail is a compatible use for a State Park. *Therefore, the proposed project will not result in impacts related to noise.*

12. Population/Housing. The proposed construction of the trailhead parking lot area would not result in an increase in population; alter the location, distribution, or density of human population; or create a demand for additional housing. The planned improvements would allow year-round pedestrian access to public lands for recreation. The change to public ownership of the Whisler property limits development to public uses. *Therefore, the proposed project will not result in impacts related to population and housing.*
13. Public Services. The proposed construction of the trailhead parking lot area would not result in an increase in population or public service demand. *Therefore, the proposed project would not result in impacts related to public services.*
16. Utilities and Service Systems. The proposed construction of road improvements would not result in an increase in population or increased demand for utility services. *Therefore, the proposed project would not result in impacts related to utilities and services.*

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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 “Potential 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 less than significant level mitigation measures from Section XVII, “Earlier Analysis,” (may be cross-referenced).
5. Earlier analysis 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 earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measure

which were incorporated or refined from the 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). References 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. This is only a suggested form, and lead agencies are free to use different formats: however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance of 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.

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
I. AESTHETICS					
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
II. AGRICULTURAL 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 agricultural and farmland. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
III. 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:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 6, 8
b) Violate any air quality standard or contribute	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 6,

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
substantially to an existing or projected air quality violation?					8
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 6, 8
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 6, 8
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 6, 8
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 6, 8
IV. BIOLOGICAL RESOURCES					
Would the project:					
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 US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 8
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 8
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 8
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 8
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 8
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 4, 8

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
Conservation Plan, or other approved local, regional, or state habitat conservation plan?					
V. CULTURAL RESOURCES					
Would the project:					
a) Cause a substantial adverse change in the significance of a historic resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 5, 8
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 5, 8
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5, 8
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5, 8
VI. GEOLOGY AND SOILS					
Would the project:					
a) Expose people or structures to 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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 8
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 8
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 8
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 8
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 8
d) Be located on expansive soil, as defined in Table 18-1-b of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
not available for the disposal of wastewater?					
VII. HAZARDS AND HAZARDOUS MATERIALS					
Would the project:					
a) Create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
VIII. HYDROLOGY AND WATER QUALITY					
Would the project:					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
b) Substantially deplete the groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
existing land uses or planned uses for which permits have been granted)?					
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 8
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 8
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
IX. LAND USE AND PLANNING					
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
X. MINERAL RESOURCES					

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
XI. NOISE					
Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8
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 or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise level?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
XII. POPULATION AND HOUSING					
Would the project:					
a) Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
XIII. PUBLIC SERVICES					
a) Would the project result in the 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:					
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
XIV. RECREATION					
a) Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have adverse physical effects on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2
XV. TRANSPORTATION/TRAFFIC					
Would the project:					
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 8
b) Exceed, either individually or cumulatively, a level of service standard established by Caltrans for highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 8
c) Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 8
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
equipment)?					
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 8
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3
XVI. UTILITIES AND SERVICE SYSTEMS					
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
XVII. MANDATORY FINDINGS OF SIGNIFICANCE					
a) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 8

ENVIRONMENTAL ISSUE	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference Source
or eliminate important examples of the major periods of California history or prehistory?					
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 8

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Section 4. Potential Environmental Impacts and Mitigation Measures

The following section addresses the issues identified in Section 3 as having potential impacts on the environment, and provides mitigation, when necessary, to reduce these impacts to a less-than-significant level. This Draft Subsequent IS/MND addresses environmental issues that may result from short-term construction impacts associated with the trailhead parking lot area and long-term operation impacts for the whole of the San Jose Creek Trail project. These include biological resources, cultural resources, geology/soils, hydrology/water quality, air quality, recreation, and traffic.

BIOLOGICAL RESOURCES

A *San Jose Creek Trail Project Trailhead Parking Lot Area Project Addition Biological Resources Report* was prepared for the project (**Appendix C**). The purpose of the analysis was to determine whether the addition of the trailhead parking lot area resulted in any additional impacts not previously identified in the adopted IS/MND. A habitat map of the proposed parking lot/ trailhead study area is included as **Figure 3**.

A survey of the existing habitat within the proposed trailhead parking lot area study area was conducted on July 7, 2015. Habitat types located within or adjacent to the proposed alignment were characterized. The survey concluded the proposed new trailhead parking lot area for the San Jose Creek Trail project is characterized by two habitat types: non-native grassland and developed.

Non-Native Grassland

The habitat classification of non-native grassland is habitat dominated by non-native grasses. The dominant species observed within this area includes wild oat grass (*Avena fatua*), foxtail (*Hordeum murinum*), and ripgut brome (*Bromus diandrus*).

Developed

The habitat classification of developed is habitat that is generally unvegetated.

Approximately 0.6 acres of developed and 0.4 acres of non-native grassland occur within the proposed trailhead parking lot area. Two Monterey pine (*Pinus radiata*) trees, a special-status species, were observed within the non-native grassland, adjacent to the proposed parking lot. These pine trees would be removed as part of the construction of the trailhead parking lot area. No other special-status plants were identified during the field visit and none are expected to occur.

Special-status wildlife species including California red-legged frog (*Rana draytonii*, CRLF), coast range newt (*Taricha torosa torosa*), western pond turtle (*Emys marmorata*), coast horned lizard (*Phrynosoma blainvillii*), and Smith's blue butterfly (*Euphilotes enoptes smithi*), as well as nesting raptors and other migratory birds were identified as known, or having a moderate to high potential to occur within the trailhead

parking lot area. Impacts to these wildlife species could include take of individuals.

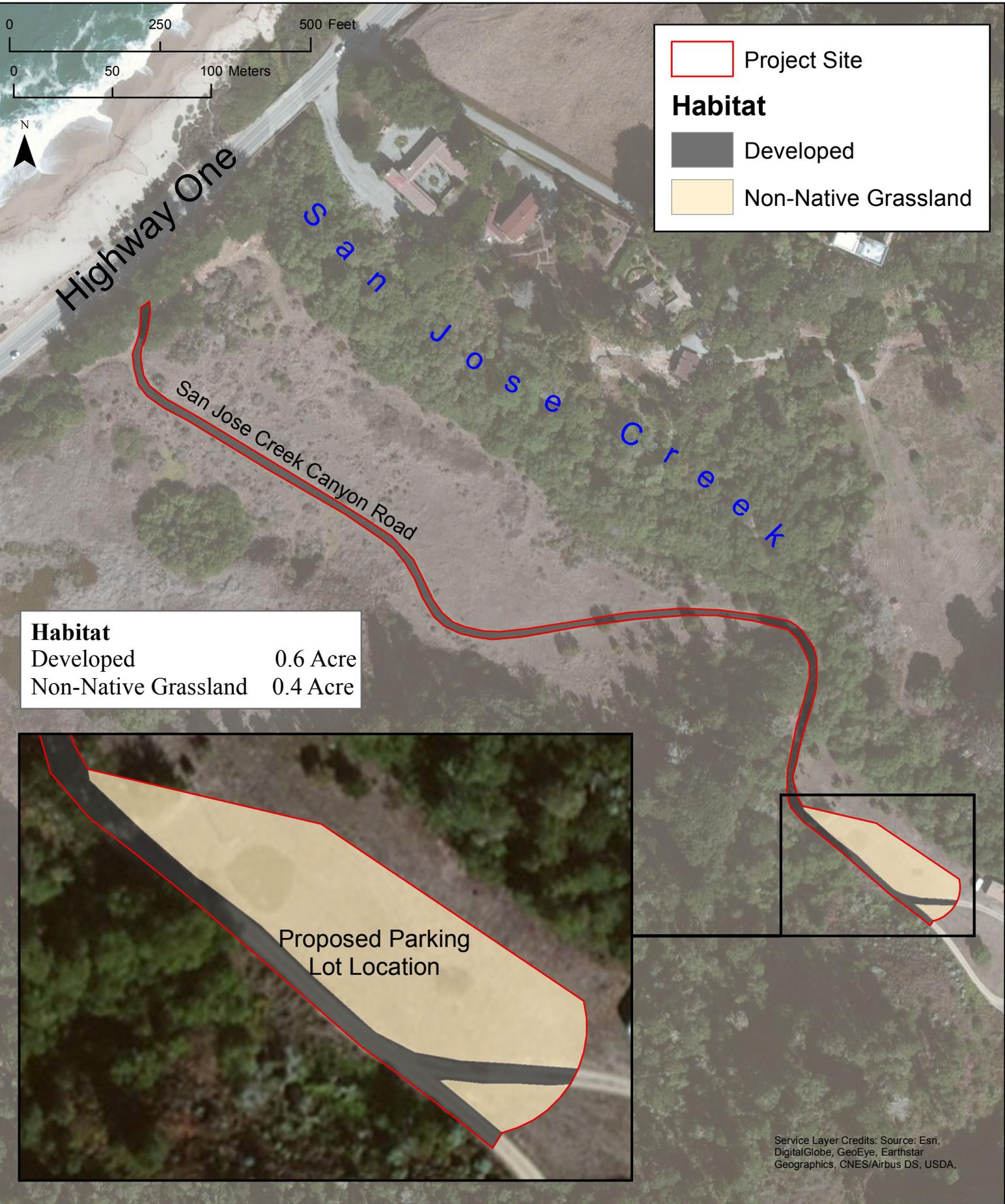
Impacts to all the biological resources identified as having the potential to be impacted in the trailhead parking lot area portion of the project were also considered in the adopted IS/MND for the Whisler project. Retained mitigation measures from the adopted IS/MND, listed in Section 2, would reduce all potential impacts resulting from the trailhead parking lot area to a less-than-significant level. No new impacts were identified and no new mitigation is required for biological resources.

The USFWS issued a BO for the Whisler project (USFWS File Number 28289S) in Monterey County, California on October 2, 2006, to authorize take of CRLF and its critical habitat, Smith's blue butterfly, and California tiger salamander (CTS)³. The adopted IS/MND included implementation of the measures identified in the BO to mitigate for potential impacts to CRLF and its critical habitat, Smith's blue butterfly, and CTS. The measures identified in the BO are included in the Mitigation Monitoring Reporting Plan (MMRP).

The proposed construction of the trailhead parking lot area to the project would not result in new significant impacts to biological resources that were not previously identified in the Whisler project adopted IS/MND, which adequately addressed potential impacts to biological resources. The trailhead parking lot area project would be required to implement the retained mitigation measures from the Whisler project adopted IS/MND, and, since the revised project description does not introduce any new impacts to biological resources, the mitigation measures listed in Section 2 remain adequate to reduce impacts to a less-than-significant level.

Significant biological impacts potentially resulting from the operation of the project are avoided with the implementation of appropriate mitigation measures and DPR Standard Project Requirements listed in Section 2, Summary of Mitigation Measures and DPR Standard Project Requirements.

³ While the BO included CTS as a result of an interior portion of the project being within the known dispersal distance for this species, the trailhead parking lot area [portion of the project that is being analyzed in this document] is beyond this distance from a known breeding resource. As a result, there will be no impacts to CTS within the trailhead parking lot area project area.



Project Site

Habitat

- Developed
- Non-Native Grassland

Habitat	
Developed	0.6 Acre
Non-Native Grassland	0.4 Acre



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA,

Habitat Map

Date: 10/30/2015
 Scale: 1 inch = 200 feet
 Project: 2015-25



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Figure
3

C:\GIS\GIS_Projects\2015-25 SJ Creek\Map Products\Sup ISMND\Figure 3 Habitat Map.mxd

CULTURAL RESOURCES

A subsequent cultural resources study for the proposed trail and trailhead parking lot area was completed (**Appendix D**). The purpose of the analysis was to determine whether there were any additional impacts not previously identified in the adopted IS/MND, and to provide new information with potential significant effects not discussed in the adopted IS/MND. Historical research and a field study were conducted, which identified cultural resources in the vicinity of the proposed trailhead parking lot area.

DPR has not yet completed an inventory of all cultural and historic resources within the PLR unclassified unit. Therefore, a California Register Evaluation for the project was unable to be completed for analysis of the trailhead parking lot area. To err on the side of caution, this Draft Subsequent IS/MND presumes eligibility of the cultural landscape to the California Historic Register until such time that a completed inventory and additional primary research can be available for DPR to make a final determination for PLR as a whole. Pursuant to CEQA Guideline 15064.5 (4), “the fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources...does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC sections 5020.1(j) or 5024.1.”

The potential for impacts to cultural resources resulting from implementation of the project was previously analyzed in the Whisler project adopted IS/MND. The adopted Whisler project IS/MND identified two recorded archaeological sites within or adjacent to the project area, and six additional areas within one half mile of the project area, clustered near the coast at the end of San Jose Creek. Evidence of historic or prehistoric cultural resources was noted in several areas during the initial field survey conducted in conjunction with the adopted Whisler project IS/MND. The subsequent cultural resources study identified the expansion of the San Jose Ranch complex (CA-MNT-2402H/P-27-003410), a newly recorded road alignment (ASC-30-15-01), and the recording of eleven isolated features related to the ranch complex within San Jose Creek.

As historic or archaeological resources were identified during investigation of the project site, the adopted Whisler project IS/MND determined it is possible that buried prehistoric or historic archaeological materials, including human remains, may be exposed during construction. The possible uncovering of archaeological materials during construction is a potentially significant impact that would be reduced to a less-than-significant level with implementation of Mitigation Measure #10-1 and associated monitoring action, as listed in Section 2.

The cultural resources study for the San Jose Creek Trail project analyzes additional areas and updates the study prepared for the Whisler project adopted IS/MND. Based on the presumed eligibility of the cultural landscape, this Draft Subsequent IS/MND identifies the potential for significant impacts to cultural resources. To further reduce impacts to cultural resources, in addition to the retained Mitigation Measure #10-1, a Cultural Resources Treatment plan should be prepared and implemented for the

trailhead parking lot area. As a result, following is a new mitigation measure to prepare a Cultural Resources Treatment Plan that would reduce all potential impacts to cultural resources to a less-than-significant level.

New Mitigation Measure

MM#10-2 – Cultural Resources Treatment Plan

Prior to construction of the Parking Area/Trailhead, a qualified archaeologist shall prepare a Cultural Resources Treatment Plan for review and approval by DPR Cultural Resources staff. Implementation of the Cultural Resources Treatment Plan shall be completed prior to the Parking Area/Trailhead opening for public use.

Significant cultural impacts potentially resulting from the operation of the project are avoided with the implementation of appropriate DPR Standard Project Requirements listed in Section 2.

GEOLOGY/SOILS

As identified in the Whisler project adopted IS/MND, the project site, including the proposed trailhead parking lot area, is subject to seismic shaking. The adopted IS/MND concluded that the inclusion of Mitigation Measure 11-1 and associated monitoring action would reduce potential impacts associated with seismic hazards to a less-than-significant level.

As further identified by the adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season (October 15 - April 15). This impact was identified in the Whisler project adopted IS/MND as a potentially significant impact. The adopted IS/MND concluded application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification), in addition to implementation of the relevant mitigation measures (Mitigation Measures 2-1, 2-3, 7-2, and 11-1) retained and listed in Section 2 and MMRP, would reduce potential erosion impacts to a less-than-significant level.

The construction of the trailhead parking lot area would not result in any new impacts to geology or soils that were not previously identified in the Whisler project IS/MND. Potential impacts to geology/soils associated with the project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised Project description does not introduce any new impacts to geology or soils, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

Significant geology/soils impacts potentially resulting from the operation of the project are further avoided with the implementation of appropriate DPR Standard Project Requirements listed in Section 2.

HYDROLOGY/WATER QUALITY

As identified in the Whisler project adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season (October 15 – April 15). Application of standard Best Management Practices (BMPs) during construction in compliance with an erosion-sediment control plan, in addition to implementation of relevant mitigation measures (Mitigation Measures 2-1, 2-3, 7-2, and 11-1) retained from the Whisler project adopted IS/MND as listed in Section 2 and MMRP, would reduce potential erosion impacts to a less-than-significant level.

The proposed trailhead parking lot area is not within the 100-year floodplain and would not result in a substantial increase in impervious surface area. The proposed trailhead parking lot area would result in a slight increase in impervious surface area, which would result in a relatively minor increase in the amount of surface runoff during storm events; however, it would not result in flooding on- or off-site. Given the design of the proposed trailhead parking lot area will incorporate drainage features to accommodate the increased runoff and the relatively minor increase in impervious surfaces, this impact is considered to be less-than-significant and no mitigation is required in the adopted IS/MND.

The construction of the trailhead parking lot area would not result in new impacts to hydrology/water quality that were not previously identified in the adopted IS/MND. The potential hydrology/water quality impacts associated with the project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to hydrology/water quality, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

Significant hydrology or water quality impacts potentially resulting from the operation of the project are avoided with the implementation of appropriate DPR Standard Project Requirements listed in Section 2.

AIR QUALITY

As identified in the adopted Whisler project IS/MND, grading and filling during construction could result in impacts to air quality. Site disturbance activities could result in short-term, localized decrease in air quality due to the generation of particulate emissions (PM₁₀). According to the Monterey Bay Unified Air Pollution Control District's criteria for determining construction impacts (as updated February 2008); the PM₁₀ threshold for a significant impact is 82 lbs/day. To exceed this threshold a project would need to involve more than 8.1 acres of grading per day with minimal earthmoving or 2.2 acres per day with major grading and excavation. As fewer than 2.2 acres of the project site, including the trailhead parking lot area, will be graded and excavated, the project is

below the threshold. Thus, as concluded in the 2006 IS/MND this impact is considered to be less-than-significant.

The adopted IS/MND preceded current CEQA greenhouse gas emissions (GHG) requirements to address impacts. As a result, an analysis of GHG impacts is presented below:

While there will likely be a slight increase in GHG emissions during construction of the project, the project will not result in any increase in operational GHG emissions. In the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is too speculative to make a significance determination on the project's direct impact and its contribution on the cumulative scale to climate change. However, the lead agency for this project is committed to implementing measures to reduce air quality impacts included through DPR Standard Project Requirements in Section 2.

The construction of the trailhead parking lot area would not result in impacts to air quality. With the additional of the GHG evaluation provided above, the potential impacts associated with the project have been adequately addressed.

Significant air quality impacts potentially resulting from the operation of the project are avoided with the implementation of appropriate DPR Standard Project Requirements listed in Section 2.

RECREATION

The Project, including the construction of the proposed trailhead parking lot area, would result in the construction and operation of recreational facilities that would connect several regional parks and open spaces. The Project, including the proposed trailhead parking lot area, would be open to the public following approval and authorization of public access via the DPR General Plan process. Significant impacts associated with recreation would be avoided through the implementation of appropriate DPR Standard Project Requirements listed in Section 2.

TRAFFIC

A transportation study was conducted for the proposed trailhead parking lot area in March 2016 (**Appendix F**). The purpose of the study was to determine whether there were any impacts from the additional facilities not previously identified in the adopted IS/MND. As the lead agency under CEQA, DPR is responsible for setting project significance criteria. Because the project is expected to generate fewer than twenty new automobile trips, the report is structured as a "focused" transportation study. A more formal transportation impact analysis, which is typically completed for projects generating more than 100 peak hour automobile trips, is not included as part of this evaluation.

Based on information provided by DPR, not all of the expected 18 vehicle trips accessing the facility would be new trips. A portion of trips would be redistributed from other parking areas in and around the Point Lobos State Natural Reserve, Monastery Beach and Carmel Beach areas. Redistributed trips would generally be due to users who would already be travelling to the area by car but would use the San Jose Creek parking area if it were available in lieu of parking on the SR-1 shoulder or within the Point Lobos State Natural Reserve. Additionally, some trips would likely be redistributed from other regional hiking and recreation destinations such as Garrapata State Park. These trips would already be travelling on SR-1 regardless, so no new trips would be added to SR-1.

While some trips would be redistributed, it is also reasonable to assume that some trips would be visitor trips that would travel only to San Jose Creek but would not otherwise be travelling to the area along this portion of SR-1. These trips would not necessarily be new vehicle trips, as there are many other recreational destinations within the broader Monterey Bay region where individuals might otherwise be travelling if they were not accessing San Jose Creek trail recreational opportunities. Trips that shift from broader regional destinations would not necessarily be new unique visitors to the region, but they may result in a localized net increase in automobile traffic on SR-1 adjacent to the project access road. These trips redistributed from the broader region are expected to be less than half of the trips accessing the parking area. However, for purposes of this evaluation, we conservatively assume that approximately half of total vehicle trips would be net new trips or trips redistributed from the broader Monterey Bay region. Therefore, based on these conservative assumptions the added peak hour traffic to SR-1 would be approximately 9 hourly vehicle trips.

The transportation study reports that the highest expected traffic demand using San Jose Creek Road would be less than one vehicle every five minutes. As a result, no increase in traffic congestion or circulation issues resulting from the development of the proposed parking lot is expected. Based on observations of parking turnover at Point Lobos State Natural Reserve, the weekday peak hour for parking turnover occurs between 12:30 and 1:30 PM and the weekend peak hour for parking turnover occurs between 1:00 and 2:00 PM.

Peak hour traffic on SR-1 typically occurs between 2:00 to 4:00 PM on Weekdays and Saturdays and between 1:00 and 2:00 PM on Sundays. During the peak hour of parking demand, counts indicate there would be approximately 1,100 weekday and 1,400 vehicles on SR-1 at the San Jose Creek driveway. Therefore the net added traffic due to the parking lot would be less than one percent of the total traffic volumes on SR-1 during both weekday and weekend peak hours of parking demand.

As a result, the small increase in traffic volume on the adjacent section of SR-1 would not substantially affect traffic operations on the surrounding transportation system and therefore does not result in a significant transportation impact.

Additionally, due to its size and location, the project would not interfere or conflict with

other planned roadway improvements, and it does not conflict with the latest Monterey County Regional Transportation Plan.

Traffic will not result in significant operational impacts.

MANDATORY FINDINGS OF SIGNIFICANCE

XVII.a. Does the project have the potential to 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, 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?

This Draft Subsequent IS/MND found the proposed project and associated activities will potentially impact the environment in the areas of biological resources, cultural resources, geology/soils, hydrology/water quality, air quality, recreation and traffic; however, these potential impacts will be reduced to a less-than-significant level with implementation of the mitigation measures included in the adopted IS/MND, which are included in the project's MMRP, conditions of approval, and construction plans. Therefore, the project will have a less-than-significant impact on the environment, the habitat of a fish or wildlife species or population, plant or animal communities, rare or endangered plants or animals, or important examples of the major periods of California history or prehistory.

XVII.b. Does the project have impacts that are individually limited, but cumulatively considerable? (“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)?

This Draft Subsequent IS/MND found that the proposed project and associated activities will potentially impact the environment in the areas of biological resources, cultural resources, geology/soils, hydrology/water quality, and Mandatory Findings of Significance; however, these potential impacts will be reduced to a less-than-significant level with implementation of the mitigation measures included in the adopted IS/MND, which are included in project's MMRP, conditions of approval, and construction plans. This MND shall reflect direct project impacts and not consider long term impacts based on unknown future actions. Since impacts were reduced to a less-than-significant level, this project will not result in impacts that are cumulatively considerable.

XVII.c. Does the project have environmental effects which will cause substantial adverse effects to human beings, either directly or indirectly?

The project will not result in any substantial adverse effects to human beings, either directly or indirectly, since each potentially significant impact can be reduced to a less-

than-significant level with the implementation of the mitigation measures provided in this document. No other substantial adverse effects to human beings are anticipated as a result of this project.

Section 5. List of Preparers and References

Lead Agency

California State Parks

Joan Carpenter, Civil Engineer

Preparation

Denise Duffy & Associates, Inc.

Josh Harwayne, Senior Project Manager

Shaelyn Hession, Assistant Environmental Scientist

Big Sur Land Trust

Sarah Hardgrave, Conservation Program Manager

References

1. *Final Initial Study and Mitigated Negative Declaration for the Whisler Project and Revegetation, Mitigation, and Monitoring Plan.* Strelow Consulting, April 2006.
2. *Project Description Update for Monterey County Minor and Trivial Permit Amendment (PLN140690)* December 10, 2014.
3. *San Jose Creek Trail Project – Traffic Evaluation.* Fehr & Peers, August 31, 2015.
4. *San Jose Creek Trail Project Trailhead parking lot area Project Addition Biological Resources Report.* Denise Duffy & Associates, Inc., November, 2015.
5. *A California Register Evaluation and Treatment Plan for the San Jose Creek Historic Landscape Carmel, Monterey County, California.* Anthropological Studies Center, August 21, 2015.
6. Monterey Bay Unified Air Pollution Control District. February 2008. *CEQA Air Quality Guidelines*
7. Monterey County RMA - Planning Department, 168 West Alisal Street Second Floor Salinas CA 93901, file PLN040502 and PLN080574.
8. *California Department of Parks and Recreation, Resource Services, Standard Project Requirements.* July 3, 2015. California Department of Parks and Recreation.

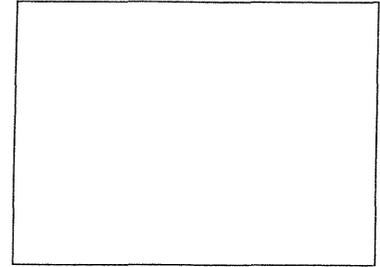
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APPENDIX A

WHISLER PROJECT 2006 ADOPTED IS/MND

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION



Project Title: Whisler

File Number: PLN040502

Owner: Whisler Family Trust

Project Location: 55 Riley Ranch Road, Carmel, Ca 93923 (the road is accessed through a gate east of highway 1, across from monastery beach, approximately 1.5 miles south of the Carmel River)

Primary APN: 243-112-006-000, 416-011-003-000, 416-011-002-000,
416-011-014-000, 243-091-001-000

Project Planner: Thomas A. McCue, AICP, Senior Planner

Permit Type: Combined Development Permit

Project Description: Combined Development Permit consisting of a Coastal Development Permit for improvements and modifications to an existing road of approximately 1.5 miles in length within 100 feet of riparian ESHA, including grading of 690 cubic yards of fill and 30 cubic yards of cut; a Coastal Development Permit for development on slopes of 30% or greater; a Coastal Development Permit for tree removal (25 trees: 7 of which are in excess of 12 inches, including one landmark western sycamore which is 27 inches diameter at breast height); a Coastal Development Permit for development within 750 feet of a known archaeological resource; and Design Approval

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a. That said project will not have the potential to significantly degrade the quality of the environment.
- b. That said project will have no significant impact on long-term environmental goals.
- c. That said project will have no significant cumulative effect upon the environment.
- d. That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body: Planning Commission

Responsible Agency: County of Monterey

Review Period Begins: April 12, 2006

Review Period Ends: May 11, 2006 *← week before*

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 West Alisal St, 2nd Floor, Salinas, CA 93901 (831) 755-5025.

Notice of Completion

See NOTE BELOW

Mail to: State Clearinghouse, 1400 Tenth Street, Sac., CA 95814 916/445-0613

SCH #

Project Title: PLN040502 – Whisler

Lead Agency: County of Monterey Planning & Building Inspection Contact Person: Thomas A. McCue (831/755-5186)

Street Address: 168 West Alisal Street, 2nd Floor or Stephanie Strelow (831/425-6523)

City: Salinas Zip: 93901 County: Monterey

Project Location

County: Monterey City/Nearest Community: Carmel

Cross Streets: Highway 1 Zip Code: 93923 Total Acres: 2.5±

Assessor's Parcel No.: 243-112-006-000, 416-011-003-000, 416-011-002-000, 416-011-014-000, 243-091-001-000 Section: Twp Rang Base

Within 2 Miles: State Hwy #: 1 Waterways: Pacific Ocean

Airports: n/a Railroads: n/a Schools: n/a

Document Type

CEQA: NOP Supplement/Subsequent EIR NEPA: NOI Other: Joint Document

Neg Dec (Mitigated) Draft EIR Draft EIS Final Document

Local Action Type

General Plan Update Specific Plan Rezone Annexation

General Plan Amendment Master Plan Prezone Redevelopment

General Plan Element Planned Unit Development Use Permit Coastal Permit

Community Plan Site Plan Land Division Other _____

(Subdivision, Parcel Map, Tract Map, etc.)

Development Type

Residential: Units _____ Acres _____ Water Facilities: Type _____ MGD _____

Office: Sq. Ft. _____ Acres _____ Employees _____ Transportation Type Private Road Improvement

Commercial: Sq. Ft. _____ Acres _____ Employees _____ Mining: Mineral

Industrial: Sq. Ft. _____ Acres _____ Employees _____ Power Type _____ Watts _____

Educational: _____ Waste Treatment: Type _____

Recreational: _____ Hazardous Waste: Type _____

Other: _____

Reviewing Agencies Checklist

Supplementary Document N

Resources Agency

KEY

- Boating & Waterways
- S Coastal Commission
- Coastal Conservancy
- Colorado River Board
- Conservation
- S Fish & Game
- S Forestry
- Office of Historic Preservation
- Parks & Recreation
- Reclamation
- S.F. Bay Conservation & Development Commission
- Water Resources (DWR)

- S = Document sent by lead agency
- X = Document sent by SCH
- √ = Suggested distribution

Business, Transportation & Housing

- Aeronautics
- California Highway Patrol
- CALTRANS District # _____
- Department of Transportation Planning (headquarters)
- Housing & Community Development

Cal-EPA

- Air Resources Board
- S APCD/AQMD
- California Waste Management Board
- SWRCB: Clean Water Grants
- SWRCB: Delta Unit
- SWRCB: Water Quality
- SWRCB: Water Rights
- S Regional WQCB # 3 (Central Coast)

Youth & Adult Corrections

- Corrections

Independent Commissions & Offices

- Energy Commission
- Native American Heritage Commission
- Public Utilities Commission
- Santa Monica Mountains Conservancy
- State Lands Commission
- Tahoe Regional Planning Agency
- Other _____

Health & Welfare

- Health Services _____

State & Consumer Services

- General Services
- OLA (Schools)

Public Review Period (to be filled in by lead agency)

Starting Date: April 12, 2006

Ending Date: May 11, 2006

Signature: _____

Date: April 7, 2005

Lead Agency (Complete if applicable)

Consulting Firm: Strelow Consulting

Address: PO Box 2896

City/State/Zip: Santa Cruz, CA 95063

Contact: Stephanie Strelow

Phone: 831/425-6523

Applicant: Whisler Family Trust

Address: 55 Riley Ranch Road

City/State/Zip: Carmel, CA 93923

Phone: (831) 625-2799

For SCH Use Only:

Date Received at SCH _____

Date Review Starts _____

Date to Agencies _____

Date to SCH _____

Clearance Date _____

Notes:

Project Issues Discussed in Document

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Aesthetic/Visual | <input type="checkbox"/> Flood Plain/Flooding | <input type="checkbox"/> Schools/Universities | <input type="checkbox"/> Water Quality |
| <input type="checkbox"/> Agricultural Land | <input type="checkbox"/> Forest Land/Fire Hazard | <input type="checkbox"/> Septic Systems | <input type="checkbox"/> Water Supply/Groundwater |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Geologic/Seismic | <input type="checkbox"/> Sewer Capacity | <input type="checkbox"/> Wetland/Riparian |
| <input checked="" type="checkbox"/> Archaeological/Historical | <input type="checkbox"/> Minerals | <input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading | <input checked="" type="checkbox"/> Wildlife |
| <input checked="" type="checkbox"/> Coastal Zone | <input type="checkbox"/> Noise | <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Growth Inducing |
| <input checked="" type="checkbox"/> Drainage/Absorption | <input type="checkbox"/> Population/Housing Balance | <input type="checkbox"/> Toxic/Hazardous | <input checked="" type="checkbox"/> Land Use |
| <input type="checkbox"/> Economic/Jobs | <input type="checkbox"/> Public Services/Facilities | <input type="checkbox"/> Traffic/Circulation | <input type="checkbox"/> Cumulative Effects |
| <input type="checkbox"/> Fiscal | <input type="checkbox"/> Recreation/Parks | <input checked="" type="checkbox"/> Vegetation | <input type="checkbox"/> Other: |
-

Present Land Use/Zoning/General Plan Use:

Existing private dirt road / Recreation and Visitor-Serving and Watershed and Scenic Conservation / VSC-D-SpTr(CZ), WSC/40-D-SpTr(CZ), WSC/80-D-SpTr(CZ) Carmel Land Use Area Plan, Local Coastal Program

Project Description:

The project consists of a Combined Development Permit for improvements and modifications to an existing road that includes: (a) a coastal development permit for improvements and modifications to an existing road of approximately 1.5 miles in length within 100 feet of a riparian environmentally sensitive habitat area (ESHA), including grading with 690 cubic yards of fill and 30 cubic yards of cut; (b) a coastal development permit for development on slopes of 30% or greater; (c) a coastal development permit for tree removal (25 trees: 7 of which are in excess of 12 inches, including one landmark western sycamore which is 27 inches dbh (diameter at breast height)); (d) a coastal development permit for development within 750 feet of a known archaeological resource; and (e) design approval. The project property is located at 55 Riley Ranch Road, Carmel, CA (assessor's parcel number 243-112-006-000, 416-011-003-000, 416-011-002-000, 416-011-014-000, 243-091-001-000), Carmel Area, coastal zone.

NOTE: Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. from a Notice of Completion Preparation or previous draft document) please fill in.

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY
PLANNING & BUILDING INSPECTION DEPARTMENT
168 W. Alisal Street, Second Floor, Salinas, CA 93901
(831) 755-5025 FAX: (831)757-9516



NOTICE OF INTENT TO ADOPT A MITGATED NEGATIVE DECLARATION MONTEREY COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Monterey County Planning and Building Inspection Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of the California Environmental Quality Act (CEQA), for a Combined Coastal Development Permit (Patrick Whisler, File Number PLN040502) at 55 Riley Ranch Road, Carmel, CA (Assessor's Parcel Number 243-112-006-000, 416-011-003-000, 416-011-002-000, 416-011-014-000, 243-091-001-000) (see description below). The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Planning and Building Inspection Department, 168 W. Alisal Street, Second Floor, Salinas, CA 93901. The Planning Commission will consider this proposal at a meeting on **May 31, 2006** in the Monterey County Board of Supervisors Chambers, 168 W. Alisal Street, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from **April 12 to May 11, 2006**, and should be submitted to Thomas A. McCue at the Monterey County Planning & Building Inspection Department at the address below. Comments can also be made during the public hearing.

Project Description: The project consists of a Combined Development Permit for improvements and modifications to an existing road that includes: (a) a coastal development permit for improvements and modifications to an existing road of approximately 1.5 miles in length within 100 feet of a riparian environmentally sensitive habitat area (ESHA), including grading with 690 cubic yards of fill and 30 cubic yards of cut; (b) a coastal development permit for development on slopes of 30% or greater; (c) a coastal development permit for tree removal (25 trees: 7 of which are in excess of 12 inches, including one landmark western sycamore which is 27 inches dbh (diameter at breast height)); (d) a coastal development permit for development within 750 feet of a known archaeological resource; and (e) design approval. The project property is located at 55 Riley Ranch Road, Carmel, CA (assessor's parcel number 243-112-006-000, 416-011-003-000, 416-011-002-000, 416-011-014-000, 243-091-001-000), Carmel Area, coastal zone.

FOR ADDITIONAL INFORMATION CONTACT:
Thomas A. McCue, Senior Planner, 831-755-5186
Or Stephanie Strelow, Consultant, 831-425-6523
Monterey County Planning & Building Inspection Department
168 W. Alisal Street, Second Floor
Salinas, CA 93901

FULL DOCUMENT

Monterey County Public Works Department Attn: Bryce Hori	Monterey County Parks and Recreation Department Attn: Lynne Burgess	Monterey County Water Resources Agency Attn: Tom Moss
Monterey County Environmental Health Division Attn: John Hodges	Patrick Whisler Baronian Whisler 2346 Marinship Way, Suite 102 Sausalito, CA 94965	Horan Law Offices Mr. Aengus Jeffers 499 Van Buren Street Monterey California 93940
California Coastal Commission Central Coast Area Office 725 Front Street, Suite 300 Santa Cruz, CA 95060	Serge Glushkoff Calif. Dept. of Fish and Game P.O. Box 47 Yountville, CA 94599	Ken Gray Calif. Dept. Parks & Recreation 2211 Garden Road Monterey, CA 93940
Grey Furey California Dept. of Forestry 4180 Seventeen Mile Dr. Pebble Beach, CA 93953	Daniel Gutierrez or Domenic Rock Calif. Regional Water Quality Control Board 805 Aerovista Place suite 101 San Luis Obispo, CA 939401	Pam Armas Calif. Dept. Parks & Recreation 20 Custom House Plaza Monterey. Ca 93940
John McKeon National Marine Fisheries Service 777 Sonoma Ave RM 325 Santa Rosa, CA 95404	Jacob M. Martin US Fish and Wildlife Service 2493 Portola Rd Suite B Ventura CA 93003	Holly Costa US Army Corps of Engineers 333 Market Street 8 th Floor San Francisco, CA 94105
Stephanie Strelow Strelow Consulting P.O. Box 2896 Santa Cruz, CA 95063-2896		

NOTICE OF INTENT ONLY

AMBAG P.O. Box 809 Marina, CA 93933	Calif. Dept Forestry Monterey Peninsula 2221 Garden Road Monterey, CA 93940	Monterey Bay Unified Air Pollution Control District 24580 Silver Cloud Court Monterey, CA 93940
Monterey Peninsula Regional Park District 60 Garden Court, Suite 325 Monterey, California 93940-5341	300' Mailing (Envelopes)	

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY
PLANNING & BUILDING INSPECTION DEPARTMENT
168 West Alisal Street, 2nd Floor, Salinas, CA 93901
PHONE: (831) 755-5025 FAX: (831) 757-9516



INITIAL STUDY MITIGATED NEGATIVE DECLARATION

I. BACKGROUND INFORMATION

Project Title: Whisler

File No.: PLN040502

Project Location: 55 Riley Ranch Road, Carmel, CA

Name of Property Owner: Whisler Family Trust

Name of Applicant: Whisler Family Trust

Assessor's Parcel Number(s): 243-112-006-000, 416-011-003-000, 416-011-002-000,
416-011-014-000, 243-091-001-000

Acreeage of Property: 317 acres (Owner's parcels-416-011-014-000, 243-091-001-000)

General Plan Designation: Recreation and Visitor-Serving and Watershed and Scenic Conservation

Zoning District: VSC-D-SpTr(CZ), WSC/40-D-SpTr(CZ), WSC/80-D-SpTr(CZ)

Lead Agency: Monterey County Planning & Building Inspection Department

Prepared By: Stephanie Strelow, Consultant

Date Prepared: April 4, 2006

Contact Person: Thomas A. McCue, Senior Planner 831/755-5186,
mccuet@co.monterey.ca.us or

Stephanie Strelow, Consultant, 831/425-6523,
steph@strelowconsulting.com

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description and Background:

Project Application Summary: The project consists of a Combined Development Permit for improvements and modifications to an existing road that includes:

- A coastal development permit for improvements and modifications to an existing road of approximately 1.5 miles in length within 100 feet of a riparian environmentally sensitive habitat area (ESHA), including grading with 690 cubic yards of fill and 30 cubic yards of cut;
- A coastal development permit for development on slopes of 30% or greater;
- A coastal development permit for tree removal (25 trees: 7 of which are in excess of 12 inches, including one landmark western sycamore which is 27 inches dbh (diameter at breast height));
- A coastal development permit for development within 750 feet of a known archaeological resource; and
- Design approval.

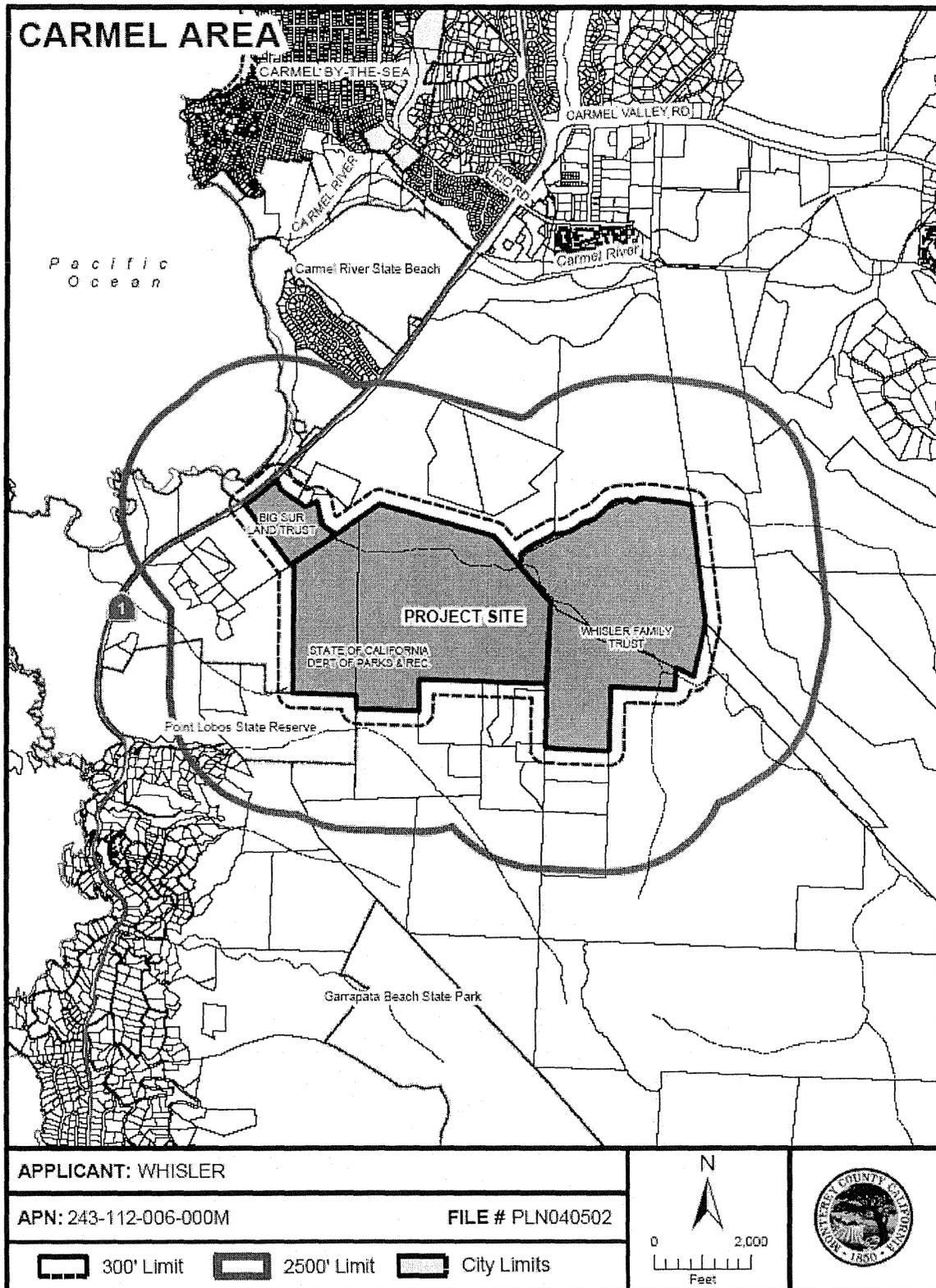
Project Purpose: The primary reason for the proposed road improvements is to provide year-round access along an existing access road to the 317-acre Whisler/Wilson parcel that is situated at the end of the approximate 1.5-mile (7,900 linear feet) long roadway (See Figure 1). The property has been utilized by the Whisler/Wilson/Riley family for pasture of beef and dairy cattle for at least 100 years. The planned improvements would allow year-round access for farm equipment and cattle, as well as increase road safety for cattle and ranch personnel. The proposed improvements also are intended to provide year-round access to an existing cabin and a potential new residence in the future. A Conservation and Scenic Easement Deed imposed upon the 317 acres owned by the Whisler family limits development on the parcel to one single-family residence.

Remove 3 wet water crossings

Project Overview: The proposed project includes construction of 19 turnouts for fire safety; construction of 3 bridges to replace the wet crossings; and placement of an all-weather roadway surface. The roadway will be widened in places to accommodate the turnouts. An overview of the road alignment and improvements is shown on Figure 2. The specific road improvements are identified below. Table 1 in Subsection VI.4 (Biological Resources) further identifies improvements by segment and lists the recommended times of the years for road segment construction.

- 1) Placement of 3 flatbed railcar bridges over San Jose Creek (near Stations 60+00, 62+50, and 75+50) to replace existing wet crossings;
- 2) Construction of 19 turnouts (Stations 4+00, 8+75, 12+50, 14+50, 17+50, 22+50, 28+50, 34+00, 40+40, 45+00, 48+50, 51+50, 54+25, 58+00, 60+80, 63+40, 67+50, 72+50, 76+15), 7 of which require installation of retaining walls (Stations 14+50, 48+50, 51+50, 54+25, 58+00, 67+50 and 72+50) to meet fire access requirements;

FIGURE 1: PROJECT LOCATION



- 3) Road widening to 12-feet, including removal of a gate and fence at Station 27+00, and removal (by chipping) of 12-18" of rock outcrop at Stations 14+50, 66+00, and 71+50;
- 4) Grading of uneven road surface, especially rocky areas between Stations 28+00 and 40+00;
- 5) Installation of culverts at Stations 53+10, 53+60, and 54+15; and
- 6) Placement of a 4" layer of Felton Quarry gold colored rock along the entire road surface.

The project also includes implementation of an Erosion Control and Sediment Control Plan appended to the Preliminary Plans and a Revegetation, Mitigation, and Monitoring Plan appended to the project biological assessment. Retained trees will be protected from inadvertent damage if the tree protection measures specified in the applicant's tree removal and protection report. These measures include protective construction fencing, placement of straw bales, trunk wrapping, pruning, and root pruning. Specific measures are provided for each tree retained.

Construction Schedule and Equipment. Construction is expected to start at the earliest in the summer of 2006, and likely will take two summer seasons to complete. Given restrictions and conditions related to construction adjacent to the creek, the construction season would be only from about June through September. Two temporary construction bypasses (Stations 59+00 and 75+00) and use of 7 temporary staging areas (Stations 2+00, 44+00, 61+50, near 63+50, 65+00, 76+50, and 79+60) are planned as part of the construction scheduling. Equipment on site will consist of typical equipment necessary for grading residential projects such as backhoes, bulldozers, excavators, and dump trucks. A crane may be used to place bridge spans. A boom truck and crane may be used to remove high tree branches. A pile driver may be used to drive pre-cast concrete pilings below the bridge abutment footings. Alternatively, a borer may be used to drill holes for poured concrete pilings below abutment footings. A cement mixer will also be used on site.

Project Components. The details of the project components are provided below.

Bridge Improvements. Three bridges would be placed near Stations 60+00, 62+50, and 75+50 to replace existing wet crossings over San Jose Creek. The flatbed railcar bridges are 10 feet-six inches wide and are built out to 14 feet wide at the site. The bridges would extend 53 feet between footings at elevations of approximately 1.5-2 ft above the 100-year flood level. No box culverts or bridge supports would be placed in the stream channel between abutments. For Bridges 1 and 3, the existing road alignment would be modified slightly at the crossing point to accommodate the abutments. For Bridge 2, the existing road alignment would be modified to allow a more perpendicular crossing without realigning the creek or cutting into the steep banks on either side of the approach to the existing crossing.

Bridge construction will take place during the summer and early fall when water levels are lowest. Prior to bridge construction and use of equipment in the creek, the creek will be dewatered at each bridge location using a coffer dam and 10" PVC or HDP bypass pipe. The

coffer dams will be constructed of 1.5-inch clean aggregate rock sealed with 30 mm PVC Oxyflex geomembrane liner or equivalent material as illustrated in the project plans. The bypass pipe will extend downstream of all bridge work. Straw bales will be placed in the stream channel just upstream of the pipe outlets. The bypass pipe will be covered with clean 1-1.5-inch aggregate in areas where equipment will need to cross the pipe. The bypass pipe will not be trenched. These materials will be removed, and the stream channel returned to its approximate original state, upon completion of the bridges.

Bridge 2 will use the existing road alignment as a construction bypass, and new bypasses will be constructed for Bridges 1 and 3, new bypasses will be constructed. All bypasses will be revegetated with appropriate native species upon completion of construction.

Bridges will be dragged along the existing access road to bridge locations. Bridge abutment walls will be constructed of concrete block. In order to reach bedrock that will support the abutments, concrete piles will be driven in by a pile driver or drilled and poured in place below the elevation of the abutment footings. These 2-foot diameter piles will extend approximately 7-10 feet below ground. The abutment footings will be attached to the piles below and will consist of cast-in-place concrete set in a trench. Hollow concrete blocks reinforced by rebar will be placed above the footings to form the abutment walls and will be filled with poured concrete. After the abutment walls have been constructed, backfill will be placed and compacted until the elevation for the bridge footings (pre-cast concrete block) is reached. Once the bridge footings are set, the railcar bridge span will be placed using a crane. After the bridge span is set, the remaining fill will be placed and compacted to 90% minimum relative compaction. The road surface will then be covered with a 4-inch layer of compacted Felton Quarry gold colored rock, and a single layer of 10-20 inch river rock will be placed at the upstream and downstream edges of the abutments.

Road Widening, Grading, and Turnouts without Retaining Walls. In order to meet fire safety standards, most of the road within the proposed improvement area will be widened from an existing width of 8-10 feet to 12 feet with a few exceptions. The road between Highway One and the residential State Parks buildings (Stations 0+00 to 27+00) is currently 12 feet wide in most locations, and little widening will be completed in this section. Other exceptions include areas where the road is pinched between steep uphill and downhill slopes and cannot be widened without a retaining wall. These areas include Stations 31+50 to 33+00, 49+00 to 57+50, and 68+00 to 74+00. In most areas the road will be widened an equal distance to both sides. However, there are some areas where the road will be widened only on one side due to steep slopes to one side or the other. These areas include Stations 18+00 to 22+00 (widened to north side), 31+50 to 33+25 (widened to north side), 46+00 to 48+00 (widened to north side). In one location (Stations 17+00 to 18+00), the road will be widened only to the north due to the presence of a wetland seep on the south side of the road. In two other locations (Stations 34+00 to 35+50 and 45+00 to 46+00), the road will be widened only to the north side in order to avoid disturbance to Hutchinson's larkspur (*Delphinium hutchinsoniae*), a CNPS 1B plant species.

Road widening will include removal of a gate and fence at station 27+00, and removal (by chipping) of 12-18" sections of rock outcrops at stations 14+50, 66+00, and 71+50. No cuts will be made into steep banks other than to chip off sections of these rock outcrops.

Twelve turnouts will be placed that do not require retaining walls (Stations 4+00, 8+75, 12+50, 17+50, 22+50, 28+50, 34+00, 40+40, 45+00, 60+80, 63+40, and 76+15). Turnout dimensions range from approximately 6-8 feet wide and 40-60 feet long. All turnouts will be on the north side of the road except for the last one at 45+00, which will be on the south side but positioned so as to provide a minimum set-back of 25 ft from Hutchinson's delphinium near the road at this location.

The entire road surface, including turnouts, will be graded and covered with a 4-inch layer of compacted Felton quarry gold colored rock. Since submittal of the project plans, the applicant has indicated that a clear resin stabilizer ("Natural Pave XL") may be added in some areas to reduce erosion and provide ease of maintenance (such as between stations 48+00 and 58+00). Only light grading will be necessary over most of the road. However, heavier grading will be necessary over rocky stretches of the road (Sections 33+00 - 40+00) and in areas where the road grade will be lowered (Section 44+00).

Turnouts and Retaining Walls. Seven turnouts will require installation of retaining walls [Stations 14+50, 48+50, 51+50, 54+25 , 58+00, 67+50 and 72+50]. The section of wall built below the existing ground surface will be constructed of steel beams and caisson, and the section of wall above the existing ground surface will be constructed using steel wide flange beams and pressure treated Douglas fir lagging placed between flange beams. The aboveground portion of the retaining walls at stations 14+50 and 48+00 will have a maximum height of 4 ft. All other retaining walls will have a maximum height of 7 feet. Since submittal of the project plans, the applicant has indicated that a gabion-type of wall design might be used instead of the pier and wood lagging walls, which would be reinforced through the road.

Culvert Improvements. Twelve-inch culverts will be installed at Stations 53+10, 53+60, and 54+15 in order to channel runoff underneath the road from upslope drainages. All culverts will have outflow dissipaters. Three staging areas east of each of the three bridge locations (61+50, 63+50, and 76+50) will be used for turnout locations after construction.

Locations of Staging Areas. Five temporary staging areas (Stations 2+00, 44+00, 61+50, near 63+50, and 79+60) will be utilized during construction. Staging areas will be utilized for temporary stockpiling of cut and fill materials as well as storage of construction vehicles (e.g. excavator, backhoe) and all construction materials (e.g. bridge spans, steel beams, lagging, erosion control materials).

Erosion and Water Quality Controls. All soil exposed during the course of construction will be sown with native perennial grasses and covered in accordance with the Erosion and Sediment Control Plan. Seed collection sources for native grass seed used on site will be limited to the Monterey Bay area. Erosion control blankets used on site will consist of 100% biodegradable, non-toxic, and weed-free materials. All cut and fill slopes, staging areas, construction bypasses, and abandoned road alignments will be revegetated with native trees, shrubs, vines, and herbs in coordination with the Revegetation, Mitigation, and Monitoring Plan. All container stock and cuttings specified in the Revegetation, Mitigation, and Monitoring Plan will be propagated from

site-specific materials. Additionally, silt fencing will be installed to prevent soil/fill from entering the creek.

B. Environmental Setting and Surrounding Land Uses:

The project property is located within the unincorporated planning area of the Carmel Land Use Plan in Monterey County, and is located approximately 1.5 miles south of the Carmel River. The proposed road improvement is located in San Jose Creek Canyon, immediately northeast of Point Lobos State Park and south of Carmel River State Beach (see Figure 1). The existing road extends approximately 1.5 miles from Highway 1, across from Monastery Beach, to the Whisler/Wilson property. It runs parallel to San Jose Creek, cutting across San Jose Creek at three wet crossings. The existing dirt road is approximately 8-10 feet wide and traverses the applicant's property as well as property owned by the California Department of Parks and Recreation and the Big Sur Land Trust via existing easements identified below, from west to east (the parcel numbers are shown on Figure 2).

<u>Assessor's Parcel Number</u>	<u>Owner</u>
243-112-006-000	The Big Sur Land Trust
416-011-002-000	State of California
416-011-003-000	State of California
416-011-014-000	Whisler Family Trust
243-091-001-000	Whisler Family Trust

The existing road is used by the applicants for vehicle access to their private property, as an equestrian trail and to transport livestock. The road also is used at times as a trail under the guidance of or approval of the California Department of Parks and Recreation. It also serves, in part, as a driveway to two single-family homes occupied by State Park personnel.

The existing roadway traverses mostly open space properties, part of which is publicly owned. The State Department of Parks and Recreation owns land to the north and south of the roadway. Public access is currently minimal along the existing roadway. Existing development along the alignment includes a cluster of several houses on the north side of the road near Station 25+00 on State Park property, which is used for State Park employee housing. Vegetation in this area consists of planted exotic and native species and non-native grassland.

Vegetation communities adjacent to the road alignment in other areas include previously logged redwood forest, Monterey pine tree stands, mixed riparian woodland, mixed forest (riparian, redwood, and Monterey pine forest), coast live oak woodland, coastal scrub, and non-native grassland. Numerous trees of a variety of species border the roadway. A planted Monterey cypress grove is located adjacent to Highway 1, which blocks views into the site from the roadway. Sensitive riparian habitat borders San Jose Creek, and a number of special status species occur, or may potentially occur at this site, including steelhead trout, California red-legged frog, western pond turtle, California newt, Smith's blue butterfly, and Monterey woodrat. Steep slopes border the roadway in several places.

C. Other Agency Approvals:

The proposed Whisler/Wilson Road Improvement Project will require permits, certifications, approvals or consultations from several agencies in order to comply with applicable federal and state environmental laws, regulations, and standards, which include the reviews/permits listed below. The applicant has initiated all of the above permit/review processes.

- U.S. Army Corps of Engineers (ACOE): Approval of a 404 permit (under the federal Clean Water Act) for fill in a water of the US (San Jose Creek and wetlands).
- U.S. National Marine Fisheries Service (NMFS/NOAA): Consultation with the ACOE regarding impacts to federally listed steelhead.
- U.S. Fish and Wildlife Service (USFWS): Consultation with the ACOE regarding impacts to the federally listed Smith's blue butterfly, California red-legged frog, and California tiger salamander.
- California Department of Fish and Game (CDFG): Approval of 1600 streambed alteration agreements for construction within stream banks or channels.
- California Regional Water Quality Control Board (RWQCB): Section 401 certification for potential discharge into a "Water of the US" and of the state.
- California Department of Parks and Recreation (CDPR): Revision of existing access easements to account for revised roadway dimensions.

D. Summary of Impacts:

- Air Quality. The proposed roadway improvements would not result in a new source of stationary or operational (i.e. traffic) emissions, expose sensitive receptors to substantial emissions or create odors. The project will require some grading and fill. Site disturbance could result in a short-term, localized decrease in air quality due to generation of particulate emissions (PM₁₀) but would be below the Monterey Bay Air Pollution Control District's threshold of significance. Therefore, short-term, localized decrease in air quality due to generation of particulate emissions (PM₁₀) caused by site disturbance would be a *less than significant impact*.
- Biological Resources. The project would remove the host plant for the federally endangered Smith's blue butterfly and result in potential disturbance to listed aquatic species (steelhead and California tiger salamander) and water quality impacts during construction that can be mitigated with removal of butterfly host plants (buckwheat) during the non-flight butterfly season, replanting buckwheat, construction below the top-of-the-bank during non-steelhead migration and spawning season, installation of a coffer dam during construction, and implementation of erosion and water quality measures and other best management practices during construction, to include use of designated staging areas and material storage areas away from the creek. The proposed road improvements will result in removal of sensitive riparian (0.53 acres) and sensitive mixed forest and redwood forest habitat (0.08 acres) for a total of 0.61

acres of impacted sensitive habitat, which will be mitigated onsite with implementation of a revegetation plan with a one-to-one replacement. Impacts to wetland habitat includes fill of approximately 732 square feet of jurisdictional wetlands and 2,128 square feet of “waters of the US” for a total of approximately 0.07 acres of wetlands impacted by the project. With implementation of pre-construction nesting bird surveys and tree replacement proposals, impacts related to potential nesting species and tree removal would be mitigated. Therefore, impacts to biological resources are a *potentially significant impact that can be mitigated to a less than significant level*.

- Cultural Resources. County records identify the project site as having a high to moderate archeological sensitivity, and there are two recorded archaeological sites within or adjacent to the proposed project area. Project grading and improvements could disturb undiscovered resources, resulting in a *potentially significant impact*. Mitigation measures are included based on recommendations provided by the project archaeologist, and will include archaeological monitoring during construction. Therefore, impacts to cultural resources are a *potentially significant impact that can be mitigated to a less than significant level*.
- Geology and Soils. Segments of the proposed road improvement site are subject to geologic hazards related to seismic shaking, liquefaction, settlement, and slope instability. The retaining walls, bridge abutment foundations and other site improvements would be designed to resist damage associated with very strong to severe ground shaking in accordance with current building codes and design standards. The geological and geotechnical investigation concluded that the roadway improvements would not be precluded provided the recommendations of the investigation are followed, which address site preparation, grading, bridge foundation design, retaining walls, surface drainage and slope protection, which is a required mitigation measure. The project Erosion-Sediment Control Plan and other mitigation measures will ensure that erosion/sedimentation into San Jose Creek will be avoided or minimized. Therefore, impacts related to geology and soils are a *potentially significant impact that can be mitigated to a less than significant level*.
- Hydrology and Water Quality. Without incorporation of proper erosion control measures and best management practices during construction, soil disturbance, installation of bridges and retaining walls, and transportation of heavy equipment onto the site, could result in inadvertent erosion and sedimentation into San Jose Creek. This could potentially adversely affect water quality and aquatic species habitat. With implementation of the proposed project Erosion-Sediment Control Plan and additional mitigation measures identified in this initial study, water quality impacts to the seasonal drainage can be mitigated. . Therefore, impacts related water quality are a *potentially significant impact that can be mitigated to a less than significant level*.

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	■

General Plan / Local Coastal Program – LUP. The project is located in the Carmel Area Land Use Plan (CA LUP) - Local Coastal Program. Review of the project with the LUP policies indicates that the proposed project is consistent with relevant policies in the Land Use Plan as summarized below. The proposed road improvements will not generate increased traffic, water demand, wastewater, or other public service or utility demands.

The existing roadway is not located within the viewshed of an identified scenic road, except for a short segment adjacent to Highway 1. A planted Monterey cypress grove is located adjacent to Highway 1, which blocks views into the site from the roadway. The minor widening and all-weather road surfacing in this area would not expand the visibility of existing roadway, would not detract from the natural beauty of the area, and would not result in ridgeline development (Policy 2.2.2). The proposed road improvements are along an existing road that is used for access to/by existing uses, including cattle grazing and a recreational cabin.

The proposed road improvements will include vegetation removal, some grading, and installation of roadway retaining walls and three bridges adjacent to and within the designated San Jose Creek riparian corridor environmentally sensitive habitat area (ESHA). The proposed road improvements would result in removal of approximately 0.53 acre of riparian ESHA habitat in scattered locations and removal of approximately 0.08 acres of redwood forest ESHA and mixed forest habitat (that includes combination of riparian, redwood, and Monterey pine forest habitat). LUP Key Policy 2.3.2 states that unique and fragile ESHA resources shall be protected, maintained, and where possible enhanced and restored. While the proposed project would remove approximately 0.61 of an acre of ESHA, the conversion of the existing dirt road and wet crossings to a road with an all-weather surface and bridged crossings will lesson erosion of the riparian corridor. As such this project is consistent with this Key Policy. The existing roadway is currently located within the LUP-required 150-foot riparian setback of San Jose Creek, and this encroachment will be slightly expanded due to some widening and construction of turnouts. However, as designed and mitigated, the proposed project would not cause significant disruption of habitat resource values of the adjacent riparian ESHA, and supported species will be protected and maintained (Policy 2.3.3). The properties adjacent to the roadway are within public ownership or protected with a conservation easement (Whisler property). The existing roadway currently is located within 100 feet of San Jose Creek and wetland areas, the minor

improvements for fire safety turnouts would not substantially reduce existing wetland setbacks that are already less than 100 feet.

Implementation of proposed project erosion control measures, construction specifications, and mitigation measures included in this Initial Study will ensure that the project does not result in sedimentation into or water quality degradation of San Jose Creek, and creek water quality downstream marine water quality will be protected (Policy 2.4.2).

The project would have not effect on agricultural resources and does not involve logging activities. However, the proposed road improvements will result in removal of 25 trees, 7 of which are in excess of 12 inches. One landmark western sycamore tree, which is 27 inches in diameter, is located within the road development area. Replacement of removed trees larger than 12 inches in diameter will be required in accordance with Coastal Implementation Plan (CIP) requirements. Additionally, the proposed Revegetation, Mitigation and Monitoring Plan recommends replacement of removed pine trees at a three-to-one ratio (6 trees for removal of 2 trees) with a 2-year monitoring program. The project Tree Removal and Tree Protection Report provides specific recommendations to protect retained trees from inadvertent damage during construction.

The project will not result in construction of new habitable structures that would be exposed to hazards, and the proposed retaining wall and bridge foundations would be designed in accordance with recommendations of the project geologic-geotechnical report, which will minimize risks to life and property damage (Policy 2.7.2). The existing roadway and planned widening and turnouts do not cross 30% slopes (Policy 2.7.4. Geologic Hazards 4), although retaining walls will be located in areas of 30% slopes. The proposed road improvements will be designed in accordance with recommendations of the geologic-geotechnical report prepared for the project. The roadway improvements have been designed in accordance with emergency fire access requirements (Policy 2.7.4. Fire Hazards 3).

Cultural (archaeological) resources have been identified in the area based on results of an archaeological survey. The project will be required to implement recommendations provided in the archaeological investigation during project construction, which will avoid or minimize impacts to archaeological resources (Policy 2.8.2).

The proposed road improvement area is located within a “Special Treatment” overlay zone as part of the Point Lobos Ranch. The improvement of the existing road, which serves several properties, has been designed to have minimal impact, and would have no impact on Point Lobos Reserve or Highway One traffic (Policy 4.4.3.F.4g).

The proposed road alignment is not located within proximity to the coast and shoreline access policies are not applicable. The LUP (Figure 3) identifies a proposed trail that extends south from Highway One near San Jose Creek, but no trails are identified along the existing roadway. The proposed road improvements would not interfere with future implementation of the proposed trail.

Air Quality Management Plan. The Monterey Bay Unified Air Pollution Control District's (MBUAPCD) 2004 Air Quality Management Plan For the Monterey Bay Region (AQMP) addresses state air quality standards. Population-generating projects that are within the AQMP population forecasts are considered consistent with the plan. The proposed roadway improvements will not result in an increase population, and thus, will not result in conflicts with the AQMP.

Water Quality Control Plan (Basin Plan), Central Coast Region. The Regional Water Quality Control identifies water quality objectives and beneficial uses for specified surface waters and groundwater basins. San Jose Creek is within the Santa Lucia hydrologic unit for which identified beneficial uses include agriculture, groundwater recharge, recreation, and habitat. The coastal waters in Carmel Bay, to which San Jose Creek discharges, are identified as having existing beneficial water uses related to recreation, marine resources, and biological resources, including the identified "Area of Special Biological Significance." The minimal increase in surface area associated with the road widening, construction of turnouts, and all-weather surfacing (not paving) would not impair water quality or aquatic species, including steelhead habitat, adjacent to the site or in downstream coastal waters. Proposed project erosion and water quality control measures and supplemental mitigation measures will prevent erosion, sedimentation and water quality degradation into San Jose Creek and Carmel Bay. Additionally, removal of the three existing wet creek crossings and installation of bridges would provide a long-term improvement to water quality and fish habitat by reducing sedimentation and direct vehicle pollutants into the creek.

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 Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

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:

1. Aesthetics. The existing roadway is not located within the viewshed of an identified scenic road, except for a short segment adjacent to Highway 1. A planted Monterey cypress grove is located adjacent to Highway 1, which blocks views into the site from the roadway. The minor widening and all-weather road surfacing in this area would not expand the visibility of existing roadway, would not detract from the natural beauty of the area, and would not result in ridgeline development. The limited road widening, construction of turnouts, and installation of 3 railcar bridges would not be visible from public viewpoints and would not block scenic views. The project will not result in removal of trees that would be considered scenic resources. The low-intensity scale of the road improvements would not substantially degrade the visual character of the surrounding area. *Therefore, the proposed project will not result in impacts related to scenic views or aesthetics.*

2. Agricultural Resources. The project site is a roadway and the surrounding properties are not designated for agricultural uses in the County's General Plan and are not in agricultural production, except for the Whisler/Wilson property that has been historically used for grazing. This historic use will be furthered through this project by increasing access to this grazing area. The site is not identified as Prime, Unique or Important Farmland on the County and California Department of Conservation's Farmland Mapping and Monitoring Program map (Source IX.13). Thus, project construction will not result in conversion of prime agricultural lands. The roadway or adjacent sites are not under a Williamson Act Contract. *Therefore, the proposed project will not result in impacts to agricultural resources.*

7. Hazards/Hazardous Materials. The proposal involves construction of road improvements and there would be no use, transport or disposal of hazardous

materials that would constitute a threat of explosion or that would pose a threat to neighboring properties. The project is on a private road and would have no impact on emergency response or emergency evacuation and is not located near an airport or airstrip). The improvements will improve fire safety. *Therefore, the proposed project will not result in impacts related to hazards/hazardous materials.*

9. Land Use. The proposed construction of road improvements would not physically divide an existing community or conflict with applicable land use policies. See policy consistency review under section III above. There are no Habitat Conservation or Natural Community Conservation Plans in the area. *Therefore, the proposed project will not result in impacts related to land use.*
10. Mineral Resources: No mineral resources have been identified or will be affected by this project. *Therefore, the proposed project will not result in impacts to mineral resources.*
11. Noise: The proposed construction of road improvements would not increase ambient noise levels, expose sensitive receptors to noise levels that exceed standards, or result in significant construction impacts due to the short duration and limited equipment during construction. *Therefore, the proposed project will not result in impacts related to noise.*
12. Population/Housing: The proposed construction of road improvements would not result in an increase in population; alter the location, distribution, or density of human population; or create a demand for additional housing. The planned improvements would allow year-round access for farm equipment and cattle, increase road safety, and also is intended to provide year-round access to an existing cabin and a potential new residence in the future. A Conservation and Scenic Easement Deed imposed upon the 317 acres by the owners of the property limits development on the parcel to one single-family. *Therefore, the proposed project will not result in impacts related to population and housing.*
13. Public Services. The proposed construction of road improvements would not result in an increase in population or public service demand. *Therefore, the proposed project will not result in impacts related to public services.*
14. Recreation. The proposed construction of road improvements would not result in an increase in population or demands for recreational facilities. *Therefore, the proposed project will not result in impacts related to recreation.*
15. Traffic/Transportation. The proposed construction of road improvements would not result in an increase in population or permanent traffic increase, although there would be minor construction traffic over a short-term period. *Therefore, the proposed project will not result in impacts related to traffic.*

16. Utilities and Service Systems. The proposed construction of road improvements would not result in an increase in population or increased demand for utility services. *Therefore, the proposed project will not result in impacts related to utilities and services.*

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

Thomas A. McCue
Printed Name


Date

Senior Planner
Title

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		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

2. AGRICULTURAL 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.

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? (Source: IX. 2 & 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

Air Impact 3(a) - No Impact. See discussion under Section III.

Air Impact 3(b,c,e) - No Impact. The proposed road improvement is located in the North Central Coast Air Basin as established by the California Air Resources Board (CARB). The basin is considered attainment or unclassified for national standards and “nonattainment-transitional” for the 1-hour State AAQS for ozone and non-attainment for PM₁₀. The proposed project will result in limited grading, widening and other improvements to a 1.5-mile long private road. The project would not result in a new source of stationary or operational (i.e. traffic) emissions or expose sensitive receptors to emissions. The existing dirt road will be resurfaced, which would like reduce dust from vehicle travel. Therefore *no impacts* related to air emissions would occur.

Air Impact 3(d) – Less Than Significant Impact. The project will require some road grading and use of engineered fill at bridge abutments and retaining walls. The proposed roadway improvements and potential area of disturbance covers approximately 0.90 acre. Site disturbance could result in a short-term, localized decrease in air quality due to generation of particulate emissions (PM₁₀) caused by site disturbance activities. According to the Monterey Bay Unified Air Pollution Control District’s “CEQA Air Quality Guidelines” (as updated in June 2004), 8.1 acres could be graded per day with minimal earthmoving or 2.2 acres per day with major grading and excavation without exceeding the MBUAPCD’s PM₁₀ threshold of 82 lbs/day and resulting in a potentially significant impact. The project area of disturbance is less than one acre in size, and well below the MBUAPCD’s threshold for significance. Thus, short-term, localized decrease in air quality due to generation of particulate emissions (PM₁₀) caused by grading operations would be a *less than significant impact*.

Air Impact 3(e) - No Impact. Construction of the proposed road improvements would not create objectionable odors due to the nature of the planned use as a roadway. Therefore, *no impacts* related to generation of odors are expected to occur.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

The existing roadway traverses properties that contain the following vegetation communities:

- previously logged redwood forest (along the bottom and slopes of San Jose Canyon and at the end of the proposed road improvement);
- Monterey pine tree stands; mixed riparian woodland along San Jose Creek;

- arroyo willow woodland (near Highway 1 on the south side of the proposed road improvement and along a seep at Station 17+00);
- mixed forest (in the area south of the creek between Bridges 1 and 2 where mixed riparian woodland, redwood forest, and Monterey pine forest converge);
- coast live oak woodland (at Stations 14+50 and 78+00);
- a planted Monterey cypress grove (along Highway 1 at the entrance to the property);
- coastal scrub (extensive areas occur on the rocky, north-facing slopes and adjacent flats between Stations 19+00 and 57+00);
- chamise-manzanita chaparral (occurs outside the area of potential impact on south-facing, rocky slopes of the canyon where it mixes occasionally with coastal scrub and low-growing coast live oaks);
- non-native grassland; and
- seasonal wetlands within riparian areas.

The following biological resource sections and impact analyses are based on the findings of the project biological assessment (Source IX.5). Table 1 summarizes road improvements and associated biological impacts and mitigation measure references per work area. It also includes recommendations for construction scheduling and biological monitoring as described in the project biological assessment.

Biological Resources 4(a) – Less Than Significant Impact with Mitigation. Among the special-status species known or with potential to occur on site are two California Native Plant Society (CNPS) List 1B species and four federally listed wildlife species. Several wildlife species that are State Species of Special Concern have the potential to occur on the site.

Special-Status Plants. Based on field surveys conducted in the spring and summer of 2004, the project biological resource assessment observed three special status species on site: Monterey pine (*Pinus radiata*), Hutchinson’s delphinium (*Delphinium hutchinsoniae*), and Lewis’ clarkia (*Clarkia lewisii*). Both Monterey pine and Hutchinson’s delphinium are CNPS List 1B species and are considered rare in California. Lewis’ clarkia is a CNPS List 4 species, which is a watch list for species of limited distribution for which more information is required to establish rarity. Populations of CNPS List 4 species are usually not considered sensitive unless they represent the type locality or a range extension or limit for that species. Lewis’ clarkia is, therefore, not considered a sensitive plant species on the project site.

Monterey pine occurs in areas of Monterey pine forest adjacent to the site, in the area mapped as non-native grassland with Monterey pines, and intermittently along the road in non-native grassland, coastal scrub, and mixed riparian woodland. Two Monterey pine trees would be removed as a result of the proposed road construction. Tree removal is addressed in subsection 4(e) below.

Based on the survey work conducted to date, Hutchinson’s delphinium occurs at three locations: 1) between Stations 34+00 and 35+50; 2) near Station 45+50; and 3) at Station 48+00. The proposed project has been designed to avoid known areas of Hutchinson’s delphinium to the extent possible. For example, road widening between Stations 34+00 and 35+50, including a turnout, will occur only on the north side of the existing road to avoid known locations of

delphinium. Road widening between Stations 45+00 and 46+00 will also occur only to the north side of the road with the exception of a turnout placed near 45+00 on the south side of the road. The turnout provides a minimum 25-foot buffer between construction limits and Hutchinson's delphinium based on results of a spring Hutchinson's delphinium survey.

Work Area (Station #) and Major Work	Impact (Mitigation Measure Reference)	Recommended Work Period	Biological Monitor Present
0+00 – 13+00 <ul style="list-style-type: none"> • 3 Turnouts • Grade and gravel • 1 Temporary staging area 	California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Nesting Birds (8-1)	Year round except during days with precipitation (months without rain are usually May 1 to November 15).	Initial grading
13+00 – 18+00 <ul style="list-style-type: none"> • 2 Turnouts • Retaining wall for road fill and widening at 1of the turnouts • Removal of 3 trees • Rock chipping • Understory vegetation removal • Grade and gravel 	Steelhead (2-1, 2-3, 2-4) California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Nesting Birds (8-1) Tree Removal (9-1)	June 15 to October 15 and not during rain events.	Initial grading and vegetation clearing, and during the installation of the retaining wall and road widening.
18+00 – 47+50 <ul style="list-style-type: none"> • 5 Turnouts • Removal of gate and fence • Removal of large silver bush lupines, buckwheat plants, and other herbaceous species • Grade and gravel • 1 Temporary staging area 	Hutchinson's Delphinium (1-1) Smith's Blue Butterfly (3-1, 3-2, 3-2) California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Nesting Birds (8-1)	Buckwheat removal should occur approximately between September 16 and June 14 during the non-flight season for the butterfly. Other activities can happen without time constraints, except during days with precipitation.	Initial grading, buckwheat removal, and during the flight season for Smith's Blue butterfly (June 15 to September 15).
47+50 – 49+00 <ul style="list-style-type: none"> • 1 Turnout • Retaining wall for road fill and widening at the turnout location (48+50) • Tree removal (sycamore) • Removal of understory vegetation. Potential removal of buckwheat plants (if new buckwheat plants colonize work area) • Grade and gravel 	Hutchinson's Delphinium (1-1, 1-2) Steelhead (2-1, 2-3, 2-4) Smith's Blue Butterfly (3-1, 3-2, 3-2) California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Nesting Birds (8-1) Tree Removal (9-1)	Buckwheat removal should occur approximately between September 16 and June 14 during the non-flight season for the butterfly. Other activities should wait until June 15 to October 15 and not during rain events.	Initial grading and vegetation clearing, installation of the retaining wall and road widening, and during the flight season for Smith's Blue butterfly (June 15 to September 15).

TABLE 1: Summary of Biological Impacts, Recommendations and Mitigation Measures

Work Area (Station #) and Major Work	Impact (Mitigation Measure Reference)	Recommended Work Period	Biological Monitor Present
49+00 – 58+00 <ul style="list-style-type: none"> • 3 Turnouts • 3 Culverts (at 53+10, 53+60 54+15) • 5 retaining walls (2 upslope and 3 down slope) and road fill at 3 of the above turnouts • Removal of understory vegetation and buckwheat plants • Removal of 2 redwood trees • Grade and gravel 	Steelhead (2-1, 2-3, 2-4) Smith's Blue Butterfly (3-1, 3-2, 3-2) California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Riparian & Wetland Habitat [wetland fill-201.5 sq. t. f] (7-1, 7-2) Nesting Birds (8-1) Tree Removal (9-1)	Buckwheat removal should occur approximately between September 16 and June 14 during the non-flight season for the butterfly. Other activities should wait until June 15 to October 15 and not during rain events.	Initial grading and vegetation clearing, and during the flight season for Smith's Blue butterfly (June 15 to September 15).
58+00 – 66+00 <ul style="list-style-type: none"> • Bridge 1 (60+00) • Bridge 2 (62+50) • Temporary construction bypass (59+00) • Removal of understory vegetation • Removal of 17 trees • 3 Temporary staging areas • Grade and gravel 	Steelhead (2-1,2-2, 2-3, 2-4) California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Bats (No mitigation required) Riparian & Wetland Habitat [wetland fill-340 sq. t. f] (7-1, 7-2) Nesting Birds (8-1) Tree Removal (9-1)	June 15 to October 15 and not during rain events.	Initial grading and vegetation clearing, and during bypass construction and bridge installations.
66+00 – 74+00 <ul style="list-style-type: none"> • Rock chipping • Removal of redwood stumps • Grade and gravel 	California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Bats (No mitigation required) Nesting Birds (8-1)	No constraint	Initial grading and vegetation clearing
74+00 – 77+00 <ul style="list-style-type: none"> • Bridge 3 (75+50) • Temporary construction bypass (75+50) • Understory vegetation removal • Removal of 2 trees (one dead) • Grade and gravel • 1 Temporary staging area 	Steelhead (2-1, 2-2, 2-3, 2-4) California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Bats (No mitigation required) Riparian & Wetland Habitat [wetland fill-190 sq. t. f] (7-1, 7-2) Nesting Birds (8-1) Tree Removal (9-1)	June 15 to October 15 and not during rain events.	Initial grading and vegetation clearing, and during bypass construction and bridge installations.
77+00 – 79+60 <ul style="list-style-type: none"> • Grade and gravel • 1 Temporary staging area 	California Red-legged Frog (2-1, 2-3, 4-1, 4-2) California Newt (5-1) Western Pond Turtle (6-1) Bats (No mitigation required) Nesting Birds (8-1)	Year round except during days with precipitation (months without rain are usually May 1 to November 15).	Initial grading and vegetation clearing
SOURCE: Rana Creek Habitat Restoration, September 7, 2004 with impacts and mitigation measures added.			

Project Impact 1 (Special Status Plants – Hutchinson’s Delphinium): The proposed project widening and placement of turnouts near Stations 34+00 and 45+00 and the proposed retaining wall and turnout at Station 48+50 may inadvertently result in damage or loss of Hutchinson’s delphinium if construction is not properly managed, *a potentially significant impact*. However, the impact *can be mitigated to a less than significant level* with implementation of mitigation measures 1-1 and 1-2, which include pre-construction surveys and protective buffers during construction.

Mitigation Measure 1-1: Require completion of a spring flowering survey for Hutchinson’s delphinium by a qualified biologist prior to construction. Protect retained Hutchinson’s delphinium during construction and require that a biological monitor be present during construction within 50 feet of marked Hutchinson delphinium locations to ensure that the retained plants are not harmed.

Monitoring Action 1-1A: The measure shall be included as a project condition of approval. A spring flowering survey shall be conducted by a qualified biologist and submitted to the Director of Planning and Building Inspection for review and approval prior to issuance of grading permit and the initiation of work on this road segment.

Monitoring Action 1-1B: No construction shall occur until survey has been performed and all areas of Hutchinson’s delphinium have been marked with barrier fencing. All previously surveyed locations of Hutchinson’s delphinium as identified in the Biological Assessment Maps shall also be protected by barrier fencing whether or not the plant is observed in those locations during the forthcoming spring surveys.

Monitoring Action 1-1C: The applicant shall select a qualified biological monitor to be present during all construction and vegetation removal within 50 feet of marked Hutchinson delphinium locations. The biological monitor shall ensure that no Hutchinson’s delphinium is harmed during these activities. The selected monitor shall be approved by the Director of Planning and Building Inspection. The biological monitor shall conduct a pre-construction meeting with grading and construction personnel to inform them of the presence of the special-status plant species in marked areas and the importance of avoiding the marked locations. A written report of the monitoring results shall be provided to the Director of Planning and Building Inspection for review.

Mitigation Measure 1-2: Final location of the turnout placed near 45+00 on the south side of the road shall provide a minimum 25-foot buffer between construction limits and Hutchinson’s delphinium based on results of a spring Hutchinson’s delphinium spring survey.

Monitoring Action 1-2A: The measure shall be included as a project condition of approval. A spring flowering survey shall be conducted by a qualified biologist and submitted to the Director of Planning and Building Inspection for review and approval as identified in Monitoring Action 1-1B. Final road plans shall be reviewed by Planning and Building Inspection Department to ensure that a 25-foot buffer is provided.

Special-Status Wildlife. Field surveys covering the project limits, area of potential impact, and immediate vicinity were conducted during the spring and summer of 2004. Focused species surveys to establish the presence or absence of a particular species, or clearance-level surveys, were not conducted; however, the level of survey was sufficient to evaluate the potential for occurrences of special-status wildlife.

Federally protected species that are known to occur within the project vicinity include south-central steelhead (*Oncorhynchus mykiss*) and California red-legged frog (*Rana aurora draytonii*). Smith's blue butterfly (*Euphilotes enoptes smithi*) and central coast California tiger salamander (*Ambystoma californiense*) are not known to occur on or adjacent to the proposed road improvement area but have the potential to occur. State protected species include the two-striped garter snake (*Thamnophis hammondi*), listed as threatened. State "Species of Special Concern" which are known to occur along the proposed road improvement include Coast range newt (*Taricha torosa torosa*), legless lizards (*Anniella pulchra*), Coast horned lizard (*Phrynosoma coronatum frontale*), and Western pond turtle (*Clemmys marmorata marmorata*). The Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*), special-status riparian birds and raptors, and special-status bat species may also occur on site.

Steelhead. Steelhead, a federally listed threatened species, are known to occur in San Jose Creek, but no areas of "critical habitat" are designated for this creek. San Jose Creek is a small, shallow perennial or mostly perennial creek, located in a mostly undeveloped watershed. It seasonally varies between 15 feet wide to mostly 5 feet, and completely loses water in a few locations. The creek contains good year round shade cover and cool water temperatures. Although San Jose Creek contains a good mix of pools and pool frequency, riffle and run areas, it severely lacks water depth; only four in-stream pools occurred with a water depth of 0.75 meters or more, and none had pool depths of 1.0 meter or greater. Potential spawning gravel for steelhead is greatly lacking within the first 1.5 miles of San Jose Creek.

Juvenile steelhead and rainbow trout are known to occur in San Jose Creek within the last two years. Several six-inch long rainbow trout were observed between proposed Bridges 1 and 3 in 2004 during field surveys conducted for the project biological assessment. While steelhead have been documented in San Jose Creek since 1962, runs and breeding steelhead success in San Jose Creek has varied greatly over the years due to fish passage issues, including human-made barriers and sandbars closing off the lagoon to the ocean.

The proposed pre-fabricated bridges do not contain footings or supports in the active channel and therefore will not create in-stream barriers to steelhead and/or rainbow trout. In addition, the road itself is not expected to have any long-term effects on habitat for steelhead as the road is located mostly above the top of the bank and out of the low flow channel, except in the area around the bridges. Additionally, removal of the three existing wet creek crossings and installation of bridges would provide a long-term improvement to fish habitat by reducing sedimentation, vehicle pollutants and potential incidental take.

Project Impact 2 (Special Status Wildlife – Steelhead): Construction of the proposed project could result in the loss of steelhead and could potentially degrade steelhead habitat, a potentially significant impact. The project could also result in potential indirect effects to steelhead from erosion and sedimentation into the creek as a result of bridge installations, temporary bridge bypasses, retaining wall installations, culvert installations, and runoff from the road, turnouts and staging areas. However, the impact can be mitigated to a less than significant level with implementation of the applicant's proposed erosion control measures and other water quality control measures, construction during the non-steelhead season, and construction of coffer dams and bypasses at the bridge construction sites.

There is the potential for a direct "take" of steelhead during the bridge installations. To avoid potential take of fish or disruption of fish passage during construction and from vehicle traffic across the creek, temporary coffer dams and bypass pipes will be installed to dewater the creek during the construction of the bridges. A Section 7 permit (NOAA) would need to be issued for the potential "take" of steelhead during the road improvement activities and bridge construction. In addition a Memorandum of Understanding (MOU) with CDFG also is required to "take" steelhead. The construction also will require a Streambed Alteration Agreement with CDFG.

Potential indirect effects of project actions include erosion and sedimentation into the creek as a result of construction of two temporary bridge bypasses; installation of the three new bridges, retaining walls and culverts; construction equipment access, including transportation of rail flatbed cars to the bridge sites; and runoff from the road, turnouts and staging areas. Erosion from exposed soils could cause an increase in the sediment load in the creek, resulting in both potential short-term and long-term impacts to the water quality for fish. The transport of heavy equipment and the bridge rail flatbeds through the construction site could result in additional erosion or vegetation damage. Increased sediment could potentially smother gills and eggs and could also contribute to imbeddedness of rock and gravel, which would destroy rearing habitat for juveniles. If sediment accumulation is large enough, it can also fill in pools and create fish passage barriers. If not properly managed, construction could also impact steelhead through the introduction of toxins into San Jose Creek from the use and maintenance of heavy equipment, road and fill materials, and from poured concrete which will be used to install bridge abutments and retaining walls.

Project elements that would minimize impacts on steelhead include the following: (1) dewatering the creek at each bridge location using a coffer dam and bypass pipe prior to construction; (2) ensuring that water removed during dewatering does not enter creek by removing it from the site and/or using it for dust control; (3) constructing coffer dams with clean aggregate rock sealed with a geomembrane liner, or equivalent material; (4) extending the bypass pipe at each bridge site downstream of all bridge work; (5) installing straw bales and silt fences above and below each bridge location to prevent erosion and sedimentation in the creek during construction; (6) removing coffer dams (including all aggregate), bypass pipes, and straw bales upon completion of the bridges and returning

the stream channel to its approximate original state; and (7) implementing erosion and sediment control measures as part of the Erosion-Sediment Control Plan for the project, including installation of silt fences at each bridge site to prevent sediments and fill from entering the creek.

Mitigation Measure 2-1: Allow grading and construction in areas below the top-of-bank only from June 15 to October 15 when steelhead are not present or potentially spawning.

Monitoring Action 2-1A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Mitigation Measure 2-2: Prior to bridge construction and use of equipment in the creek, the creek shall be dewatered and coffer dam and bypass pipe installed as set forth on project plans, and as monitored by a qualified fisheries biologist that is permitted to conduct fish relocation.

Monitoring Action 2-2A: The measure shall be included as a project condition of approval. Applicant shall select a permitted fisheries biologist, approved by NMFS/NOAA and CDFG, and proof of approval submitted to the Monterey County Director of Planning and Building Inspection. The biologist will clear the bridge crossing and temporary bridge bypass areas of fish prior to the installation of the coffer dams and bypass pipes. The permitted biologist will oversee and monitor the installation of the coffer dams, bypass pipes and associated bridge and temporary bypass.

Mitigation 2-3: In order to protect water quality and aquatic species during construction, include the following measures on the construction specifications, as well as other measures that may be required by the CDFG and other agencies, with construction oversight by a qualified biological monitor:

- Prohibit grading during the rainy season (typically November 1 through April 15).
- Store all cut and fill in designated storage areas provided these are at least 25 feet from the top of the creek bank. All stockpiled cut and fill materials shall be covered with plastic sheeting prior to rainfall or high winds.
- All staging areas within 100 ft of San Jose Creek, or its tributaries, shall have two rows of straw wattles, sediment logs, or silt fence installed between the edge of the staging area and the top edge of the bank in order to contain accidental spills or erosion from stockpiles.
- Stationary equipment such as motors, pumps, generators, and welders located within 100 feet of the stream shall be stored overnight at staging areas and will be positioned over drip pans.
- Project-related vehicle traffic shall be restricted to established roads and the area of potential impact for the project. Temporary fencing or flagging shall be

installed along the perimeter of the area of potential impact for special-status species prior to construction so that vehicles and equipment will be excluded from the protected portions of the property.

- Any hazardous or toxic materials deleterious to aquatic life that could be washed into San Jose Creek or its tributaries shall be contained in watertight containers or removed from the project site.
- All construction debris and associated materials stored in staging areas shall be removed from the work site upon completion of the project.
- Whenever possible, refueling of equipment shall take place within turnouts or staging areas at least 50 feet from the top of creek bank or other wetland. This includes turnouts and staging areas at Stations 2+00, 4+00, 8+75, 22+50, 28+50, 34+00, 40+40, 44+00, and 45+00, as well as portions of the staging area at Station 79+60 that are at least 50 ft from the creek. Due to the close proximity of the road to the creek, there are no refueling locations at least 50 feet from the creek bank between Stations 46+00 and 79+00. Travel from the bridge locations to the designated refueling locations would increase the number of equipment crossings over San Jose Creek and extend the project timeline. Therefore, in cases where equipment would have to make an additional trip across the creek to reach one of the above refueling locations (e.g. during bridge construction), refueling may take place outside of the designated locations provided refueling takes place at least 25 ft from the top of creek bank.
- All refueling shall be conducted over plastic bags filled with sawdust or other highly absorbent material. Clean-up materials for spills will be kept on hand at all times. Any accidental spills of fuel or other contaminants will be cleaned up immediately.

Monitoring Action 2-3A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Monitoring Action 2-3B: A qualified biological monitor, approved by the Monterey County Director of Planning and Building Inspection, shall meet with the construction crew at the onset of construction and complete the following tasks:

- (a) review the appropriate access route into and out of the construction area;
- (b) review and ensure that all limits of work are accurately flagged
- (c) review the proper procedures for the storage of hazardous materials such as fuel and ensure that all the hazardous cleanup materials are in place, and
- (d) answer any biological questions regarding steelhead and other special status species.

Monitoring Action 2-3C: The applicant shall provide proof of approval/review by responsible state and federal agencies (ACOE, NMSF, USFWS, CDFG, RQWCB,

CDPR) to the Director of Planning and Building Inspection for review and approval prior to the issuance of grading and building permits.

Mitigation Measure 2-4: The roadway shall be adequately widened and improved to accommodate heavy equipment anticipated for bridge construction, but shall not exceed the planned width of 12 feet.

Monitoring Action 2-4A: The measure shall be included as a project condition of approval. Applicant shall submit a construction phasing schedule to the Director of Planning and Building Inspection for review and approval prior to the issuance of grading and building permits.

Smith's Blue Butterfly. Smith's blue butterflies, a federally endangered species, have not been confirmed at the project site. However, there is an extensive amount of high quality habitat on the site. In addition, there are historic records of Smith's blue butterflies at Point Lobos State Reserve. The butterfly has also been identified on the neighboring parcel at Palo Corona Ranch, at Rancho San Carlos, along the Big Sur coastline, and at Garland Ranch Regional Park in Carmel Valley. As a result, it is reasonable to assume that the butterfly is present along the proposed road improvement.

Smith's blue butterflies hatch, grow up, feed, court, mate, and lay eggs only on two species of buckwheat, coast buckwheat (*Eriogonum latifolium*) and dune buckwheat (*Eriogonum parvifolium*). The host plants flower at different times during the summer. Dune buckwheat occurs within coastal scrub habitat of the project site. It may also occur in Coastal Scrub on the south side of the access road but was not observed during botanical surveys for the project. Large patches of dune buckwheat plants are located immediately adjacent to the proposed road improvement project area. These adjacent buckwheat patches are extensive; they mostly extend from the road upslope to the south, almost to the ridgeline.

Project Impact 3 (Special Status Wildlife – Smith's Blue Butterfly): Construction of the proposed project could result in the potential take of Smith's blue butterflies and butterfly habitat, *a potentially significant impact*. However, the impact *can be mitigated to a less than significant level* with implementation of the applicant's proposed revegetation plan, removal of vegetation during the butterfly non-flight season, and biological monitoring during construction.

Although Smith's blue butterflies have not be confirmed at the project site, the project design has limited and minimized the size of the area of potential impact to the greatest extent feasible. However, approximately 552 buckwheat plants will be removed along the margins of the road and in turnouts and staging areas in scattered areas that intermix with other vegetation. Discussions with project biologists indicate that amount of plants removed is minor compared to the remaining surrounding slopes that are covered with buckwheat. As Smith's blue butterfly eggs, larvae and pupae may be found in these plants, removal of these plants could result in direct loss of individuals, as well as habitat, unless this removal and remaining habitat are properly managed. Vehicles and staging

equipment could potentially result in occasional trampling of buckwheat plants not intended for removal. Vehicle strikes of adult butterflies could also occur. Indirect impacts to the butterfly could also occur if project activities cause erosion in areas where buckwheat is to be retained.

Additionally, as there is the potential for direct harm or injury to the Smith's blue butterfly during the construction activities, a Section 7 permit (USFWS or ACOE) would need to be issued for the potential "take" of Smith's blue butterfly during the road improvement activities and bridge construction. Conditions of this permit may include, but would not be limited to, the mitigation measures identified above. Mitigation Measure 2-3 requires proof of other agency review/permit approvals prior to project grading.

Project elements that would minimize impacts on Smith's blue butterfly include the following: (1) locating safety turnouts and staging areas within the Coastal Scrub communities to avoid areas with buckwheat concentrations to the extent possible; (2) confining the access route of construction to the minimum amount necessary to avoid impacts to Smith's blue butterfly habitat; (3) implementing erosion and sediment control measures throughout the construction period, and (4) implementation of a Revegetation, Mitigation and Monitoring Plan for the project in which removed plants would be replaced at a 1-to-1 ratio. The proposed revegetation plan identifies an onsite replanting site, planting stock and methods, and performance criteria. The plan proposes planting of 738 dune buckwheat plants, which accounts for an approximately 25% mortality loss. The biological assessment indicates that removed buckwheat will be relocated to the revegetation site. These measures would minimize both direct and indirect impacts to Smith's blue butterfly habitat. However, the impact can be mitigated to a less than significant level with implementation of the following mitigation measures below.

Mitigation Measure 3-1: Permit buckwheat removal and grading in butterfly habitat only between September 16 and June 14 during the non-flight season for the butterfly to reduce the potential for indirect take of butterflies that may be present.

Monitoring Action 3-1A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Mitigation Measure 3-2: A USFWS approved biologist shall be present during vegetation clearing to inspect plants for larvae and shall periodically monitor the site during construction.

Monitoring Action 3-2A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Monitoring Action 3-2B: The monitor shall be present on site beginning with the installation of temporary fencing prior to clearing of vegetation and shall conduct daily inspections of the project site during the initial grading. The biological monitor will also periodically visit the project site during construction to ensure that no impacts occur in protected portions of the property. A report on monitoring results shall be prepared and submitted to the Monterey County Planning and Building Inspection Department upon completion of the Smith's blue butterfly monitoring actions.

Monitoring Action 3-2C: A USFWS approved biologist shall conduct a workers education program for the seed collection and revegetation activities in Smith's blue butterfly Enhancement Areas. The biological monitor shall flag individual existing buckwheat plants to help personnel avoid incidental take of existing buckwheat plants, eggs, larva and pupae during revegetation within Enhancement areas.

Monitoring Action 3-2D: Prior to removal of buckwheat, buckwheat plants and surrounding duff shall be inspected for Smith's blue butterfly larvae and pupae by a USFWS approved biologist before being cut and removed to assure that no damage will occur to larvae and pupae during buckwheat handling. Buckwheat plants will be cut at the base and carefully translocated to an area agreed upon location by the USFWS. Translocation areas will contain existing live buckwheat plants so that larvae and pupae have live plant material to forage on. Cut translocated buckwheat plants will be placed immediately adjacent to and slightly touching live buckwheat plants to facilitate the transfer of caterpillars to food sources. (Note: If soil conditions and project timing permits, buckwheat plants can be removed and transplanted into the translocation areas instead of being cut. However, this additional effort is not mandatory but voluntary, and should be assessed by the revegetation specialist for the plant survival potential due to soil compaction, and water availability during the translocation season.)

Mitigation Measure 3-3: Replace the removed buckwheat plants at a minimum 1:1 replacement ratio at designated enhancement sites, conducted in accordance with the specifications provided in the proposed Revegetation, Mitigation, and Monitoring Plan.

Monitoring Action 3-3A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Monitoring Action 3-3B: Applicant shall provide documentation of when the replacement has been completed, and shall monitor the replacement site for three years or until success criteria has been met as set forth in the proposed Revegetation, Mitigation, and Monitoring Plan. An annual report with results and discussion of monitoring shall be submitted to the Director of Planning and Building Inspection for review and approval as set forth in the proposed Revegetation, Mitigation, and Monitoring Plan.

California Red-legged Frog. A detailed “Site Assessment for the California red-legged frog (CRLF),” prepared for this project indicates that potential reproductive habitat for the CRLF does not occur within the project site. However, adult and sub-adult CRLFs were observed during preparation of the assessment both within and immediately adjacent to the proposed road improvement. CRLFs may occur within all areas of the proposed road improvement when dispersing from San Jose Creek Lagoon and/or San Jose Creek to other aquatic locations. Migrations to other aquatic locations are most likely to occur during rain events or with precipitation due to heavy fog, at night, and during the non-breeding season. In addition, during late summer or during dry water years, CRLFs may disperse to upland aestivation areas (e.g., mammal burrows in adjacent grasslands).

No long-term significant impacts to CRLF or their habitat are expected from the proposed project. The proposed project activities are not likely to result in any impacts to potential downstream (offsite) reproductive habitats for CRLF such as San Jose Creek Lagoon in wet years. Additionally, by installing the three bridges over the existing wet crossing, the proposed project contains a long-term improvement for CRLF and their habitat by lessening the potential for incidental take, and by lessening existing sedimentation that contributes to the fill of in-stream pools.

Project Impact 4 (Special Status Wildlife – California Red-Legged Frog):

Construction of the proposed project could result in the loss of individual CRLFs and short-term degradation of habitat, *a potentially significant impact*. However, the impact *can be mitigated to a less than significant level* with implementation of the applicant’s proposed erosion control measures, additional sediment and water control measures identified in Mitigation Measures 2-1 and 2-3, pre-construction surveys, and biological monitoring during construction

There is a potential for direct loss of individual CRLF and degradation of habitat during and immediately after construction activities, such as grading, vehicle activities, and increased sediment loads in the creek. Additionally, as there is the potential for direct harm or injury to the CRLF during the construction activities, a Section 7 permit (USFWS or ACOE) would need to be issued for the potential "take" of CRLF during the road improvement activities and bridge construction. Conditions of this permit may include, but would not be limited to, the mitigation measures identified above. Mitigation Measure 2-3 requires proof of other agency review/permit approvals prior to project grading.

Erosion from exposed soils could cause an increase to the sediment load in the creek, resulting in potential long term indirect impacts by filling in in-stream pool habitat with moderate depth which is used by the CRLF for escape from predators such as raccoons, garter snakes, and herons. In addition, construction activities could have negative impacts on CRLF through the introduction of toxins to San Jose Creek from the use of fill and heavy equipment near wet areas. Erosion and sediment control, and water quality measures that would be implemented throughout the construction period as part of the project Erosion-Sediment Control Plan would lessen this potential.

Mitigation Measure 4-1: Require pre-construction surveys to be conducted to determine whether CRLF's are present on the site, and if found, implement a program to relocate individuals as permitted by the CDFG and USFWS.

Monitoring Action 4-1A: The measure shall be included as a project condition of approval. Applicant shall have pre-construction surveys completed by a qualified biologist and submitted to the Director of Planning and Building Inspection for review and approval prior to dewatering of the creek and installation of the coffer dam. The surveys shall also be submitted to CDFG and USFWS.

Mitigation Measure 4-2: To avoid a potential take of amphibians (CRLF) utilizing mammal burrows, grading shall not occur in grassland areas that contains California ground squirrel burrows as determined and monitored by the qualified biologist/monitor.

Monitoring Action 4-2A: The measure shall be included as a project condition of approval. Applicant shall have a qualified biologist identify sites to be protected, which shall be flagged and fenced, prior to initiation of any construction activities. Photos of protective fencing shall be provided to the Director of Planning and Building Inspection.

Monitoring Action 4-2B: The measure to require a biological monitor onsite shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits. A report of the monitoring results shall be provided to the Monterey County Director of Planning and Building Inspection.

Monitoring Action 4-2C: Prior to construction, a qualified biologist will consult with the USFWS and/or CDFG, as appropriate, to establish an agreed-upon plan of action in the event that special-status species are found on-site during construction. This information will be relayed to construction personnel during the pre-construction meeting.

Monitoring Action 4-2D: The biological monitor shall conduct a pre-construction meeting with grading and construction personnel to inform them about the presence of federally-protected special-status species, including California red-legged frog and discuss proper procedures to follow if a CRLF or other special status aquatic species is encountered.

California Tiger Salamander. The California tiger salamander (CTS), a recently listed federally threatened species, is not known to occur at the project site. Potential reproductive habitat for the CTS does not occur within the project site. However, potential reproductive habitat occurs within 1 mile of the proposed road improvement, in ponds on neighboring parcels. The potential value of these ponds for CTS is unknown. San Jose Creek and lagoon do contain potential foraging habitat for the species during wet years when the lagoon contains fresh water. However, they have a low potential to occur in the creek, according to the biological assessment prepared for the project. Additionally, the grasslands (both native and non-native) and the

coastal scrub communities that occur adjacent to the proposed road improvement contain ground squirrel burrows, which may potentially be used by CTS. However, the likelihood of CTS using the grassland areas within the project area is extremely low, due to both the distance from potential breeding ponds and the large availability of grassland immediately surrounding the breeding ponds.

The project has been designed to minimize disturbance to potential habitat to the extent feasible, which would lessen the potential for impacts to CTS. Mitigation measures that would be implemented for CRLF would further minimize any potential effects on CTS. Additionally, by installing the three bridges over the existing wet crossings, the proposed project contains a long-term improvement for CTS and their habitat by lessening the potential for incidental loss of individuals, and by lessening existing sedimentation issues that contribute to the fill of in-stream pools. Moreover, there is a low potential for this species to occur in San Jose Creek and the adjacent grasslands. If CTS do occasionally occur on the project site, project erosion and sediment control, and water quality measures that would be implemented throughout the construction period would minimize any potential effects on the species.

Coast Range Newt. Adult coast range newts were observed crossing the road and as road kill near and in San Jose Creek at one of the proposed bridge locations during March of 2004. Adult coast range newts require specific non-aquatic areas, such as mammal burrows or leaf litter, during the non-breeding season, as well as routes of travel between aquatic sites. Coast range newts are expected to use the Coastal Scrub and Chamise-Manzanita Chaparral areas during the non-breeding season. Coast range newts are early spring breeders and are expected to occur within San Jose Creek and along the creek banks during the spring and summer.

Project Impact 5 (Special Status Wildlife – Coast Range Newt): The project could result in loss of individual newts when they are moving across upland areas to nest locations during construction. This impact is considered *potentially significant*. However, the impact *can be mitigated to a less than significant level* with avoidance of grading and use of heavy equipment in habitat areas.

Mitigation Measure 5-1: To avoid potential impacts to Coast range newt (and nesting pond turtles and two-striped garter snake, which are addressed below) grading and use of heavy equipment in the coastal scrub and chaparral areas will be avoided.

Monitoring Action 5-1A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of issuance of grading and building permits.

Monitoring Action 5-1B: The monitor shall be present on site beginning with the installation of temporary fencing prior to clearing of vegetation and shall conduct daily inspections of the project site during the initial grading. The biological monitor will also periodically visit the project site during construction to ensure that no impacts occur in protected portions of the property. A report on monitoring results shall be prepared and

submitted to the Monterey County Planning and Building Inspection Department upon completion of the monitoring actions.

Western Pond Turtle and Two-Striped Garter Snake. The Western pond turtle and two-striped garter snake are highly aquatic and also require non-aquatic upland habitat during some portion of their life history. Both Western pond turtles and two-striped garter snakes require non-aquatic upland habitat for reproduction (nest sites). The two-striped garter snake is known to inhabit a variety of aquatic habitats as long as there is vegetation cover near water. Habitat types include perennial and intermittent streams with rocky riverbeds, large sandy-bottom riverbeds, natural and artificial ponds. Two-striped garter snake feeds on frog and toad tadpoles, fish, and newts. They will use upland Coastal Scrub or grasslands to nest.

Western pond turtles are found in permanent and ephemeral ponds, marshes, rivers, streams, and irrigation ditches. They are usually seen sunning on logs, banks, or rocks near banks. The diet of these turtles consists of aquatic vegetation, insects, fish, worms, and carrion. Individuals move up to three or four miles within a creek system, especially during “walk-about” before a female lays eggs. They dig their nests in upland areas, which can be up to several hundred meters away from aquatic environments. Western pond turtles are expected to occur within the project area both within San Jose Creek and in upland grassy areas with good sun exposure.

Project Impact 6 (Special Status Wildlife – Western pond turtle and Two-striped garter snake): Construction of the proposed project could result in the loss of individual Western pond turtles and/or two-striped garter snakes, a potentially significant impact. The project could result in loss of individual turtles and/or snakes when they are moving across upland areas to nest locations during construction. This impact is considered *potentially significant*. However, the impact *can be mitigated to a less than significant level* with implementation of the sediment and water control measures identified in Mitigation Measure 2-3, avoidance of grading and use of heavy equipment in habitat areas, and biological monitoring during construction.

Mitigation Measure 6-1: A qualified biologist shall be present during initial construction activities to monitor for Western pond turtle.

Monitoring Action 6-1A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Monitoring Action 6-1B: The monitor shall be present on site beginning with the installation of temporary fencing prior to clearing of vegetation and shall conduct daily inspections of the project site during the initial grading. The biological monitor will also periodically visit the project site during construction to ensure that no impacts occur in protected portions of the property. A report on monitoring results shall be prepared and submitted to the Monterey County Planning and Building Inspection Department upon completion of the monitoring actions.

Legless Lizard. Legless lizard burrows in loose sandy soil and lives a highly fossorial (underground) life. They forage on invertebrates in the leaf litter under bushes, trees, wood and rocks. Legless lizards are limited to soil that maintains a high moisture content. Legless lizards have been found in coastal dune, chaparral and riparian areas of Monterey County. The project biological assessment indicated that potential for this species occurs in riparian areas within the area of potential impact at the two retaining walls (18+00 and 48+50) and at the bank cuts for the temporary construction bypass at 59+00 and at Bridges 1 and 2 (60+00 and 62+50). Follow-up discussions with the project biologists indicated that the sand strata in these areas do not provide good habitat conditions for the legless lizard (Pat Regan, Rana Creek, personal communication, January 2006). The biological monitoring during construction as proposed by the applicant and required in project mitigation measures would include proper relocation of this species should it be found (Rana Creek, personal communication, February 2006).

Special-Status Bats. No special-status bat species are known to roost within the project area. Additionally, potential roosting habitat for the Townsend's big-eared, Western mastiff bat, pallid bat, and the long-legged myotis does not occur within the project site. Although none of the trees slated for removal provide potential cavity or crevice roosts for bats the Western red bat is likely to roost on foliage within the project area. Both diurnal and nocturnal roost fidelity for Western red bats and other foliage roosting bats are low as opposed to bats that utilized crevices or tree hollows. Adequate additional foliage roosting habitat also occurs in the remaining riparian corridor. Therefore, removal of the trees and vegetation would not likely result in any significant impact to bats along this corridor. A condition of project approval is provided below to further minimize the low potential that roosting bats could be impacted by the project.

Recommended Condition of Approval: If the proposed project is significantly delayed in time (more than a one year), then trees slated for removal should be re-evaluated for potential cavities that could be used by bats, with implementation of recommendations made at that time should bats be found.

Monterey Dusky-footed Woodrats. Monterey dusky-footed woodrats are present within the mixed riparian areas adjacent to the proposed road improvement. In these areas, woodrat stick nests and woodrat nests in cavities were noted during the surveys. All trees designated for removal have been pre-evaluated for potential Monterey woodrat nest sites. Several woodrat nests were observed in the riparian corridor adjacent to the proposed road improvement, although none were observed within the project construction site itself. The proposed construction activities are therefore unlikely to have potential impact on woodrats. In addition, adequate foliage roosting habitat occurs in the remaining riparian corridor. While there is a potential that a woodrat could take up residence within the project area before project construction begins, this potential is unlikely and therefore the impact is considered less than significant. A condition of project approval is provided below to further minimize the low potential that woodrats could be impacted by the project.

Recommended Condition of Approval: A wildlife biologist should conduct a pre-construction survey for woodrat nests within the project site 30 days prior to start of the

project. As this survey is limited in time and scope, this could be done in conjunction with the pre-construction surveys for nesting bird species. If new woodrat nests are found, CDFG should be contacted to approve of nest translocation. CDFG often recommends that nests are disassembled and translocated to the nearest suitable location outside of the project site between October 15th and June 15th, during the non-nesting season when young woodrats are not present.

Biological Resources 4(b) – Less Than Significant Impact with Mitigation. The Carmel Area Land Use Plan identifies the riparian corridor along San Jose Creek as an environmentally sensitive habitat area (ESHA). Other identified ESHAs include rare, endangered and sensitive plants; northern coastal prairie, and redwood forest. Riparian habitat also is considered sensitive by the California Department of Fish and Game (CDFG). A degraded area of native California oatgrass (*Danthonia californica*) occurs in a grazed pasture at the end of the existing access road. This species is a component of coastal prairie, a community considered sensitive by Monterey County and CDFG. However, according to the project biological assessment, native species diversity in this area is low, and this area is not considered an ESHA.

Although Monterey pines (*Pinus radiata*) occur scattered in non-native grassland and mixed riparian forest along much of the existing access road, only two areas within or near the area of project impact qualify as Monterey pine forest. These two areas occur near Station 14+00 and between Bridges 1 and 2, where sizeable stands of Monterey pines and native understory species are present. A non-native grassland area near Station 12+50 supports scattered, young Monterey pines that have recruited from adjacent Monterey pine forest, but this area does not qualify as sensitive Monterey pine forest or ESHA.

Project Impact 7 (Riparian and Environmentally Sensitive Habitat Areas):

Construction of the proposed project would result in removal of sensitive plant communities and sensitive habitats, including arroyo willow woodland, mixed riparian woodland, redwood forest, and mixed forest (containing riparian, Monterey pine and redwood forest), *a significant impact*. However, the impact *can be mitigated to a less than significant level* with implementation of the applicant's proposed Revegetation, Mitigation and Monitoring Plan.

The proposed road improvements will include vegetation removal, some grading, and installation of roadway retaining walls and three bridges adjacent to and within the designated San Jose Creek riparian corridor environmentally sensitive habitat area (ESHA). The proposed road improvements would result in removal or disturbance of approximately 0.53 acre of riparian ESHA habitat in scattered locations and removal or disturbance of approximately 0.08 acres of redwood forest ESHA and mixed forest habitat (that includes combination of riparian, redwood, and Monterey pine forest habitat). Of the total area impacted, approximately 0.17 acres would be permanent removal, and the remainder would be potentially disturbed during construction.

The project is designed to put an all-weather surface on an existing dirt road and to replace three existing wet crossings with bridged crossings. These improvements will

lessen the impacts of the road on the riparian area. The project has also been designed to minimize disturbance and removal of vegetation, which would lessen the potential for impacts to sensitive habitats. Riparian revegetation and enhancement will be conducted in accordance with the specifications and success criteria provided in the Revegetation, Mitigation, and Monitoring Plan. This will be accomplished by replanting riparian vegetation at designated onsite areas and decommissioning the existing road alignment at the second wet crossing (approximately 0.02 acre) and revegetating this area with riparian vegetation, which represents the majority of the vegetation type that would be removed with the project. Additionally, approximately 0.15 acre of riparian habitat will be enhanced through removal of Cape ivy, an invasive non-native species. The combined acreage of restored and enhanced riparian vegetation will be 0.17 acre, which compensates for the 0.17 acre of riparian vegetation permanently removed with the project.

The revegetated areas will be monitored and maintained for 3 years. Revegetation and monitoring will be conducted by a qualified revegetation specialist. Reports will be prepared annually and submitted to Monterey County, State Parks, CDFG, and USFWS, ACOE, and NMFS/NOAA. Additionally, erosion and sediment control, and water quality measures that would be implemented throughout the construction period as part of the project Erosion-Sediment Control Plan would also lessen potential construction-phase degradation of these habitats.

Mitigation Measure 7-1: Replace sensitive habitat permanently removed at a 1:1 ratio. Revegetation and monitoring shall be conducted in accordance with the specifications and success criteria provided in the Revegetation, Mitigation, and Monitoring Plan.

Monitoring Action 7-1A: The measure shall be included as a project condition of approval.

Monitoring Action 7-1b: To guide later reconstruction of the banks and revegetation, photographs of the affected creek areas will be taken prior to removal of vegetation and leaf litter. Labeled copies of these photographs will be provided to the contractor implementing the Revegetation, Mitigation, and Monitoring Plan at the end of construction. After vegetation and leaf litter removal, additional photographs will be taken. Large rocks (12" or greater) and logs to be removed and replaced should be included in these photographs.

Mitigation Measure 7-2: Once construction is completed, all exposed soils will be revegetated with native vines, trees and shrubs, as appropriate in accordance with the specifications and success criteria provided in the Revegetation, Mitigation, and Monitoring Plan.

Monitoring Action 7-1A: The measure shall be included as a project condition of approval.

Biological Resources 4(c) – Less Than Significant Impact with Mitigation. Wetland limits for the biological assessment were based on USFWS criteria, and were also delineated according to ACOE criteria in order to satisfy requirements for an ACOE 404 permit. Wetlands are not distinguished as a separate vegetation type in the biological assessment; wetland limits are delineated within the vegetation class in which they occur (e.g. mixed riparian woodland). Field investigations conducted March through August 2004 determined that portions of the project area may qualify as “waters of the United States, including wetlands,” per Section 404 of the Federal Clean Water Act.

A total of 1.04 acres of potential wetlands and 0.62 acres of other potential waters of the U.S. occur adjacent to the proposed road improvement area; six potential wetlands were observed inside the study area (Source IX.7). Note that all delineated features are considered “potential” wetlands/waters of the U.S. Only the ACOE can make the final determination. The applicant has submitted an application to the ACOE for review, determination and approval of a Section 404 fill permit.

In addition to wetlands, the ACOE regulates fill of all other “waters of the U.S.,” including lakes, rivers, and tributaries. Areas of San Jose Creek and its tributaries (including ephemeral drainages) that are below ordinary high water qualify as “waters of the U.S.” under ACOE jurisdiction. Portions of these areas may also qualify as wetlands if they meet ACOE wetland criteria. If an area qualifies as both a potential wetland and water of the U.S., the ACOE requires that the area be defined as potential wetland. The wetland delineation defined vegetated areas adjacent to the creek and its tributaries were defined as “potential wetlands” if they met ACOE wetland criteria at the time surveys were performed. Areas of the channel and bed that were below ordinary high water and did not meet ACOE wetland criteria at the time of surveys were defined as “other waters of the U.S.”

The California Coastal Commission Administrative Regulations (Section 13577 (b)) provides a more explicit definition of wetlands as follows:

13577(b)(1)...Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.

Construction of the proposed road improvements, including bridge construction would result in fill of approximately 732 square feet of jurisdictional wetlands and 2,128 square feet of “waters of the US” (Source IX.15). A total of approximately 0.083 acres of wetlands would be impacted by the project, which is included within the 0.17 acres of impacted riparian habitat discussed above (Source IX.5). No other wetlands will be impacted that meet Coastal Commission definitions (Pat Regan, Rana Creek, personal communication, February 2006). The impacts occur

over approximately 30 sites with small amounts of fill at any one area. Due to the small, localized area of impact that is scattered among numerous sites, the overall wetland fill is not expected to result in significant impacts to the overall habitat and hydrological functioning of the wetlands. Wetlands are not distinguished as a separate vegetation type in the biological assessment and are included within riparian habitat areas (Source XI.5). Thus, impacts to wetlands would be included in the riparian habitat loss for which replacement mitigation is proposed as part of the project and included in Mitigation Measure 7-1 above.

Biological Resources 4(d) – Less Than Significant Impact with Mitigation. The proposed project would not interfere with the movement of any native resident or migratory fish or wildlife species. The proposed pre-fabricated bridges would not contain footings or supports in the active channel and therefore would not create in-stream barriers to steelhead and/or rainbow trout. Additionally, the project would not likely interfere with amphibian, reptile, or raptor movements. Moreover, the proposed road enhancements would not likely interfere with Smith’s blue butterfly movements across the road, or result in a significant disruption to the patch dynamics and connectivity of the adjacent butterfly habitat.

While no special-status breeding birds or birds nests were observed in or adjacent to the project area during surveys, suitable breeding habitat for a number of special-status bird species does occur in close proximity to the project area. Nesting potential is present on the site for: California horned lark, loggerhead shrike, yellow warbler, yellow-breasted chat, long-eared owl, purple martin, northern harrier hawk, sharp-shinned hawk, Cooper’s hawk, white-tailed kite, and golden eagle. Large redwoods, Monterey Pines, and oak trees provide potential nesting habitat for several raptors. Trees with cavities provide potential nest locations for purple martins and Northern red-shafted flickers. Willow thickets and dense understory vegetation in the Mixed Riparian corridor provide potential nesting habitat for yellow warblers, yellow-breasted chats and willow flycatchers.

Project Impact 8: Construction of the proposed project could result in disruption of nesting activities for special-status birds, a potentially significant impact. Nesting birds may be disrupted by construction activities. Additionally, eggs or chicks could be destroyed if nesting trees are removed during the nesting season. Thus, impacts to nesting birds are *potentially significant*. Proposed Mitigation Measure #8-1 will reduce potential impacts on nesting species to a less than significant level.

Mitigation Measure 8-1: Require that a pre-construction survey for special-status nesting avian species (and other species protected under the Migratory Bird Act) be conducted by a qualified biologist at least 30 days prior to tree removal or initiation of construction activities that occur during the nesting/breeding season of native bird species (typically February through August). If nesting birds are not found, no further action would be necessary. If a nest or nesting bird are found, construction within 150 feet of the nest site should be postponed until after the bird has fledged, or an appropriate construction buffer has been established in consultation with the California Department of Fish and Game.

Monitoring Action 8-1A: Prior to issuance of Building Permit, the applicant shall provide the Director of Planning and Building Inspection with a copy of the results of the pre-construction survey.

Biological Resources 4(e) – Less Than Significant Impact with Mitigation.

Landmark Trees. The Monterey County Coastal Implementation Plan (Part 4, Section 20.146.060) defines “landmark” trees as all native trees that are “24 inches or more in diameter when measured at breast height, or a tree which is visually significant, historically significant, exemplary of its species, or more than 1000 years old.” A landmark tree can only be removed if a finding can be made that no alternative exists whereby the tree removal can be avoided (Section 20.146.060 Development Standards).

One landmark western sycamore tree would be removed with the proposed road improvements. This removal is consistent with the development standards above, as there are no project alternatives whereby the tree removal could be avoided since the tree is located within the area of road widening. Implementation of the following condition of approval would ensure consistency of the project with development standards related to landmark trees.

Recommended Condition of Approval: The landmark western sycamore tree will be replaced at a 3:1 ratio in accordance with the specifications and success criteria provided in the Revegetation, Mitigation, and Monitoring Plan. The three planted trees will be monitored and maintained for 3 years.

Other Trees. The Monterey County Coastal Implementation Plan (Part 4, Section 20.146.060) also indicates that the removal of native trees shall be limited to that which is necessary for the proposed development and that tree removal in riparian corridors shall not be permitted (Section 20.146.060 Development Standards).

Twenty-five trees 4 inches or greater in dbh would be removed for construction, including one tree. Of these trees, 6 are over 12 inches dbh. This removal is consistent with the development standards above, as the area of disturbance and tree removal has been minimized to the extent possible by the developer, and the tree report identifies trees to be retained and protected (Source IX.8). While vegetation removal, including trees, would occur in the riparian corridor, there are no alternatives to this removal that would accomplish the project objectives (i.e. installing bridges at three existing wet creek crossings). However, it appears that 10 trees will be removed from the riparian corridor. Additionally, Mitigation Measure 1-2, above, would minimize any inadvertent construction-related damage to trees to that would be retained with the project.

Project Impact 9-1 (Tree Removal): Construction of the proposed road improvements would remove one landmark tree, and 24 other trees, which include 1 dead tree, 6 trees over 12 inches in diameter, and 10 trees within the riparian corridor. Construction could also result in potential damage to retained trees adjacent to the construction area. Direct and indirect tree impacts are considered *significant*. However, the impact *can be mitigated to a less than significant level* with implementation of the proposed

Revegetation, Mitigation and Monitoring Plan and Tree Protection Report, which include replacement of removed trees and protection of retained trees during construction.

The Revegetation Plan specifications provide for identification of the planting site, size and characteristics of the replacement trees, planting schedule and methods, and maintenance and monitoring requirements. Retained trees will be protected from inadvertent damage if the tree protection measures specified in the *Tree Removal and Tree Protection Report for the Whisler/Wilson Access Road* (Flamik 2004) are followed. These measures include fencing, placement of straw bales, trunk wrapping, pruning, and root pruning. Specific measures are provided for each tree retained.

Mitigation Measure 9-1: Replace the two larger Monterey pines (4" dbh or greater) and landmark tree that will be removed with the project at a 3:1 ratio and other removed trees at a 1:1 ratio in accordance with the specifications and success criteria provided in the Revegetation, Mitigation, and Monitoring Plan, and implement tree protection measures specified in the *Tree Removal and Tree Protection Report for the Whisler/Wilson Road* (Flamik 2004). These measures include but are not limited to fencing, placement of straw bales, trunk wrapping, and limb and root pruning.

Monitoring Action 9-1A: The measure shall be included as a project condition of approval. A tree replanting plan, showing location, type, and size of replacement trees shall be submitted to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Biological Resources 4(f) – No Impact. There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applicable to this parcel. Therefore, *no impact* on biological resources regarding conflicts with local policies or ordinance is anticipated as a result of the project. See Section III above regarding project consistency with coastal policies.

5. CULTURAL RESOURCES	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. CULTURAL RESOURCES		Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX.9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

There are no structural elements on or along the proposed road improvement that would be considered historical, and there are no known historic resources in the proposed roadway improvement area. There are no mapped or observed unique geological features or paleontological resources on the site.

Cultural Resources 5(b)– Less Than Significant Impact with Mitigation Incorporated.

County records identify the properties adjacent to the proposed roadway improvement area as having a high to moderate archeological sensitivity (Source IX.3). An archaeological investigation conducted for the project revealed that there are two recorded archaeological sites within or adjacent to the proposed project area, and six additional areas within one half mile of the project area, clustered near the coast at the end of San Jose Creek (Source IX.9). Midden soils and other evidence of prehistoric activity were noted in several areas of the project during the site reconnaissance, particularly downstream from the existing house.

Project Impact 10 (Cultural Resources): Project construction should result in disturbance to unknown cultural resources during grading and excavation, a potentially significant impact that can be mitigated to a less than significant level with the mitigation measures identified below to include site archaeological monitoring and reporting during construction.

Mitigation Measure 10-1: Require that a qualified archaeological monitor be present during all earthmoving activities. If intact cultural features or human remains are discovered, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Samples of prehistoric shell shall be collected for chronological analysis to generate two radiocarbon dates.

Monitoring Action 10-1A: Measure shall be included as Condition of Project Approval and included on project plans. Prior to issuance of permits, the applicant shall provide the Director of Planning and Building Inspection with a copy of a signed contract/agreement between the applicant and a qualified archaeologist to carry out this mitigation measure. Applicant shall provide County with a copy of the monitoring results to be prepared by the archaeological monitor.

6. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Expose people or structures to 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? (Source:1,2,9,10) Refer to Division of Mines and Geology Special Publication 42. (Source IX.11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source IX.11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

The proposed project consists of improvements to an existing roadway and use of a septic system for wastewater disposal is not proposed as part of the project.

Geology and Soils (a-i) – No Impact. The project geological and geotechnical investigation found no evidence of faults crossing or intersecting the road alignment, and potential for fault surface rupture along the road is considered low (Source IX.11).

Geology and Soils (a, ii through iii and c) – Less than Significant Impact With Mitigation.

The project site is subject to seismic shaking. The San Gregorio fault zone, the San Andreas fault zone and the Monterey Bay-Tularcitos faults zone are likely to produce the highest level of seismic shaking at the project site, although there are a number of active faults in the region that are capable of producing very strong to severe levels of seismic shaking during the design life the improvements (Source IX.11).

Some segments of the road located close to the creek have a moderately high to high potential for localized liquefaction, which are localized and limited in extent (Source IX.11). Other portions of the road located outside these areas are considered to have a low potential for liquefaction. It is a possibility that the bridge locations could be impacted by liquefaction, lurching and/or seismically induced settlement in the event of an earthquake, and the retaining walls could be subject to seismically induced settlement (Source IX.11).

Project Impact 11 (Seismic Hazards): The proposed improved road would be subject to seismic hazards, that could result in failure of the roadway, retaining walls and/or bridges if not properly designed, a *potentially significant* impact. However, the impact *can be mitigated to a less than significant level* with implementation of the mitigation measure identified below, which includes implementation of all seismic and design recommendations included in the project geotechnical report.

The nature of an access road is such that exposure to geological hazards can be mitigated primarily through people avoiding the road at identified hazard locations, particularly during or within a few days after a moderate to large seismic and/or climatic event (Source IX11). Vehicular access may be temporarily blocked. The retaining walls and bridge abutment foundations and other site improvements should be designed to resist damage associated with very strong to severe ground shaking in accordance with current building codes and design standards. The geological and geotechnical investigation concluded that the roadway improvements should not be precluded, provided the recommendations of the investigation are followed.

Mitigation Measure 11-1: Require implementation of all recommendations provided in the project “Geologic Hazards Evaluation and Geotechnical Engineering Investigation, Whisler/Wilson Access Road Improvements, Monterey County, California” report, dated July 2004 by Craig S. Harwood and John H. Friar, which address site preparation, grading, bridge foundation design, retaining walls, surface drainage and slope protection.

Monitoring Action 11-1A: Measure shall be included as Condition of Project Approval and included on project plans. Prior to issuance of permits, the applicant shall provide the Director of Planning and Building Inspection with building plans and construction specifications that include the recommended measures.

Geology and Soils (a-iv) – Less than Significant Impact. The project geological and geotechnical investigation found that moderate sized landslides have been mapped in the vicinity of San Jose Creek Canyon, and mapped landslides consist of accumulations of rock talus at the

base of steep slopes (Source IX.11). Several localized areas along the road alignment were found to be adjacent to areas of localized instability of the natural slopes (Source IX.11). There is a potential for debris flows or slope instability occurring on the steepest slopes at the site, particularly after seismic events and/or moderate to extreme storm events, which could temporarily block vehicular access along the road. These areas should be avoided during and immediately after peak storm and/or earthquake events. The bridges are located in areas that have a generally low potential to be directly impacted by slope instability. Periodic maintenance and slope protection measures recommended in the geological and geotechnical report should minimize slope material from blocking access (Source IX.11). The existing roadway and planned widening and turnouts do not cross 30% slopes (Policy 2.7.4. Geologic Hazards 4), although retaining walls will be located in areas of 30% slopes. All finished slopes will be 2:1 or flatter, except for the slope immediately east of Bridge 1 and a portion of the fill slope immediately west of Bridge 3. Each of these slopes will be approximately 1.5:1. Mitigation Measure 11-1 requires project implementation of all geologic and geotechnical recommendations.

Geology and Soils (b) – Less than Significant Impact With Mitigation. As indicated above in section subsection 4(a-c), the project will require limited grading, but will require approximately 690 cubic yards of fill for the retaining walls and bridge construction. Without incorporation of proper erosion control measures and best management practices, soil disturbance could result in inadvertent erosion and sedimentation into San Jose Creek, potentially affecting water quality and aquatic species habitat. Erosion and sediment control measures are proposed as part of the project Erosion-Sediment Control Plan, including installation of silt fences at each bridge site and installation of straw bales and silt fences above and below each bridge location to prevent sediments and fill from entering the creek during construction. With implementation of proposed erosion control measures, potential soil erosion during grading and construction would be minimized.

7. HAZARDS AND HAZARDOUS MATERIALS		Less Than Significant			
Would the project:		Potentially Significant Impact	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

8. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: IX.14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: IX.14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

Hydrology and Water Quality (a) - No Impact. The proposed road improvements would not result in discharges that would be regulated or that would potentially violate water quality standards. No federal, state, or local wastewater or water discharge standards would be exceeded by this development.

Hydrology and Water Quality (b) - No Impact. The proposed road improvements would not result in increased demand for water or result in impacts to groundwater resources or recharge areas.

Hydrology and Water Quality (c-d) - No Impact. The proposed road improvements would not result in alterations to the course of San Jose Creek and would not result in alterations to existing drainage patterns.

Hydrology and Water Quality (e) - Less Than Significant Impact. The existing roadway parallels and in three places currently crosses San Jose Creek, a small, shallow perennial or mostly perennial creek, located in a mostly undeveloped watershed. It flows to San Jose Creek Lagoon north of the proposed road improvement and into Carmel Bay. San Jose Creek is fed by two main tributaries, the North Fork, located immediately adjacent to the proposed road improvement on the north, and Seneca Creek, located approximately 2 miles from the end of the project area (Source IX.5). The confluence of the North Fork of San Jose Creek is located immediately above the second proposed bridge. Three un-named ephemeral tributaries pass through coastal scrub above and below the road between Stations 53+00 and 55+00. The project would result in some widening and improvement to the existing dirt road, which would be resurfaced with compacted rock. Thus, there would not be any substantial increase in impervious surfaces or runoff, except for a minor amount from the three proposed bridge surfaces. Therefore, impacts related to stormwater runoff would be *less than significant*.

Hydrology and Water Quality (f) - Less Than Significant Impact With Mitigation. Without incorporation of proper erosion control measures and best management practices, soil disturbance could result in inadvertent erosion and sedimentation into San Jose Creek, potentially affecting water quality and aquatic species habitat. Erosion and sediment control measures are proposed as part of the project Erosion-Sediment Control Plan, including installation of silt fences at each bridge site and installation of straw bales and silt fences above and below each bridge location to prevent sediments and fill from entering the creek during construction. With implementation of proposed erosion control measures and Mitigation Measure 2-3 (construction practices to prevent inadvertent water quality degradation), potential sedimentation and water quality impacts to San Jose Creek would be mitigated to a less than significant level. Therefore, impacts related to water quality would be *less than significant*. See also discussion under Section III and subsection 4(a) above.

Hydrology and Water Quality (g-i) - No Impact. The project location is not in a 100-year flood hazard zone, nor is it in an area which is subject to flooding for any reason (Source IX.14). The property is not located adjacent to the coastline and is not expected to be subject to tsunami or seiche. There are no significant physical features within or adjacent to the project which would provide the source of a mudflow (Source IX.11). Therefore, *no impacts* related to exposure to flood hazards are anticipated as a result of the project.

9. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. LAND USE AND PLANNING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

10. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

11. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

12. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

13. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

14. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

15. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Result in inadequate parking capacity? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

16. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1, 2, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions: See Sections II and IV.

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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Does the project:				
a) Have the potential to 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, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have impacts that are individually limited, but cumulatively considerable? ("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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

As discussed in this Initial Study, potentially significant impacts to biological resources, including special status species, riparian and wetland habitat, nesting birds and tree removal, and to previously undiscovered cultural resources can be mitigated to a less than significant level. There are no known significant cumulative impacts to which the project effect would be incrementally considerable. As analyzed no substantial adverse effects on human beings exist in this project

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

For purposes of implementing Section 735.5 of Title 14, California Code of Regulations: If based on the record as a whole, the Planner determines that implementation of the project described herein, will result in changes to resources A-G listed below, then a **Fish and Game Document Filing Fee** must be assessed. Based upon analysis using the criteria A-G, and information contained in the record, state conclusions with evidence below.

- A) Riparian land, rivers, streams, water courses, and wetlands under state and federal jurisdiction.
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- C) Rare and unique plant life and ecological communities dependent on plant life, and;
- D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- E) All species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted thereunder.

- F) All marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- G) All air and water resources the degradation of which will individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water.

De minimis Fee Exemption: For purposes of implementing Section 735.5 of the California Code of Regulations: A *De Minimis Exemption* may be granted to the **Environmental Document Fee** if there is substantial evidence, based on the record as a whole, that there **will not** be changes to the above named resources (A-G) caused by implementation of the project. Using the above criteria, state conclusions with evidence below, and follow Planning and Building Inspection Department Procedures for filing a De minimis Exemption.

Conclusion: The project involves limited improvements to an existing unpaved road, but would result in 3 bridges over a creek that supports special status wildlife species. Additional indirect impacts to aquatic species could result from erosion and construction. Some sensitive habitat areas will be impacted during construction. The Initial Study found that the project will not result in significant impacts to biological resources with implementation of mitigation measures, but such resources are reviewed. Therefore, the project is subject to the filing fee.

Evidence: Biological Assessment.

IX. REFERENCES

1. Project Application and Plans (dated October 26, 2004).
2. Carmel Area Land Use Plan, Local Coastal Program.
3. Monterey County Planning and Building Inspection Department GIS System, Property Report for Selected Parcels – APN 243-112-006-000, 243-091-001-000, 416-011-002-000, 416-011-003-000, and 416-011-014-000.
4. Site Visit by County Project Planner on February 4, 2004 and by Consulting Planner on November 3, 2005.
5. Tricia Lowe, Rana Creek Habitat Restoration and Dawn Reis, Ecological Studies. September 7, 2004. “Biological Assessment for the Whisler/Wilson Road Improvement Project” and supplemental undated letter regarding turnout configurations.
6. Tricia Lowe, Rana Creek Habitat Restoration. September 7, 2004. “Revegetation, Mitigation and Monitoring Plan for the Whisler/Wilson Road Improvement Project.”
7. Rana Creek Habitat Restoration. December 21, 2004. “Preliminary Wetlands Delineation for the Whisler Road Improvement Project.”
8. Forest City Consulting. September 1, 2004. “Tree Removal and Tree Protection Report, Whisler/Wilson Access Road.” Prepared by Glenn C. Flamik.

9. Archaeological Resource Management. October 27, 2004. "Cultural Resource Evaluation for the Riley Ranch Road and Bridge Development Project in the County of Monterey."
10. Archaeological Resource Management. September 16, 2004. "Cultural Resource Evaluation for the Riley Ranch Three Bridges Project in the County of Monterey."
11. Craig Harwood and John H. Friar. July 2004. "Geologic Hazards Evaluation and Geotechnical Engineering Investigation Whisler/Wilson Access Road Improvements Monterey County, California."
12. Monterey Bay Unified Air Pollution Control District. June 2004. *CEQA Air Quality Guidelines*.
13. Farmland Mapping, California Department of Conservation Farmland Mapping & Monitoring Program, March 14, 2001, as shown on Monterey County Planning & Building Inspection Department's ARC/IMS GIS Mapping System.
14. Monterey County 100-Year Flood Zones, Monterey County Planning & Building Inspection Department GIS Team, as shown on ARC/IMS GIS Mapping System.
15. Application for U.S. Department of Army Corps Permit. 1/9/05. Submitted by Patrick Whisler.

APPENDIX B
BIOLOGICAL REPORT

SAN JOSE CREEK TRAIL PROJECT PARKING LOT/TRAILHEAD ADDITION

BIOLOGICAL RESOURCES REPORT **FEBRUARY 1, 2016**



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TABLE OF CONTENTS

INTRODUCTION	3
Project Description	3
Summary of Results	3
METHODS	7
Personnel and Survey Dates	7
Special-Status Species	7
Sensitive Habitats	8
Data Sources	8
Regulatory Setting	9
RESULTS	12
Habitat Types	12
SPECIAL-STATUS SPECIES	12
Special-Status Wildlife Species	13
Special-Status Plant Species	15
Sensitive Habitats	17
IMPACTS AND MITIGATION.....	17
Special-Status Wildlife Species	17
Tree Removal	21
REFERENCES	23
APPENDIX A: SPECIAL-STATUS SPECIES TABLE	

FIGURES

FIGURE 1. PROJECT LOCATION MAP 4
FIGURE 2. PROJECT SITE MAP 5
FIGURE 3. PROJECT PLANS..... 6
FIGURE 4. HABITAT MAP 16

INTRODUCTION

DENISE DUFFY & ASSOCIATES, Inc. (DD&A) was contracted by the Big Sur Land Trust (BSLT) to prepare a Biological Resources Report for the Parking Lot Addition to the San Jose Creek Trail Project (project) in support of a supplemental CEQA analysis (Figure 1). This project was previously known as the Whisler Access Drive Improvement Project. For the purposes of this document, “project” refers to the parking lot and associate, signs, table, portable bathroom and off-road barriers that are being proposed as an addition to the original San Jose Creek Trail Project. BSLT is proposing to construct a parking area and install a log border along San Jose Creek Canyon Road from Highway 1 (Figure 2). The emphasis of this study is to describe existing biological resources within and surrounding the project, identify any special-status species and sensitive habitats within the project, assess potential impacts that may occur to biological resources from the construction of the project, and recommend appropriate avoidance, minimization, and mitigation measures necessary to reduce/avoid those impacts.

Project Description

The project includes construction of an approximately 0.4 acre teardrop shaped gravel parking lot (Figure 3). The project also includes installation of logs on the perimeter of the 0.40 miles of San Jose Creek Canyon Road from Highway 1 to the proposed parking area. Development of the parking lot includes an additional 5,500 square foot gravel road. The interior parking area will be composed of an approximately 2,100 square foot decomposed granite pad. The parking area will allow for a total of twenty nine vehicles and is to include three ADA compliant parking spaces. ADA compliant parking spaces will be composed of concrete to allow wheelchair access to the San Jose Creek Canyon trail head. The project also includes an ADA compliant portable restroom and a picnic table. Forty linear feet of pipe will be placed beneath the northwest side of the parking area convey storm water from a small watershed. A 200 foot storm water swale will be placed on the north side of the parking area.

Summary of Results

Two habitat types were observed within the project site during field surveys:

- Non-Native Grassland – 0.4 acre
- Developed – 0.6 acre

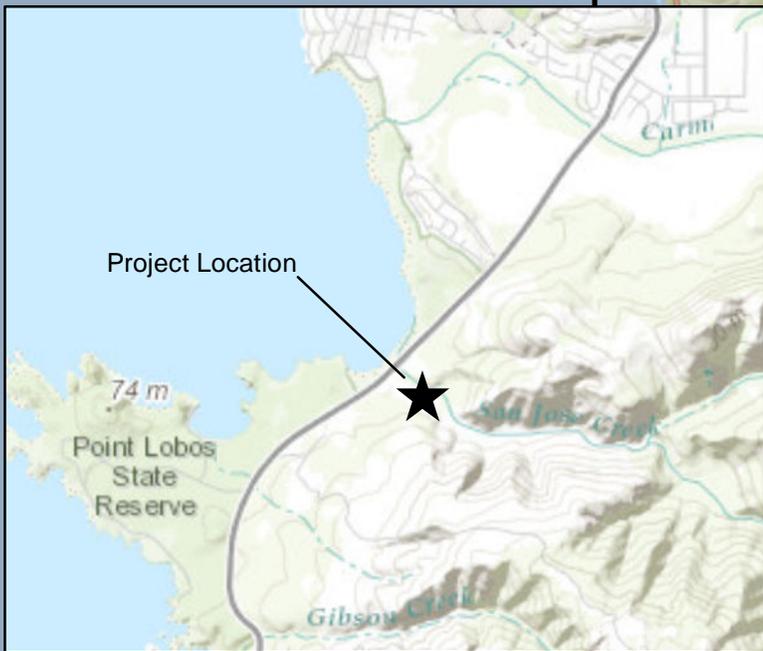
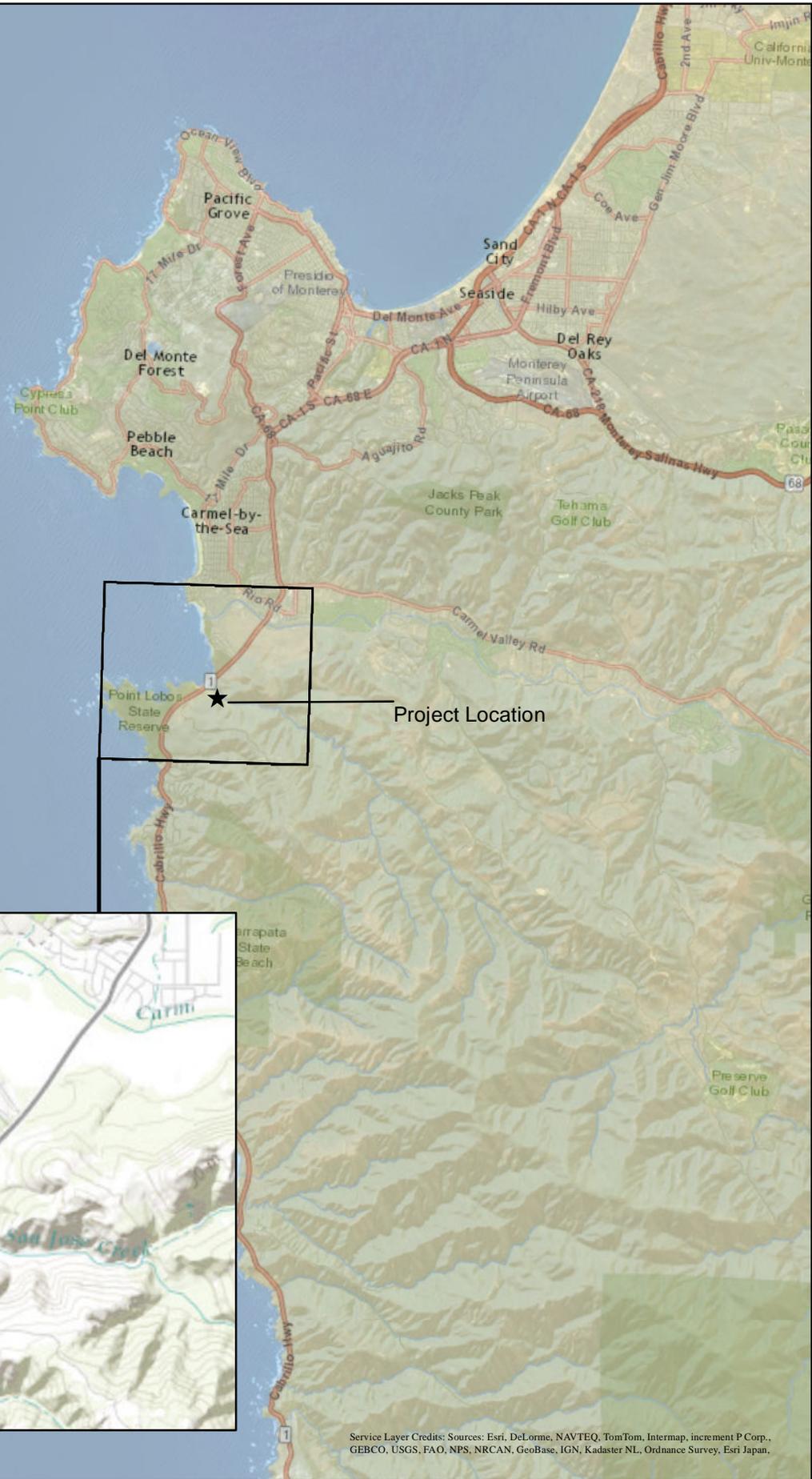
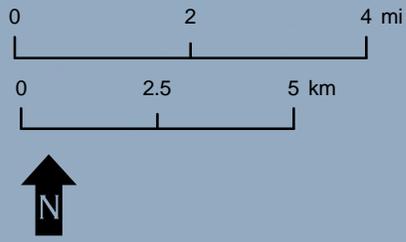
Implementation of the project will result in the loss of approximately 0.4 acre of non-native grassland. Vegetation removal required for construction staging and access will result in impacts confined to the non-native grassland or developed habitat.

Five special-status wildlife species; Smith’s blue butterfly (*Euphilotes enoptes smithi*, SBB) – FE¹ California red-legged frog (*Rana draytonii*, CRLF) – FT/CSC, coast range newt, (*Taricha torosa torosa*, CRN) – CSC, western pond turtle (*Emys marmorata*, WPT) – CSC, and coast horned lizard (*Phrynosoma blainvillii*, CHL) – CSC, and have at least a moderate potential to occur within the project site. Additionally, nesting raptors and other migratory birds, protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Game Code, may nest within trees located within or adjacent to the project site.

One special-status plant species, Monterey Pine (*Pinus radiata*) – 1B², was identified within the project site during the site visits in July 2015. No other special-status plant species are expected to occur within, or be impacted by the construction of the proposed project. No sensitive habitats were identified within the project site. The construction of the proposed project will not impact sensitive habitat.

¹ FE: Federally Endangered Species

² 1B: CNPS List 1B



Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan,

Project Location Map

Date: 8/5/2015
 Scale: 1 inch = 2 miles
 Project: 2015-25



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Figure
1



Aerial Map

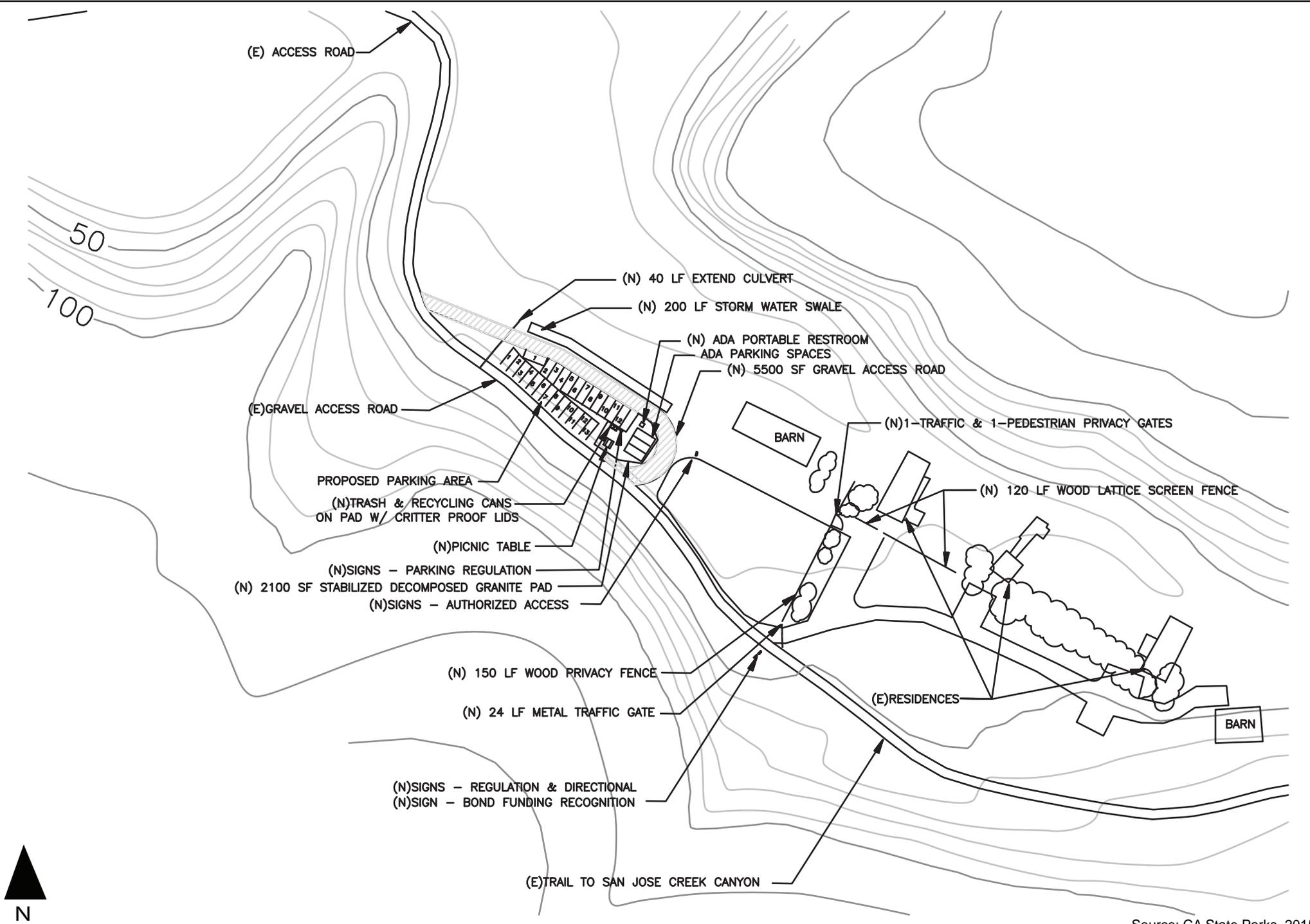
C:\GIS\GIS_Projects\2015-25 SJ Creek\Map Products\Figure 2 Aerial Map.mxd

Date: 8/5/2015
 Scale: 1 inch = 200 feet
 Project: 2015-25



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Figure
2



Source: CA State Parks, 2015

San Jose Creek Parking Lot Site Plan

Date: 8/5/2015

Project: 2015-25



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Figure
3

METHODS

Personnel and Survey Dates

Reconnaissance-level biological surveys were conducted within the project site on July 7th, 2015 by DD&A Senior Environmental Scientist, Josh Harwayne, Associate Environmental Scientist, Matt Johnson, and Intern Eric Walmsley. Survey methods included walking the survey area and using aerial maps and GPS to identify general habitat types, potential sensitive habitats, and appropriate habitat for special-status species. Available reference materials were reviewed prior to conducting the field survey, including the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) occurrence reports (CDFW, 2015), the U.S. Fish and Wildlife Service (USFWS) list of Federally Listed Threatened and Endangered Species that May Occur in Monterey County (USFWS, 2015), and aerial photographs of the project site (see "Data Sources" below). Data collected during the surveys was used to assess the environmental conditions of the project site 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.

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 federal 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 California Environmental Quality Act (CEQA) Section 15380 are also considered special-status species. State species of special concern 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 CNDDDB "Special Animals" list. The CDFW considers the taxa on this list to be those of greatest conservation need, regardless of their legal or protection status.

Plants listed as rare under the California Native Plant Protection Act (CNPPA) or on the California Native Plant Society (CNPS) lists are also treated as special-status species. In general, the CDFW considers plant species on List 1 (List 1A [Plants Presumed Extinct in California] and List 1B [Plants Rare, Threatened, or Endangered in California and Elsewhere]), or List 2 (Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere) of the CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2015) as qualifying for legal protection under this CEQA provision. In addition, species of vascular plants, bryophytes, and lichens listed as having special-status by the CDFW are considered special-status plant species (CDFW, 2015).

Raptors (e.g., eagles, hawks, and owls) and their nests are protected under both federal and state laws and regulations. The federal Migratory Bird Treaty Act (MBTA) of 1918 and Fish and Game Code Section 3513 prohibit killing, possessing, or trading migratory birds except in accordance with regulation prescribed by the Secretary of the Interior. Birds of prey 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 are also considered special-status animal species (CDFW, 2015).

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 habitat types. Habitat types considered sensitive include those listed on the CNDDDB's working list of high priority and rare natural communities (i.e., those habitats that are Rare or Endangered within the borders of California) (CDFW, 2010), those that are occupied by species listed under the ESA or are critical habitat in accordance with ESA. Sensitive habitats also include those that are defined as Environmentally Sensitive Habitat Areas (ESHA) under the Coastal Act. 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 and Executive Order 11990 – Protection of Wetlands), state regulations (such as the CEQA and the CDFW Streambed Alteration Program), or local ordinances or policies (such as City or County tree ordinances, Habitat Management Plan [HMP] areas, and General Plan elements).

Data Sources

The primary literature and data sources reviewed in order to determine the occurrence or potential for occurrence of special-status species at the project site are as follows: current agency status information from the USFWS and CDFW for species Listed, Proposed for listing, or Candidates for listing as Threatened or Endangered under ESA or CESA, and those considered CDFW “species of special concern” (2015); the CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2015) and CNDDDB occurrence reports (CDFW, 2015). The Monterey quadrangle and the four surrounding quadrangles (Marina, Seaside, Mt. Carmel, and Soberanes Point) from the CNDDDB were also reviewed for documented special-status species occurrences in the vicinity of the project site.

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

Botany

The generalized vegetation classification schemes for California described by Holland (1986) and Sawyer et.al. (2009) were consulted in classifying the vegetation of the project site. The final classification and characterization of the vegetation of the project site is based on field observations and the List of Vegetation Alliances and Associations (or Natural Communities List) (Sawyer et.al, 2009). Although this list replaces all other lists of terrestrial natural communities and vegetation types developed for the CNDDDB, the more commonly used terrestrial communities derived from Holland are used in this report for ease of reference.

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; Hickman, 1993; Matthews, 2006; Jepson Flora Project, 2011). Scientific nomenclature for plants in this report follows Hickman (1993) and common names follow Matthews (2006).

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); California Wildlife Habitat Relationships Program species-habitat models (CDFW, 2008; Zeiner et al., 1988; and Zeiner et al., 1990); and general wildlife references (Stebbins, 1985).

Regulatory Setting

The following regulatory discussion describes the major laws that may be applicable to the San Jose Creek Trail project.

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 the USFWS or National Oceanic and Atmospheric Administration Marine Fisheries Service (NOAA Fisheries). In general, NOAA Fisheries 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. 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 species, including significant habitat modification.” 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).

Migratory Bird Treaty Act

The MBTA of 1918 prohibits killing, possessing, or trading migratory birds except in accordance with regulation prescribed by the Secretary of the Interior. Most actions that result in taking or in permanent or temporary possession of a protected species constitute violations of the MBTA. The USFWS is responsible for overseeing compliance with the MBTA.

State Regulations

California Environmental Quality Act

The CEQA was enacted in 1970 and was modeled after the National Environmental Policy Act (NEPA). CEQA encourages the protection of all aspects of the environment, requiring State and local agencies to prepare multi-disciplinary environmental impact analyses and make decisions based on those studies’ findings regarding the environmental effects of the proposed action. CEQA applies to all discretionary activities proposed to be carried out or approved by California public agencies, including State, regional, county, and local agencies, unless an exemption applies. CEQA also applies to private activities that require discretionary government approvals.

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 CDFW 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 CDFW Code as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” It does not include

habitat destruction in the definition of take. A Section 2081 Incidental Take Permit from the CDFW may be obtained to authorize “take” of any State Listed species.

California Department of Fish and Game Code

Birds: Section 3503 of the California Department of Fish and Game Code prohibits the killing, possession, or destruction of bird eggs or bird nests. Section 3503.5 and 3513 prohibit the killing, possession, or destruction of all nesting birds (including raptors and passerines). 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.” Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal MBTA. Section 3800 prohibits take of nongame birds.

Species of Special Concern: As noted above, the CDFW also maintains a list of animal “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.

California Coastal Act

The California Coastal Commission was established by voter initiative in 1972 (Proposition 20) and later made permanent by the California State Legislature through adoption of the California Coastal Act (CCA) of 1976. The Coastal Commission, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. 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 permit from either the Coastal Commission or the local government. After certification of a Local Coastal Plan (LCP), coastal development permit authority is delegated to the appropriate local government, but the Commission retains original permit jurisdiction over certain specified lands (such as tidelands and public trust lands). The Commission also has appellate authority over developments approved by local governments in specified geographic areas as well as certain other developments. The Commission may designate areas of rare or unique biological value, such as wetland and riparian habitat and habitats for special-status species, as ESHA. 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.”

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 CDFW Commission to designate endangered, threatened and rare species and to regulate the taking of these species (§2050-2098, CDFW Code). Plants listed as rare under the CNPPA are not protected under CESA.

Local Regulations

Monterey County Code

Title 16, Chapter 16.60, Monterey County Code, provides for the preservation of oaks and other protected tree species within the unincorporated areas of the County. As defined in Chapter 16.60.040 C, removal of more than three protected trees on a lot in a one-year period requires a Forest Management Plan (FMP) and approval of a Use Permit by the Monterey County Planning Commission. The FMP must be prepared by a qualified forester selected from the County's list of consultants. Chapter 16.060.040 D requires that the applicant relocate or replace each removed tree on a one-to-one ratio. This ratio may be varied upon showing that such a requirement will create a special hardship in the use of the site or such a replacement would be detrimental to the long-term health and maintenance of the remaining habitat.

RESULTS

The San Jose Creek Trail project is located south of Carmel-by-the-Sea and southwest of Monastery Beach, on San Jose Creek Canyon Road. The project site is located on an opening adjacent to San Jose Creek and slopes downward towards San Jose Creek to the north. The following discussion describes the habitat types observed and the special-status plant and wildlife species that are known or have the potential to occur within or adjacent to the project site.

Habitat Types

The following habitat types were documented within the project site (Figure 4):

- Non-Native Grassland – 0.4 acre, and
- Developed – 0.6 acre.

A brief description of each of these habitats can be found below along with identification of the presence or potential presence of special-status species within each habitat.

Non-Native Grassland

Non-native grassland occurs approximately ¼ mile east on San Jose Creek Canyon Road, between San Jose Creek and the San Jose Creek Canyon Road, totaling 0.4 acre (Figure 4). The dominant species observed within the project site includes wild oat grass (*Avena fatua*), foxtail (*Hordeum murinum*), and ripgut (*Bromus madritensis*). Other plant species include California poppy (*Eschscholzia californica*), coyote brush (*Baccharis pilularis*), ice plant (*Carpobrotus edulis*), and plantain (*Plantago sp.*). Non-native grasslands provide habitat to a number of wildlife species. Botta's pocket gopher (*Thomomys bottae*), California ground squirrel (*Otospermophilus beecheyi*), and several rodent species use annual grasslands for foraging and cover. Raptors are also known to forage in this habitat, including red-tailed hawk (*Buteo jamaicensis*). Reptiles, such as western rattlesnakes (*Crotalus oreganus ssp. oreganus*), garter snakes (*Thamnophis sp.*), and western fence lizards (*Sceloporus occidentalis*), are also common annual grassland species.

Developed

Approximately 0.6 acre of developed habitat exists on the project site. Developed habitat consists of San Jose Creek Canyon Road. San Jose Creek Canyon Road connects Highway 1 to the project site. The road is approximately 10 foot wide and consists of compacted dirt. The road was included in the project site because the project proponent intends to line the edges with logs to prohibit off road travel by vehicles.

SPECIAL-STATUS SPECIES

Published occurrence data within the project area and surrounding USGS Quads were reviewed in order to compile a table of special-status species known within the vicinity of the project site (Appendix A). Each of these species was evaluated for their potential to occur within the project site and be impacted by construction of the project. Species determined to have a moderate or high potential to occur within the project site are discussed in detail below. All other species within the table have been determined to have a low or unlikely potential to occur within the project site for the species-specific reason presented in Appendix A and are not discussed further.

Special-Status Wildlife Species

Smith's Blue Butterfly

The Smith's blue butterfly was listed as a federally Endangered species on June 1, 1976 (41 FR 22041-22044). This species historically ranged along the California coast from Monterey Bay south through Big Sur to near Point Gorda, occurring in scattered populations in association with coastal dune, coastal scrub, chaparral, and grassland habitats. The primary limiting factor for SBB populations is the occurrence of their obligate host plants, dune buckwheat (*Eriogonum parvifolium*) and coast buckwheat (*Eriogonum latifolium*), in which they are associated with for their entire life span. The presence of the obligate host plant, however, is not always an indication of the occurrence of the butterfly, as the obligate host plant distribution is much more extensive than that of the butterfly.

Individual adult males and females live approximately one week. Adult emergence and seasonal activity is synchronized with the blooming period of the particular buckwheat used at a given site. Dispersal data from capture-recapture studies (Arnold, 1983) indicate that most adults are quite sedentary, with home ranges no more than a few acres. SBB has only one generation per year. Females lay single eggs into buckwheat flower heads, which hatch in approximately one week. Caterpillars mature over a span of approximately three to four weeks, feeding on petals and seeds of the buckwheat plant. Chrysalis formation then takes place in the buckwheat flower head and the chrysalis eventually falls in to the leaf litter and topsoil beneath the plant where it remains for approximately 47 weeks until the cycle begins again (Dixon, 1999).

The CNDDDB reports 36 occurrences of SBB within the five quadrangles evaluated. Several occurrences are located within one mile of the project site including occurrences at Pt. Lobos State Reserve, Huckleberry Ridge just east of Pt. Lobos and Palo Corona Regional Park, just north of the project site. SBB were observed associated with dune buckwheat plants directly adjacent to the existing dirt road during a site visit by Parks biologist Amy Palkovic. As a result, all dune buckwheat plants are assumed occupied by SBB. Dune buckwheat occurs on the margins of the project site along the dirt road and may be impacted by the installation of post and cable fencing placed as deterrents to off-road access. Therefore, SBB is known to occur within the project site and could be impacted by the construction of the proposed project.

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 19244-19292) and went into effect on May 15, 2006.

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). Radiotelemetry 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 300 feet 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

The CNDDDB reports 39 occurrences of CRLF within the five quadrangles evaluated, with the nearest being approximately 0.5 miles east of the project site. CRLF was observed in San Jose Creek, approximately 0.5 miles upstream from the project site, during project site visits. CRLF may disperse from San Jose Creek through the non-native grassland habitat within the project site. Therefore this species has a moderate potential to occur on the project site and could be impacted by the construction of the proposed project.

Coast Range Newt

The CRN, a subspecies of the California newt (*Taricha torosa*), is a CDFW species of special concern within all portions of their range south of the Salinas River in Monterey County. This species was historically distributed in coastal drainages from the vicinity of Sherwoods (central Mendocino County) in the North Coast Ranges, south to Boulder Creek, in San Diego County (CDFW 2008). The known elevation range of this species extends from near sea-level to 1830 meters (Stebbins 1985). In central California, breeding appears to occur in two waves, the first in January or February and the second in March or April (Stebbins 1951; Miller and Robbins 1954), although coast range newts may enter ponds as early as December. Breeding and egg-laying occur in intermittent streams, rivers, permanent and semi-permanent ponds, lakes and large reservoirs. Eggs are laid in small clusters on the submerged portion of emergent vegetation, on submerged vegetation, and on the underside of rocks off the bottom. Larvae take approximately three to six months to reach metamorphosis.

The CNDDDB does not report any occurrences of this species within the quadrangles evaluated; however, this species is known to occur within several ponds located on Palo Corona Regional Park and the adjacent Santa Lucia Preserve and the surrounding upland areas. The nearest known occurrence is located approximately 1.5 miles from the Project site at the Salamander Pond on Palo Corona Regional Park. CRN may disperse from San Jose Creek through the non-native grassland habitat within the project site. Therefore this species has a moderate potential to occur on the project site and could be impacted by the construction of the proposed project.

Coast Horned Lizard

The coast horned lizard is a CDFW species of special concern. Horned lizards occur in valley-foothill hardwood, conifer, and riparian habitats, as well as in pine-cypress, juniper, chaparral, and annual grass habitats. This species generally inhabits open country, especially sandy areas, washes, flood plains, and wind-blown deposits in a wide variety of habitats. Coast horned lizards rely on camouflage for protection and will often lay motionless when approached. Horned lizards often bask in the early morning on the ground or on elevated objects such as low boulders or rocks. Predators and extreme heat are avoided by burrowing into loose soil. Periods of inactivity and winter hibernation are spent burrowed into the soil or under surface objects. Little is known about the habitat requirements for breeding and egg-laying of this species. Prey species include ants, beetles, wasps, grasshoppers, flies, and caterpillars.

The CNDDDB reports six occurrences of coast horned lizard within the five quadrangles evaluated with the nearest being approximately six miles southeast of the project site. Suitable habitat exists in the non-native grassland habitat within the project site. Therefore coast horned lizard has a moderate potential to occur within the project site and could be impacted by the construction of the proposed project.

Western Pond Turtle

Western pond turtles are a CDFW species of special concern. Western pond turtles are uncommon to common in permanent or nearly permanent aquatic resources in a wide variety of habitats throughout California, west of the Sierra-Cascade crest and are absent from desert regions, except in the Mojave Desert along the Mojave River and its tributaries. Elevation range extends from near sea level to 1430 meters (4690 feet). Western pond turtles require basking sites such as partially submerged logs, rocks,

mats of floating vegetation, or open mud banks. The home range of western pond turtles is typically quite restricted; however, ongoing research indicates that in many areas, turtles may leave the watercourse in late fall and move into upland habitats where they burrow into duff and/or soil and overwinter (Holland, 1994). However, western pond turtles remain active year-round and may move several times during the course of overwintering. The time spent in the terrestrial habitat appears highly variable; in southern California western pond turtles may remain in these sites for only a month or two. In pond and lake habitats, however, some turtles remain in the pond during the winter (Holland, 1994). Additionally, during the spring or early summer, females move overland for up to 100 meters (325 feet) to find suitable sites for egg-laying. Nests are typically excavated in compact, dry soils in areas characterized by sparse vegetation, usually short grasses or forbs (Holland, 1994). Three to 11 eggs are laid from March to August depending on local conditions (Ernst and Barbour, 1972). The western pond turtle is not known to be territorial, but aggressive encounters, including gesturing and physical combat (Bury and Wolfheim, 1973), are common and may function to maintain spacing on basking sites and to settle disputes over preferred spots. This species is considered omnivorous and food sources include aquatic plant material, beetles, and a wide variety of aquatic invertebrates. Fishes, frogs, and carrion have also been reported among their food (Stebbins, 1972).

The CNDDDB reports seven occurrences of western pond turtle within the five quadrangles evaluated with the nearest being approximately one mile north of the project site. Suitable habitat exists within the San Jose Creek immediately adjacent to the project site. Non-native grassland habitat adjacent to the riparian corridor may provide suitable nesting habitat for this species. Therefore western pond turtle has a moderate potential to occur within the project site and could be impacted by the construction of the proposed project.

Nesting Raptors and Other Migratory Birds

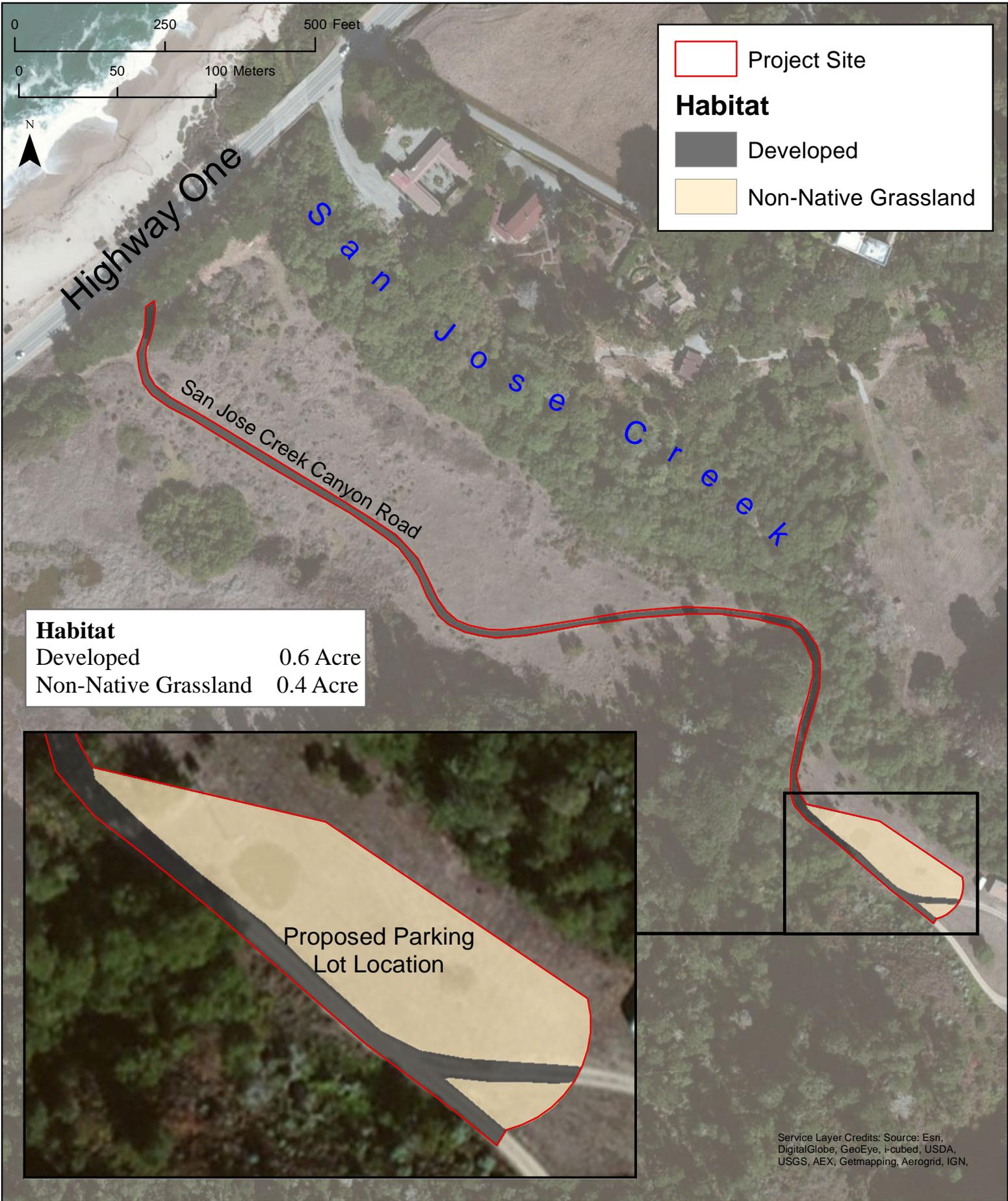
Raptors and their nests and migratory birds are protected under Fish and Game Code and the MBTA. While the life histories of these species vary, overlapping nesting and foraging similarities (approximately February through August) allow for their concurrent discussion. Most raptors are breeding residents 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 have a potential to nest within any of the large trees present within and adjacent to the project site. As suitable nesting habitat is present, nesting raptors, migratory birds, and other protected avian species have a moderate potential to occur within or adjacent to the project site and could be impacted by the construction of the proposed project.

Special-Status Plant Species

Monterey Pine

Monterey pine is a CNPS List 1B species. This evergreen tree occurs in closed-cone coniferous forests at elevations from 82-607 feet. Only four native stands of this species exist in the world. One stand is found on Guadalupe Island off Baja California. The other three stands are all within California at Año Nuevo, Cambria, and the Monterey Peninsula. Monterey pines are introduced in many areas, including in New Zealand where it is used as a plantation crop. Only one-half of the species' historical extent remains undeveloped on the Monterey Peninsula. Monterey pines are threatened by development, genetic contamination, pine pitch canker disease, and forest fragmentation, especially in the Del Monte Forest on the Monterey Peninsula.

Two Monterey Pine trees were recorded on the northwest side of the non-native grassland habitat adjacent to the project site and will be removed as a part of the project.



Habitat	
Developed	0.6 Acre
Non-Native Grassland	0.4 Acre



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN,

Habitat Map

Date: 8/5/2015
 Scale: 1 inch = 200 feet
 Project: 2015-25



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Figure
4

Sensitive Habitats

No sensitive habitats listed on the CNDDDB's working list of high priority and rare natural communities were identified within the project site. The project site does not contain any ESHA protected under the CCA. Riparian and wetland habitat was documented to occur adjacent to the project site. Although these habitats are classified as sensitive, the project will not impact the riparian corridor associated with San Jose Creek.

IMPACTS AND MITIGATION

Construction of the project could result in impacts to several special-status species. Mitigation measures have been provided below to reduce these potential impacts.

As stated previously, this biological report was written in support of a supplemental CEQA analysis. An Initial Study/Mitigated Negative Declaration (IS/MND, PLN040502, April 4, 2006) was prepared and adopted in compliance with the California Environmental Quality Act (CEQA) for the Whisler Access Drive Improvement Project by the County of Monterey. Impacts to biological resources were previously identified in the 2006 adopted IS/MND. To reduce confusion, and to clarify how Mitigation Measures and Monitoring Activities previously identified correspond with impacts identified in this biological report, the Mitigation Measures and Monitoring Actions below are from the 2006 adopted IS/MND. Potential Impacts, Mitigation Measures, and Monitoring Actions follow the 2006 adopted IS/MND numbering and most are verbatim; in a few instances language that was not relevant to the potential impacts associated with the proposed parking lot addition was omitted. In one case, the excavation of mammal burrows was added to existing mitigations to reduce impacts to California red-legged frogs (CRLF). Some Mitigation Measures or Monitoring Actions from the 2006 adopted IS/MND were omitted entirely as they were not applicable to the parking lot addition.

Although no impacts to steelhead (*Oncorhynchus mykiss irideus*) (**Potential Impact 2** in the 2006 adopted IS/MND) are associated with the construction of the proposed parking lot addition, Mitigation Measure 2-3 from the 2006 adopted IS/MND was included below as it is referenced a number of times in the following text as it is applicable to other species.

While no potential impacts or mitigation was identified specifically for the CHL in the 2006 adopted IS/MND, the potential for CHL to occur was identified. Mitigation Measures 5-1 and Monitoring Action 4-2C would reduce potential impacts to CHL to a less-than-significant level.

Special-Status Wildlife Species

Mitigation 2-3: In order to protect water quality and aquatic species during construction, include the following measures on the construction specifications, as well as other measures that may be required by the CDFW and other agencies, with construction oversight by a qualified biological monitor:

- Prohibit grading during the rainy season (typically November 1 through April 15).
- Store all cut and fill in designated storage areas provided these are at least 25 feet from the top of the creek bank. All stockpiled cut and fill materials shall be covered with plastic sheeting prior to rainfall or high winds.
- All staging areas within 100 ft of San Jose Creek, or its tributaries, shall have two rows of straw wattles, sediment logs, or silt fence installed between the edge of the staging area and the top edge of the bank in order to contain accidental spills or erosion from stockpiles.

- Stationary equipment such as motors, pumps, generators, and welders located within 100 feet of the stream shall be stored overnight at staging areas and will be positioned over drip pans.
- Project-related vehicle traffic shall be restricted to established roads and the area of potential impact for the project. Temporary fencing or flagging shall be installed along the perimeter of the area of potential impact for special-status species prior to construction so that vehicles and equipment will be excluded from the protected portions of the property.
- Any hazardous or toxic materials deleterious to aquatic life that could be washed into San Jose Creek or its tributaries shall be contained in watertight containers or removed from the project site.
- All construction debris and associated materials stored in staging areas shall be removed from the work site upon completion of the project.
- Whenever possible, refueling of equipment shall take place within turnouts or staging areas at least 50 feet from the top of creek bank or other wetland.
- All refueling shall be conducted over plastic bags filled with sawdust or other highly absorbent material. Clean-up materials for spills will be kept on hand at all times. Any accidental spills of fuel or other contaminants will be cleaned up immediately.

Potential Impact 3: Construction of the proposed project could result in the potential take of Smith's blue butterflies and butterfly habitat, a potentially significant impact. However, the impact can be mitigated to a less than significant level with implementation of the applicant's proposed revegetation plan, removal of vegetation during the butterfly non-flight season, and biological monitoring during construction.

Discussions with project biologists indicate that amount of plants removed are minor compared to the remaining surrounding slopes that are covered with buckwheat. As Smith's blue butterfly eggs, larvae and pupae may be found in these plants, removal of these plants could result in direct loss of individuals, as well as habitat, unless this removal and remaining habitat are properly managed. Vehicles and staging equipment could potentially result in occasional trampling of buckwheat plants not intended for removal. Vehicle strikes of adult butterflies could also occur. Indirect impacts to the butterfly could also occur if project activities cause erosion in areas where buckwheat is to be retained.

Additionally, as there is the potential for direct harm or injury to the Smith's blue butterfly during the construction activities, a Section 7 permit (USFWS or ACOE) would need to be issued for the potential "take" of Smith's blue butterfly during the road improvement activities and bridge construction. Mitigation Measure 2-3 requires proof of other agency review/permit approvals prior to project grading. An incidental take permit was previously obtained for the project. The permit will be updated and/or amended to incorporate the parking lot and trail head addition prior to construction.

Mitigation Measure 3-1: Permit buckwheat removal and grading in butterfly habitat only between September 16 and June 14 during the non-flight season for the butterfly to reduce the potential for indirect take of butterflies that may be present.

Monitoring Action 3-1A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Mitigation Measure 3-2: A USFWS approved biologist shall be present during vegetation clearing to inspect plants for larvae and shall periodically monitor the site during construction.

Monitoring Action 3-2A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Monitoring Action 3-2B: The monitor shall be present on site beginning with the installation of temporary fencing prior to clearing of vegetation and shall conduct daily inspections of the project site during the initial grading. The biological monitor will also periodically visit the project site during construction to ensure that no impacts occur in protected portions of the property. A report on monitoring results shall be prepared and submitted to the Monterey County Planning and Building Inspection Department upon completion of the Smith's blue butterfly monitoring actions.

Monitoring Action 3-2C: A USFWS approved biologist shall conduct a workers education program for the seed collection and revegetation activities in Smith's blue butterfly Enhancement Areas. The biological monitor shall flag individual existing buckwheat plants to help personnel avoid incidental take of existing buckwheat plants, eggs, larva and pupae during revegetation within Enhancement areas.

Monitoring Action 3-2D: Prior to removal of buckwheat, buckwheat plants and surrounding duff shall be inspected for Smith's blue butterfly larvae and pupae by a USFWS approved biologist before being cut and removed to assure that no damage will occur to larvae and pupae during buckwheat handling. Buckwheat plants will be cut at the base and carefully translocated to an area agreed upon location by the USFWS. Translocation areas will contain existing live buckwheat plants so that larvae and pupae have live plant material to forage on. Cut translocated buckwheat plants will be placed immediately adjacent to and slightly touching live buckwheat plants to facilitate the transfer of caterpillars to food sources. (Note: If soil conditions and project timing permits, buckwheat plants can be removed and transplanted into the translocation areas instead of being cut. However, this additional effort is not mandatory but voluntary, and should be assessed by the revegetation specialist for the plant survival potential due to soil compaction, and water availability during the translocation season.)

Mitigation Measure 3-3: Replace the removed buckwheat plants at a minimum 1:1 replacement ratio at designated enhancement sites, conducted in accordance with the specifications provided in the proposed Revegetation, Mitigation, and Monitoring Plan.

Monitoring Action 3-3A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Monitoring Action 3-3B: Applicant shall provide documentation of when the replacement has been completed, and shall monitor the replacement site for three years or until success criteria has been met as set forth in the proposed Revegetation, Mitigation, and Monitoring Plan. An annual report with results and discussion of monitoring shall be submitted to the Director of Planning and Building Inspection for review and approval as set forth in the proposed Revegetation, Mitigation, and Monitoring Plan.

Potential Impact 4: Construction of the proposed project could result in the loss of individual CRLFs and short-term degradation of habitat, a potentially significant impact. However, the impact can be mitigated to a less than significant level with implementation of the applicant's proposed erosion control measures, additional sediment and water control measures identified in Mitigation Measure 2-3, pre-construction surveys, and biological monitoring during construction.

There is a potential for direct loss of individual CRLF and degradation of habitat during and immediately after construction activities, such as grading, vehicle activities, and increased sediment loads in the creek. Additionally, as there is the potential for direct harm or injury to the CRLF during the construction activities, a Section 7 permit (USFWS or ACOE) would need to be issued for the potential "take" of CRLF during the road improvement activities and bridge construction. Conditions of this permit may include, but would not be limited to, the mitigation measures identified above. Mitigation Measure 2-3 requires proof of other agency review/permit approvals prior to project grading.

Erosion from exposed soils could cause an increase to the sediment load in the creek, resulting in potential long term indirect impacts by filling in in-stream pool habitat with moderate depth which is used by the CRLF for escape from predators such as raccoons, garter snakes, and herons. In addition, construction activities could have negative impacts on CRLF through the introduction of toxins to San Jose Creek from the use of fill and heavy equipment near wet areas. Erosion and sediment control, and water quality measures that would be implemented throughout the construction period as part of the project Erosion-Sediment Control Plan would lessen this potential.

Mitigation Measure 4-1: Require pre-construction surveys to be conducted to determine whether CRLFs are present on the site, and if found, implement a program to relocate individuals as permitted by the CDFW and USFWS.

Monitoring Action 4-2A: Prior to issuance of grading and/or building permits for proof of construction specifications; Prior to initiation of construction for others the owner/ applicant/engineer/biologist shall include in construction specifications, and shall have a qualified biologist identify sites to be excavated, which shall be, prior to initiation of any construction activities. Photos of flagging shall be provided to the RMA-Director of Planning.

Monitoring Action 4-2B: The measure to require a biological monitor onsite shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits. A report of the monitoring results shall be provided to the Monterey County Director of Planning and Building Inspection.

Monitoring Action 4-2C: Prior to construction, a qualified biologist will consult with the USFWS and/or CDFW, as appropriate, to establish an agreed-upon plan of action in the event that special-status species are found on-site during construction. This information will be relayed to construction personnel during the pre-construction meeting.

Monitoring Action 4-2D: The biological monitor shall conduct a pre-construction meeting with grading and construction personnel to inform them about the presence of federally- protected special-status species, including California red-legged frog and discuss proper procedures to follow if a CRLF or other special status aquatic species is encountered.

Potential Impact 5: The project could result in loss of individual CRN when they are moving across upland areas to nest locations during construction. This impact is considered potentially significant. However, the impact can be mitigated to a less than significant level with avoidance of grading and use of heavy equipment in habitat areas.

Mitigation Measure 5-1: To avoid potential impacts to Coast range newt (and western pond turtle which are addressed below) grading and use of heavy equipment in the coastal scrub and chaparral areas will be avoided.

Monitoring Action 5-1A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Monitoring Action 5-1B: The monitor shall be present on site beginning with the installation of temporary fencing prior to clearing of vegetation and shall conduct daily inspections of the project site during the initial grading. The biological monitor will also periodically visit the project site during construction to ensure that no impacts occur in protected portions of the property. A report on monitoring results shall be prepared and submitted to the Monterey County Planning and Building Inspection Department upon completion of the monitoring actions.

Potential Impact 6: Construction of the proposed project could result in the loss of individual Western pond turtles, a potentially significant impact. The project could result in loss of individual turtles and/or snakes when they are moving across upland areas (including non-native grassland) to nest locations during construction. This impact is considered potentially significant. However, the impact can be mitigated to a less than significant level with implementation of the sediment and water control measures identified in Mitigation Measure 2-3, avoidance of grading and use of heavy equipment in habitat areas, and biological monitoring during construction.

Mitigation Measure 6-1: A qualified biologist shall be present during initial construction activities to monitor for western pond turtle.

Monitoring Action 6-1A: The measure shall be included as a project condition of approval. Applicant shall include measure on the construction specifications and submit to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

Monitoring Action 6-1B: The monitor shall be present on site beginning with the installation of temporary fencing prior to clearing of vegetation and shall conduct daily inspections of the project site during the initial grading. The biological monitor will also periodically visit the project site during construction to ensure that no impacts occur in protected portions of the property. A report on monitoring results shall be prepared and submitted to the Monterey County Planning and Building Inspection Department upon completion of the monitoring actions.

Potential Impact 8: Construction of the proposed project could result in disruption of nesting activities for special-status birds, a potentially significant impact. Nesting birds may be disrupted by construction activities. Additionally, eggs or chicks could be destroyed if nesting trees are removed during the nesting season. Thus, impacts to nesting birds are potentially significant. Proposed Mitigation Measure #8-1 will reduce potential impacts on nesting species to a less than significant level.

Mitigation Measure 8-1: Require that a pre-construction survey for special-status nesting avian species (and other species protected under the Migratory Bird Act) be conducted by a qualified biologist at least 30 days prior to tree removal or initiation of construction activities that occur during the nesting/breeding season of native bird species (typically February through August). If nesting birds are not found, no further action would be necessary. If a nest or nesting bird are found, construction within 150 feet of the nest site should be postponed until after the bird has fledged, or an appropriate construction buffer has been established in consultation with the California Department of Fish and Wildlife.

Monitoring Action 8-1A: Prior to issuance of Building Permit, the applicant shall provide the Director of Planning and Building Inspection with a copy of the results of the pre-construction survey.

Tree Removal

Potential Impact 9 (Tree Removal): Construction of the proposed parking lot/trailhead area would remove two Monterey Pine Trees. Construction could also result in potential damage to retained trees adjacent to the construction area. Direct and indirect tree impacts are considered significant. However, the impact can be mitigated to a less than significant level with implementation of the proposed Revegetation, Mitigation and Monitoring Plan and Tree Protection Report, which include replacement of removed trees and protection of retained trees during construction.

The Revegetation Plan specifications provide for identification of the planting site, size and characteristics of the replacement trees, planting schedule and methods, and maintenance and monitoring requirements. Retained trees will be protected from inadvertent damage if the tree protection measures specified in the Tree Removal and Tree Protection Report for the Whisler/Wilson Access Road (Flamik 2004) are followed. These measures include fencing, placement of straw bales, trunk wrapping, pruning, and root pruning. Specific measures are provided for each tree retained.

Mitigation Measure 9-1: Replace Monterey pines (4" dbh or greater) that will be removed with the project at a 3: 1 in accordance with the specifications and success criteria provided in the Revegetation, Mitigation, and Monitoring Plan, and implement tree protection measures specified in the Tree Removal and Tree Protection Report for the Whisler/Wilson Road (Flamik 2004). These measures include but are not limited to fencing, placement of straw bales, trunk wrapping, and limb and root pruning.

Monitoring Action 9-1A: The measure shall be included as a project condition of approval. A tree replanting plan, showing location, type, and size of replacement trees shall be submitted to the Director of Planning and Building Inspection for review and approval prior to issuance of grading and building permits.

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APPENDIX A.

Table of special-status species occurring in the Pfeiffer Point Quadrangle and the five surrounding Quadrangles (Marina, Seaside, Monterey, Mt. Carmel, and Soberanes Point)

Special Status Species Database
Project: San Jose Creek Trail Project IS
Quads: Marina (3612167), Monterey (3612158), Mt. Carmel (3612147), Seaside (3612157),
Soberanes Point (3612148)

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
MAMMALS			
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	-- / SC / SSC	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.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site.
<i>Lasiurus cinereus</i> Hoary bat	-- / CNDDDB / --	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.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site.
<i>Neotoma macrotis luciana</i> Monterey dusky-footed wood rat	--/CNDDDB/--	Forest habitats of moderate canopy with moderate to dense understory. Also occurs in chaparral habitats.	Unlikely: Several nests were observed adjacent to the project site, however, there is no cover within the project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Reithrodontomys megalotis distichlis</i> Salinas harvest mouse	-- / CNDDDB / --	Known only to occur from the Monterey Bay region. Occurs in fresh and brackish water wetlands and probably in the adjacent uplands around the mouth of the Salinas River.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site.
<i>Taxidea taxus</i> American badger	-- / SSC / --	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: Although a small amount of disturbed marginal habitat is present, the grassland is too small and isolated to support the presence of the species.
BIRDS			
<i>Agelaius tricolor</i> Tricolored blackbird (nesting colony)	-- / SE / --	Nest in colonies in dense riparian vegetation, along rivers, lagoons, lakes, and ponds. Forages over grassland or aquatic habitats.	Low: While dense riparian vegetation is present adjacent to project site, no habitat for this species occurs within the project site. Nearest occurrence 9 miles northeast of project site.
<i>Athene cunicularia</i> Burrowing owl (burrow sites & some wintering sites)	-- / SSC / --	Year round resident of open, dry grassland and desert habitats, and in grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats. Frequent open grasslands and shrublands with perches and burrows. Use rodent burrows (often California ground squirrel) for roosting and nesting cover. Pipes, culverts, and nest boxes may be substituted for burrows in areas where burrows are not available.	Unlikely: Although grassland habitat is present, it is too small and isolated to support the presence of this species within the project site.
<i>Buteo regalis</i> Ferruginous hawk (wintering)	-- / WL / --	An uncommon winter resident and migrant at lower elevations and open grasslands in the Modoc Plateau, Central Valley, and Coast Ranges and a fairly common winter resident of grassland and agricultural areas in southwestern California. Frequent open grasslands, sagebrush flats, desert scrub, low foothills surrounding valleys, and fringes of pinyon-juniper habitats. Does not breed in California.	Unlikely: Although a small amount of marginal grassland habitat is present within the project site, this species prefers larger more open grasslands amongst foothills primarily in the southern regions of California.
<i>Charadrius alexandrinus nivosus</i> Western snowy plover (nesting)	FT / SSC / --	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 habitat for this species is present within or immediately adjacent the project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Cypseloides niger</i> Black swift (nesting)	-- / SSC / --	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 habitat for this species is present within or immediately adjacent the project site.
<i>Eremophila alpestris actia</i> California horned lark	-- / CNDDDB / --	Variety of open habitats, usually where large trees and/or shrubs are absent. Found from grasslands along the coast to deserts at sea-level and alpine dwarf-shrub habitats are higher elevations. Builds open cup-like nests on the ground.	Low: Although a small amount of marginal grassland habitat is present within the project site, the habitat are is likely to small and isolated to support this species.
<i>Oceanodroma homochroa</i> Ashy storm-petrel (nesting colony)	-- / SSC / --	Tied to land only to nest, otherwise remains over open sea. Nests in natural cavities, sea caves, or rock crevices on offshore islands and prominent peninsulas of the mainland.	Unlikely: No habitat for this species is present within or immediately adjacent the project site.
<i>Pelecanus occidentalis californicus</i> California brown pelican (nesting colony & communal roosts)	-- / CFP / --	Found in estuarine, marine subtidal, and marine pelagic waters along the California coast. Usually rests on water or inaccessible rocks, but also uses mudflats, sandy beaches, wharfs, and jetties.	Unlikely: No habitat for this species is present within or immediately adjacent the project site.
<i>Riparia riparia</i> Bank swallow (nesting)	-- / ST / --	Nest colonially in sand banks. Found near water; fields, marshes, streams, and lakes.	Unlikely: No habitat for this species is present within or immediately adjacent the project site.
REPTILES AND AMPHIBIANS			
<i>Ambystoma californiense</i> California tiger salamander	FT / ST / --	Annual grassland and grassy understory of valley-foothill hardwood habitats in central and northern California. Need underground refuges and vernal pools or other seasonal water sources.	Unlikely: Project site is not within 1.2 miles (2KM) of a known breeding resource. In addition, this species is not known to occur within such close proximity to the coast.
<i>Anniella pulchra</i> California legless lizard (includes A. p. nigra and A. p. pulchra as recognized by the Dept.) California legless lizard	--/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: There insufficient vegetation cover within the project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Emys marmorata</i> Western pond turtle (includes <i>E. m. pallida</i> and <i>E. m. marmorata</i> as recognized by the Department)	-- / SSC / --	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.	Moderate: Perennial stream and riparian habitat present immediately adjacent to the project site which may support the species and moderate upland habitat within the project site that may present dispersal or nest habitat.
<i>Phrynosoma blainvillii</i> Coast horned lizard	-- / SSC / --	Associated with open patches of sandy soils in washes, chaparral, scrub, and grasslands.	Moderate: Grassland habitats within the project site.
<i>Rana draytonii</i> California red-legged frog	FT / SSC / --	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 dispersing adults are known to move through a variety of upland habitats.	Moderate: This species is known from perennial stream and riparian habitat immediately adjacent to the project site. Upland habitat within the project site may be traversed infrequently during dispersal of the species.
<i>Taricha torosa torosa</i> Coast Range newt	--/CSC/--	Occur 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.	Moderate: Suitable habitat is present within the San Jose Creek and surrounding riparian habitat, located adjacent to the project site and this species may traverse the project site during dispersal. However, it is unlikely to reside because there is no cover within the project site.
FISH			
<i>Eucyclogobius newberryi</i> Tidewater goby	FE / CSC / --	Brackish water habitats, found in shallow lagoons and lower stream reaches.	Unlikely: The project site is present within the southernmost gap where this species is currently and historically absent.
<i>Oncorhynchus mykiss irideus</i> Steelhead (South/Central California Coast ESU)	FT / SSC / --	Coastal perennial and near perennial streams, with suitable spawning and rearing habitat and no major barriers.	Not Present: The species is assumed present within the perennial stream immediately adjacent to the project site. However, the riparian corridor will not be impacted by the proposed project.
INVERTEBRATES			
<i>Danaus plexippus</i> Monarch butterfly	-- / CNDDDB / --	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 habitat for this species is present within or immediately adjacent the project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Euphilotes enoptes smithi</i> 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 <i>Eriogonum latifolium</i> and <i>E. parvifolium</i> .	Known: The obligate host plant for this species is known from the margins of the project site and is assumed occupied by SBB.
<i>Linderiella occidentalis</i> California linderiella (fairy shrimp)	-- / CNDDDB / --	Ephemeral ponds with no flow. Generally associated with hardpans.	Unlikely: No habitat for this species is present within the project site.
PLANTS			
<i>Allium hickmanii</i> Hickman's onion	-- / -- / 1B	Closed-cone coniferous forests, maritime chaparral, coastal prairie, coastal scrub, and valley and foothill grasslands at elevations of 5-200 meters. Bulbiferous perennial herb in the Alliaceae family; blooms March-May.	Low: Grassland occurs within the project site, but the species typically prefers more mesic conditions. Closest known occurrence is 1.93 miles NW of the project site and reported in 1985.
<i>Arctostaphylos edmundsii</i> 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.	Unlikely: No habitat for this species is present within the project site.
<i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i> Hooker's manzanita	-- / -- / 1B	Closed-cone coniferous forest, chaparral, cismontane woodland, and coastal scrub on sandy soils at elevations of 85-536 meters. Evergreen shrub in the Ericaceae family; blooms January-June.	Unlikely: No habitat for this species is present within the project site.
<i>Arctostaphylos montereyensis</i> Toro manzanita	-- / -- / 1B	Maritime chaparral, cismontane woodland, and coastal scrub on sandy soils at elevations of 30-730 meters. Evergreen shrub in the Ericaceae family; blooms February-March.	Unlikely: No habitat for this species is present within the project site.
<i>Arctostaphylos pajaroensis</i> Pajaro manzanita	-- / -- / 1B	Chaparral on sandy soils at elevations of 30-760 meters. Evergreen shrub in the Ericaceae family; blooms December-March.	Unlikely: No habitat for this species is present within the project site.
<i>Arctostaphylos pumila</i> Sandmat manzanita	-- / -- / 1B	Openings of closed-cone coniferous forests, maritime chaparral, cismontane woodland, coastal dunes, and coastal scrub on sandy soils at elevations of 3-205 meters. Evergreen shrub in the Ericaceae family; blooms February-May.	Not Present: No habitat for this species is present within the project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Astragalus tener</i> var. <i>titi</i> Coastal dunes milk-vetch	FE / SE / 1B	Often found in vernal mesic, sandy areas of coastal bluff scrub, coastal dunes, and coastal prairie at elevations of 1-50 meters. Annual herb in the Fabaceae family; blooms March-May.	Unlikely: No habitat for this species is present within the project site.
<i>Bryoria spiralifera</i> Twisted horsehair lichen	-- / -- / 1B.1	California North Coast coniferous forest at an elevation of 0 – 30 meters. Often found on conifers, including <i>Picea sitchensis</i> , <i>Pinus contorta</i> var. <i>contorta</i> , <i>Pseudotsuga menziesii</i> , <i>Abies grandis</i> , and <i>Tsuga heterophylla</i> . Fruticose lichen in the Parmeliaceae family.	Unlikely: No habitat for this species is present within the project site.
<i>Castilleja ambigua</i> var. <i>insalutata</i> Pink johnny-nip	-- / -- / 1B	Coastal prairie and coastal scrub at elevations of 0-100 meters. Annual herb in the Orobanchaceae family; blooms May-August.	Unlikely: No habitat is present within the project site. Closest known occurrence is 1 mile west of project site.
<i>Centromadia parryi</i> ssp. <i>congdonii</i> Congdon's tarplant	-- / -- / 1B	Valley and foothill grassland on alkaline soils at elevations of 0-230 meters. Annual herb in the Asteraceae family; blooms May-November.	Unlikely: No habitat is present within the project site. While grassland is present within the project site, this species typically occurs in alkaline soils.
<i>Chorizanthe pungens</i> var. <i>pungens</i> Monterey spineflower	FT / -- / 1B	Maritime chaparral, cismontane woodland, coastal dunes, coastal scrub, and valley and foothill grassland on sandy soils at elevations of 3-450 meters. Annual herb in the Polygonaceae family; blooms April-July.	Low: No habitat is present within the project site. While grassland habitat is present within the project site, this species typically occurs in more sandy soils. Closest known occurrence is 10.8 miles NW of project site.
<i>Chorizanthe robusta</i> var. <i>robusta</i> Robust spineflower	FE / -- / 1B	Openings in cismontane woodland, coastal dunes, maritime chaparral, and coastal scrub on sandy or gravelly soils at elevations of 3-300 meters. Annual herb in the Polygonaceae family; blooms April-September.	Unlikely: No habitat for this species is present within the project site.
<i>Clarkia jolonensis</i> 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: No habitat for this species is present within the project site.
<i>Collinsia multicolor</i> San Francisco collinsia	-- / -- / 1B	Closed-cone coniferous forest and coastal scrub, sometimes on serpentinite soils, at elevations of 30-250 meters. Annual herb in the Plantaginaceae family; blooms March-May.	Unlikely: No habitat for this species is present within the project site. Closest known occurrence is 6 miles N of project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Cordylanthus rigidus</i> ssp. <i>littoralis</i> Seaside bird's-beak	-- / SE / 1B	Closed-cone coniferous forests, maritime chaparral, cismontane woodlands, coastal dunes, and coastal scrub on sandy soils, often on disturbed sites, at elevations of 0-425 meters. Annual hemiparasitic herb in the Orobanchaceae family; blooms April-October.	Unlikely: No habitat for this species is present within the project site. Closest known occurrence is 5.9 miles NW of project site.
<i>Delphinium californicum</i> ssp. <i>interius</i> Hospital Canyon California larkspur	-- / -- / 1B	Openings in chaparral, coastal scrub, and mesic areas of cismontane woodland at elevations of 230-1095 meters. Perennial herb in the Ranunculaceae family; blooms April-June.	Unlikely: No habitat for this species is present within the project site.
<i>Delphinium hutchinsoniae</i> 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: While this species is known from a number of populations within suitable coastal scrub adjacent to the project site, no habitat for this species is present within the project site.
<i>Ericameria fasciculata</i> Eastwood's goldenbush	-- / -- / 1B	Openings in closed-cone coniferous forest, maritime chaparral, coastal dunes, and coastal scrub on sandy soils at elevations of 30-275 meters. Evergreen shrub in the Asteraceae family; blooms July-October.	Not Present: This species would have been identifiable during surveys and was not detected.
<i>Eriogonum nortonii</i> 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.	Unlikely: This species would have been identifiable during surveys and was not detected.
<i>Erysimum ammophilum</i> Sand-loving wallflower	-- / -- / 1B	Openings in maritime chaparral, coastal dunes, and coastal scrub on sandy soils at elevations of 0-60 meters. Perennial herb in the Brassicaceae family; blooms February-June.	Unlikely: No habitat for this species is present within the project site. Closest known occurrence is 7.2 miles NW of project site.
<i>Erysimum menziesii</i> Menzies' wallflower	FE / SE / 1B	Coastal dunes at elevations of 0-35 meters. Perennial herb in the Brassicaceae family; blooms March-September.	Unlikely: No habitat for this species is present within the project site.
<i>Fritillaria liliacea</i> 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.	Low: No habitat is present within the project site. While grassland habitat is present within the project site, this species typically occurs in more mesic soils. Closest known occurrence is 1.5 miles N of project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Gilia tenuiflora</i> ssp. <i>arenaria</i> Monterey gilia	FE / ST / 1B	Openings in maritime chaparral, cismontane woodland, coastal dunes, and coastal scrub on sandy soils at elevations of 0-45 meters. Annual herb in the Polemoniaceae family; blooms April-June.	Unlikely: No habitat for this species is present within the project site.
<i>Hesperocyparis goveniana</i> Gowen cypress	FT / -- / 1B	Closed-cone coniferous forest and maritime chaparral at elevations of 30-300 meters. Evergreen tree in the Cupressaceae family. Natively occurring only at Point Lobos near Gibson Creek and the Huckleberry Hill Nature Preserve near Highway 68.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site. In addition, the distribution of this large perennial tree is known within the vicinity of the project.
<i>Hesperocyparis macrocarpa</i> Monterey cypress	-- / -- / 1B	Closed-cone coniferous forest at elevations of 10-30 meters. Evergreen tree in the Cupressaceae family. Natively occurring only at Cypress Point in Pebble Beach and Point Lobos State Park; widely planted and naturalized elsewhere.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site. In addition, the distribution of this large perennial tree is known within the vicinity of the project.
<i>Horkelia cuneata</i> ssp. <i>sericea</i> Kellogg's horkelia	-- / -- / 1B	Openings of closed-cone coniferous forests, maritime chaparral, coastal dunes, and coastal scrub on sandy or gravelly soils at elevations of 10-200 meters. Perennial herb in the Rosaceae family; blooms April-September.	Unlikely: No habitat for this species is present within the project site. Closest known occurrence is 1.6 miles N of project site.
<i>Lasthenia conjugens</i> Contra Costa goldfields	FE / -- / 1B	Mesic areas of valley and foothill grassland, alkaline playas, cismontane woodland, and vernal pools at elevations of 0-470 meters. Annual herb in the Asteraceae family; blooms March-June.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site. While there is grassland, it is no mesic.
<i>Layia carnosa</i> Beach layia	FE / SE / 1B	Coastal dunes and coastal scrub on sandy soils at elevations of 0-60 meters. Annual herb in the Asteraceae family; blooms March-July.	Unlikely: No habitat for this species is present within the project site.
<i>Lupinus tidestromii</i> Tidestrom's lupine	FE / SE / 1B	Coastal dunes at elevations of 0-100 meters. Perennial rhizomatous herb in the Fabaceae family; blooms April-June.	Unlikely: No habitat for this species is present within the project site.
<i>Malacothamnus palmeri</i> var. <i>involucratus</i> Carmel Valley bush-mallow	-- / -- / 1B	Chaparral, cismontane woodland, and coastal scrub at elevations of 30-1100 meters. Perennial deciduous shrub in the Malvaceae family; blooms May-October.	Unlikely: No habitat for this species is present within the project site. Closest known occurrence is 2.7 miles NW of project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Malacothamnus palmeri</i> var. <i>palmeri</i> Santa Lucia bush-mallow	-- / -- / 1B	Chaparral on rocky soils at elevations of 60-360 meters. Perennial deciduous shrub in the Malvaceae family; blooms May-July.	Unlikely: No habitat for this species is present within the project site.
<i>Malacothrix saxatilis</i> var. <i>arachnoidea</i> 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.	Unlikely: No habitat for this species is present within the project site. Closest known occurrence is 4.9 miles W of project site.
<i>Microseris paludosa</i> Marsh microseris	-- / -- / 1B	Closed-cone coniferous forest, cismontane woodland, coastal scrub, and valley and foothill grassland at elevations of 5-300 meters. Perennial herb in the Asteraceae family; blooms April-July.	Low: While grassland habitat occurs within the project site, this species typically prefers a more mesic environment.
<i>Monardella sinuata</i> ssp. <i>nigrescens</i> Northern curly-leaved monardella	-- / -- / 1B	Chaparral, coastal dunes, coastal scrub, and lower montane coniferous forest (ponderosa pine sandhills) on sandy soils at elevations of 0-300 meters. Annual herb in the Lamiaceae family; blooms April-September.	Unlikely: No habitat for this species is present within the project site. Closest known occurrence is 6.1 miles NW of project site.
<i>Monolopia gracilens</i> Woodland woollythreads	-- / -- / 1B	Openings of broadleaved upland forest, chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland on serpentinite soils at elevations of 100-1200 meters. Annual herb in the Asteraceae family; blooms February-July.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site. While grassland occurs within the project site it is not serpentine.
<i>Pinus radiata</i> Monterey pine	-- / -- / 1B	Closed-cone coniferous forest and cismontane woodland at elevations of 25-185 meters. Evergreen tree in the Pinaceae family. Only three native stands in CA at Ano Nuevo, Cambria, and the Monterey Peninsula; introduced in many areas.	Known: Two species present within non-native grassland habitat of project site.
<i>Piperia yadonii</i> Yadon's rein orchid	FE / -- / 1B	Sandy soils in coastal bluff scrub, closed-cone coniferous forest, and maritime chaparral at elevations of 10-510 meters. Annual herb in the Orchidaceae family; blooms February-August.	Unlikely: No habitat for this species is presents within the project site.
<i>Plagiobothrys uncinatus</i> Hooked popcorn-flower	-- / -- / 1B	Chaparral, cismontane woodlands, and valley and foothill grasslands on sandy soils at elevations of 300-760 meters. Annual herb in the Boraginaceae family; blooms April-May.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site. While grasslands are present within the project site, the elevation is too low.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Potentilla hickmanii</i> Hickman's cinquefoil	FE / SE / 1B	Coastal bluff scrub, closed-cone coniferous forests, vernal mesic meadows and seeps, and freshwater marshes and swamps at elevations of 10-149 meters. Perennial herb in the Rosaceae family; blooms April-August.	Unlikely: No habitat for this species is present within or immediately adjacent to the project site. While grassland occurs within the project site it is not mesic.
<i>Ramalina thrausta</i> Angel's hair lichen	-- / -- / 2B	Found in California North Coast coniferous forest at an elevation of 75 - 430 meters. Found on dead twigs, other lichen, and on <i>Alnus rubra</i> , <i>Calocedrus decurrens</i> , <i>Pseudotsuga menziesii</i> , <i>Quercus garryana</i> , and <i>Rubus spectabilis</i> . It has also been found growing on and amid <i>Ramalina menziesii</i> and <i>Usnea</i> spp. Fruticose lichen in the Ramalinaceae family.	Unlikely: No habitat for this species is present within the project site.
<i>Rosa pinetorum</i> 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 <i>R. spithamea</i> , <i>R. gymnocarpa</i> , or others; further study needed.	Unlikely: No habitat for this species is present within the project site.
<i>Sidalcea malachroides</i> Maple-leaved checkerbloom	-- / -- / 4	Broadleaved upland forest, coastal prairie, coastal scrub, North Coast coniferous forest, and riparian woodlands, often in disturbed areas, at elevations of 2-730 meters. Perennial herb in the Malvaceae family; blooms March-August.	Unlikely: No habitat for this species is present within the project site. Closest known occurrence is 6.9 miles N of project site.
<i>Stebbinsoseris decipiens</i> Santa Cruz microseris	-- / -- / 1B	Broadleaved upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub, and openings in valley and foothill grassland, sometimes on serpentinite, at elevations of 10-500 meters. Annual herb in the Asteraceae family; blooms April-May.	Low: Only marginal habitat for this species is present within the project site.
<i>Tortula californica</i> California screw moss	-- / -- / 1B	Valley and foothill grassland and chenopod scrub on sandy soils at elevations of 10-1460. Moss in the Pottiaceae family.	Low: Only marginal habitat for this species is present within the project site.
<i>Trifolium buckwestiorum</i> Santa Cruz clover	-- / -- / 1B	Gravelly margins of broadleaved upland forest, cismontane woodland, and coastal prairie at elevations of 105-610 meters. Annual herb in the Fabaceae family; blooms April-October.	Unlikely: No habitat for this species is present within the project site.

Species	Status (Service/ Department/CNPS)	General Habitat	Potential Occurrence within Project Vicinity
<i>Trifolium hydrophilum</i> Saline clover	-- / -- / 1B	Marshes and swamps, mesic and alkaline valley and foothill grassland, and vernal pools at elevations of 0-300 meters. Annual herb in the Fabaceae family; blooms April-June.	Low: Non-native grassland habitat present within the project site, however, this species typically occurs in more mesic and alkaline environments. Closest known occurrence is 7.2 miles NW of project site.
<i>Trifolium polyodon</i> Pacific Grove clover	-- / SR / 1B	Mesic areas of closed-cone coniferous forest, coastal prairie, meadows and seeps, and valley and foothill grassland at elevations of 5-120 meters. Annual herb in the Fabaceae family; blooms April-July.	Low: Non-native grassland habitat present within the project site, however, this species typically occurs in more mesic environments. Closest known occurrence is 0.4 miles W of project site.
<i>Trifolium trichocalyx</i> Monterey clover	FE / SE / 1B	Sandy openings and burned areas of closed-cone coniferous forest at elevations of 30-240 meters. Annual herb in the Fabaceae family; blooms April-June.	Unlikely: No habitat is present within the project area. Closest known occurrence is 4.4 miles N of project site.

STATUS DEFINITIONS

Federal

FE = listed as Endangered under the federal Endangered Species Act
 FT = listed as Threatened under the federal Endangered Species Act
 FC = Candidate for listing under the federal Endangered Species Act
 -- = no listing

State

SE = listed as Endangered under the California Endangered Species Act
 ST = listed as Threatened under the California Endangered Species Act
 SR = listed as Rare under the California Endangered Species Act
 SC = Candidate for listing under the California Endangered Species Act
 CSC = California Department of Fish and Wildlife Species of Concern
 CFP = California Fully Protected Animal
 WL = California Department of Fish and Wildlife Watch List
 -- = no listing

California Native Plant Society

1B = List 1B species; rare, threatened or endangered in California and elsewhere
 List 4 = Limited distribution (CNPS Watch List)
 -- = 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 CNDDDB or other documentation; presence of suitable habitat conditions
Moderate	= known occurrence of species in the vicinity from the CNDDDB or other documentation; presence of marginal habitat conditions within the site
Low	= species known to occur in the vicinity from the CNDDDB or other documentation; lack of suitable habitat or poor quality
Unlikely	= species not known to occur in the vicinity from the CNDDDB or other documentation, no suitable habitat is present within the site
Not Present	= species was not observed during surveys

APPENDIX C
CULTURAL RESOURCES STUDY

The Cultural Resources Study for the San Jose Creek Trail Project is
confidential, and is on file with State Parks

APPENDIX D
TRAFFIC STUDY

San Jose Creek Trail Project

**Prepared for:
Denise Duffy & Associates/Big Sur Land Trust**

March 2016

SJ15-1613



Table of Contents

INTRODUCTION.....	1
EXISTING CONDITIONS	3
Land Use.....	3
Roads and Circulation.....	3
Volume Counts.....	4
Access by Mode	5
Vehicle	5
Pedestrian.....	5
Bicycle	6
Transit.....	7
Parking.....	7
Planned Roadway Improvements.....	8
PROJECT CONDITIONS	9
Trip Generation Estimates.....	10
Project Access	13
Bicycle and Pedestrian Travel.....	13
Conclusions.....	13
SITE ACCESS AND CIRCULATION RECOMMENDATIONS	14



List of Figures

Figure 1: Parking Area Layout	2
Figure 2: Hourly Volumes on SR 1 at San Jose Creek Canyon Road.....	5

List of Tables

Table 1: Vehicle Trip Generation Estimates.....	12
---	----

INTRODUCTION

This report presents the results of a focused transportation study for the development of the San Jose Creek Trail Project. The proposed project is a 1.5-mile public trail located along San Jose Creek Canyon Road within Point Lobos Ranch in Monterey County, California. The project includes construction of three pedestrian bridge crossings over San Jose Creek and a 6,500 square foot parking lot to accommodate 25 vehicle spaces as detailed in **Figure 1**. This transportation study focuses on the proposed parking lot portion of the project and was conducted for use in the project's California Environmental Quality Act (CEQA) clearance document. The study's purpose is to determine whether the transportation system in the vicinity of the project can accommodate the traffic associated with the project and if improvements are needed to the transportation facilities affected by the project.

This project is not expected to generate a substantial number of new automobile trips, or trips by other travel modes. As a result, this report is structured as a "focused" transportation study. This focused study estimates new automobile trips generated by the project, and it evaluates site circulation and access in the project vicinity. A more formal transportation impact analysis, which is typically completed for projects generating more than 100 peak hour automobile trips, is not included as part of this evaluation.

Fehr & Peers conducted field observations and collected data in July 2015 to understand the parking and circulation conditions in this area. This study was primarily concerned with evaluating conditions at the intersection of State Route 1 (SR 1) and San Jose Creek Canyon Road that may arise once the project is developed. Observations were conducted during weekend peak period to identify potential operational issues on SR 1 in the vicinity of the access driveway to the proposed parking lot. Traffic counts were gathered over five days (Wednesday through Sunday) on SR 1 near the entrance of the proposed parking area. The resulting data and existing conditions are summarized in Existing Conditions.

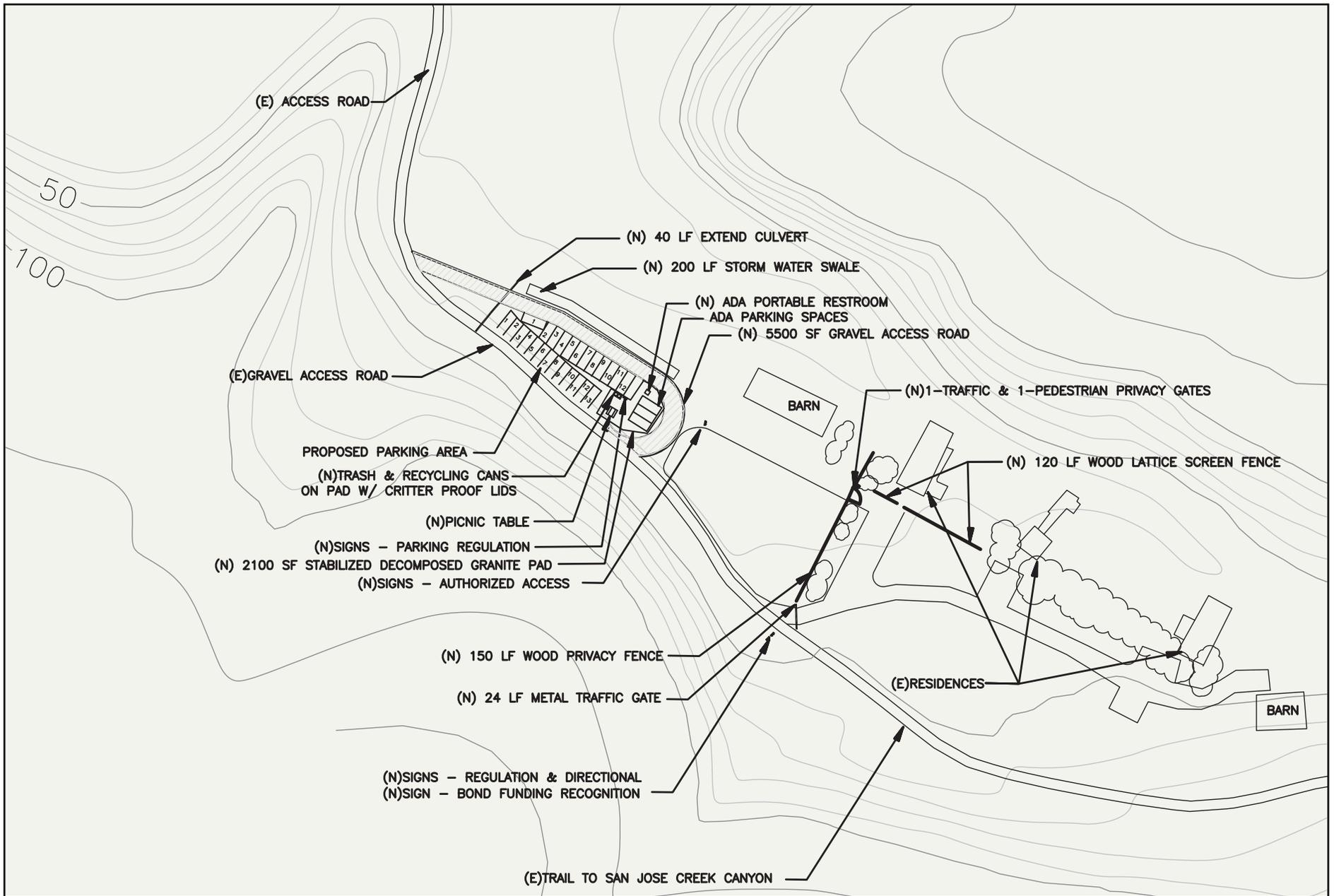


Figure 1
Parking Area Layout

EXISTING CONDITIONS

This chapter describes the transportation context of the proposed parking lot and provides more detail on existing access, circulation and parking issues. It also provides the results of data collection that was conducted in July 2015.

LAND USE

The Project site is within State Parks Point Lobos Ranch Unclassified Park Unit on the central coast of California in Monterey County. Point Lobos Ranch is primarily undeveloped open space east of the Point Lobos State Natural Reserve, three miles south of the City of Carmel-by-the-Sea and approximately 20 miles north of Big Sur along SR 1. The proposed parking lot is located inland within an existing informal turn around area adjacent to San Jose Creek Road, which is located on the eastern side of SR 1 directly across from Monastery Beach, also known as San Jose Creek Beach.

This public property is intended to preserve and protect extremely scenic portions of the northern Big Sur Coast, an area known for its views of Carmel Bay and the Pacific Ocean coastline. The Point Lobos Ranch property contains one of the world's largest native Monterey Pine forests, featuring the rare Gowen cypress and maritime chaparral plants. The ranch and areas surrounding the property are mountain lion habitats, and the San Jose Creek is a steelhead spawning ground. In addition, this property contains Native American archaeological sites and a complex of early twentieth century ranch buildings.

Located just north and adjacent to the project site is the Carmelite Monastery of Carmel, which holds a public mass six days a week: Mondays through Wednesdays at 8:00 AM, Saturdays at 8:00 AM, and Sundays at 9:00 AM with no public mass on Thursdays.¹

ROADS AND CIRCULATION

Roads within Point Lobos Ranch include Red Wolf Drive, Riley Ranch Road, Allen Road, and San Jose Creek Canyon Road. Red Wolf Drive and Riley Ranch Road are paved private roads traversing west to east and providing access to private residences. Allen Road is a paved private road that transverses north to south and crosses Riley Ranch Road and Red Wolf Drive. Private roads are maintained by homeowners and California State Parks has easements to allow for use of the roads by California State Parks staff. San

¹ Carmel Mission Inn: http://www.carmelmissioninn.com/blog/mass_at_carmelite_monastery_of_carmel_ca/

Jose Creek Road is a dirt road that traverses across the Point Lobos Ranch to additional public open space, Palo Corona Regional Park, owned by the Monterey Peninsula Regional Park District (MPRPD). MPRPD has an access easement on San Jose Creek Road, which is the same as the planned alignment for the San Jose Creek trail.

SR 1 is a state highway that runs in the north-south direction along the Pacific Coast in California. The Route begins in Mendocino County and its terminus is in Orange County. At the intersection of San Jose Creek Canyon Road and SR 1 in the project area, SR 1 is a 2-lane conventional highway measuring approximately 40-feet wide (12 foot lanes and 8 foot shoulders).² The Caltrans transportation concept for SR 1 consists of two 12 foot lanes with 4 foot paved shoulders. Caltrans develops transportation concept reports for state highway facilities to identify as long-range improvements needed to adequately serve 20 year traffic demand forecasts.

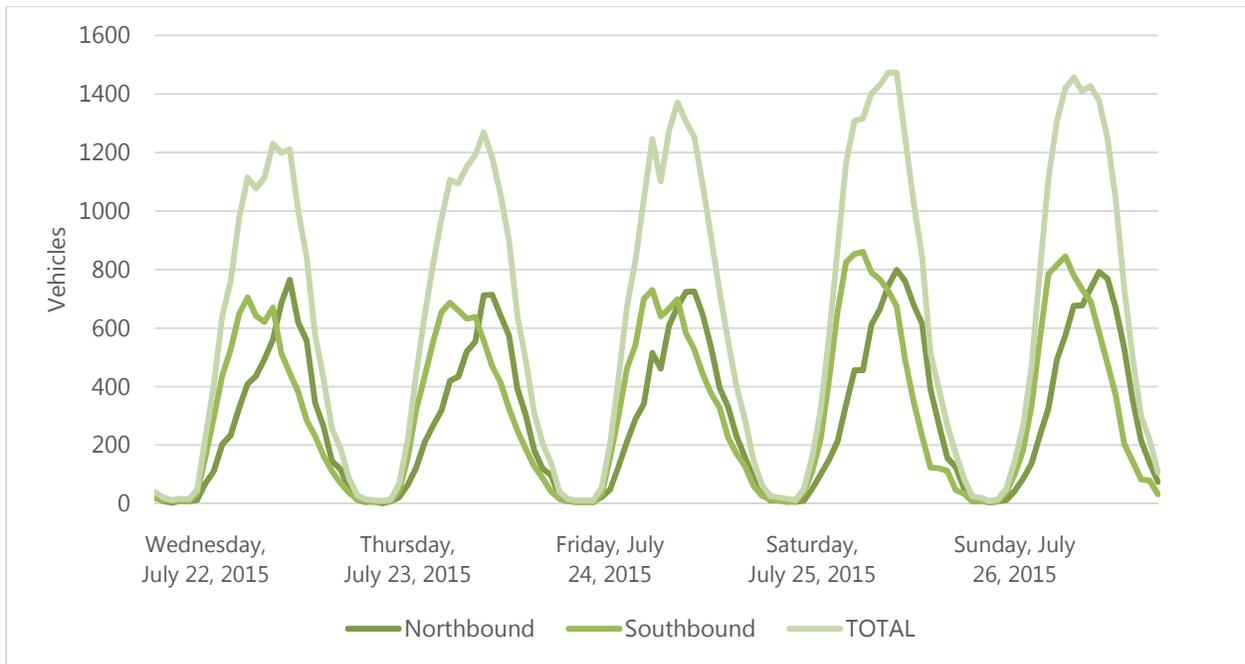
VOLUME COUNTS

Traffic counts were collected over five days starting Wednesday (July 22, 2015) through Sunday (July 26, 2015). Counts were recorded approximately 1,000 feet south of the project site along SR 1 in the northbound and southbound directions. The counts provide information on vehicular volumes traveling past the project site and illustrate the peak potential volumes that may come into conflict once the project is finished. **Figure 2** shows the total hourly volumes collected over the five day period in the northbound and southbound directions, and includes the total volume figures for both directions. The data suggests that during these days, travelers are arriving in the southbound direction and returning in the northbound direction. During the five day data collection period, the peak hour occurred on Saturday at 3:00 PM, where 1,470 vehicles were recorded traveling in both directions. During the peak hour, 745 vehicles were traveling northbound and 725 vehicles were traveling southbound. The peak travel day was Saturday, when there were 16,160 vehicles counted between 12:00 AM to 12:00 PM.

² Caltrans SR 1 Transportation Planning Fact Sheet:
http://www.dot.ca.gov/dist05/planning/sys_plan_docs/tcr_factsheet_combo/mon_sr1_tcrfs.pdf



Figure 2: Hourly Volumes on SR 1 at San Jose Creek Canyon Road



Source: Fehr & Peers, 2015

ACCESS BY MODE

Due to the rural setting of the adjacent areas surrounding the project site, a majority of the visitors arrive by vehicle. Once travelers arrive to this region, a system of trails and roads allows for pedestrian and bicycle access to various beaches, coves and vistas.

VEHICLE

San Jose Creek Canyon Road is an unpaved road with gated access. There is currently limited public access into Point Lobos Ranch. California State Parks staff is allowed to use the roads within the ranch. MPRPD is allowed to use their San Jose Creek Road easement.

PEDESTRIAN

Point Lobos Ranch does not currently have any formal trails or public access points. There is a low level of pedestrian activity along SR 1 in front of the San Jose Creek Canyon Road associated with access to and from Monastery Beach on the west side of the roadway.

BICYCLE

Bikeway planning and design in California typically relies on guidelines and design standards established by California Department of Transportation (Caltrans) in the *Highway Design Manual* (Chapter 1000: Bikeway Planning and Design). Bicycle facilities comprise paths (Class I), lanes (Class II), and routes (Class III) as described below.

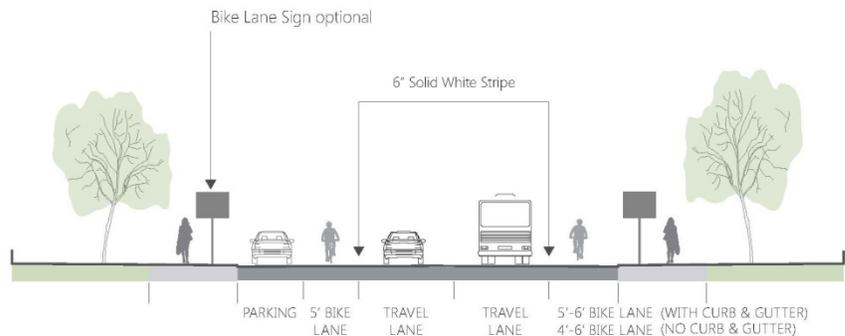
- ***Class I Bikeway (Bike Path)*** provides a completely separate right-of-way and is designated for the exclusive use of bicycles and pedestrians with vehicle and pedestrian cross-flow minimized. In general, bike paths serve corridors not served by streets and highways or where sufficient right-of-way exists to allow such facilities to be constructed away from the influence of parallel streets and vehicle conflicts.

Provides a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flow minimized.



- ***Class II Bikeways (Bike Lanes)*** are lanes for bicyclists generally adjacent to the outer vehicle travel lanes. These lanes have special lane markings, pavement legends, and signage. Bicycle lanes are generally five (5) feet wide. Adjacent vehicle parking and vehicle/pedestrian cross-flow are permitted.

Provides a striped lane for one-way bike travel on a street or highway.

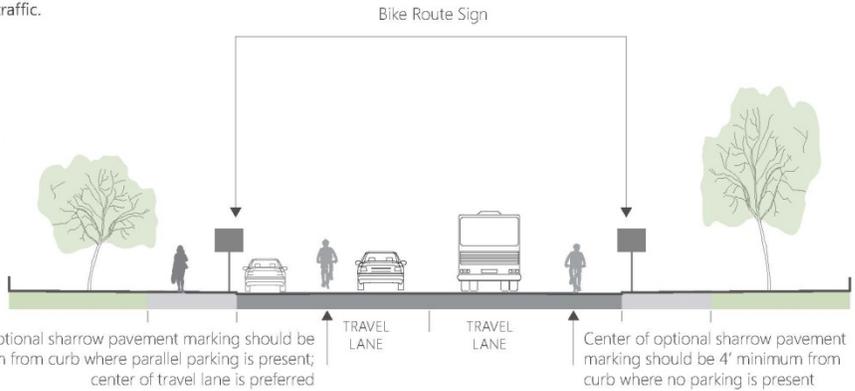


- ***Class III Bikeway (Bike Route)*** are designated by signs or pavement markings for shared use with pedestrians or motor vehicles, but have no separated bike right-of-way or lane striping. Bike

routes serve either to: a) provide continuity to other bicycle facilities, or b) designate preferred routes through high demand corridors.

With Optional Sharrow Pavement Marking

Provides for shared use with motor vehicle traffic.



According to the California Department of Transportation (Caltrans), this segment of SR 1 which travels past the project site is designated as a bicycle route.³ A Class III bike route is defined as bicyclists share the road with vehicles and do not have a designated bike lane. SR 1 has moderate levels of recreational bicycling activity, many of which are long-distance cyclists traveling along SR 1. Bicycles are not allowed within Point Lobos Ranch.

TRANSIT

Line 22 serves Point Lobos State Natural Reserve and is operated by Monterey-Salinas Transit (MST). This transit line travels in the north-south direction providing access to Monterey, Carmel-by-the-Sea and the Big Sur region. The route has three round trips daily during the summer schedule and two round trips daily during the winter schedule.⁴ The route has provided access through Carmel over the last 15 years. The line's on-time performance is poor. A reason for unreliable on-time performance is the seasonal traffic at Carmel and high volume of delivery trucks.

PARKING

There are no public parking facilities within Point Lobos Ranch.. The designated public access points for Monastery Beach is the parking area located directly across the project site. Some parking for Monastery Beach also occurs on the east side of SR 1 in the vicinity of the San Jose Creek Road.

³ Caltrans District 5 Bicycle Map: http://www.dot.ca.gov/dist05/bike_ped/bikeguide/bikeguide.pdf

⁴ MST Line 22 Big Sur – Monterey Information: <http://www.mst.org/wp-content/media/22.pdf>

North of the project site, Carmel River Beach currently has a paved parking area in the City of Carmel-by-the-Sea, accessible from the one-way Scenic Road and Carmelo Street. This parking area has 22 standard parking spaces and three ADA accessible parking spaces. A portion of the parking area is unavailable because floodwaters have washed away spaces in the parking area. There are currently ten parking areas with a total of approximately 150 parking spaces within Point Lobos State Natural Reserve. When the Reserve parking lots reach capacity, additional vehicles must wait until another vehicle leaves to enter the Reserve, or park on the shoulder of SR 1 adjacent to the Reserve.

PLANNED ROADWAY IMPROVEMENTS

The Association of Monterey Bay Governments (AMBAG) has adopted their 2035 Moving Forward, a Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). This is a long range transportation plan for Monterey, San Benito, and Santa Cruz counties, which includes projects that can be implemented any time over the span between 2010 and 2035. In this plan, Monterey County plans to improve transit capacity for SR 1 through facility enhancements to accommodate regional MST bus service along SR 1 during peak travel periods.⁵ The only programmed improvement nearby is a northbound truck climbing lane on SR 1 between Rio Road and Carmel Valley Road to relieve congestion.⁶

⁵ Association of Monterey Bay Governments (AMBAG) Project Lists:

http://ambag.org/programs/met_transp_plann/documents/Final_2035_MTP_SCS/Appendix%20C.pdf

⁶ 2014 Monterey County Regional Transportation Plan: http://www.tamcmonterey.org/programs/rtp/pdf/2014_rtp/0-2014-Monterey-County-RTP.pdf

PROJECT CONDITIONS

The proposed Project includes construction of a 6,500 square foot aggregate base rock parking lot for 25 cars, including two designated ADA parking stalls and an aisle. The parking facility will provide access to the San Jose Creek area by providing a parking facility on the east side of SR 1, therefore helping to reduce parking demand along the shoulder of SR 1 at Monastery Beach. California State Parks is the lead agency for the CEQA review because the parking area is located on State Parks land. **Figure 1** illustrates the parking area layout and details of the proposed project.

SIGNIFICANCE CRITERIA AND THRESHOLDS

The following significance criteria are used for evaluation of the projects potential for transportation impacts. Transportation conditions are evaluated based on how people and vehicles travel through them. Street and roadway analysis oftentimes includes a descriptive term known as level of service (LOS). LOS is a measure of traffic operating conditions, which varies from LOS A, which represents free flow conditions, with little or no delay, to LOS F, which represents congested conditions, with long delays.

The California Department of Transportation (Caltrans) has jurisdiction of all State maintained facilities, including SR 1. Therefore, traffic operating conditions consider Caltrans significance criteria, which typically focus on AM and PM peak hour conditions. Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on State highway facilities. However, Caltrans acknowledges that this may not always be feasible. If an existing State highway facility is operating at less than the appropriate target LOS, Caltrans recommends the existing LOS should be maintained.

As the lead agency under CEQA, California State Parks is responsible for setting project significance criteria.⁷ Significance criteria were developed in accordance with State CEQA Guidelines, engineering judgment, and agency and professional practice. For this project, a project impact is considered significant if any of the following criteria are met or exceeded:

- The project interferes with, conflicts with, or precludes other planned transportation improvements such as transit projects, roadway extensions and expansions, pedestrian or bicycle facility improvements, etc.
- The project conflicts or creates inconsistencies with adopted regional transportation plans

⁷ This study uses significance criteria and thresholds consistent with other transportation studies. These criteria differ slightly from those used in the transportation analysis for the nearby Palo Corona Regional Park Public Parking project. Specifically, criteria used for this evaluation include more specific significance thresholds as well as criteria for considering conflicts with adopted regional transportation plans or projects.

- The project disrupts existing traffic operations, as defined below:
 - The project causes a roadway to deteriorate from LOS C conditions or better to LOS D, E or F conditions and increases peak hour traffic volume by more than two percent; or
 - The project increases peak hour traffic volume on a roadway currently operating at LOS D, E or F conditions by more than two percent.⁸

The traffic operations analysis for the recently approved Palo Corona Regional Park Public Parking project differs slightly from this project. This is because of the Palo Corona Regional Park project is a larger project that would generate 266 new daily trips, and as a result it required a more formal traffic analysis that included a more extensive evaluation of roadway traffic operations for the main access intersection, vehicle queuing analysis, and roadway segment analysis of SR 1 to the north and south of the project.

TRIP GENERATION ESTIMATES

The amount of automobile traffic generated by the proposed project was established by estimating the maximum number of vehicles that is expected to access the site. Daily and peak hour parking turnover ratio estimates generate by the project were made using volume data for the Draft Carmel State Parks General Plan collected on Friday November 28th, 2014 at the nearby intersection of Point Lobos and SR 1. This date is observed to be representative of a peak period since it falls on a holiday weekend.

Parking turnover ratios used to estimate trip generations of the proposed site were calculated in two different ways:

- First, the daily turnover parking rate was derived using the total number of inbound trips counted over the day, plus some additional estimated trips that may have occurred outside of the count period, divided by the total number of parking spaces (150 spaces) available in Point Lobos. We estimated two-thirds of total daily trips occurred during our count period from 10:00 AM to 4:00 PM, while an additional one-third of total trips occurred outside the count period during park hours from 8:00 AM to 7:00 PM. This resulted in a daily parking turnover ratio of 5.26.
- Second, the daily turnover parking rate was calculated directly from Point Lobos by deriving the peak turnover rate, which is the peak one hour period where there were most arrivals and departures combined. This peak hour turnover ratio is 0.7 times per hour. Assuming ten percent of daily trips occur in the peak hour, we then estimated the effective daily peak turnover ratio to be 7.0.

⁸ Use of two percent is common threshold for evaluating increases in traffic on individual roadways or streets operating as LOS D, E or F and is therefore considered as an appropriate threshold in this study.

Using the higher of the two ratios, trip generation figures were estimated for the proposed project and represent the expected number of trips that would be accessing the parking lot during a peak day.

A parking turnover ratio of 7.0 times per day was used to estimate daily traffic volumes. The proposed project will add a net total of 25 parking spaces. Using the Carmel State Park General Plan parking turnover ratio of 7.0 times per day yields a peak daily traffic volume of 175 vehicles. Assuming a K-factor⁹ of 0.1 (or 10 percent) results in a peak-hour trip generation of 18 vehicles per hour ($175 \times 0.1 = 17.5$) during the peak parking demand hour.

Redistributed Trips

Based on information provided by California State Parks, not all of the expected 18 vehicle trips accessing the facility would be new trips. A portion of trips would be redistributed from other parking areas in and around the Point Lobos Reserve, Monastery Beach and Carmel Beach areas. Redistributed trips would generally be due to users who would already be travelling to the area by car but would use the San Jose Creek parking area if it were available in lieu of parking on the SR 1 shoulder or within the Point Lobos Reserve. Additionally, some trips would likely be redistributed from other regional hiking and recreation destinations such as Garrapata State Park. These trips would already be travelling on SR 1 regardless, so no new trips would be added to SR 1.

While some trips would be redistributed, it is also reasonable to assume that some trips would be visitor trips that would travel only to San Jose Creek but would not otherwise be travelling to the area along this portion of SR 1. These trips would not necessarily be new vehicle trips, as there are many other recreational destinations within the broader Monterey Bay region where individuals might otherwise be travelling if they were not accessing San Jose Creek trail recreational opportunities. Trips that shift from broader regional destinations would not necessarily be new unique visitors to the region, but they may result in a localized net increase in automobile traffic on SR 1 adjacent to the project access road. These trips redistributed from the broader region are expected to be less than half of the trips accessing the parking area. However, for purposes of this evaluation, we conservatively assume that approximately half of total vehicle trips would be net new trips or trips redistributed from the broader Monterey Bay region. Therefore, based on these conservative assumptions the added peak hour traffic to SR-1 would be approximately 9 hourly vehicle trips.

⁹ The K-factor is defined as the proportion of average daily traffic that occurs during the peak hour.

TABLE 1: VEHICLE TRIP GENERATION ESTIMATES

Land Use	Size	Rate		Peak Daily	Peak Hour		
		Peak Daily Rate	Peak Hour Rate	Total	In	Out	Total
Total Trips							
Proposed Parking Lot	6,500 sf (25 Parking Spaces)	7.0	1.55	175	9	9	18
<i>Net New Trips (50% of total trips)</i>					4.5	4.5	9

Analysis Conclusions

Because the highest expected traffic demand using San Jose Creek Road would be less than one vehicle every six minutes, we do not expect there to be a substantial increase in traffic congestion or circulation issues resulting from the development of the proposed parking lot. Additionally, the peak hour of parking demand does not normally coincide with the peak hour of traffic on SR 1. Based on observations of parking turnover at Point Lobos, the weekday peak hour for parking turnover occurs between 12:30 and 1:30 PM and the weekend peak hour for parking turnover occurs between 1:00 and 2:00 PM.

Peak hour traffic on SR-1 typically occurs between 2:00 to 4:00 PM on Weekdays and Saturdays and between 1:00 and 2:00 PM on Sundays. During the peak hour of parking demand, counts indicate there would be approximately 1,100 weekday and 1,400 vehicles on SR 1 at the San Jose Creek driveway. Therefore the net added traffic due to the parking lot would be less than one percent of the total traffic volumes on SR 1 during both weekday and weekend peak hours of parking demand.

As a result, the small increase in traffic volume on the adjacent section of SR 1 would not substantially affect traffic operations on the surrounding transportation system and therefore does not result in a significant transportation impact.

Additionally, due to its size and location, the project would not interfere or conflict with other planned roadway improvements, and it does not conflict with the latest Monterey County Regional Transportation Plan.

PROJECT ACCESS

San Jose Creek Canyon Road is an unpaved roadway that is approximately 14 feet wide; however, there are locations that narrow slightly which can make it difficult for two large vehicles traveling opposite directions to pass each other at the same time. Based on the trip generation estimates, the number of large vehicles traveling on San Jose Creek Canyon Road that may pass each other at these narrow sections is relatively low and is not expected to cause congestion. The low volume of traffic generated by the project is not expected to have a substantial impact on safety or emergency access. Several recommendations that to help effectively manage site circulation and access are discussed later in this report.

BICYCLE AND PEDESTRIAN TRAVEL

Field observations indicated a moderate number of bicyclists utilizing SR 1. The existing width of SR 1 is approximately 40 feet where it intersects with the project site, and requires bicyclists to travel in vehicle lanes or on the shoulder. The proposed project would likely capture some bicycle trips surrounding the area. The existing volume estimates would indicate that the number of conflicts between bicycles and turning vehicles is likely to be low. Due to the minimal amount of traffic added by the proposed project the number of potential conflicts between these two modes would not substantially change.

Pedestrian activity on SR 1 is very low in part because there are no designated pedestrian facilities, but more likely because of the distance between destinations pedestrians may want to access. The adjacent beach parking lot located on the west side of SR 1 may result in a low number of visitors parking their vehicles and walking along San Jose Creek Canyon Road to the trailhead. However, the number of pedestrians access the creek trail from SR 1 is expected to be low and would therefore not substantially change existing pedestrian travel patterns.

CONCLUSIONS

Based on the minimal amount of vehicular traffic generated, the proposed project is not expected to substantially affect the traffic operations of the surrounding roadway system. The proposed project is also not expected to significantly affect bicycle or pedestrian circulation, or cause substantial degradation to safety or emergency vehicle access.

SITE ACCESS AND CIRCULATION RECOMMENDATIONS

Based on our review of the proposed site plan and access route along San Jose Creek Road, there may be several opportunities to design the new parking lot such that overall site circulation and access functions appropriately. These recommendations include:

- Design the two designated ADA parking stalls on aggregate base rock in such a way to accommodate persons with disabilities.
- Design facilities to ensure adequate visibility where the project connects with SR 1, including routinely pruning or designing around large trees and vegetation where San Jose Creek Canyon Road meets SR 1 to provide clear visibility and sight distances for all travelers.
- The location of the stop sign for vehicles on San Jose Creek Canyon Road approaching SR 1 should maintain visibility for inbound and outbound traffic.
- Restrict informal parking on the east side of SR 1 in the immediate vicinity of San Jose Creek Canyon Road so parked vehicles do not restrict visibility of vehicles entering and exiting the proposed site.
- Because San Jose Creek Canyon Road is relatively narrow, consider installing a “Narrow Road” sign to alert drivers to the conditions ahead.
- Include adequate bicycle parking facilities in the project.
- Consider providing a designated pedestrian connection to the trailhead along San Jose Creek Canyon Road to improve walking access between the trailhead and Monastery Beach.
- Determination of the need to install a dedicated left turn lane for southbound traffic on SR 1 turning into the project site would need to be made by Caltrans District 5 staff in accordance with procedures in the Caltrans Highway Design Manual.

