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Note from applicant: The Bio memo primary focused on the original access design that realigned the driveway approach straight to Kiler canyon via a new bridge. This design was abandoned prior to submittal of the project, due to cost and complexity, the project moved ahead utilizing the existing driveway, which eliminated the impacts identified in the memo. Note added by Nicole Ellis- 12/22/20

May 11, 2018

Mr. Varinder Sahi
435 Virginia Avenue, Unit 707
Indianapolis, IN 46203

RE: Memorandum for Jurisdictional Determination and Tree Survey at 1000 Kiler Canyon Road, Paso Robles, California (APNs 018-271-018 & -019)

Dear Mr. Sahi,

Per your request, Terra Verde Environmental Consulting, LLC (Terra Verde) has prepared this memorandum to document the results of the jurisdictional determination and native tree survey that was conducted for your property located at 1000 Kiler Canyon Road in Paso Robles, California (APNs 018-271-018 &-019) (see Attachment A – Figures). Specifically, the analysis included a desktop map review and field survey focused on determining the limits of top of bank at the proposed drainage crossing location for the purposes of supporting a new driveway approach. The survey also included identification and tagging of all native trees within the survey area.

This memorandum is intended to provide information about current site conditions in order to inform the planning and design process, but is not intended to support regulatory agency permitting requirements.

Existing Site Conditions

The property is located within the Templeton U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle. The survey area is dominated by non-native tree of heaven (*Ailanthus altissima*) with a dominant understory of non-native grasses such as ripgut grass (*Bromus diandrus)*, milk thistle (*Silybum marianum*), and western poison oak (*Toxicodendron diversilobum*). A few scattered native trees are present within the survey area including, coast live oak (*Quercus agrifolia* var. *agrifolia*), interior live oak (*Quercus wislizeni* var. *wislizeni*), blue oak (*Quercus douglasii*) and a single blue elderberry (*Sambucus nigra* subsp. *caerulea*).

Survey Methodology

Prior to field survey, Terra Verde reviewed available online resources including the USGS topographic maps (2018) and U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory Maps (2018). The field survey was then completed by Terra Verde biologist Riley Chestnut and botanist Amy Golub on May 1, 2018. The survey was pedestrian in nature and lasted approximately 1.5 hours. For the purposes of this memorandum, the survey area included the proposed bridge crossing and an approximate 75-foot buffer on either side (see Attachment A – Figures). Pin flags were placed at the top of bank of the subject drainage on both sides of the existing road crossing. In addition, the trees species were identified, tagged, and mapped on an aerial image. All native trees within the survey area with a diameter at breast height (DBH) of five inches or greater were recorded.

Survey Results

The subject drainage was dry at the time of the survey and exhibited a defined bed and bank, though did not show clear evidence of an ordinary high water mark or other hydrologic indicators (e.g., gravel deposits, shelving, debris wracking). The limits of top of bank were identified in the field and mapped with pin flags; however, it should be noted that due to the steep slopes and a lack of substantial vegetation changes or break in bank slope, the top of bank primarily followed the natural contours of the existing access road and any evidence of changes in bank slope.

Based on a review of aerial imagery (Google Earth 1994 – 2017), the drainage flows in an easterly direction towards the Salinas River, but does not appear to directly connect to the river. Rather, the drainage appears to follow adjacent to an existing dirt access road before intersecting Highway 101 approximately one mile east of the property. Although the subject drainage is listed in the USFWS National Wetlands Inventory (2018) as a riverine wetland, no pools and/or saturated areas supporting wetland vegetation were observed in the drainage or surrounding areas.

Due to the subject drainage being listed as a USGS blue line stream with a defined bed, bank, and channel, the drainage would likely fall within the jurisdiction of the California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB). Due to a lack of hydrologic indicators including an observed ordinary high water mark and a lack of a significant nexus to navigable waters (i.e., Salinas River to the Pacific Ocean), it is unlikely that the subject drainage would fall within the U.S. Army Corps of Engineers (Corps) jurisdiction.

In addition to the efforts to identify the top of bank, a total of 18 native trees were identified in the survey area including coast live oak, interior live oak, blue oak, and blue elderberry. Of the

18 trees identified, only 15 were tagged due to feasibility and accessibility constraints. The DBH of each tree was recorded on field data sheets and summarized in Table 1 below.

Table 1: Summary of Tree Survey

Tree Tag ID	Common Name	Scientific Name	DBH	Notes
1	Interior live oak	*Quercus wislizeni* var. *wislizeni*	12.2	None
2	Coast live oak	*Quercus agrifolia* var. *agrifolia*	48.2	None
3	Coast live oak	*Quercus agrifolia* var. *agrifolia*	44.5	None
4	Coast live oak	*Quercus agrifolia* var. *agrifolia*	18.5	None
5	Coast live oak	*Quercus agrifolia* var. *agrifolia*	8.5	None
6	Coast live oak	*Quercus agrifolia* var. *agrifolia*	65.5	None
7	Coast live oak	*Quercus agrifolia* var. *agrifolia*	18.1	None
8	Blue oak	*Quercus douglasii*	8	None
9	Interior live oak	*Quercus wislizeni* var. *wislizeni*	15.5	None
10	Interior live oak	*Quercus wislizeni* var. *wislizeni*	10	None
11	Interior live oak	*Quercus wislizeni* var. *wislizeni*	10	None
12	Coast live oak	*Quercus agrifolia* var. *agrifolia*	18.5	None
13	Interior live oak	*Quercus wislizeni* var. *wislizeni*	10.5	None
14	Interior live oak	*Quercus wislizeni* var. *wislizeni*	7.75	None
15	Interior live oak	*Quercus wislizeni* var. *wislizeni*	13.3	None
16	Interior live oak	*Quercus wislizeni* var. *wislizeni*	~8	No tag (inaccessible). Tree located east of existing crossing.
17	Coast live oak	*Quercus agrifolia* var. *agrifolia*	~>45	No tag (inaccessible). Tree located east of existing crossing, in channel.

Tree Tag ID	Common Name	Scientific Name	DBH	Notes
18	Blue elderberry	*Sambucus nigra* subsp. *caerulea*	multiple trunks	No tag (trunks too small to tag). Tree located west of existing crossing, in channel.

Conclusion

Based on the presence of a well-defined bed, bank, and channel within the survey area, any impacts to the subject drainage impacting the top of bank or within the banks may require permitting from CDFW and/or RWQCB pursuant to Section 1602 of the Fish and Game Code and Water Quality Order 2004-004. As noted above, it is unlikely the Corps would take jurisdiction of the subject drainage. If any impacts are proposed to trees identified at or adjacent to the limits of top of bank where they are in part benefiting from the creek system, they may also be subject to permitting per Fish and Game Code.

Should you have any questions regarding any of the information provided, please contact me at agolub@terraverdeweb.com or (415) 533-7372.

Sincerely,

Amy Golub, Botanist

Attachment A – Figures
Aerial Map
Survey Area Map
Attachment B – Representative Site Photos

ATTACHMENT A – FIGURES

Aerial Map

Survey Area Map

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Aerial Map

1000 Kiler Canyon Road
Paso Robles, CA 93446

Legend

- 1000 Kiler Canyon Rd
- Kiler Ridge Olive Oils

Approach

Kiler Canyon Road

Access Road

Residence #1

Residence #2

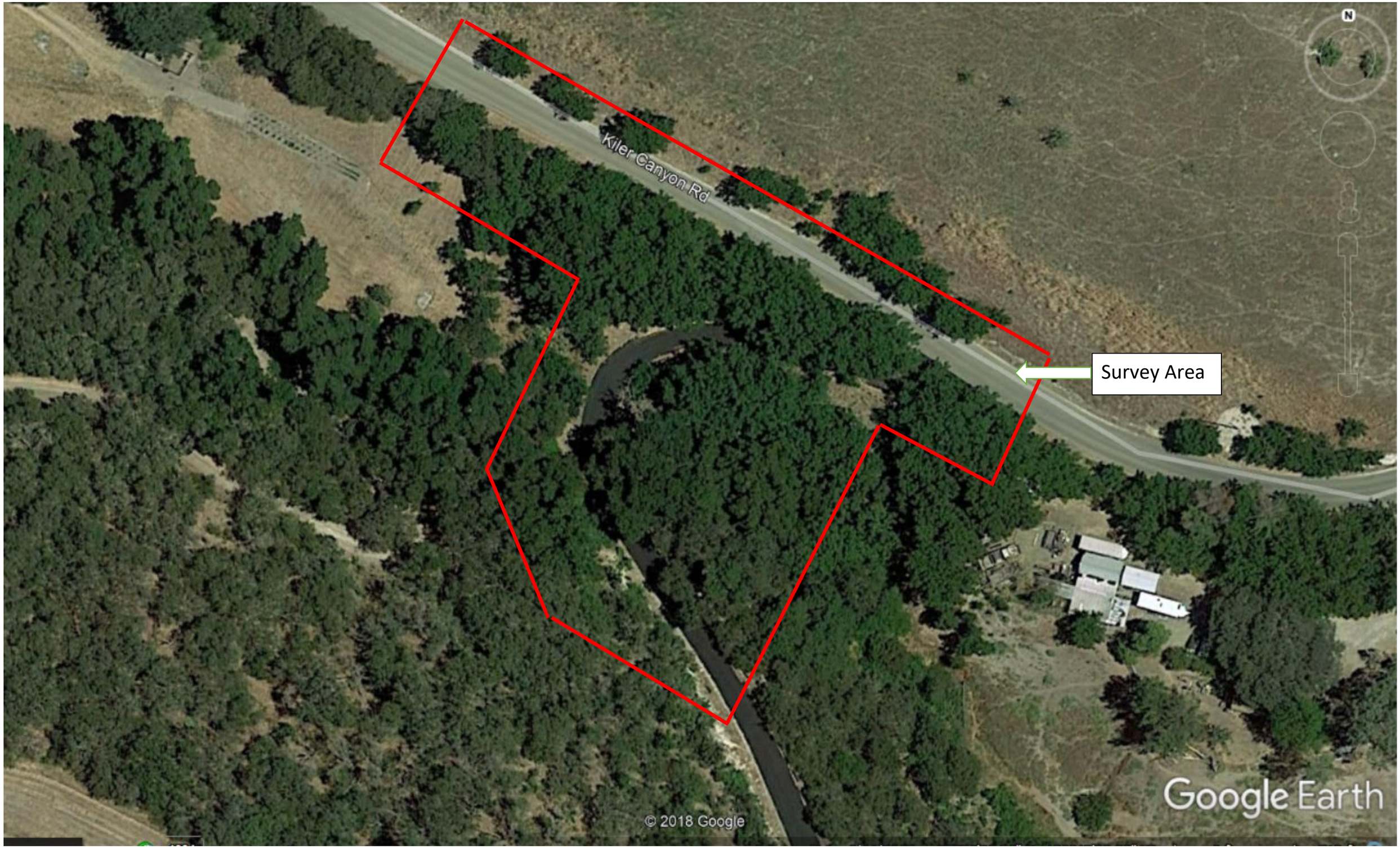
1000 Kiler Canyon Rd

Google Earth

N

900 ft

Survey Area Map



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ATTACHMENT B –

Representative Site Photos

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Photo 1. View northeast of the dominant non-native tree (tree of heaven) present within a majority of the survey area (May 1, 2018).

Photo 2. View northeast of drainage from southern bank (May 1, 2018).

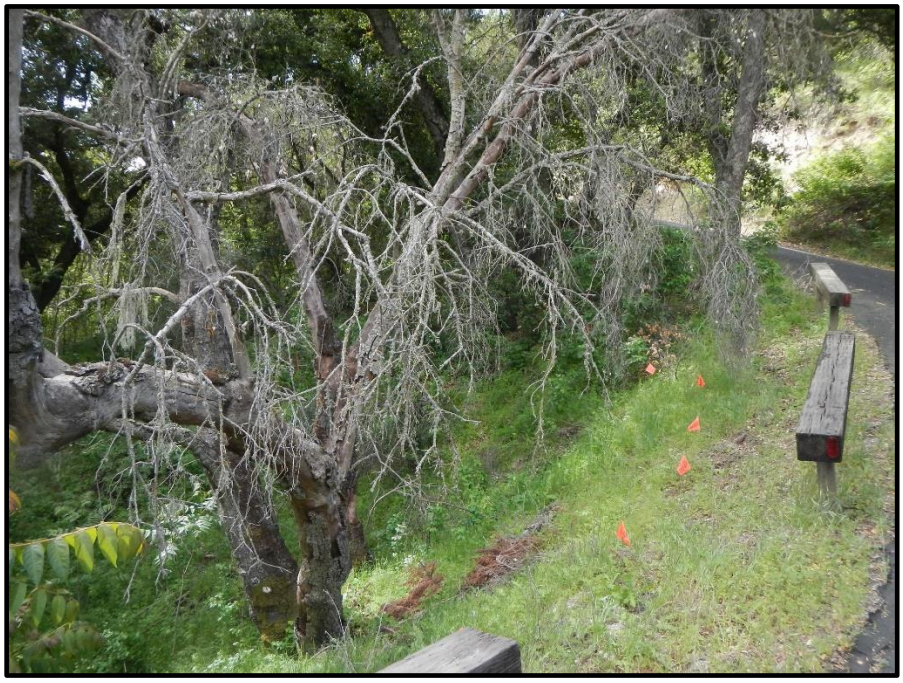

Photo 3. View south of drainage with pin flags marking approximate limits of top of bank (May 1, 2018).

Photo 4. View west of drainage from existing access road (May 1, 2018).

Photo 5. View north of drainage from existing access road (May 1, 2018).