



City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT

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1. BACKGROUND

Project Name: Planned Unit Development Permit 2019-001 and Tentative Map 2019-002

Project Location: 11 Hill Circle

Assessor Parcel Number: 004-601-066-000 and 004-601-067-000

☒ **See Attached Vicinity Map**

Current Land Use: Vacant: Residential – Low Density - Airport Overlay – Flood Overlay (R-L-5.5–AR-F) Zoning District

Surrounding Land Uses/Zoning Districts:

- North: Residential/Residential – Low Density – Airport Overlay – Flood Overlay (R-L-5.5-AR-F)
- South: Residential/ Residential – Low Density – Airport Overlay (R-L-5.5-AR) and Residential – High Density – Airport Overlay (R-H-2.1-AR)
- East: East Laurel Drive and Residential/Residential – Medium Density – Airport Overlay – Flood Overlay (R-M-2.9–AR-F)
- West: Residential and Open Space/Open Space – Airport Overlay – Flood Overlay (OS–AR-F) and Residential – Low Density – Airport Overlay (R-L-5.5-AR)

Lead Agency Contact Person: Thomas Wiles, Senior Planner

Telephone: (831) 758-7206

Location and Existing Setting:

The project is located at 11 Hill Circle on a vacant, infill site bordered by existing low-density single-family detached subdivisions to the north, south and west, and a condominium development to the east. The site is topographically varied and includes a waterway known as the Sanborn Creek/Madiera Ditch and is encumbered by various easements. Two previous land use entitlements are applicable to the site. On April 4, 2007, the Planning Commission approved Conditional Use Permit 2003-006 and on April 17, 2007, the City Council approved Planned Unit Development Permit 2006-004, which authorized a 53-unit detached dwelling single-story senior housing development. The previous application was processed with a Mitigated Negative Declaration. Construction began on the 2007 project and a portion of the site improvements were constructed before construction activities halted. The two permits remain in full force

and effect. Upon approval of the subject Planned Unit Development Permit 2019-011 and Tentative Map 2019-002, the 2007 permits would be rescinded.

Project Description:

The proposed project is located on a 7.74-acre site at 11 Hill Circle and entails development of a 37-unit small lot detached single-family residential subdivision with one (1) common lot, 18,500 square-feet of usable open space, 38 off-street parking spaces (including two (2) accessible spaces), and three (3) affordable units for families earning less than 100% of the median income for Monterey County. The project Applicant proposes to market the units to first-time home buyers. The proposed project consists of the following two (2) applications:

1. Planned Unit Development Permit 2019-001 (PUD 2019-001): A request to develop 37 detached single-family dwelling units with alternative development standards including, but not limited to the following:
 - a. Reduced lot sizes ranging from 2,282.5 to 5,500.8 square-feet in lieu of the minimum 5,500 square-foot standard;
 - b. Reduced front yard, side yard, rear yard, and corner side yard setbacks consisting of three (3) feet in lieu of the minimum required in the Residential Low Density (R-L-5.5) District as per Zoning Code Section 37-30.070 (see table below);
 - c. Single car garages with tandem uncovered parking stalls located within the minimum required 20-foot front yard setback in lieu of minimum required two car garages as per Zoning Code Section 37-50.360; and
 - d. Reduced Usable Open Space of 18,500 square-feet (500 s.f. per unit) in lieu of 1,000 square-feet for interior lots, and 650 square-feet for corner lots as per Zoning Code Section 37-30.070.
2. Tentative Map 2019-002 (TM 2019-002): A request to subdivide a 7.74-acre lot into 37 lots with alternative street sections and street frontage design for interior roadways including curbs, gutters, sidewalks, driveway approaches pedestrian curb ramps, street lights, street trees, and street intersections; construction of a trail in lieu of street frontage sidewalks, and reduction of roadway and cul-da-sac widths. The trail system shall be constructed in compliance with all applicable American with Disabilities Act (ADA) requirements.

Environmental Factors Potentially Affected:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

2. CHECKLIST

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
1. AESTHETICS. Except as provided in Public Resources Code Section 21099, <i>would the proposal:</i>					A1, A2, A3, E1, F1, G4, G5, G6, G7, G8, G9, G11
(a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a-b) The site is not located adjacent to or near a scenic vista or scenic highway.
- (c) The project is not expected to degrade scenic resources nor degrade the visual character of the area. Although 0.28 acres of the existing 0.47 acres of the riparian habitat would be removed, 0.19 acres would remain undisturbed and 0.87 acres would be restored. (See Biological Resources section of this Initial Study for further discussion regarding riparian habitat). Approximately 55 percent (i.e., 4.02 acres of 7.19 net acres) of the site would be landscaped at project completion, which includes the existing riparian habitat to remain and the additional riparian habitat to be added.

Proposed structures include 37 one (1) story detached single-family residential units. The proposed dwelling units are required to conform with the Residential Design Guidelines pursuant to Zoning Code Section 37-30.080 (Residential - Low Density). The front façade of each dwelling unit includes vertical and horizontal articulation, pitched roofs and a covered front-entry porch. The exterior materials include siding and will be required to provide architectural grade roof shingles.

Conditions of approval in the PUD will ensure that the colors of the dwellings not degrade the existing visual character or quality of the site and its surroundings. To ensure architectural compatibility with the existing neighborhood, in accordance with Zoning Code Section 37-30.080(d)(2), a condition of approval requires that colors of each dwelling unit be compatible with adjacent dwelling units located within the project site, including a variety of color schemes (i.e., 2-3 different color schemes). The PUD will require the submittal of a colors and materials board (8 ½" X 11" maximum size and no greater than ½" in thickness) to the Community Development Department for review and approval prior to the issuance of any building permit. In addition, a standard condition of approval in the PUD would require that prior to issuance of a building permit, all exterior

building materials and colors shall be identified on the building plans and in compliance with the conditions and the approved colors and materials board.

- (d) Development of the project could create additional light and glare. However, compliance with the City's lighting standards will reduce any impact to less than significant. Mitigation will ensure that light and glare would not adversely affect day or nighttime views in the area and would reduce impacts to less than significant. (For further discussion of lighting impacts with regards to Biological Resources, see Biological Resources Section of this Initial Study.)

Mitigation

AES-1 Prior to issuance of a Building Permit, the Applicant, or successor in interest, shall submit a photometric lighting plan for review and approval by the Community Development Department demonstrating compliance with City Standards (Source A3) with regards to light and glare.

Issue	Impact				Source (Refer to Section 3: Source List)
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2. AGRICULTURAL RESOURCES. <i>Would the proposal:</i>					A1, A2, A3, E1, F1
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
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Resources Code 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?					
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a-e) The site is a vacant in-fill property designated as Low Density Residential by the 2002 Salinas General Plan and is surrounded by urban development. The site is not located in an Agricultural zoning district, and farming activities are not located on or near the site.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
3. AIR QUALITY. <i>Would the proposal:</i>					A1, A2, A4, B1, B2, G11
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Result in 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

- a-c) Salinas lies within the North Central Coast Air Basin, which meets the federal standard for ozone levels but falls short of the higher State standards for ozone and PM10. Ozone is the primary constituent of smog and is formed in the atmosphere via a chemical reaction involving nitrogen oxides (NOx), volatile organic gases (VOC), and sunlight. The primary sources are motor vehicles, organic solvents, pesticides, and industry. The Monterey Bay Air Resources District (MBARD) oversees various air quality regulations and programs.

MBARD Board of Directors adopted the 2012-2015 Air Quality Management Plan in March 2017 which represents the latest edition of the 2012 Triennial Plan, which addresses NOx and reactive organic gasses (ROG) emissions as precursors to ozone. The air quality impact generated by the project is expected to be less than significant, because it will create less than a significant number of vehicle trips. As a part of the Planned Unit Development Permit (PUD) approval, it shall be required that the Applicant or successor in interest contact the MBARD

regarding the potential requirement for a District permit for any standby engine/generators.

The revised CEQA Air Quality Guidelines prepared by the Monterey Bay Air Resources District, dated February 2008, stipulate maximum thresholds for air quality as follows:

- a) Emit less than 137 lb/day of VOC's or NOx;
 - b) Directly emit less than 550 lb/day of CO or will not cause a violation of CO ambient air quality standards (AAQS) at existing or reasonably foreseeable receptors;
 - c) Not significantly impact traffic levels of service or will not cause a violation of CO or contribute 550 lb/day to an existing or projected violation at existing or reasonably foreseeable receptors;
 - d) Directly emit less than 82 lb/day of PM10 on-site or will not cause a violation of particulate matter, ten-micron diameter (PM10) AAQS or contribute 82 lb/day to an existing or projected violation at existing or reasonably foreseeable receptors;
 - e) Not indirectly generate PM10 along unpaved roads or will not cause a violation of PM10 AAQS or contribute 82 lb/day to an existing projected violation at existing or reasonably foreseeable receptors;
 - f) Directly emit less than 150 lb/day of sulfur oxide (SOx) or will not cause a violation of sulfur dioxide (SO2) AAQS at existing or reasonably foreseeable receptors.
- d) Objectionable odors are unlikely to be produced by the project because no odor generating activities will occur within the proposed residential development.

Mitigation

AQ-1 During construction, the applicant or successor in interest shall:

- a) Limit grading to 7.74 acres per day, and limit grading and excavation to 2.2 acres per day.
- b) Provide watering trucks on site to maintain adequate soil moisture during grading and water graded/excavated areas at least twice daily, thus minimizing dust generation. In addition, the water trucks shall be used to wash down trucks and tractors, including earth loads, prior to entering public roadways.
- c) Prohibit all grading activities whenever wind speeds exceed 15 mph.
- d) Maintain a minimum of two feet for freeboard for all haul trucks.
- e) Cover all trucks hauling dirt, sand, or loose materials.
- f) Cover inactive storage piles.
- g) Enforce a 15-mph speed limit for all unpaved surfaces when visible dust clouds are formed by vehicle movement.
- h) Place gravel base near site entrances to clean tires prior to entering public

roadways.

AQ-2 Prior to issuance of any grading permit and/or building permit, the Applicant or successor in interest shall consult with the Monterey Bay Air Resources District regarding the potential need for a diesel health risk assessment and shall mitigate diesel impacts to a less than significant level in accordance with the Air District requirements.

AQ-3 All applicable permits from the Monterey Bay Air Resources District shall be obtained for building demolition and construction.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
4. BIOLOGICAL RESOURCES. <i>Would the proposal result in impacts to:</i>					A1, A2, A4, A11, C1, F1, G4, G5, G6, G7, G8, G9
(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 type="checkbox"/>	<input checked="" 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, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(c) Have a substantial adverse effect on state or federally protected wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
(including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					
(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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	

(a-f) The site encompasses 7.74 gross acres of land, with Sanborn Creek/Madeira Ditch traversing through the site. Although hydrologically connected to Carr Lake, the creek/ditch primarily receives drainage from the City's storm water discharge at Laurel Drive. The site has 0.47 acre of existing riparian habitat, which supports wildlife. The creek/ditch continues downstream from (southwest of) the subject site and supports adjacent riparian habitat in Cesar Chavez Park. Drainage from Cesar Chavez Park is received by Alisal Creek/Reclamation Ditch #1665 (which abuts the southeast border of the Sherwood Lake Senior Mobile Home Park located at 150 Kern Street).

It is important to maintain and enhance sensitive riparian and wetland habitat to

serve as refuge for wildlife species in developed areas and as corridors for the movement of wildlife species through developed areas. It is imperative that no significant impacts occur to this sensitive habitat and that no net loss of this habitat occurs as a result of development of this project. To ensure that the project will not have significant adverse impacts on the riparian and wetland resources, implementation of mitigation measures that will achieve a comparable or better level of mitigation than the strict application of the 100-foot setback from the creek/ditch are required (consistent with Implementation Program COS-17 of the Conservation and Open Space Element of the Salinas General Plan).

Approximately 7.0 acres (or 90 percent) of the site is proposed to be graded and developed. A significant portion of the site was previously graded in connection with the 2003 Conditional Use Permit and 2006 Planned Unit Development project. Although most of the development is proposed in areas that are of relatively low biological value, 0.28 acre (or 60 percent) of existing riparian habitat would be removed. However, 0.19 acre of existing riparian habitat would not be removed (or disturbed), and 0.87 acre of riparian habitat would be restored with replanting of riparian trees and shrubs along the creek/ditch corridor which shall be maintained in perpetuity. Therefore, a total of 1.06 acres of “resultant” riparian habitat is proposed on site, with the development of the project.

Existing riparian habitat is shown on the *Biological Survey Map* by Rana Creek Living Architecture for the original project, which is based on field surveys conducted by Ed Mercurio in the spring and fall of 2004 and spring of 2005 (Source G8, Attachment 32), the *Riparian Habitat Exhibit* by Hanna–Brunetti (Source G7, Attachment 32). Updated Biological Survey and Response from Ed Mercurio in the fall of 2019 (Sources 65 and 67, Attachments 29 and 31), identify areas of existing habitat to remain, existing habitat to be removed, and the areas of habitat restoration. The Open Space and Biological Areas dated December 2020 (Source G11, Attachment 4) shows the location of current riparian and wetland areas on the project site.

While habitat restoration would be a positive impact of the project, especially since the quality of the natural environment on the site has been degraded (from trash dumping, homeless encampments, herbicide spraying, and clearing of vegetation), the proposed development of 37 single-family detached dwelling units would also have impacts that would need to be mitigated.

As indicated above, Ed Mercurio of the Biotic Resources Group conducted a biological survey on the project site in September of 2005 for previously approved Planned Unit Development Permit 2006-004 and Conditional Use Permit 2003-006 (Source G3, Attachment 29) (2005 survey). A Peer Review, on behalf of the City, was conducted by Kathleen Lyons of Biotic Resources Group (BRG) regarding the previously approved projects PUD 2006-004 and CUP

2003-006. A report was prepared (Source A11, Attachment 34) and field observations were conducted in August of 2006. This review by BRG included review of project plans and associated application materials submitted by the applicant, including but not limited to, a *Riparian Habitat Exhibit* by Hanna–Brunetti (Source G4), the above referenced *Biological Survey Report* by Ed Mercurio, and a *Habitat Restoration and Mitigation Plan* by Rana Creek Living Architecture (Source G8, Attachment 33) which includes a *Biological Survey Map* based on Mr. Mercurio's previous biological surveys. On October 10, 2019, to address revisions proposed by the current project, Mr. Mercurio provided an updated biological survey report (Source G5, Attachment 30) (2019 survey) that includes and on-site biological survey conducted on September 24, 2019. Per the 2019 survey, the current environmental overview differs from the original 2005 survey in three main ways:

1. Native perennial shrubs have overall increased in abundance in most area of the property. This is most likely because of a decline in the construction and maintenance activities since the previous owner ended development of the property;
2. Disturbance has increased on the project site because of the substantial increase in use of the property by the homeless, recent brush clearing to reduce cover for homeless habitations, and because of trash removal and elimination of on-site homeless habitations; and
3. Due to ample rainfall of the last two (2) rainy seasons prior to 2019, there is a currently a greater volume and increase species distribution of annual plants than observed in the past and the presence of a sensitive annual plant species not previously observed on the property.

Per the 2019 survey, the sensitive habitat on the project site has remained mostly protected since the original 2005 survey. However two (2) issues have resulted in some impacts to sensitive riparian habitat on the project site:

1. Modification made on the project site by homeless inhabitants have included clearing of underbrush, excavations into the bank and in some cases the building of structures using dead wood, bricks, blankets, and rugs; and
2. The owner of the neighboring property located to the north has cut into the willows on their portion of the riparian corridor down to stumps, which has resulted into some ground disturbance. This has eliminated some shade on the project site and has resulted in the increase potential for erosion of soil and organic matter into the drainage.

As originally stated in the 2005 survey, the 2019 survey confirms that the most

recent California Department of Fish and Wildlife Natural Diversity Data Base printouts for the Salinas and Natividad Quadrangles do not indicate that any sensitive plant species have ever been previously reported on the project site. The California Department of Fish and Wildlife Natural Diversity Data Base report for the Salinas Quadrangle and surrounding area shows records for two (2) sensitive plant species in the greater local area that could occur in and around the project site: Congdon's Tarplant, which is approximately 1.5 miles away, and Alkali Milk Vetch, which is approximately one (1) mile away. No sensitive species were previously observed on the project site in the 2005 survey. However, on the updated survey in 2019, one sensitive plant species (Congdon's Tarplant) was observed growing on the northwest and northeast portions of the project site. The 2019 survey showed no Alkali Milk Vetch on the project site.

The 2019 survey showed that no sensitive animal species are known to occur on the project site as referenced in the California Natural Diversity Data Base records for the Salinas and Natividad Quadrangles. In addition, no sensitive animal species were observed on the project site in either the 2005 or 2019 surveys. A previous restoration plan prepared by Rana Creek Habitat Restoration (Los Laureles Detached Rental Housing Restoration and Mitigation Plan, prepared by Rana Creek Habitat Restoration – Source G8, Attachment 32) dated June 29, 2005 for the drainage area of the project site was approved as a part of the original 2006 project and it is recommended in the 2019 survey that this be continued for this current project.

On behalf of the City, Rincon Consultants prepared a Peer Review of the updated biological survey report dated October 10, 2019 from Mr. Mercurio and provided a response dated February 10, 2020 (Source G6, Attachment 31). Per the Peer Review, Rincon Consultants concurred with the general conclusions of the 2019 survey that the project is unlikely to have significant impacts to most sensitive biological resources and that the intent of the proposed restoration would be to mitigate as well or better than the 100-foot setback. However, the Peer Review states that the 2019 survey lacked identification of potential impacts and mitigation measures designed to reduce impacts to special status species to less than significant levels and does not provide sufficient detail on restoration and associated success criteria.

On August 4, 2020, Ed Mercurio, Biological Consultant provided a response to the above referenced Peer Review from Rincon Consultants (2020 Response) (Source G7, Attachment 31). In the response, Mr. Mercurio states that much of the above referenced Peer Review did not include the Los Laureles Detached Rental Housing Restoration and Mitigation Plan dated June 29, 2005, which was prepared by the Rana Creek Habitat Restoration (Source G8, Attachment 33) or the earlier referenced Peer Review from BRG. Mr. Mercurio's response stated that Congdon's Tarplant, which is considered a sensitive plant species has the possibility of being present on the project site and an on-site survey did find the

plant on the northwest and northeast portion of the project site. The other referenced seasonal plant species, Alkali Milk Vetch, was not considered to be located on the project site due to the absence of suitable habitat and was not found on the on-site survey. Other sensitive plant species present in the California Department of Fish and Wildlife Natural Diversity Data Base (CNDDDB) records of the Salinas and Natividad Quadrangles, such as the Contra Costa goldfields, Hickman's onion, and Santa Cruz microseris, that have habitats that overlap the project site were not identified on-site.

The following five (5) sensitive animal species have CNDDDB occurrences within a three (3) mile radius of the project site: California Tiger Salamander, Western Spadefoot toad, Burrowing Owl, Tricolored blackbird, and Western Bumble Bee. All of the above referenced species are unlikely to be located on the project site due to the lack of habitat such as the lack of on-site burrows, lack of vernal pools, disking of the site, and existing adjacent development. The California Red-legged frog, which is Federally-listed as threatened and of special concern by the State is not located on project site. The closest known locations for this species is either the Salinas River which is located approximately six (6) miles from the project site and the Prunedale Quadrangle which is located to the north.

Per Mr. Mercurio's response to the Peer Review, both the United States Fish and Wildlife Service Information for Planning and Consultation System, the National Wetland Inventory, and the National Hydrography Dataset were consulted for the project site. The 2020 Response also includes an updated map of on-site sensitive plant communities. The primary change since the map shown in the original 2005 survey, is the presence of the two (2) culverts over the drainage for the road crossings and some changes to the topography. The 2020 Response also confirms that as stated during review of the previous projects in 2006, that a United State Army Corps of Engineers (USACE) permit would not be required because Sanborn Creek/Madeira Ditch flows to Cesar Chavez Park and ends at a pumping station that discharges the water into the reclamation ditch. No construction is planned within the drainage area. The mitigation measures referenced in the 2020 Response are addressed as a part of the proposed project mitigation.

In response to the City's concerns regarding impacts to biological resources, the applicant has incorporated project design changes that are similar to the those shown on the previously approved project in order to mitigate potential impacts, including: re-alignment of the on-site roadway in order to reduce the lengths of roadway over the creek/ditch and in order to reduce the removal of existing riparian vegetation; re-location and re-alignment of the dwelling units in order to increase setbacks from the creek/ditch and minimize removal of existing riparian vegetation; the use of arch culverts to allow the flow line of the creek/ditch to remain undisturbed at the three road crossing locations; and use of underground stormwater chambers and low impact development features, instead of a typical

storm drain system, in order to minimize and treat on-site runoff into the creek/ditch.

During the site surveys for the previous project by Mr. Mercurio and Ms. Lyons, four plant community types were noted: central coast arroyo willow riparian forest; vernal marsh (according to Mr. Mercurio) or freshwater marsh (according to Ms. Lyons); central coast scrub; and non-native grassland. (See attached *Biological Survey Map*.)

The central coast arroyo willow riparian forest occurs in two major areas along the banks of the creek/ditch and consists of native arroyo willow trees that are generally large and healthy, which provide bank stabilization and erosion control. Evidence of human habitation, presumably by homeless persons, has been observed in the arroyo willow grove at the southwesterly end of the property. The marsh vegetation occurs along the wetter sections of the bottom of the creek/ditch, where the central coast arroyo willow riparian forest does not occur, and consists primarily of annual and some perennial herbaceous wetland plants such as swap knotweed and broad-leaved cat-tail, which provide beneficial habitat and support the native stream community. There is also an area of non-native invasive Himalayan blackberry located along the bank of the creek/ditch at the southwesterly end of the site. Extensive clearing of vegetation and spraying of herbicides of shrubs and trees has occurred in and along the creek/ditch, likely by the Northern Salinas Valley Mosquito Abatement District to address mosquito/vector concerns.

Mr. Mercurio's 2005 Survey identifies Sanborn Creek/Madeira Ditch as an ephemeral feature (i.e., only flowing after rain events) supporting a vernal marsh. However, surface flow evident in the creek/ditch during an August 2006 field visit by Ms. Lyons, suggests that the creek/ditch has perennial flow. In addition, the USGS topographic maps for the property (Salinas and Natividad quadrangles) depict Sanborn Creek/Madeira Ditch as an intermittent creek/ditch, which historically extended upstream of Laurel Drive. This creek/ditch extension, however, was changed with the Acosta Plaza Townhouse project in the 1970's. The in-stream wetland vegetation would be more accurately described as freshwater marsh, according to Ms. Lyons. At the time of the previous field survey in August 2006 by Ms. Lyons, the in-stream marsh vegetation had been sprayed by an herbicide, and dead wetland/marsh vegetation was observed in and along the creek/ditch (i.e., cat-tail, nut sedge, water smartweed).

The central coast scrub occurs in several areas away from the creek/ditch, near the northwesterly and southeasterly boundaries of the site, and consists of native brushy plants (coyote brush, California mugwort, and poison oak). The non-native grassland occurs outside of the areas of riparian habitat and central coast scrub and consists of naturalized, non-native, annual grasses and herbaceous plants. Most of the property consists of gently rolling terrain dominated by the

non-native grassland, which has relatively low biological value, and has been disked yearly for weed control. Most of the development is proposed in this area.

As stated above, Mr. Mercurio's 2019 Survey and 2020 Response discusses several special status plant species, alkali milk vetch, which is not located on the project site and Congdon's tarplant which is found on-site. In order to address Congdon's tarplant, proposed Mitigation Measure BIO-14 requires that this plant shall be planted in all on-site bioretention areas.

Although Mr. Mercurio's 2005 and 2019 Surveys and 2020 Response state that the CNDDDB has no occurrences of listed species for the Salinas and Natividad quadrangles, Ms. Lyons' *Peer Review Report* notes that the current 2006 CNDDDB does contain a record of California red-legged frog for a tributary of Natividad Creek, located to the northeast of the proposed project site. However, both Ms. Lyons and Mr. Mercurio note that the current site conditions are unsuitable for both the California red-legged frog and California tiger salamander due to lack of cover vegetation, past on-site disking, and lack of off-channel ponded areas for breeding. Restoration of the creek/ditch may provide habitat for this frog for occasional foraging or a movement corridor to other wetland sites upstream and downstream.

Mr. Mercurio's 2005 Survey identifies two habitats considered sensitive in the City of Salinas General Plan: riparian forest and vernal marsh. Ms. Lyons' *Peer Review Report* confirms the presence of these habitats (with the change of vernal marsh to freshwater marsh) on the property. Both reports acknowledge that creeks are a sensitive resource under the City of Salinas General Plan. The project, as currently proposed on the *Grading and Drainage Plan* dated December 2020 (Source G11, Attachments 5 - 7) would remove approximately 0.28 acres of willow riparian forest from the property. Removal of riparian habitat would occur from road construction, development of parking areas, and construction of a portion of the emergency access road.

The current project proposes two (2) road crossings of Sanborn Creek/Madeira Ditch, each with an arched culvert. The previous project applicant had indicated that construction of the arch culverts will be accomplished without any side casting of materials in the creek/ditch and no equipment will access the creek/ditch channel. The current project proposed to grade over the arch culverts instead of installing retaining walls. In addition, site grading, including the construction of retaining walls, extends to the top-of-bank of Sanborn Creek/Madeira Ditch in several locations. A six (6) foot wide multi-use recreational trail leading from East Laurel Drive to the west end of the subject property along Madeira Drive is proposed along a portion of the creek/ditch. This trail is located approximately 15 to 20 feet from the top of bank. A footbridge is proposed to cross the creek/ditch.

Although portions of Sanborn Creek/Madeira Ditch are significantly degraded, as evidenced by the presence of significant amounts of old fill (asphalt and concrete pieces) and urban garbage, the creek/ditch is an important biological corridor through an otherwise urban and built environment. The creek/ditch adjoins riparian habitat downstream of the project site (downstream of Madeira Avenue). This downstream section of Sanborn Creek/Madeira Ditch supports dense wetland and riparian vegetation and increases the value of the creek/ditch corridor on the subject property.

The City of Salinas 2002 General Plan requires a 100-foot setback between development and creeks (measured from top-of bank or outer edge of the riparian woodland, whichever is greater). Encroachments into the 100-foot creek setback may be considered pursuant to the General Plan COS-17 Implementation Program. Development activities may be considered for certain areas within the City if the encroachment will not have a significant adverse impacts on the riparian and wetland resources because mitigation measures will achieve a comparable or better level of mitigation than the 100-foot setback or the property is adjacent to a reclamation ditch and no riparian or wetland resources are identified outside the ditch. COS-17 also states where recreational trails are placed in the setback area, a re-vegetation program to create a vegetative buffer between the trail and the riparian woodland is required. According to Ms. Lyons' *Peer Review Report*, the proposed project meets the intent of COS-17, as amended in November 2006 and Mr. Mercurio's 2019 survey. The subject property is within an area of the City subject to consideration of a creek setback encroachment project. Although approximately 5.5 acres, or 71%, of the development is proposed within 100 feet of Sanborn Creek/Madeira Ditch. The proposed project would restore a continuous riparian woodland along the creek/ditch, as shown on the *Riparian Habitat Exhibit*. (Source G4). Impacted riparian resources are proposed to be replaced at a minimum 3:1 replacement ratio. Due to the degraded condition of the existing riparian and wetland resources, the establishment of a protected and managed riparian corridor on the property will adequately compensate for these direct impacts.

Ms. Lyons' original 2007 *Peer Review Report* acknowledges that the riparian forest and marsh habitats are considered sensitive by California Department of Fish and Game (CDFG) and are regulated habitats under California Fish and Game Code. The state agency has a no-net-loss policy for riparian habitat. Typically, CDFG requires a 3:1 riparian habitat replacement ratio for impacts to riparian woodland, pursuant to the project's CEQA review and issuance of a Streambed Alteration Agreement. To meet the 3:1 replacement ratio, a minimum of 0.84 acre of woodland needs to be established on-site. The Applicant of the proposed project intends to retain 0.19 of existing riparian woodland and to restore 0.87 acres of riparian woodland on-site. The riparian restoration/mitigation are proposed along the creek/ditch. This is consistent with the previously approved on-site projects. Assuming this mitigation is successfully

implemented, direct impacts to riparian woodland would be mitigated to a less than significant level.

The in-stream wetlands (freshwater marsh) may be subject to regulation under Section 404 of the Clean Water Act. As stated earlier, Mr. Mercurio's 2005 Survey states that Sanborn Creek/Madeira Ditch is ephemeral and is not related to any local navigable waterway. However, the previous applicant has indicated that in discussions with the U.S. Army Corps of Engineers (USACE) that its jurisdiction would be limited to the drainage channel. Ms. Lyons' *Peer Review Report* concurs with these potential jurisdictional limits. However, the USACE has ultimate responsibility for determining the extent of its jurisdiction. As required by the earlier approved project, if project construction, including placement of the arch culverts can be accomplished without any side casting of materials into the drainage channel, then Ms. Lyons concurred that no USACE permit would be required. Mr. Mercurio's 2020 Response also concurs that no USACE permits are required because no construction occurred or would occur in the drainage and crossing over it were produced by arch culverts to further protect against impacts to riparian vegetation.

The proposed dwelling units and recreational trail are in close proximity to the creek/ditch and the proposed riparian mitigation plantings. Residential uses, including vehicular access over two (2) road crossings, recreational uses along the trail, and the potential for future alteration (trimming/pruning) of the mitigation plantings due to the close proximity of the plantings to the Dwelling Units, may pose significant indirect impacts to the creek/ditch environment and the proposed riparian mitigation. These indirect impacts are considered significant unless mitigation is incorporated.

The proposed project provides mitigation for direct impacts to riparian woodland, a sensitive habitat, pursuant to the City's General Plan (COS-17, as amended). The project may still result in indirect impacts to creek/ditch resources due to the close proximity of the proposed development to the creek/ditch.

The following measures are recommended to provide mitigation for indirect impacts and to ensure successful implementation of the proposed riparian mitigation, such that impacts can be reduced to a less-than-significant level:

Mitigation

- BIO-1 As riparian woodland and in-stream habitats are regulated areas and the proposed creek/ditch crossings will require review and permitting, the Applicant, or successor in interest, shall secure a Streambed Alteration Agreement from the California Department of Fish and Game prior to construction, if needed. Prior to issuance of any Grading and/or Building Permit, the Applicant, or successor in interest, shall submit to Community

Development Department a copy of the Streambed Alteration Agreement for the Project or written documentation from the California Department of Fish and Game that a Streambed Alteration Agreement is not necessary required for the Project. Consultation and/or permits from the United States Army Corps of Engineers and the California Regional Water Quality Control Board would only be required if fill or discharge is proposed within the creek. The Applicant, or successor in interest, shall secure such permits from these agencies, if necessary, prior to issuance of any grading and/or building permits. Copies of all such permits shall be provided to the City of Salinas (Community Development Department).

BIO-2 To compensate for direct impacts to riparian resources along Sanborn Creek/Madeira Ditch, the Applicant, or successor in interest, shall submit a Riparian Mitigation and Monitoring Plan, prepared by a qualified biologist, to the City of Salinas (Community Development Department) and to the California Department of Fish and Game for review and approval prior to issuance of any grading and/or building permits. Written verification of approval of said plan by the California Department of Fish and Game shall be provided to the Community Development Department. The Plan shall depict riparian mitigation area(s) that collectively encompass a minimum of 0.87 acre (3:1 replacement ratio). Non-planted areas, such as the active streambed of Sanborn Creek/Madeira Ditch, shall not be included in the acreage calculation. The riparian mitigation area(s) shall be designated as natural open space and protected as such in perpetuity. No landscaping (except habitat restoration landscaping), building additions, or other disturbances shall be allowed within the designated mitigation areas. Access to the mitigation areas shall be limited to pedestrian use only; no pets shall be allowed within the mitigation areas. The Plan shall depict the location and size of all planting stock, and shall include an irrigation plan, and applicable planting details. The Plan shall specify/require the use of locally native riparian plant species and specify/require a five-year maintenance and monitoring program. The plan shall require monitoring of the mitigation areas a minimum of twice a year by a qualified biologist. During each year of the five-year monitoring periods, plantings shall achieve a minimum 80% survival rate for the revegetation to be deemed successful. The Plan shall also incorporate fencing and landscaping requirements as described below in BIO-2.1, BIO-2.2, and BIO-2.3 (as shown below). The Applicant, or successor in interest, shall be responsible for the cost of the City's review the Plan, including the cost of a qualified biologist to review the Plan.

BIO-2.1 To minimize indirect impacts to Sanborn Creek/Madeira Ditch and the riparian mitigation areas, the Riparian Mitigation and Monitoring Plan shall depict a vegetative buffer consisting of a row of shrubs measuring a minimum of three feet in height at maturity, between the residential development areas and the riparian mitigation areas. The row of shrubs shall create a physical barrier

between residential areas and the adjacent riparian mitigation area and aquatic resources within Sanborn Creek/Madeira Ditch – in order to discourage off-trail use in the mitigation areas. Native, drought tolerant plant species shall be used in the vegetative buffer. The Plan shall also depict temporary fencing (a minimum of three feet in height and consisting of open, split-rail type, or post and wire, or similar design) between the residential development areas and riparian mitigation areas to create a physical barrier, which shall be provided until such time as the vegetative buffer reaches maturity and establishes a physical barrier measuring a minimum of three feet in height.

- BIO-2.2 To compensate for impacts to riparian resources along Sanborn Creek/Madeira Ditch, the Riparian Mitigation and Monitoring Plan shall prohibit removal, trimming or pruning of vegetation within the riparian mitigation areas (with the exception of invasive, non-native plant species), and with the following exceptions: removal, trimming or pruning of vegetation that is absolutely necessary for the protection of public health, safety, and welfare relative to vector control by the Northern Salinas Valley Mosquito Abatement District (NSVMAD); and selective pruning, trimming, or thinning of faster-growing, more vigorous tree species in order to create an environment that will support a diversity of tree species, other plant species, healthy individuals, and regeneration. Pruning vegetation to provide residential views to the creek, provide non-native landscape areas adjacent to residences, or provide other residential activities/features shall be prohibited. If such actions occur, the Applicant, or successor in interest, shall be required to restore the damaged mitigation plantings. Presently, the property supports occurrences of invasive, non-native plant species (English ivy, sea fig/ice plant, and giant reed). These occurrences, as well as other invasive, non-native plant species that may establish on the property in the future, shall be removed concurrent with project construction. The Applicant, or successor in interest, shall coordinate with the Northern Salinas Valley Mosquito Abatement District to ensure that riparian vegetation will generally not be cut for mosquito abatement purposes, except in the locations where it is necessary to access the creek/ditch and except as absolutely necessary for the protection of public health, safety, and welfare relative to vector control by the Northern Salinas Valley Mosquito Abatement District (NSVMAD). The District is encouraged to utilize *Bacillus thuringiensis israelensis* (Bti), a naturally occurring soil bacterium, for the control of mosquito larvae on the subject property.
- BIO-2.3 To minimize impacts of the project on the riparian resources of Sanborn Creek/Madeira Ditch, the Applicant, or successor in interest, shall prepare and implement a landscape plan for the property. The landscaping within the development area shall emphasize the use of native, drought-tolerant plant species. The use of invasive, non-native plant species ranked high, moderate and low in the California Invasive Plant Inventory (www.cal-ipc.org) shall be

prohibited.

- BIO-3 At the time of grading/construction of the project, the Applicant, or successor in interest, shall implement the Riparian Mitigation and Monitoring Plan as described in BIO-2, BIO-2.1, BIO-2.2, and BIO-2.3 (as shown above). The site shall be in compliance with the Plan prior to occupancy of the first unit. The Applicant, or successor in interest, shall be responsible for the cost of inspections prior to occupancy, including the cost of a qualified biologist to verify compliance with the Habitat Restoration and Mitigation Plan.
- BIO-4 To compensate for impacts to riparian resources along Sanborn Creek/Madeira Ditch, the Applicant, or successor in interest, shall hire a qualified biologist to monitor the project's compliance with the Riparian Mitigation and Monitoring Plan. Monitoring shall be for a period of five years, or longer if performance standards are not met. The biologist shall conduct monitoring as specified in the mitigation plan, including compliance with BIO-2, BIO-2.1, BIO-2.2, and BIO-2.3 (as shown above), and prepare yearly monitoring reports for the City of Salinas (Community Development Department) and the California Department of Fish and Game at the end of each monitoring year. The reports shall identify the plant survival rate, maintenance actions at the site, and include photographs documenting the status of the revegetation. The Applicant, or successor in interest, shall implement remedial measures if performance standards are not achieved in any of the monitoring years. Remedial measures may include replacement plantings, an increase in maintenance, changes to the irrigation regime, or other measures identified in the monitoring report. The developer/ property owner, or successor in interest shall be responsible for the costs of the mitigation and monitoring.
- BIO-5 Riparian woodland and mitigation areas shall be maintained and preserved as natural open space in perpetuity. No additional development shall be allowed in the restoration/mitigation areas. The site shall be subject to periodic monitoring inspections by the City (Community Development Department) of these areas to ensure compliance with implementation of the Habitat Restoration and Mitigation Plan. The Applicant, or successor in interest, shall be responsible for the costs of the monitoring including the cost of a qualified biologist to verify compliance with the Habitat Restoration and Mitigation Plan.
- BIO-6 To minimize impacts to Sanborn Creek/Madeira Ditch, the project shall use Low Impact Development (LID) design features that benefit water quality and minimize impacts to biological resources, including but not limited to:
- Use of grassy swales and bio-filtration measures for collecting and filtering runoff from paved/developed surfaces.
 - Use of arched culverts that minimize impacts to the creek/ditch channel.
 - Use of native, drought tolerant plant species for project landscaping.

- Use of pervious pavement in parking stalls.
- Use of underground stormwater chambers.
- Possible use of other pollutant-removal devices, as determined by the City Engineer.

Periodic maintenance of such features (described above), as determined by the City Engineer. The Applicant, or successor in interest, shall be responsible for the costs of maintenance and monitoring of the maintenance of the LID design features described above.

- BIO-7 To minimize project impacts to Sanborn Creek/Madeira Ditch, all lighting within 100 feet of the creek/ditch shall be fully shielded and directed away from the creek/ditch and riparian mitigation areas, subject to verification on photometric lighting plans (see Mitigation Measure AE-1).
- BIO-8 To avoid impacts to nesting birds during project construction, the removal of willows shall be scheduled for the non-nesting bird season (i.e., between September and March of any given year). If this is not feasible, no more than 30 days prior to any ground disturbance or vegetation removal, the Applicant, or successor in interest, shall hire a qualified biologist to conduct surveys for nesting birds. If any protected bird species (e.g., migratory birds, species of special concern, raptors) are observed nesting on the property, the biologist shall stake out a buffer zone around the nest where no construction shall occur until the biologist has determined that all young have fledged. The buffer zone may vary from 50 to 300 feet depending on the nesting bird species. Written results of the survey by the biologist shall be submitted to the City (Community Development Department) prior to issuance of any grading and/or building permit.
- BIO-9 To minimize construction period impacts to Sanborn Creek/Madeira Ditch, prior to construction the Applicant, or successor in interest, shall install silt fencing along the top of bank of Sanborn Creek or edge of riparian woodland (whichever is greater) to ensure that no fill, soil dislodged through construction activities, or any other debris enters the creek channel and/or retained riparian vegetation. Sanborn Creek/Madeira Ditch and associated riparian woodland areas shall not be used as a storage or staging area for construction. The Applicant, or successor in interest, shall implement erosion control measures to ensure that fill or loose soil will be secure and not subject to erosion and deposition into the creek after completion of the project.
- BIO-10 To minimize impacts to native wildlife utilizing Sanborn Creek/Madeira Ditch, the Applicant, or successor in interest, shall notify renters that pets, such as dogs and cats, are prohibited from the riparian woodland and riparian mitigation areas. The project shall limit pets to a maximum of one indoor cat or dog per dwelling unit. Pets shall only be allowed outdoors when

accompanied by a responsible adult and restrained by a leash or similar restraint device.

- BIO-11 The Applicant, or successor in interest, shall prepare and distribute to all future property owners located on the project site a "Creek Information Sheet" describing the location, purpose, and use restrictions within the riparian woodland and riparian mitigation areas. The use restrictions shall also be stated in the any future rental agreement for any lot located on the project site. The "Creek Information Sheet" is subject to review and approval by the City. The Applicant, or successor in interest, shall be responsible for the cost of the preparation, review, and distribution of the "Creek Information Sheet."
- BIO-12 To allow movement of wildlife along Sanborn Creek/Madeira Ditch and adjacent habitat, no fencing is allowed abutting/adjacent to the creek/ditch and adjacent parcels that support undeveloped open space areas, except that wire/metal-strand fencing with a minimum clearance of 18 inches between the ground and the first wire may be allowed. Such fencing, if proposed, shall be reviewed, approved, and inspected by the City of Salinas (Community Development Department). The Applicant, or successor in interest, shall be responsible for the cost of the City's review.
- BIO-13 To minimize impacts to riparian resources along Sanborn Creek/Madeira Ditch, the Applicant, or successor in interest, shall limit the use of chemical herbicides and pesticides. Pesticide use shall be part of an integrated pest management program in which natural means of control are used and pesticide use is infrequent and timed to coincide with periods of maximum pest vulnerability. Upon written request by the City, the Applicant, or successor in interest, shall provide a written pesticide use summary to the City within 30 days of the City's request.
- BIO-14 All on-site bioretention areas shall be planted with native herbaceous grasses, sedges, rushes, and forbs. Soil from the two (2) on-site locations identified in the "Updated Biological Survey Report for the Hill Circle Property, 11 Hill Circle, Salinas CA" dated October 10, 2019 where Congdon's Tarplant was observed to be located, shall be spread around the outer areas of all on-site bioretention areas.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
5. CULTURAL RESOURCES. <i>Would the proposal:</i>					A1, A2, A3, C1, F1, G1, G2, G10
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section §15064.5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a-c) Per Section 5.8 (Cultural Resources) of the Final Environmental Impact Report for the Salinas General Plan (Source A1), little archaeological investigation has occurred in the City of Salinas or in Monterey County. However, there is always the potential to encounter subsurface materials during grading and construction. Therefore, pursuant to the Public Resources Code (Section 21083.2), in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find. With this requirement, there is little potential for a significant impact on the environment.

On February 7, 2020, pursuant to Public Resources Code Section 21080.3.1, subd. (d), and Assembly Bill 52 (AB52), City of Salinas staff sent via certified mail, a consultation request on the proposed project within 30-days of the date of the letter to all applicable California Native American Tribes whose geographic area of traditional and cultural affiliation lands boundary includes the City of Salinas as specified by the Native American Heritage Foundation. No response was received on this project from any of the applicable California Native

American Tribes.

On February 11, 2020, staff sent a request to the California Historical Resources Information System (CHRIS) to determine if the project could adversely affect cultural resources. Per the attached response dated February 25, 2020 (Source G2, Attachment 27), CHRIS found no record of any previous cultural resource studies for the proposed project area. The response from CHRIS recommended an archaeological study prior to commencement of project activities and tribal consultation. As stated above, tribal consultation for the proposed project occurred on February 7, 2020.

An "Cultural Resource Evaluation of the Proposed Project at 11 Hill Circle in the City of Salinas" dated August 27, 2020 for Hanna and Brunetti Engineer's was conducted by Doctor Robert Cartier of the Archaeological Resource Management (Source G10, Attachment 28). The evaluation found that no significant cultural materials, prehistoric, or historic resources were found on the project site. Mitigation Measure CU-1, pursuant to Public Resources Code (Section 21083.2), will be required, which states that in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find. With this requirement, there is little potential for a significant impact on cultural resources and this will address the CHRIS comments.

Mitigation

CU-1 In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
6. ENERGY. <i>Would the proposal:</i> (a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A1, A2, A3, D1

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
construction or operation?					
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a-b) The proposed project would be located on an in-fill site. The proposed project, because of its small size (37 residential units) would not result in any potentially significant environmental impact due to inefficient or unnecessary consumption of energy resources during project construction or operation. In addition, the proposed project would not obstruct any state or local plan for renewable energy or energy efficiency.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
7. GEOLOGY/SOILS. <i>Would the proposal result in or expose people to potential impacts involving:</i>					A1, A2, A4, E1, G3, G4, G5, G6, G7
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(i) Rupture of a known earthquake fault, as	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
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.					
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) Have soils incapable of adequately supporting the use of septic tanks or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?					
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

(a) All of Salinas is located within Seismic Risk Zone 4 according to Figure 16A-2 of the California Building Code. Zone 4 consists of the highest potential risk category due to the frequency and magnitude of earthquake activity nationwide. As shown on the Seismic Hazards Map for the Greater Salinas Planning Area (Figure 5.10-1 of the Salinas General Plan Final EIR), the site is located within the Moderate Seismic Hazard Zone. The proposed buildings will be subject to the California Building Code as a part of the building permit process to ensure that adequate seismic design is provided.

(b-e) Although construction of the proposed project would result in changes to the topography and the soil conditions as a result of excavation or grading, grade differentials will be primarily addressed via engineered grading, with retaining walls constructed to minimize grading impacts. Bridge crossings are proposed to minimize impacts on the existing creek/ditch. Cross sections have been provided to identify general means of providing smooth grading transitions without impacting the creek/ditch, and ensure constructability of the project. A grading permit will be required, subject to review and approval by the City Engineer to ensure that impacts to topography and soil are reduced to a level of insignificance.

To further evaluate any potential impacts, a soils report will be required as part of the building permit process to determine the possible presence of expansive soils. Results and conclusions of the report would be incorporated into the final project design.

(f) There are no unique paleontological resources or unique geologic features

located on the project site.

Mitigation

- GS-1 Prior to issuance of a building permit, all construction shall meet the seismic building standards required in the most recent, adopted edition of the California Building Standards Code.
- GS-2 Prior to issuance of a building permit, a geologic report, soils report, and structural calculations prepared by certified and registered professionals shall be required. Results and conclusions of the reports shall be incorporated into the final project design.
- GS-3 Prior to issuance of a building permit, a grading permit shall be obtained, subject to review and approval by the City Engineer pursuant to the California Building Standards Code, the City of Salinas Grading Ordinance, the City's NPDES Permit, and other applicable City Codes and standards.
- GS-4 A detailed grading plan that shows existing and new grades/contours shall be submitted by the Applicant, or successor in interest, to the City Engineer for review and approval. Grading plans shall include tie-in grading to existing improvements/development, cut and fill locations with likely key-in details, provisions for varied slopes to provide a natural looking topography, and natural looking retaining wall systems to soften grade differentials on the site (i.e. allen block walls, or equal). Flowlines in gutters shall have a minimum slope of 0.4%, and generally a maximum slope of 5%. Grading plans shall show the building envelope on each lot, the proposed and existing contours, proposed building envelop finished pad and finished floor elevations, and other structures as required. Grading shall conform to the City "Erosion and Grading Control Ordinance" and Standard Plan No. 47, "Slope Grading". Retaining walls greater than two (2) feet in height shall be constructed of material more durable than wood (concrete, masonry, etc.), and shall be approved by the City Engineer/ Building Official prior to installation. A soils report will be required for the design of said walls and grading, and building permits may be required for certain retaining walls.

Issue	Impact				Source <i>(Refer to Section 3: Source List)</i>
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
8. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i>					A1, A2, A3
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a) The proposed project will not generate, either directly or indirectly, a significant amount of greenhouse gas emissions causing a significant impact on the environment due to the small number of proposed residential units.
- (b) The proposed project will not conflict with any other applicable plans, policies, or regulations adopted for the purposes of reducing the emissions of greenhouse gases including:
 - Assembly Bill 32, which requires the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020.
 - Senate Bill 375, which requires the state board, working in consultation with the metropolitan planning organizations, to provide each affected region with greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 by September 30, 2010.
 - At the time the City of Salinas General Plan 2002 was adopted, the issue of greenhouse gas emissions and the need to combat it in general plans had not risen to a critical level of concern. Nevertheless, the City adopted numerous goals and policies with the intent of improving development sustainability. These goals and policies have both direct and indirect

benefits in terms of reducing GHG emissions. Important overall land use/urban design related themes in the General Plan that serve this purpose include:

- i. Increasing density and intensity of development to promote more compact development and reuse/revitalization,
 - ii. Facilitating in-fill development as a means to promote compact development, and
 - iii. Promoting mixed-use development and a compact city core, emphasizing Traditional Neighborhood Development (TND) design, walkable neighborhoods, and transit-oriented development, especially in new growth areas.
- The City of Salinas Final Supplemental EIR for the Salinas General Plan Program EIR 2007 (Supplemental EIR) provides specific mitigation for future development, but mostly for larger scale projects.

The proposed project is consistent with the above land use/urban design related themes in the General Plan by providing alternative development standards through reduced lot size and setbacks through the Planned Unit Development (PUD) process and by providing trails to provide walkable neighborhoods.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
9. HAZARDS & HAZARDOUS MATERIALS. <i>Would the proposal:</i>					A1, A2, A3, A9, C1, G11
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Create a significant hazard to the public or the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a-b) The proposed development is not expected to create a significant hazard to the public or the environment through the routine transport, use, or disposal of the materials. The proposed development is not commercial nor industrial. The proposal is to subdivide the site and construct 37 detached single-family residential dwelling units.
- (c) The site is located approximately 700 feet away from Jesse G. Sanchez School, located at 901 North Sanborn Road [(see above discussion (a-b))].
- (d) The site is not known to be located on a site included on a list of hazardous materials sites.
- (e) Although the project is not located within the vicinity of a private airstrip, it is located within Salinas Municipal Airport Area of Influence per Figure LU-11 of the Salinas General Plan and within the Airport Overlay District as shown on the Zoning Map. The site is located approximately 6,500 feet (1.23 miles) from the end of the runway (13-31) of the Salinas Municipal Airport. The mitigation measures recommended by the Airport Comments for PUD 2019-001 and TM 2019-002 dated June 12, 2019 (Source A9, Attachment 37) will reduce the impact of the project on airport operations. The project site is located on the extended centerline for Runway 13/31 and will experience noise exposure from over-flight aircraft. A portion of the site is located within 55 CNEL (Community Noise Equivalent Level) contour as depicted in the Year 2000 CNEL Noise Contour exhibit in the Salinas Municipal Airport Land Use Plan. In addition, per General Plan Figure N-2 (Salinas Airport Future Noise Contours), the project site is located in the 55 CNEL contour for airport operations. Therefore, any development located on the project site shall be designed to accommodate and be resilient to over-flight noise exposure. The developer, or successor-in-interest, shall engineer the project to accommodate 55 Community Noise Equivalent Level (CNEL) per the Salinas Municipal Airport Land Use Plan or the General Plan, which ever provides greater protection (see Mitigation Measure HH-3).
- (f) The project will not interfere with an adopted emergency response plan or emergency evacuation plan.
- (g) The project is not expected to expose people or structures to significant risk of loss, injury or death involving wildland fires. The project site is an in-fill site, surrounded by urban development. Although the riparian habitat on site would be considered a wildland, the project will meet Fire Department requirements.

Mitigation

- HH-1 Prior to issuance of an building permit for any proposed lot, the Applicant or successor in interest, shall file with the Federal Aviation Administration (FAA) a form 7460-1, Notice of Proposed Construction or Alteration. The aeronautical study must have a Determination of No Hazard to Air Navigation and the structure(s) would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Further, the application must comply with any conditions imposed by the FAA. (<https://www.faa.gov/forms/index.cfm/go/document.information/documentID/186273>).
- HH-2 Prior to the issuance of a building permit for any proposed lot, the Applicant, or successor-in-interest, shall record a Grant of Aviation Easement Agreement.
- HH-3 To address noise exposure from the Salinas Municipal Airport, any future development located on the project site shall be designed to accommodate 55 Community Noise Equivalent Level (CNEL) as per the Salinas Municipal Airport Land Use Plan or the Salinas General Plan, which ever provides greater protection.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
10. HYDROLOGY AND WATER QUALITY. <i>Would the proposal:</i>					A1, A2, A3, A4, A5, A11, G11
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
groundwater management of the basin?					
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces in a manner which would:					
i. Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(f) With regards to NPDES					

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
compliance:					
(i) Potential impact of project construction on storm water runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(ii) Potential impact of project post-construction activity on storm water runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(iii) Potential for discharge of storm water from material storage areas, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(iv) Potential for discharge of storm water to impair the beneficial uses of the receiving waters or areas that provide water quality benefit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(v) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and water bodies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(vi) Potential for	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
significant changes in the flow velocity or volume of storm water runoff that can cause environmental harm?					
(vii) Potential for significant increases in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(viii) Could this proposed project result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity, and other typical Stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(ix) Could the proposed project result in a decrease in treatment and retention capacity for the site's Stormwater run-on?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(x) Could the proposed project result in significant alteration of receiving water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
quality during or following construction?					
(xi) Could the proposed project result in increased impervious surfaces and associated increased urban runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(xii) Could the proposed project create a significant adverse environmental impact to drainage patterns due to changes in urban runoff flow rates and/or volumes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(xiii) Could the proposed project result in increased erosion downstream?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(xiv) Could the proposed project alter the natural ranges of sediment supply and transport to receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(xv) Is the project tributary to an already impaired water body, as listed on the CWA Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(xvi) Could the proposed project have a potentially significant environmental impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
on surface water quality, to either marine, fresh, or wetland waters?					
(xvii) Could the proposed project result in decreased baseflow quantities to receiving surface waterbodies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(xviii) Could the proposed project cause of contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(xix) Does the proposed project adversely impact the hydrologic or water quality function of the 100-year floodplain area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(xx) Does the proposed project site layout adhere to the Permittee's waterbody setback requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(xxi) Can the proposed project impact aquatic, wetland, or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Discussion

(a-g) Sanborn Creek/Madeira Ditch flows through the project site, extending

perpendicularly from East Laurel Drive (at a flowline elevation of approximately 50) westerly towards Madeira Avenue (at a flowline elevation of approximately 40). The natural ground generally slopes from elevation 85 at southerly property line and 75 at the northerly property line to elevation 50 near the center of the property, and then drains westerly toward North Madeira Avenue along Sanborn Creek/Madeira Ditch. The course of the creek/ditch is not proposed to be altered. While the creek/ditch shows signs of erosion and degradation, riparian habitat restoration is proposed and is required as mitigation measures for the project (see Biological Resources Section of this Initial Study).

The project plans dated December 2020 (Attachments 4 through 11), include proposed low-impact development (LID) strategies to address long-term NPDES requirements for the site. The applicant's engineer (Hanna and Brunetti) proposes an LID project design to re-charge the area to a significant degree and minimize stormwater impacts, clean discharges as required under the City's NPDES permit, and conform to the most recent requirements of the Regional Water Quality Control Board (RWQCB). Because the development includes LID design features, it is expected to satisfy the City's NPDES permit requirements and the RWQCB's request to incorporate LID into new development. The LID components will provide natural cleansing measures (i.e. bio-swales, natural vegetation, creek/ditch corridor restoration, more tree canopy, etc.), which are preferred over mechanical cleansing units (i.e. oil-water separators). Grade differentials will primarily be addressed via engineered grading, with retaining walls constructed to minimize grading impacts. Cross sections have been provided to identify general means of providing smooth grading transitions without impacting the creek/ditch, and ensure constructability of the project (see Attachments 4 through 11).

Proposed mitigation measure HW-1 includes the requirement for a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to address NPDES requirements in effect when building permits are issued and a Storm Water Management Plan (SWMP) identifying low impact development (LID) strategies and related facilities/design methods to address long-term NPDES requirements.

The proposed single-family residential development is not expected to use significant quantities of water and therefore would not substantially deplete groundwater supplies. It would not interfere substantially with the direction or rate of flow of groundwater. ALCO will supply water; no wells will be drilled as part of this project. The average single-family residential water usage in the ALCO Water Service area is 267 gallons per day (Salinas General Plan Final EIR page 5.13-29) or approximately 9,879 gallons per day (267 x 37 units). Therefore, water usage for the proposed 37 single-family unit development is expected to comply with California Building Standards Code (CBSC) requirements. Compliance with the City's Water Conservation Ordinance will require the

proposed units to install low water usage plumbing fixtures (toilets, etc.), thereby increasing efficiency and reducing water usage as much as possible.

A letter from the Northern Salinas Valley Mosquito Abatement District (NSVMAD) dated March 28, 2007 as part of the earlier project, indicated the following six (6) concerns:

1. Mosquito breeding in the creek/ditch, which was in evidence in 2007;
2. Proper maintenance of the wetland and riparian resources on site in order to minimize mosquito breeding (and reduce the presence of NSVMAD on site);
3. Reasonable access for NSVMAD; which would necessitate intensified surveillance and control measures by NSVMAD;
4. The length of time that surface water (available for mosquito oviposition) would be present within the underground stormwater chambers; maintenance of the underground stormwater chambers to ensure adequate percolation (for the life of the Project);
5. Maintenance of the creek/ditch to preclude accumulation of urban refuse, mosquito breeding, proliferation of emergent vegetation, and potential flooding; and
6. The manner of essential channel maintenance, mosquito surveillance, and control access.

In follow-up, on March 29, 2007, City staff met with Mr. Peter Ghormley of the NSVMAD and the Applicant/Permittee. As a result of the meeting, staff recommended that Mitigation Measures HW-2, HW-3, and HW-4 be required for both PUD 2006-004 and CUP 2003-006, which are being applied to the current project. Staff has since contacted NSVMAD, and per an e-mailed response from Ken Klemme, District Manager – Biologist received on February 4, 2021, the previous comments stated on March 29, 2007 still apply to the newest project.

The City standards described in Mitigation Measure HW-2 are compatible with the criteria of the Center for Disease Control (CDC) for stormwater control structure design and construction. Mitigation Measure HW-4 is needed to ensure that percolation or piped discharge capacity does not degrade to the point where the underground detention chambers operate with a greater than 72-hour detention time. Adequate maintenance access, and a corresponding regular inspection and maintenance program will need to be designed and Mitigation Measure HW-4 will require this design and proper maintenance.

Emergent vegetation is vegetation that grows up from the bed of the creek/ditch. Such emergent vegetation creates areas of stagnant water and inhibits wind action, which provides desirable habitat and conditions for mosquitos, midges, and similar insects that carry diseases that are detrimental to the public health, safety, and welfare. Also, emergent vegetation and accumulation of refuse can

contribute to the potential for flooding. Thus, Mitigation Measure HW-5 is necessary.

It is imperative that the Northern Salinas Valley Mosquito Abatement District (NSVMAD) have access to the creek/ditch for equipment and staff in order to carry out its responsibility to protect public health, safety, and welfare relative to vector control. Thus, Mitigation Measure HW-5 is necessary. As there are several areas on site where riparian habitat restoration could be provided, and because the permeable pavement consisting of articulated mats/geo cells/drainage cells will allow vegetation to grow through, the impact of providing the two vehicular access points for NSVMAD is considered less than significant.

- (h-j) A portion of the site is formerly located within the 100-year floodplain (Elevation 44), as identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). This area did not, however, lie within the FEMA-designated Floodway. The current applicant has worked with the Federal Emergency Management Agency (FEMA) to gain approval of a Letter of Map Revision (LOMR) based on updated topographic data. The LOMR is dated February 17, 2004, and identifies the former 100-year floodplain being changed to a 500-year floodplain. A very limited 100-year floodplain remains near the Madeira Street segment of the site, within the creek/ditch channel.

Finished floor elevations shall be constructed to an elevation of at least 2-feet above the 100-year floodplain elevation (based on FEMA datum), and at least 2-feet of freeboard above the Madeira Avenue street/creek/ditch crossing as measured from the lowest top of curb.

Finished floor certifications shall be provided to the City's Floodplain Manager (City Engineer) to ensure minimum elevations are met (based on FEMA datum). These certifications must be provided prior to pouring foundations, and at the completion of the project.

- (k) Inundation by seiche, tsunami, or mudflow is unlikely because the site is located a considerable distance from the ocean and has gently rolling terrain thereby negating a potential mudflow.

Mitigation

- HW-1 All applicable NPDES/NOI/SWPPP permits shall be required and shall be obtained from the State Water Resources Quality Control Board prior to any construction activities, per EPA regulations. Development shall comply with all NPDES requirements in effect when building permits are issued, including provisions/ requirements contained in the City's most current NPDES permit. The developer/ property owner, or successor in interest, shall provide erosion control measures on all slopes indicated on the plan or resulting from site grading.

Erosion control shall conform to all applicable Federal, State, and City standards).

The Storm Water Pollution Prevention Plan (SWPPP) shall include a plan indicating erosion control measures and Best Management Practices (BMPs) and Best Available Technologies (BATs) proposed for this site. Said measures shall include, but are not limited to: installing a rock over filter fabric construction access at the site per City standards; placing straw wattles around the project site or on the downstream side of construction during construction activity (including along the top of bank along the creek/ditch); placing gravel bags over all inlets potentially impacted by construction activities; providing a concrete washout facility on the site; placing check dams along the creek/ditch corridor to “trap” sediment (without impacting potential fish passage); and sweeping streets on a daily basis (adjacent to the site) to keep them clean.

The development shall provide a Storm Water Management Plan (SWMP) identifying low impact development (LID) strategies and related facilities/design methods to reduce storm water runoff, encourage percolation into native soils, clean discharges using bio-filtration, and address long-term NPDES requirements. SWMP measures may include, but are not limited to: using bio-swales and grassy swales in the project design, installing larger canopy trees throughout the site to intercept stormwater, restoring the creek/ditch with a more hearty plant habitat, reducing impervious surfaces, and using more permeable pavement strategies on the site; all as applicable. Further, clean water discharge requirements in effect at the time of construction and mitigation measures/requirements noted in the Biological Resources Section of this Initial Study are required elements of the project.

- HW-2 To ensure that the design of the Project shall not create an environment conducive to mosquito-breeding, the underground stormwater chambers (and all applicable drainage features of the Project) shall comply with City standards including, but not limited to, a 72-hour maximum detention period, a one percent minimum positive slope for all conveyance piping, and a minimum velocity of two feet per second for all conveyance piping. Prior to issuance of any Grading and/or Building Permit, the Applicant, or successor in interest, shall submit grading/drainage plans demonstrating, to the satisfaction of the City Engineer, that the underground stormwater chambers (and all applicable drainage features of the Project) are in compliance with City standards.
- HW-3 To ensure that the design of the Project shall not create an environment conducive to mosquito-breeding, the underground stormwater chambers (and all applicable drainage features of the Project) shall have adequate maintenance access, and the facilities shall be inspected and maintained regularly. Prior to issuance of any Grading and/or Building Permit, the Applicant, or successor in interest, shall submit grading/drainage plans demonstrating, to the satisfaction of

the City Engineer, that the underground stormwater chambers (and all applicable drainage features of the Project) shall have adequate maintenance access. Additionally, prior to issuance of any Grading and/or Building Permit, the Applicant, or successor in interest, shall submit an inspection and maintenance program, to the satisfaction of the City Engineer in consultation with the Northern Salinas Mosquito Abatement District (NSVMAD).

HW-4 The Applicant, or successor in interest, shall maintain the on-site creek/ditch in a manner to preclude mosquito breeding and to preclude potential flooding including, but not necessarily limited to, prompt removal of urban refuse and prompt removal of emergent vegetation (i.e., vegetation growing up from the bed of the creek/ditch, creating areas of stagnant water and inhibiting wind action, which is conducive to mosquito breeding).

HW-5 Two points of vehicular access to the on-site creek/ditch shall be provided for equipment and staff of the Northern Salinas Valley Mosquito Abatement District (NSVMAD). As the vehicular access would need to be provided through proposed areas of riparian habitat restoration, the surface area of the vehicular access shall consist of “permeable pavement” that would allow vegetation to grow through it (i.e., articulated mats, geo cells, drainage cells). Also, the fencing (i.e., split-rail or similar) required by Mitigation Measure BIO-2.1 shall be gated at the vehicular access points to allow NSVMAD to access the creek/ditch. Grading/building plans demonstrating such access shall be submitted to the City of Salinas by the Applicant, or successor in interest, for review and approval by the City Engineer and the City Planner in consultation with the Northern Salinas Valley Mosquito Abatement District (NSVMAD) prior to issuance of any Grading and/or Building Permits. The proposed areas of riparian habitat restoration which will be essentially eliminated where the two vehicular access points are located, such areas shall not be counted as areas of habitat restoration for purposes of compliance with the Mitigation Measures relative to Biological Resources.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
11. LAND USE AND PLANNING. <i>Would the proposal:</i>					
(a) Physically divide an established community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A1, A2, A3, A10, A6, A9, A10, G3, G4, G5, G6, G7, G11, G12
(b) Cause a significant environmental impact due to	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?					

Discussion

- (a) The proposed 37 dwelling unit project will not divide an established community. The project is located adjacent to residential development and is consistent with the low and medium density residential character of adjacent neighborhoods.
- (b) The General Plan (Source A1) Land Use designation of the subject site is Residential Low Density, which allows a minimum density of six Dwelling Units per net acre and a maximum density of eight dwelling units per net acre. The Residential Low-Density Land Use designation allows one (1) Single-Family detached dwelling unit per lot. The proposed project subdivides the 7.74-acre project site into 37 lots with one (1) single-family dwelling unit on each lot with one (1) common lot which will not exceed density. The proposed design of the project will be compatible with existing Single-Family, low density development contiguous to the site.

The proposed project is consistent with General Plan Land Use Goal LU-1 and Policy LU-1.1 and Housing Goal H-1 and Policies H-1.1 and H1.3 in that it will provide housing. The proposed project includes two (2) affordable units pursuant to the Affordable Housing and Marketing Plan dated September 10, 2020 (Source 10, Attachment 36). It is consistent with General Plan Housing Goal H-3 and Policies H-3.1, H-3.2, and H-3.4. As infill development that is compatible with the surrounding existing development, the project is consistent with General Plan Land Use Goals LU-2 and CD-2 and Policies LU-2.4 and CD-2.3.

The proposed project does not strictly comply with the minimum 100-foot setback as measured from the creek/ditch as required by General Plan Implementation Program COS-17. However, as provided by the General Plan, implementation of mitigation measures will achieve a comparable level of mitigation. The proposed encroachment into the setback will not adversely impact the creek/ditch and associated biological resources, and the project will enhance the riparian corridor/wetland areas on site. (See Biological Resources Section of this Initial

Study). Thus, the project is consistent with General Plan Conservation and Open Space Goal COS-5 and Policy 5.2.

The site is located in the Residential Low Density – Airport Overlay – Flood Overlay (R-L-5.5-AR-F) District. Thus, the project is subject to the R-L-5.5 use regulations and the property development regulations pursuant to Zoning Code Division 2, Section 37-30.040. The proposed project would subdivide the existing 7.74-acre project site into 37 individual lots with one (1) single-family residence per each lot with one (1) common lot. The proposed density conforms to the maximum density for the R-L-5.5 District pursuant to Section 37-30.070.

Pursuant to Zoning Code Section 37-30.070, the minimum lot size in the R-L-5.5 Zoning District is 5,500 square-feet. Most of the proposed lot fall below the minimum required 5,500 square-foot requirement. The proposed lots range in size from 2,282.5 to 5,500.8 square-feet. The design of the proposed project does not comply with the minimum requirements of most of the development regulations for the R-L-5.5 District pursuant to Zoning Code Section 37-30.070, Table 37-30.40, including but not limited to; lot width, corner lot width, lot depth, lot frontage, front yard, corner side yard, interior yard, rear yard, driveway width, and usable open space. The project is proposing minimum three (3) foot setbacks for each yard and 18,500 square-feet of usable open space (500 square-feet x 37). Per Zoning Code Section 37-50.360, Table 37-50.100 requires that single-family dwellings of four (4) bedrooms or less shall provide a minimum two (2) car garage with an interior dimension of 400 square-feet. The applicant is proposing a one (1) car 220 square-foot garage for each residence with one (1) tandem space in front of the garage. The Applicant is requesting alternative development standards as part of the Planned Unit Development permit process and various exceptions from the subdivision regulations as part of the Tentative Map process and from the minimum Zoning Code development standards because of the unique location, layout, and topography of the project site.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
12. MINERAL RESOURCES. <i>Would the proposal:</i>					A1, A2, A3, E1,

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	F1
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

(a-b) The proposed development is not expected to result in the loss of availability of a known mineral resource of value to the region and the residents of the state.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
13. NOISE. <i>Would the proposal result in:</i>					A1, A2, A3, E1, F1, G13
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
the local general plan or noise ordinance, or applicable standards of other agencies?					
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a) The northeasterly portion of the site is located within the 60 and 70 CNEL noise contours, as shown on *Figure 5.3-4 Future Noise Contours* of the Salinas General Plan Final Environmental Impact Report and as shown on *Figure N-1 Future Noise Contour and Impact Areas* of the Salinas General Plan. Traffic on East Laurel Drive located adjacent to the east of the project site is the main source of noise for the depicted CNEL contours.

Noise levels generated by traffic could impact the proposed residential use. As shown on *Table 5.3-2: Noise/Land Use Compatibility Matrix of the Salinas General Plan EIR*, residential uses are “Conditionally Acceptable” at CNEL levels between 60 and 70. A noise analysis including identification of noise reduction measures and incorporation of such measures in the project design is necessary. To evaluate noise impacts for the previously approved 53-unit senior housing project, a noise study was prepared by Charles M. Salter Associates Inc. dated September 29, 2006 (Source G12). The study stated that the dwelling units of the previous project will have an interior DNL noise exposure standard of 45dB, which will comply with the State of California noise insulation standards (Title 24).

The proposed project is for 37 single-family detached dwelling units. Many of the units are located near East Laurel Drive.

In order to mitigate the exterior noise exposure to a maximum interior DNL value of 45 dB, two noise mitigation measures are incorporated into the project design. One involves construction of an eight (8) foot high masonry wall along the east property line. The other involves the requirement for noise reduction insulation of windows. See Mitigation Measures N-1 and N-2. With the incorporation of said mitigation measures, the noise reduction from the wall noise reduction construction system will be 26 dB, producing a maximum interior CNEL noise exposure of 39 dB with a 3 dB factor of safety. Thus, all habitable areas within all of the dwelling units will be substantially below the state standard as applied to single-family housing.

- (b) To ensure that adjacent residential properties are not significantly impacted by short term construction related noise, construction activities shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.

No substantial permanent, or temporary or periodic, increases in the ambient noise level are expected with the project. The General Plan defines ambient noise as the overall noise from all sources near and far, or the normal level of environmental noise at a given location. In general, the more a new noise exceeds the previously existing ambient, the less acceptable the listeners will judge the new noise. Temporary construction noise will be mitigated by a limitation on the construction hours of operation.

- (c) The site is located within approximately 1.23 miles (6,500 feet) of the Salinas Municipal Airport. The site is located outside of the 55 CNEL contour as shown on *Figure 5.3-2: Salinas Airport Future Noise Contours* of the Salinas General Plan Final Environmental Impact Report (EIR). As shown on *Table 5.3-2: Noise/Land Use Compatibility Matrix of the Salinas General Plan EIR*, residential uses are “Normally Acceptable” up to the 60 CNEL contour. Therefore, impacts on the proposed residential development from outside noise sources generated by the Airport are not expected to be significant.

Mitigation

- N-1 To provide sound attenuation, an eight (8) foot high masonry wall shall be constructed along the east property line.
- N-2 To provide sound attenuation, all dwelling units shall be constructed with sound insulation of the façade and window system. The basic façade is comprised of the CertainTeed cement board on 2 x 6 framing with ½ inch gypsum board and six-inch batt insulation in the interstitial space. This façade system provides sound insulation with a minimum rating of STC 40. The windows will be

comprised of dual pane insulating glass with a minimum internal air space of ¼ inch. This will provide a minimum STC 31 insulating performance. The composite noise reduction of the façade/window system is STC 36.

- N-3 To reduce short-term noise impacts to existing residential development within the proximity of the site, construction activities shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
14. POPULATION AND HOUSING. <i>Would the proposal:</i>					A1, A2, A3
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a-d) The proposed development is located on a vacant in-fill site designated as Low Density Residential per the 2002 General Plan Land Use Map and current Zoning Map. The proposed density would not exceed the maximum allowable density in accordance with General Plan policies and Zoning regulations.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
15. PUBLIC SERVICES. <i>Would the project result in 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:</i>					A1, A2, A3, A4
(a) Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(d) Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) Other public facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a-e) The proposed development is proposed to be located on a vacant, in-fill site. Police and Fire services are currently available to serve the site. Per the United State Census population estimates dated July 1, 2019, there is an average of 3.79 persons per household in the City of Salinas. Per this figure, the project is estimated to have approximately 141 persons (37 x 3.79) at full build out. It is estimated that approximately 66 additional students (1.79 x 37 units) will be generated by the proposed 37-unit single-family detached residential project.

Hill Circle has been designed and constructed to accommodate the demands of this project and future traffic. No other government services are expected to be impacted by the project. The Applicant or successor-in-interest shall be required

to pay all applicable development impact fees when building permits are issued. These development impact fees include but are not limited to: school fees, water fees, sewer fees, and traffic impact fees.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
<p>16. RECREATION. <i>Would the proposal:</i></p> <p>(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?</p> <p>(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?</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>A1, A2, A3, G11</p>

Discussion

(a-b) The proposed development is not expected to significantly increase the use in park facilities. The project includes passive recreational facilities in Usable Open Space and landscaped areas on the site. The existing creek/ditch and riparian habitat, along with habitat restoration, will create a park-like atmosphere and on-site amenity for future residents.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
17. TRANSPORTATION. <i>Would the project:</i>					A1, A2, A3, A4, A8, A12
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(d) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a) The proposed project includes the construction of 37 detached single-family residences, as well as internal roadways and extensions of existing streets into the project site. The proposed mitigation measures TR-1, TR-2, and TR-3 below which address the payment of applicable traffic impact fees, a fair-share contribution for a nearby traffic signal, and improvement to the project site street frontages will reduce these impacts to a less than significant impact.

Monterey Salinas Transit (MST) maintains two bus stops located to east of the project site along East Laurel Drive for three (3) MST routes (40, 41, and 42). A southbound bus stop is located approximately 260 feet and a northbound bus stop is approximately 440 feet from the project site. Circulation to the site is from Hill Circle and Madeira Drive. The proposed project will not conflict with any program

plan or the adjacent circulation system.

- (b) Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Per Section 15064.3, analysis of Vehicle Miles Traveled (VMT) that is attributable to a project is the most appropriate measure of transportation impacts. Per Section 15064.3(3), a Lead Agency may analyze a project's VMT qualitatively based on the availability of transit, proximity to destinations, and other applicable factors. While changes to driving conditions that increase intersection delay are an important consideration for traffic operations and management, the method of analysis does not fully describe the environmental effect associated with fuel consumption, emissions, and public health. Section 15064.3(3) changes the focus of transportation impacts analysis in CEQA from measuring impact to drivers to measuring the impact of driving. Vehicle trips that are associated with construction activities would be short-term as compared to the lifetime of the proposed development and due to their temporary nature, the related increase in VMT would not cause a substantial impact to transportation. The VMT would increase due to normal vehicle trips generated by the proposed development. However, per the City of Salinas's "Final Interim VMT Policy" dated October 13, 2020, the project site as shown on the map below, is located in an area where the Residential VMT per Capita is at or below the County threshold for significant impact.





In addition, the above referenced nearby MST bus stops along East Laurel Drive would help decrease operational VMT. Therefore, due to the project site's location in relation to VMT generation, the proposed project would not create a significant increase in VMT.

- (c) The proposed project would not include any design features that would negatively impact traffic safety, nor involve any incompatible uses.
- (d) During construction of the proposed project, adjacent public roads will remain open and available for use by emergency vehicles.

Mitigation

- TR-1 Prior to issuance of a building permit, the Applicant, or successor in interest, shall pay applicable traffic impact fees.
- TR-2 Prior to issuance of a building permit, the Applicant, or successor in interest, shall pay a "fair share" contribution toward the East Laurel Drive–Saint Edwards Drive traffic signal.
- TR-3 The Applicant, or successor in interest, shall construct public street improvements along the site's street frontages prior to issuance of Final Certificate of Occupancy for the first unit.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
<p>18. TRIBAL CULTURAL RESOURCES. <i>Would the project:</i></p> <p>(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a Californian Native American tribe, and that is:</p> <p>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or</p> <p>ii. A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>A1, A2, A3, C1, F1, G1, G2, G10</p>

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
Code Section 5024.1 In applying the criteria set forth in Subdivision (c) of Public Resource Code 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.					

Discussion

- (a) Per Section 5.8 (Cultural Resources) of the Final Environmental Impact Report for the Salinas General Plan (Source A1), little archaeological investigation has occurred in the City of Salinas or in Monterey County. However, there is always the potential to encounter subsurface materials during grading and construction. Therefore, pursuant to the Public Resources Code (Section 21083.2), in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find. With this requirement, there is little potential for a significant impact on the environment.

On February 11, 2020, staff sent a request to the California Historical Resources Information System (CHRIS) to determine if the project could adversely affect cultural resources. Per the attached response dated February 25, 2020 (Source G2, Attachment 27), CHRIS found no record of any previous cultural resource studies for the proposed project area. The response from CHRIS recommended an archaeological study prior to commencement of project activities and tribal consultation. As stated above in Cultural Resources, no tribal consultation for the proposed project was requested.

To address archaeological concerns, an “Cultural Resource Evaluation of the Proposed Project at 11 Hill Circle in the City of Salinas” dated August 27, 2020 for Hanna and Brunetti Engineer’s was conducted by Doctor Robert Cartier of the Archaeological Resource Management (Source G10, Attachment 28) found that no significant cultural materials, prehistoric, or historic resources were found on

the project site. Mitigation Measure TCR-1, pursuant to Public Resources Code (Section 21083.2), will be required, which states that in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find. With this requirement, there is little potential for a significant impact on cultural resources and this will address the CHRIS comments. The project site is located on a currently vacant in-fill property and is not listed or eligible to be listed in the California Register of Historic Resources, nor is it considered a significant resource.

Mitigation

TCR-1 In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
19. UTILITIES & SERVICE SYSTEMS. <i>Would the project:</i>					A1, A2, A3, A4, A5, C2, C3
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) Result in a determination by the wastewater treatment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
provider which serves or may serve the project that it has the adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					
(d) Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impact the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

- (a-c) Per the California Legislative Analyst Office dated March 8, 2017, the average daily water use per person is 85 gallons. Using this data, the proposed project is estimated to use approximately 11,985 gallons of water per year at full build out (85 gallons x 141 estimated residents). Compared to the consumption of water in the entire City of Salinas, the proposed project is not expected to be a heavy user of water and would not discharge significant quantities of water into the wastewater treatment plant (also see Hydrology and Water Quality above). The project will be subject to conditions of approval in accordance with requirements of the City's Engineering Services in accordance with the Engineer's Report (Source A4, Attachment 36).
- (d-e) Per a CalRecycle press release dated July 18, 2016, the average person generates 4.7 pounds of solid waste day. Per CalRecycle, the proposed project is expected to generate 663 pounds of solid waste per day (4.7 x 141 estimated residents). Disposal of solid waste generated by the project is not expected to be significant, because it will be required to comply with federal, state, and local statutes, including compliance with the City's Solid Waste Ordinance.

Potentially temporary wastes may be generated on-site during construction. Therefore, a Construction Site Waste Management Plan to address recycling and disposal of construction wastes will be required as a part of the building permit process.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
<p>20. WILDFIRE. <i>If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i></p> <p>(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</p> <p>(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</p> <p>(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p> <p>(d) Expose people or structures to significant risks, including</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>A1, A2, A3, E1, F1</p>

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?					

Discussion

- (a-d) The proposed project is located on a vacant, urban in-fill site adjacent to existing developed properties. The project as proposed would not substantially impair an adopted emergency response plan or emergency evacuation plan. The project also would not require the installation and maintenance of infrastructure that may exacerbate fire risk or result in temporary or ongoing impacts to the environment.

Mitigation

No mitigation is required.

Mandatory Findings of Significance	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigated	Potentially Significant Impact
1. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. 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)? <i>("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).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. SOURCE LIST

Source	Source Number
City of Salinas:	
<i>Salinas General Plan, 2002.</i>	A1
<i>Salinas General Plan, Final Environmental Impact Report, 2002.</i>	A2
<i>Salinas Zoning Code: <input checked="" type="checkbox"/> Entire Code Section: _____</i>	A3
<i>Engineer's Report for the proposed project dated November 19, 2020</i>	A4
<i>City of Salinas Stormwater Ordinance, dated March 2013</i>	A5
<i>City of Salinas Alisal Vibrancy Plan, dated February 2020</i>	A6
<i>City of Salinas 2015-2013 Housing Element, certified February 4, 2016</i>	A7
<i>City Traffic Fee Ordinance 2010</i>	A8
<i>Airport comments on PUD 2019-001 and TM 2019-002 (11 Hill Circle) dated June 12, 2019</i>	A9
<i>Affordable Housing and Marketing Plan dated September 10, 2020</i>	A10
<i>Biological Resources Project Design and Peer Review Report by Biotic Resources Group (BRG) for the proposed project dated January 8, 2007</i>	A11
<i>Senate Bill 743 Vehicle Miles Traveled Implementation Policy City of Salinas Final Interim Policy dated October 13, 2020</i>	A12
Monterey Bay Air Resources District:	
<i>CEQA Air Quality Guidelines prepared by the Monterey Bay Air Resources District, dated February 2008</i>	B1
<i>Monterey Bay Air Resources District 2012-2015 Air Quality Management Plan, which represents the latest edition of the 2012 Triennial Plan</i>	B2
State of California:	
<i>Cortese List</i>	C1
<i>"Waste Disposal Rates Inches Up as California Economy Improves" CalRecycle Office of Public Affairs, News Release, dated July 18, 2016</i>	C2
<i>"Residential Water Use Trends and Implications for Conservation Policy",</i>	

Source	Source Number
<i>California Legislative Analyst Office, dated March 8, 2017</i>	C3
Monterey Bay Community Power Authority:	
<i>Monterey Bay Community Power Authority Implementation Plan, August 2017</i>	D1
Field Inspections:	
<i>By City staff, various dates</i>	E1
Maps/Aerial Photography:	
<i>City's aerial photographs, 2018.</i>	F1
Other:	
<i>Native American Heritage Commission</i>	G1
<i>California Historical Resources Information Systems (CHRIS) Response on proposed project dated February 25, 2020</i>	G2
<i>Biological Survey Report from Ed Mercurio, Biological Consultant, dated September 2005</i>	G3
<i>Riparian Habitat Exhibit by Hanna–Brunetti received November 20, 2006</i>	G4
<i>Updated Biological Survey Report for the Hill Circle Property, 11 Hill Circle, Salinas, CA, from Ed Mercurio, Biological Consultant, dated October 10, 2019</i>	G5
<i>Peer Review of the 11 Hill Circle Property Biological Survey Report from Rincon Consultants, dated February 10, 2020</i>	G6
<i>Response to Peer Review of the Hill Circle Property Update Biological Survey Report by Rincon Consultants from Ed Mercurio, Biological Consultant dated August 4, 2020</i>	G7
<i>Los Laureles Detached Rental Housing Restoration and Mitigation Plan, prepared by Rana Creek Habitat Restoration, dated June 29, 2005</i>	G8
<i>Biological Survey Map for the proposed project by Rana Creek Living Architecture dated October 2006</i>	G9
<i>Cultural Resource Evaluation of the Proposed Project at 11 Hill Circle in the City of Salinas, prepared by Dr. Robert Cartier of Archaeological Resource Management for Hanna & Brunetti dated August 27, 2020</i>	G10
<i>Project Plans (Architectural and Site Plan, Tentative Map, Open Space and Biological Areas, Grading and Drainage Plan, Utility Plan, Erosion Control Plan, Erosion Control Details, Stormwater Control Plan) from the Applicant dated December 2020</i>	G11
<i>Housing Plans for K530-G, K600-CT-03, and K605-CT-03 from the Applicant dated November 25, 2020</i>	G12
<i>Noise Study by Charles M. Salter Associates Inc., dated September 29, 2006</i>	G13

4. DETERMINATION

On the basis of this Initial Study:

- ☐ 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:
- (a) Has been adequately analyzed in (*Reference document*) pursuant to applicable legal standards; and
 - (b) Has been addressed by mitigation measures based on the earlier analysis as described in *Section 2: Checklist*, if the effect is a "Potentially Significant Impact" or a Negative Declaration: "Potentially Significant Unless Mitigation Incorporated".

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.

Prepared by:  _____

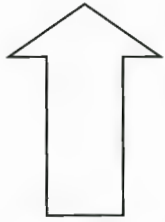
Dated: 2/9/21 _____

Courtney Grossman
Planning Manager

Attachments:

1. Vicinity Map
2. Architectural and Site Plan and Tentative Map dated December 2020 (Sheet 1 of 10)
3. Tentative Map dated December 2020 (Sheet 2 of 10)

4. Open Space and Biological Areas dated December 2020 (Sheet 3 of 10)
5. Grading and Drainage Plan dated December 2020 (Sheet 4 of 10)
6. Grading and Drainage Plan dated December 2020 (Sheet 5 of 10)
7. Grading and Drainage Plan dated December 2020 (Sheet 6 of 10)
8. Utility Plan dated December 2020 (Sheet 7 of 10)
9. Erosion Control Plan dated December 2020 (Sheet 8 of 10)
10. Erosion Control Details dated December 2020 (Sheet 9 of 10)
11. Stormwater Control Plan dated December 2020 (Sheet 10 of 10)
12. Site Plan Sheet for K530-G dated November 25, 2020 (Sheet 1 of 5)
13. First Floor Plan Sheet for K530-G dated November 25, 2020 (Sheet 2 of 5)
14. All Elevations Sheet for K530-G dated November 25, 2020 (Sheet 3 of 5)
15. Building Section for K530-G dated November 25, 2020 (Sheet 4 of 5)
16. Schedules/Standards Sheet for K530-G dated November 25, 2020 (Sheet 5 of 5)
17. Site Plan Sheet for K600-CT-03 dated November 25, 2020 (Sheet 1 of 5)
18. First Floor Plan Sheet for K600-CT-03 dated November 25, 2020 (Sheet 2 of 5)
19. All Elevations Sheet for K600-CT-03 dated November 25, 2020 (Sheet 3 of 5)
20. Building Section for K600-CT-03 dated November 25, 2020 (Sheet 4 of 5)
21. Schedules/Standards Sheet for K600-CT-03 dated November 25, 2020 (Sheet 5 of 5)
22. Site Plan Sheet for K605-CT-03 dated November 25, 2020 (Sheet 1 of 5)
23. First Floor Plan Sheet for K605-CT-03 dated November 25, 2020 (Sheet 2 of 5)
24. All Elevations Sheet for K605-CT-03 dated November 25, 2020 (Sheet 3 of 5)
25. Building Section for K605-CT-03 dated November 25, 2020 (Sheet 4 of 5)
26. Schedules/Standards Sheet for K605-CT-03 dated November 25, 2020 (Sheet 5 of 5)
27. California Historical Resources Information Systems (CHRIS) Response dated February 25, 2020
28. Cultural Resource Evaluation of the Proposed Project at 11 Hill Circle in the City of Salinas, prepared by Archaeological Resource Management for Hanna & Brunetti dated August 27, 2020
29. Biological Survey Report from Ed Mercurio, Biological Consultant, dated September 2005
30. Updated Biological Survey Report for the Hill Circle Property, 11 Hill Circle, Salinas, CA, from Ed Mercurio, Biological Consultant, dated October 10, 2019
31. Peer Review of the 11 Hill Circle Property Biological Survey Report from Rincon Consultants, dated February 10, 2020
32. Response to Peer Review of the Hill Circle Property Update Biological Survey Report by Rincon Consultants from Ed Mercurio, Biological Consultant dated August 4, 2020
33. Los Laureles Detached Rental Housing Restoration and Mitigation Plan, prepared by Rana Creek Habitat Restoration, dated June 29, 2005
34. Biological Resources Project Design and Peer Review Report by Biotic Resources Group (BRG) for the proposed project dated January 8, 2007
35. Affordable Housing and Marketing Plan dated September 10, 2020
36. Engineer's Report dated November 19, 2020
37. Airport comments for PUD 2019-001 and TM 2019-002 (11 Hill Circle) dated June 12, 2019
38. Mitigation Monitoring and Reporting Program for PUD 2019-001 and TM 2019-002



North

Vicinity Map

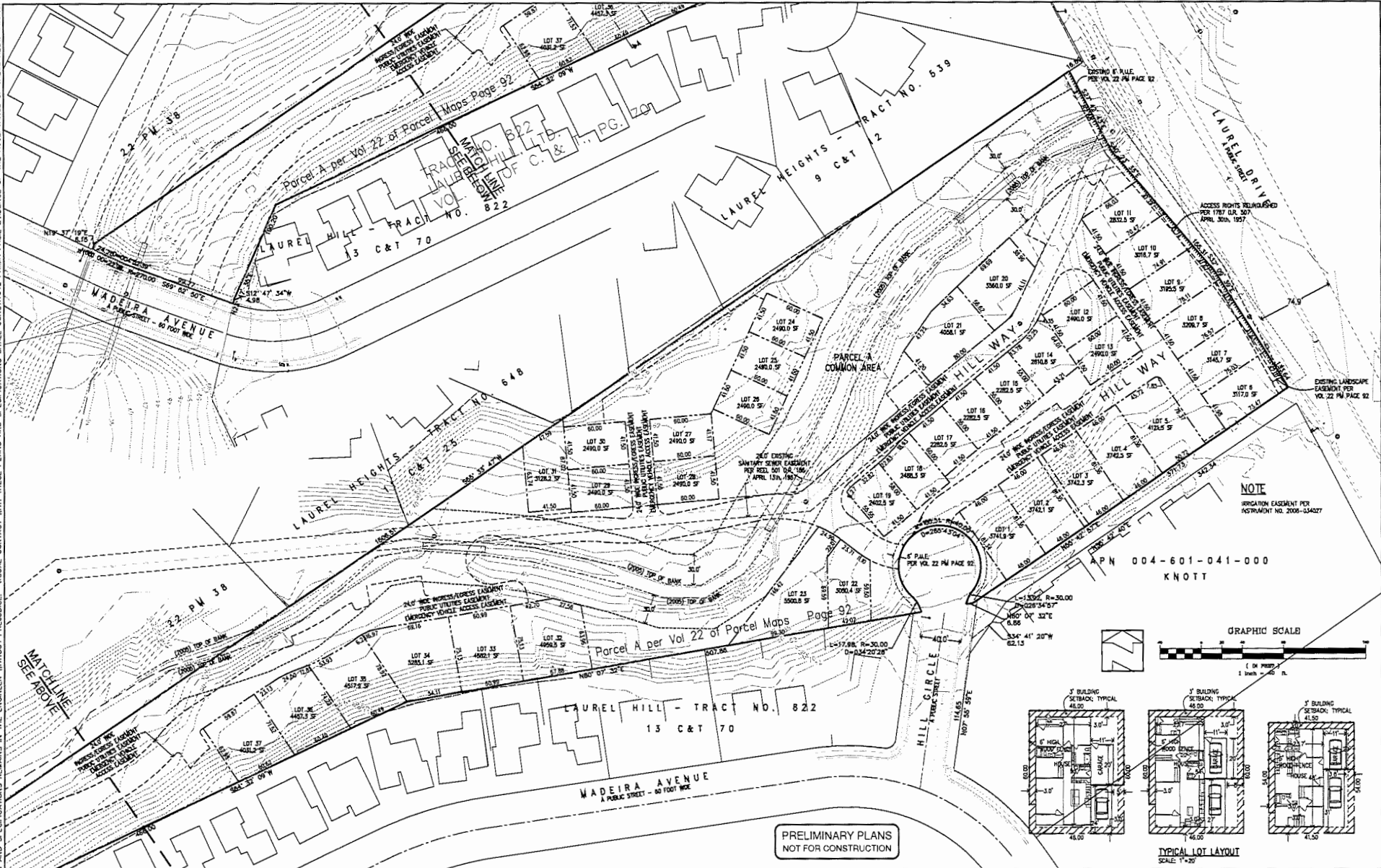


**PLANNED UNIT DEVELOPMENT
PERMIT 2019-001 &
TENTATIVE MAP 2019-002
11 Hill Circle**

Exhibit 1

2

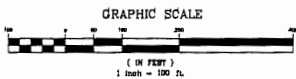
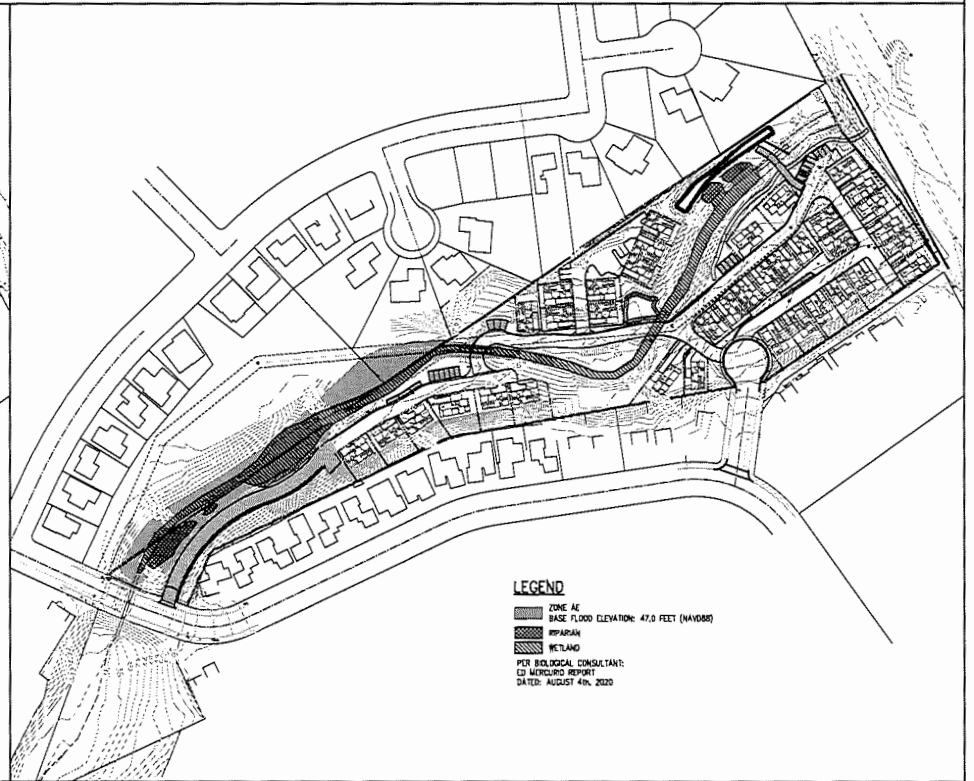
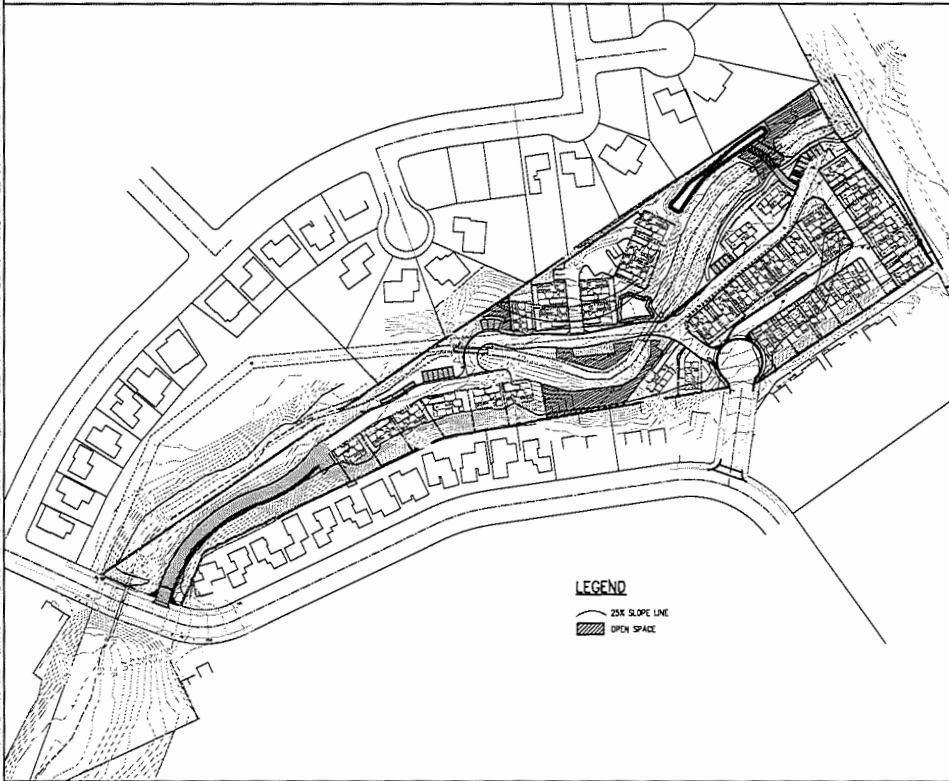
THESE PLANS AND SPECIFICATIONS ARE PREPARED BY THE ENGINEER WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS. NO PART OF THESE PLANS SHALL BE REPRODUCED OR PUBLISHED IN ANY MANNER, IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER. ANY REPRODUCTION OR PUBLICATION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.



REVISIONS:		
DATE	DESCRIPTION	BY

HANNA BRUNETTI CIVIL ENGINEER - LAND SURVEYING CONSTRUCTION VARIANTS 1515 TELEGRAPH STREET - CLARK - 95024 - CALIFORNIA CIVIL ENGINEER - LAND SURVEYING CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE	DATE: DECEMBER 2020 WORK SCALE: 1"=40' VERT. SCALE: N20P DESIGNED BY: AM CHECKED BY: TM DRAWN BY: TM	 date: 12/20/20 Hanna Brunetti RCC # 82579 signature: 12/20/20	REFERENCES: 	Tentative Map Parcel A per Volume 27 of Parcel Maps Page 92 Hill Circle - apn 04-601-068	SHEET 2 OF 10 JOB NO. 20018 MONTEREY COUNTY CALIFORNIA
--	---	--	-----------------	---	--

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PRELIMINARY PLANS
NOT FOR CONSTRUCTION

REVISIONS:		
DATE	DESCRIPTION	BY:

HANNA-BRUNETTI
CIVIL ENGINEER - LAND DEVELOPMENT
CONSTRUCTION MANAGER
10150 EL CAMINO REAL, SUITE 100, SAN JOSE, CA 95138
PHONE: (408) 261-7777 • FAX: (408) 261-7778
EMAIL: ENGINEERING@HANNA-BRUNETTI.COM

DATE: DECEMBER 2020
HORIZ. SCALE: 1"=40'
VERT. SCALE: NONE
DESIGNED BY: AM
CHECKED BY:
DRAWN BY: TM

Scale: Hanna - Brunetti
Approved: Jay Mays-Vance
P.E. # 19475
EXPIRES: 6/30/21



REFERENCES	

CITY OF SALINAS
DECEMBER 2020

Open Space & Biological Areas

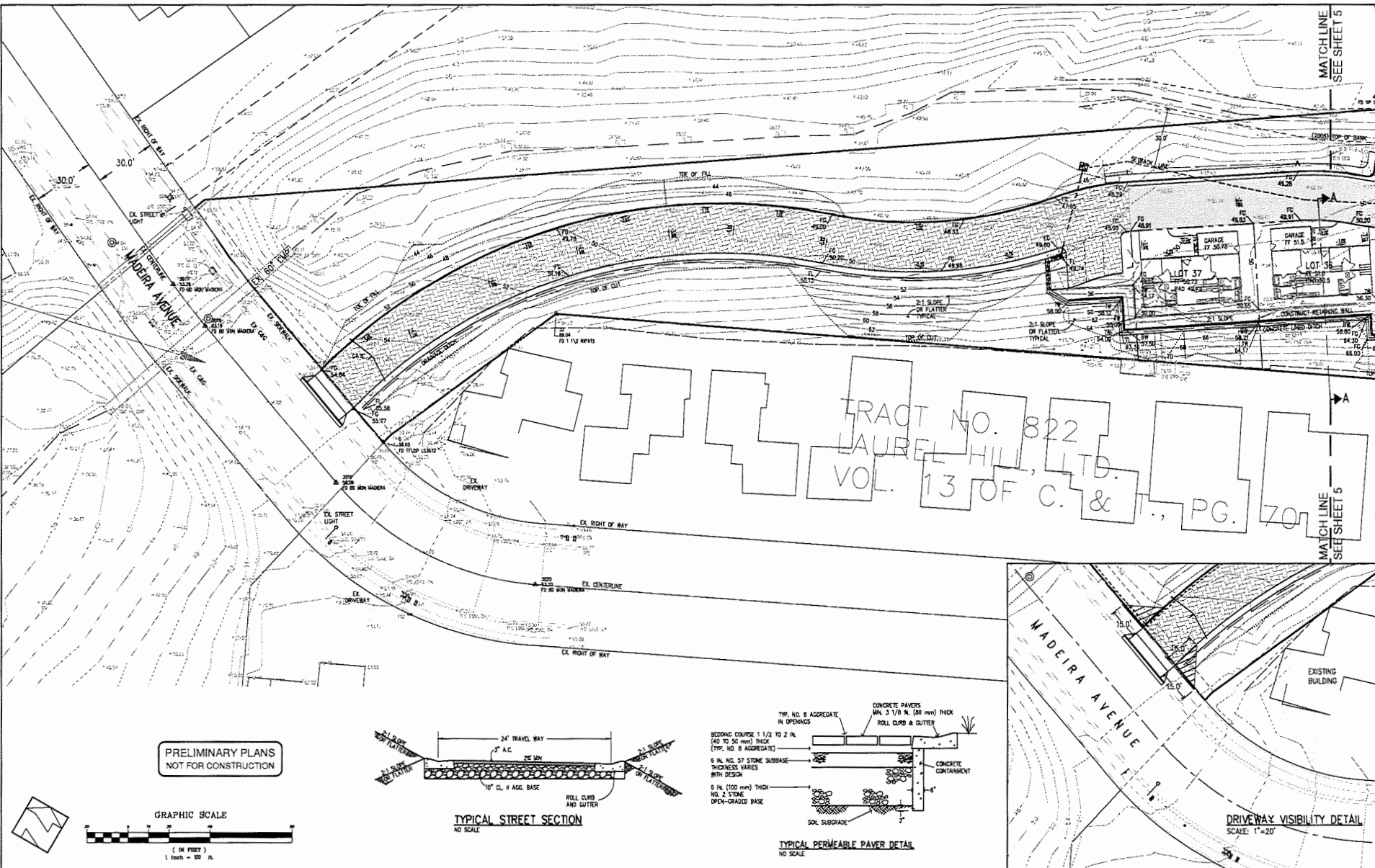
Parcel A per Volume 27 of Parcel Maps Page 92

Hill Circle - apr 04-601-066


MONTEREY COUNTY
CALIFORNIA

SHEET
3
OF 10
JOB NO.
20018

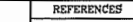
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REVISIONS:		
DATE	DESCRIPTION	BY:

 HANNA-BRUNETTI ENGINEER - LAND DEVELOPMENT CONSTRUCTION SERVICES 1015 E. 10TH STREET - SUITE 100 - SAN JOSE, CALIFORNIA 95128 (408) 281-1111 FAX (408) 281-1112 EMAIL: HBRUNETTI@HANNABRUNETTI.COM
--

DATE: <u>DECEMBER 2020</u>
HORIZ. SCALE: <u>1"=50'</u>
VERT. SCALE: <u>NONE</u>
DESIGNED BY: <u>AM</u>
CHECKED BY: <u> </u>
DRAWN BY: <u>TM</u>

DATE: <u> </u> Hanna - Brunetti
Amador Joly Murphy-Vardal
R.C.C. # 192778 EXPIRES: 6/30/21


REFERENCES

CITY OF SALINAS DECEMBER 2020

Grading and Drainage Plan
Hill Circle - apr 04-601-066

MONTEREY COUNTY CALIFORNIA

SHEET 4 OF 10
JOB NO. 20018

REVISIONS:		DATE	DESCRIPTION	BY:

HANNA-BRUNETTI
INC.
CIVIL ENGINEERS • LAND SURVEYORS
CONSULTING ENGINEERS
2500 BROADWAY STREET • SUITE 200 • OAKLAND, CALIFORNIA 94612
(415) 763-1212 • FAX (415) 763-1202
HANNABRUNETTI@AOL.COM

DATE: DECEMBER 1010
HORIZ. SCALE: 1"=10'
VERT. SCALE: NAT
DESIGNED BY: AM
CHECKED BY: _____
DRAWN BY: T.M.

REFERENCES

Grading & Drainage Plan

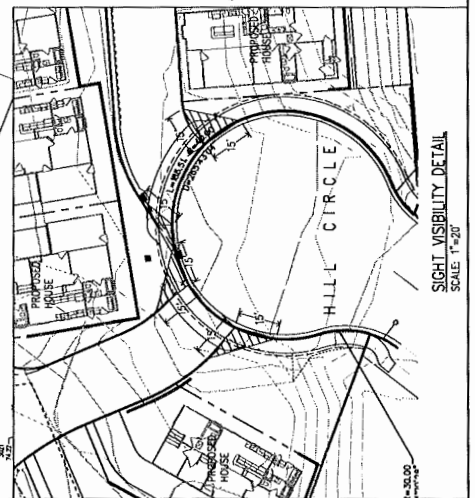
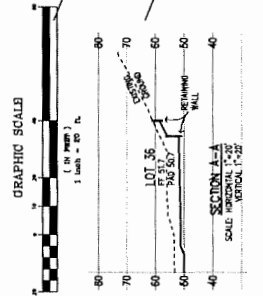
Hill Circle - apn 04-601-066

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COUNTY
CALIFORNIA

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**PRELIMINARY PLANS
NOT FOR CONSTRUCTION**



THE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. THE PLANS AND SPECIFICATIONS REMAINS IN THE ENGINEER WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

REVISIONS:		DATE	DESCRIPTION	BY:

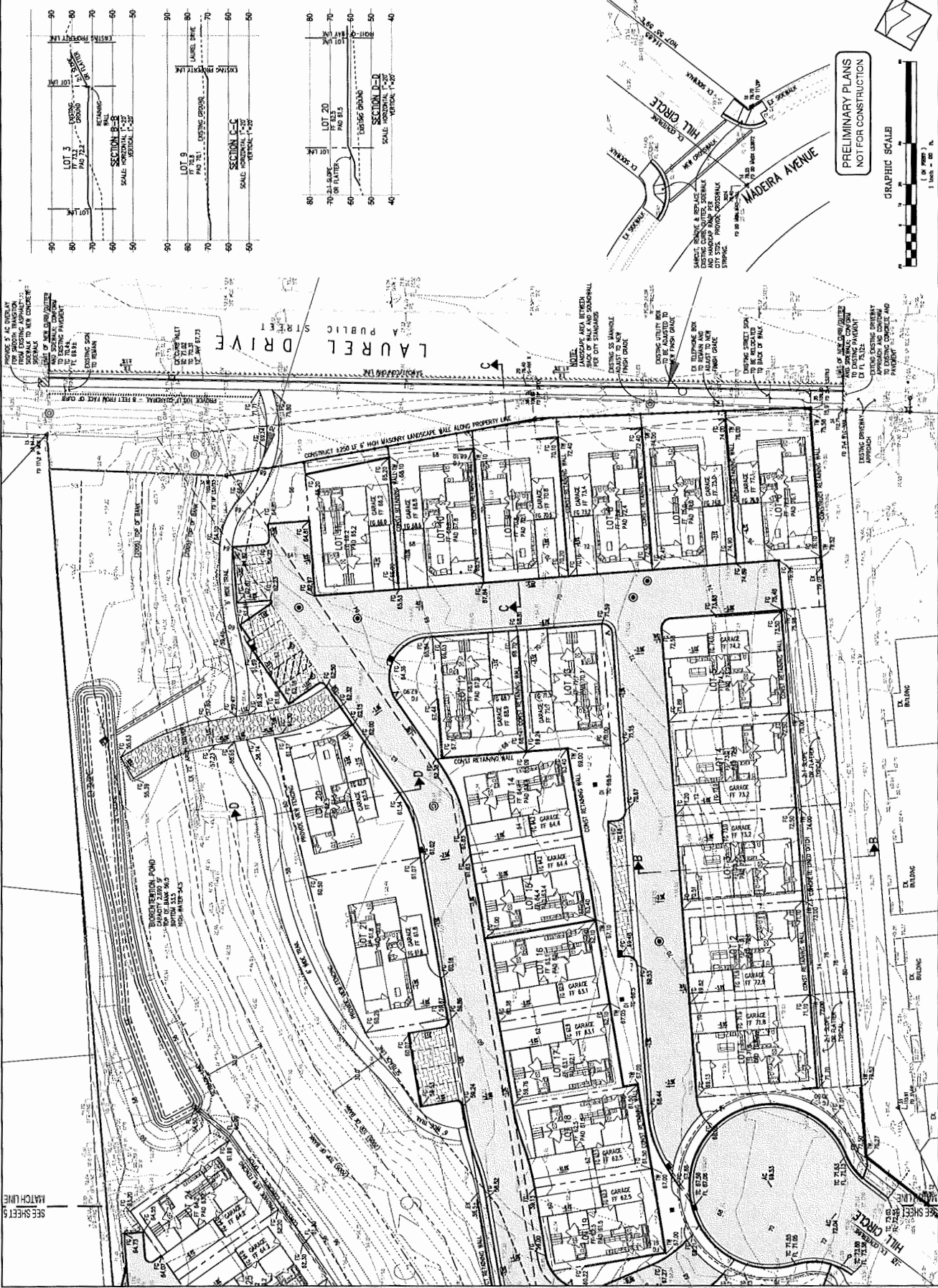
HANNA-BRUNETTI
1.0.00
CHL. ENGINEERS - LAND SURVEYORS
CONSULTING ENGINEERS
1111 EXETER STREET - SUITE 1000 - CALIFORNIA
CITY OF LOS ANGELES - CALIFORNIA 90012
E-MAIL: ENGINEERING@HANNA-BRUNETTI.COM

DATE: OCTOBER 10/10
HORIZ. SCALE: 1"=10'
VERT. SCALE: 1"=10'
DESIGNED BY: AM
CHECKED BY:
DRAWN BY: TM

REFERENCES	

Grading & Drainage Plan

04-601-066 Hill Circle - aprn 04-601-066



THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY FORBIDDEN. REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR PART, IS PROHIBITED. THE PLANS AND SPECIFICATIONS REMAINS IN THE ENGINEER WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

NOTE:
ALL UTILITIES SHALL BE PLACED
UNDERGROUND INCLUDING TRANSFORMERS.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

GRAPHIC SCALE

(IN FEET)

1 inch = 40 ft.

Utility Plan

HM Circle - apr 04-601-066

SHEET	7	OF 10
JOB NO.	20018	

MONTEREY COUNTY
CALIFORNIA

REFERENCES

CITY OF SALINAS
DECEMBER 2020

date: _____ 20
Name: Brunetti

Amanda Joy Murray-Vandell
R.C.C. # 51275
expires: 6/30/

DATE: DECEMBER 2010
HORIZ. SCALE: 1"=40'
VERT. SCALE: NONE
DESIGNED BY: AM
CHECKED BY: _____
DRAWN BY: TM

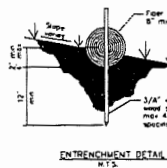
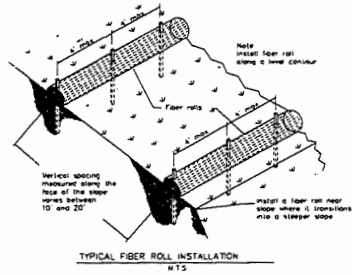
HANNA-BRUNETT
INC.
ONE ENGINEERS • LAND DEVELOPERS
CONSTRUCTION MANAGERS
7835 FLYING DUTCHMAN STREET • CLAY CITY • SACS • CALIFORNIA
OFFICE: (916) 362-7020 • FAX: (916) 362-7022
EVAL. ENGINEERING & MANAGEMENT, LLC

REVISIONS:		
DATE	DESCRIPTION	BY

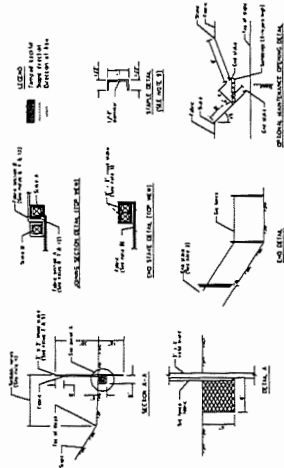
USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REPRODUCTION OR PUBLICATION BY ANY METHOD OR PART, IS PROHIBITED. THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REPRODUCTION OR PUBLICATION BY ANY METHOD OR PART, IS PROHIBITED.

THESE PRELIMINARY PLANS AND SPECIFICATIONS SHALL BE REVIEWED BY THE DESIGNER, CITY AND COUNTY ENGINEER, AND MONTEREY COUNTY ENGINEER. IF ANY PART OF THESE PRELIMINARY PLANS AND SPECIFICATIONS IS FOUND TO BE IN VIOLATION OF ANY CITY, COUNTY, OR STATE LAW, THE CITY AND COUNTY ENGINEER SHALL BE RESPONSIBLE FOR THE VIOLATION. THE CITY AND COUNTY ENGINEER SHALL BE RESPONSIBLE FOR THE VIOLATION. THE CITY AND COUNTY ENGINEER SHALL BE RESPONSIBLE FOR THE VIOLATION.

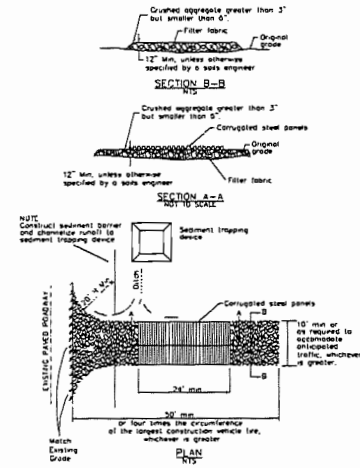
SE-5 Fiber Rolls



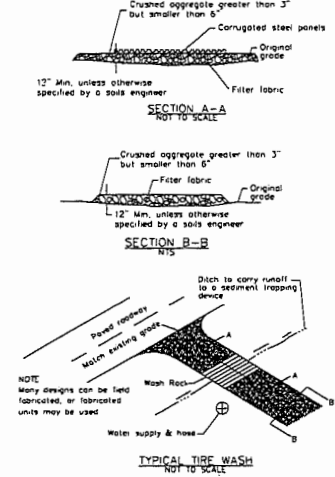
SE-1 Silt Fence



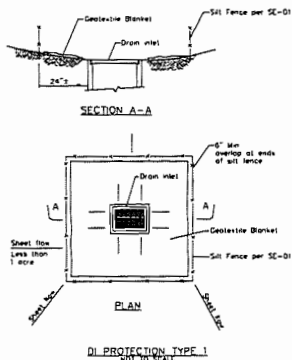
Stabilized Construction Entrance/Exit TC-1



Entrance/Outlet Tire Wash TC-3

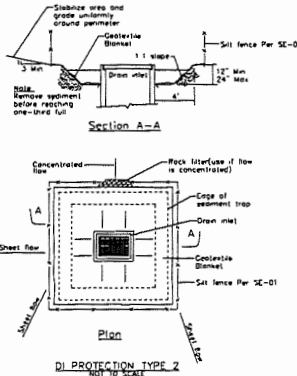


SE-10 Storm Drain Inlet Protection



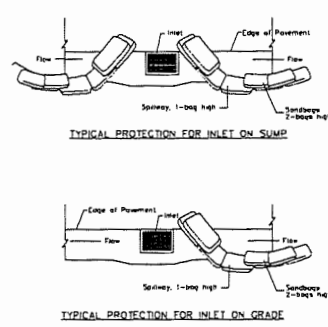
NOTES:
1. For use in areas where grading has been completed and final soil stabilization and seeding are pending.
2. Not applicable in paved areas.
3. Not applicable with concentrated flows.

Storm Drain Inlet Protection



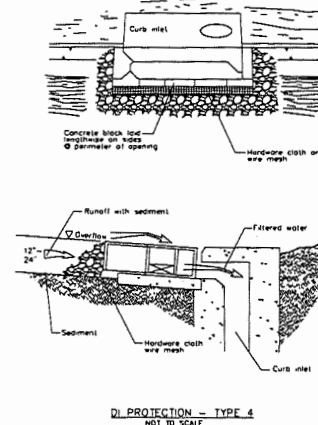
NOTES:
1. For use in cleared and grubbed and in graded areas.
2. Shown based on 10' longest inflow area; longer length of trap.
3. For concentrated flows, shape basin in 2:1 ratio with length oriented towards direction of flow.

SE-10 Storm Drain Inlet Protection



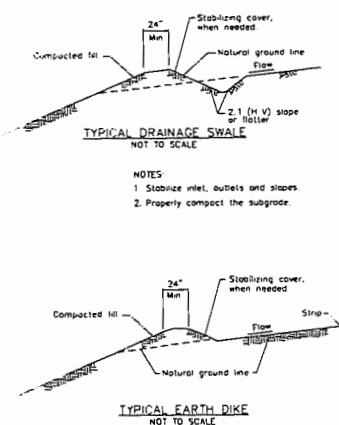
NOTES:
1. Intended for one to two year use.
2. Use is small non-storm water flow.
3. Allow for proper maintenance and cleaning.
4. Bays must be removed after adjacent operation is completed.
5. Not applicable in areas with high winds and steep without floor apron.

Storm Drain Inlet Protection



DI PROTECTION - TYPE 4
N.T.S.

Earth Dikes and Drainage Swales EC-9



PRELIMINARY PLANS
NOT FOR CONSTRUCTION

REVISIONS:	DATE	DESCRIPTION	BY:

HANNA-BRUNETTI
THE ENGINEERING & ARCHITECTURE
1515 TELEGRAPH STREET, SUITE 100, SAN FRANCISCO, CA 94133
CIVIL ENGINEER & ARCHITECT

DATE: DECEMBER 2020
HORIZ. SCALE: NONE
VERT. SCALE: NONE
DESIGNED BY: AM
CHECKED BY: RCE
DRAWN BY: TM

del: [Signature]
Approved: Jay [Signature]
RCE # 0217
02/02/21



REFERENCES:

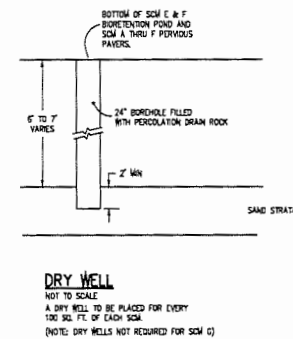
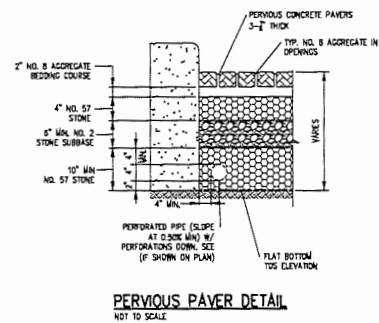
CITY OF SALINAS
DECEMBER 2020

Erosion Control Details

Hill Circle - apr 04-601-066

MONTEREY COUNTY
CALIFORNIA

SHEET
9
OF 10
JOB NO.
20018



REVISIONS:		
DATE	DESCRIPTION	BY:

DATE: DECEMBER 2010
HORIZ. SCALE: 1"=40'
VERT. SCALE: NONE
DESIGNED BY: AM
CHECKED BY: _____
DRAWN BY: TM

DATE: _____ 20
Hearing - (Bruneau)

Amanda Joy Muzzy-Vendel

R.C.E. # 89278
signature 6/30/



REFERENCES

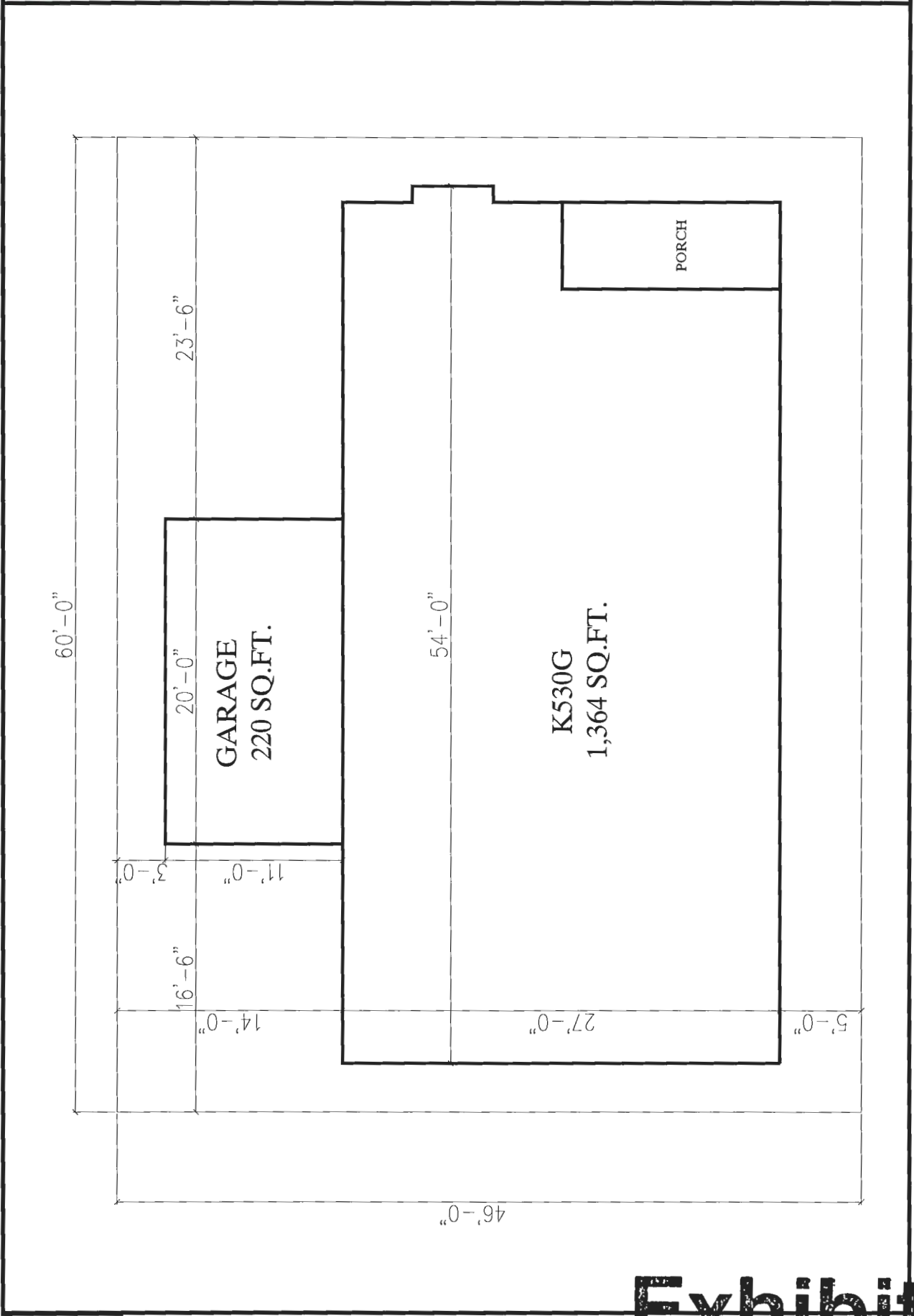
CITY OF SALINAS
DECEMBER 2020

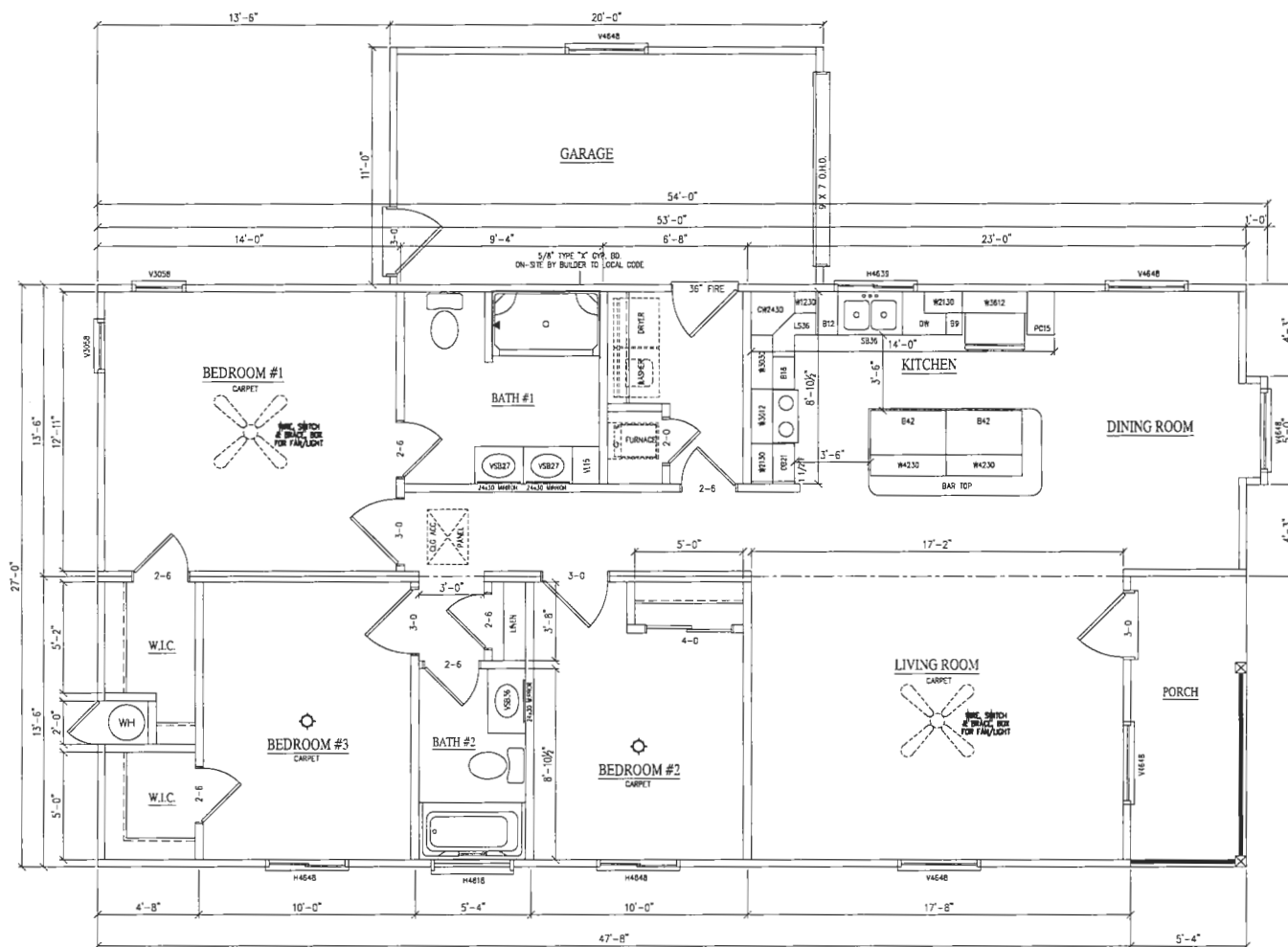
Hill Circle - apn 04-601-066

MONTEREY COUNTY
CALIFORNIA

	SHEET
	10
	OF 10
Y A	JOB NO. 20018

USMODULAR, INC. BUILDERS/DEVELOPERS 140 E. STEVEN AVE. #301, HEWLET, CA 92543 951-679-9907 888-987-6638 fax: 951-672-0926 info@usmodularinc.com		K530-G --- --- --- --- PHONE	<table border="1"> <tr> <th>REV.</th> <th>BY</th> <th>DATE</th> </tr> <tr> <td>01</td> <td>SDB</td> <td>09/23/20</td> </tr> <tr> <td>02</td> <td>SDB</td> <td>10/09/20</td> </tr> <tr> <td>03</td> <td>SDB</td> <td>11/25/20</td> </tr> </table>	REV.	BY	DATE	01	SDB	09/23/20	02	SDB	10/09/20	03	SDB	11/25/20	PROPOSED PROJECT RANCH 1,364 SQ.FT.	SITE PLAN SHEET	DATE 09/26/20	SCALE 3/16" = 1'-0"	SHEET 1 OF 5 SHEETS
REV.	BY	DATE																		
01	SDB	09/23/20																		
02	SDB	10/09/20																		
03	SDB	11/25/20																		





LIVING AREA: 1,364 SQ. FT.
 PORCH: 72 SQ. FT.
 GARAGE: 220 SQ. FT.



BUILDERS/DEVELOPERS
 140 E. STEVEN AVE. #301,
 HEWLETT, CA 92543
 951-679-9907
 888-987-6638
 Fax: 951-672-0926
 info@usmodularinc.com

K530-G

REV.	BY	DATE
01	SD	02/29/20
02	SD	10/09/20
03	SD	11/25/20

PROPOSED PROJECT

RANCH
 1,364 SQ. FT.

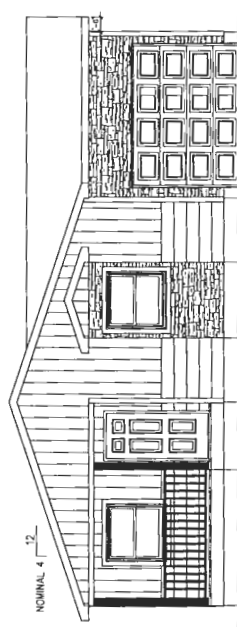
1ST FLOOR
 PLAN
 SHEET

DATE
 09/26/20

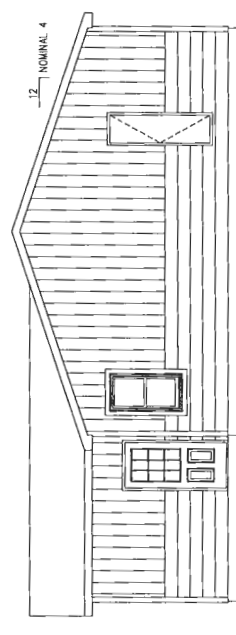
SCALE
 3/16"=1'-0"

SHEET
 2
 OF 5 SHEETS

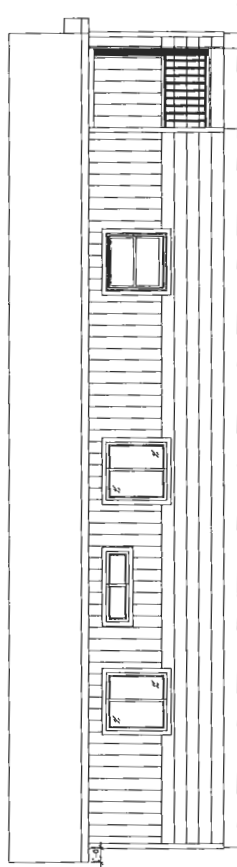
USMODULAR, INC. BUILDERS/DEVELOPERS 140 E. STEVEN AVE. #301, HEMET, CA 92543 951-679-9907 888-987-6638 Fax: 951-672-0926 info@usmodularinc.com	K530-G PHONE --- --- ---	REV. 01 BY SBD DATE 09/29/20	REV. 02 BY SBD DATE 10/08/20	REV. 03 BY SBD DATE 11/25/20	PROPOSED PROJECT RANCH 1,364 SQ. FT.	ALL ELEVATIONS SHEET	DATE 09/26/20	SCALE 1/8" = 1'-0"	SHEET 3	OF 5 SHEETS



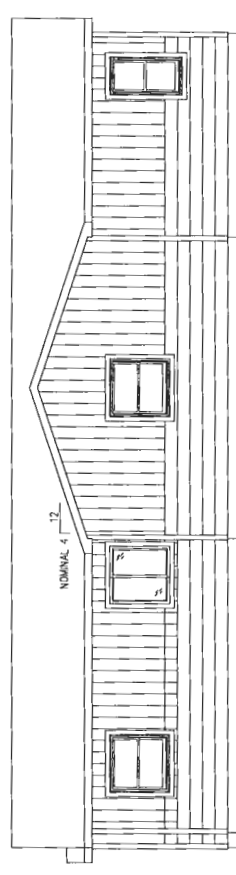
FRONT ELEVATION



REAR ELEVATION

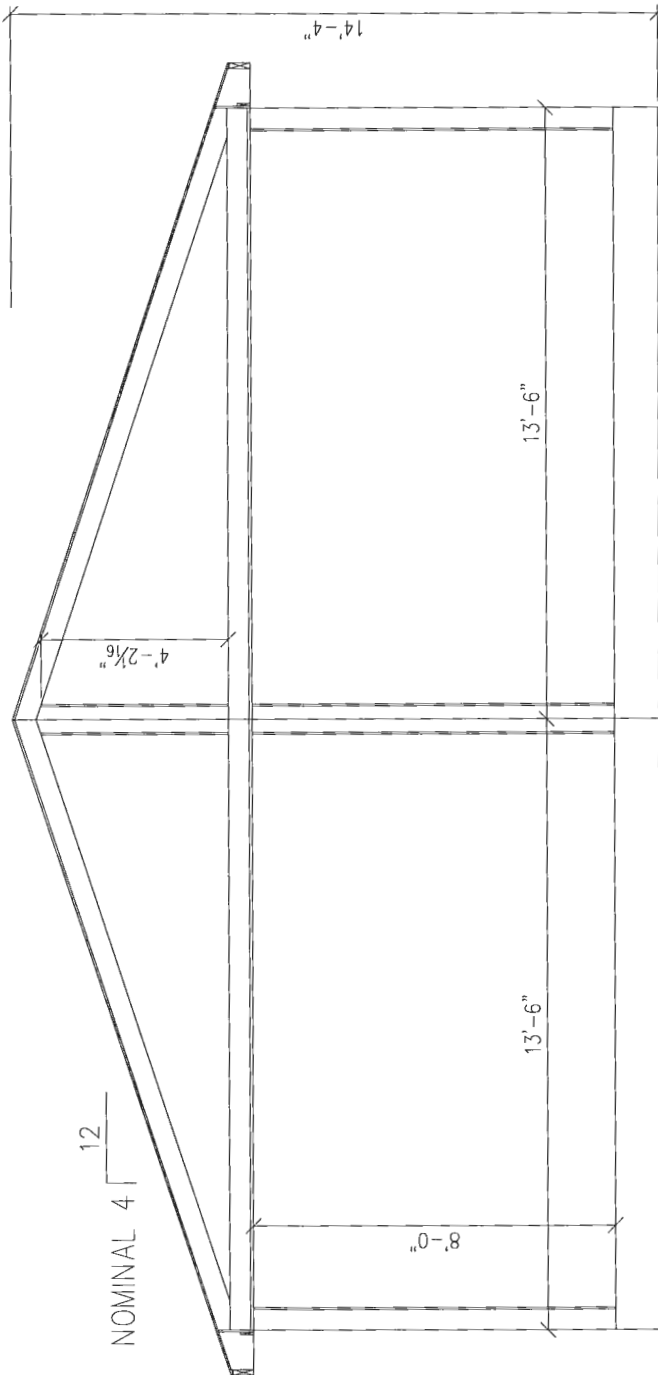


LEFT ELEVATION

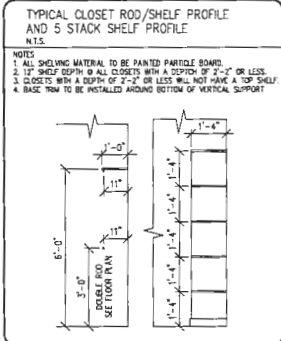


RIGHT ELEVATION

SECTION PLAN SHEET	DATE 09/26/20	SCALE 3/8" = 1'-0"	SHEET 4 OF 5 SHEETS	PROPOSED PROJECT	RANCH 1,364 SQ. FT.
				REV. BY DATE	01 SOD 09/29/20 02 SOD 10/09/20 03 SOD 11/25/20
BUILDERS/DEVELOPERS 140 E. STEVEN AVE. #301, HEMET, CA 92543 951-679-9907 888-987-6638 Fax: 951-672-0926 info@usmodularinc.com		K530-C PHONE		USMODULAR, INC. 11000 E. STEVEN AVE. #301 HEMET, CA 92543 951-679-9907 888-987-6638 Fax: 951-672-0926 info@usmodularinc.com	



BUILDING SECTION



WINDOW SCHEDULE

MARK	QTY	R.O. SIZE		H.H.	DESCRIPTION	MATERIAL	COLOR		GLASS	TEMPERED	GRIDS	U-F	SHGC	REMARKS
		WIDTH	HEIGHT				INTERIOR	EXTERIOR						
H454B	2	3'-10"	4'-0"	6'-10"	SLIDING	VNYL	SEE SPEC	SEE SPEC	CLEAR	YES	NO	TBD	TBD	DUAL PANE L&E
V454B	5	3'-10"	4'-0"	6'-10"	SINGLE HUNG	VNYL	SEE SPEC	SEE SPEC	CLEAR	YES	NO	TBD	TBD	DUAL PANE L&E
H4639	1	3'-10"	3'-3"	6'-10"	SLIDING	VNYL	SEE SPEC	SEE SPEC	CLEAR	YES	NO	TBD	TBD	DUAL PANE L&E
H4616	1	3'-10"	1'-6"	6'-10"	SLIDING	VNYL	SEE SPEC	SEE SPEC	CLEAR	YES	NO	TBD	TBD	DUAL PANE L&E
V305B	2	2'-6"	4'-0"	6'-10"	SINGLE HUNG	VNYL	SEE SPEC	SEE SPEC	CLEAR	YES	NO	TBD	TBD	DUAL PANE L&E

DOOR SCHEDULE

plain solid door

MARK	QTY	OPERATION		NOMINAL SIZE		TYPE	UF	SHGC	REMARKS
		L-SWING	R-SWING	WIDTH	HEIGHT				
306B	2	1	1	3'-0"	6'-8"	SINGLE SWING - FRONT/REAR	TBD	TBD	-
205B	1	1	-	2'-6"	6'-8"	W/H - PANEL	-	-	-
9070	1	1	1	9'-0"	7'-0"	CARAGE - EXTERIOR	TBD	TBD	-
306B	1	1	-	3'-0"	6'-8"	CARAGE - FIREDOR	-	-	-
306B	3	1	2	3'-0"	6'-8"	STANDARD - INTERIOR	-	-	-
266B	5	3	2	2'-6"	6'-8"	STANDARD - INTERIOR	-	-	-
206B	1	1	-	2'-0"	6'-8"	STANDARD - INTERIOR	-	-	-
406B	2	2	-	4'-0"	6'-8"	BI-PASS - INTERIOR	-	-	-

DOOR JAMB SIZES (1/2" GYP. BD.)
2x4 WALL: 4 9/16"
2x6 WALL: 6 9/16"
2x8 WALL: 8 9/16"

DOOR JAMB SIZES (1/2" GYP. BD.)
2x4-2x4 MARRIAGE WALL: 9 9/16"
2x4-2x6 MARRIAGE WALL: 11 9/16"
2x6-2x6 MARRIAGE WALL: 13 9/16"

DOOR JAMB SIZES (5/8" GYP. BD.)
2x4 WALL: 4 13/16"
2x6 WALL: 6 13/16"
2x8 WALL: 8 9/16"

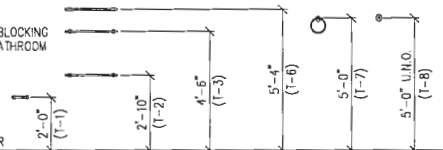
DOOR JAMB SIZES (5/8" GYP. BD.)
2x4-2x4 MARRIAGE WALL: 9 13/16"
2x4-2x6 MARRIAGE WALL: 11 13/16"
2x6-2x6 MARRIAGE WALL: 13 13/16"

TYPICAL BATHROOM MOUNTING HEIGHTS

TYPE	DESCRIPTION	LOWER	MAIN
T-1	TOILET PAPER HOLDER	1	2
T-2	STACKED TOWEL BAR (BOTTOM)	-	-
T-3	SINGLE TOWEL BAR	1	2
T-4	DOUBLE TOWEL BAR	-	1
T-5	STACKED TOWEL BAR (TOP)	-	-
T-6	TOWEL BAR ABOVE TUB OR TOILET	-	-
T-7	TOWEL RING	1	2
T-8	TOWEL HOOK	-	2

NOTE: PROVIDE BLOCKING IN WALL FOR BATHROOM ACCESSORIES

FINISHED FLOOR



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BUILDERS/DEVELOPERS
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HEMET, CA 92543
951-679-9907
888-987-6638
Fax: 951-672-0926
info@usmodularinc.com

K530-G

PHONE

REV	BY	DATE
01	SD	09/29/20
02	SD	10/09/20
03	SD	11/26/20


PROPOSED PROJECT
RANCH
1,364 SQ.FT.

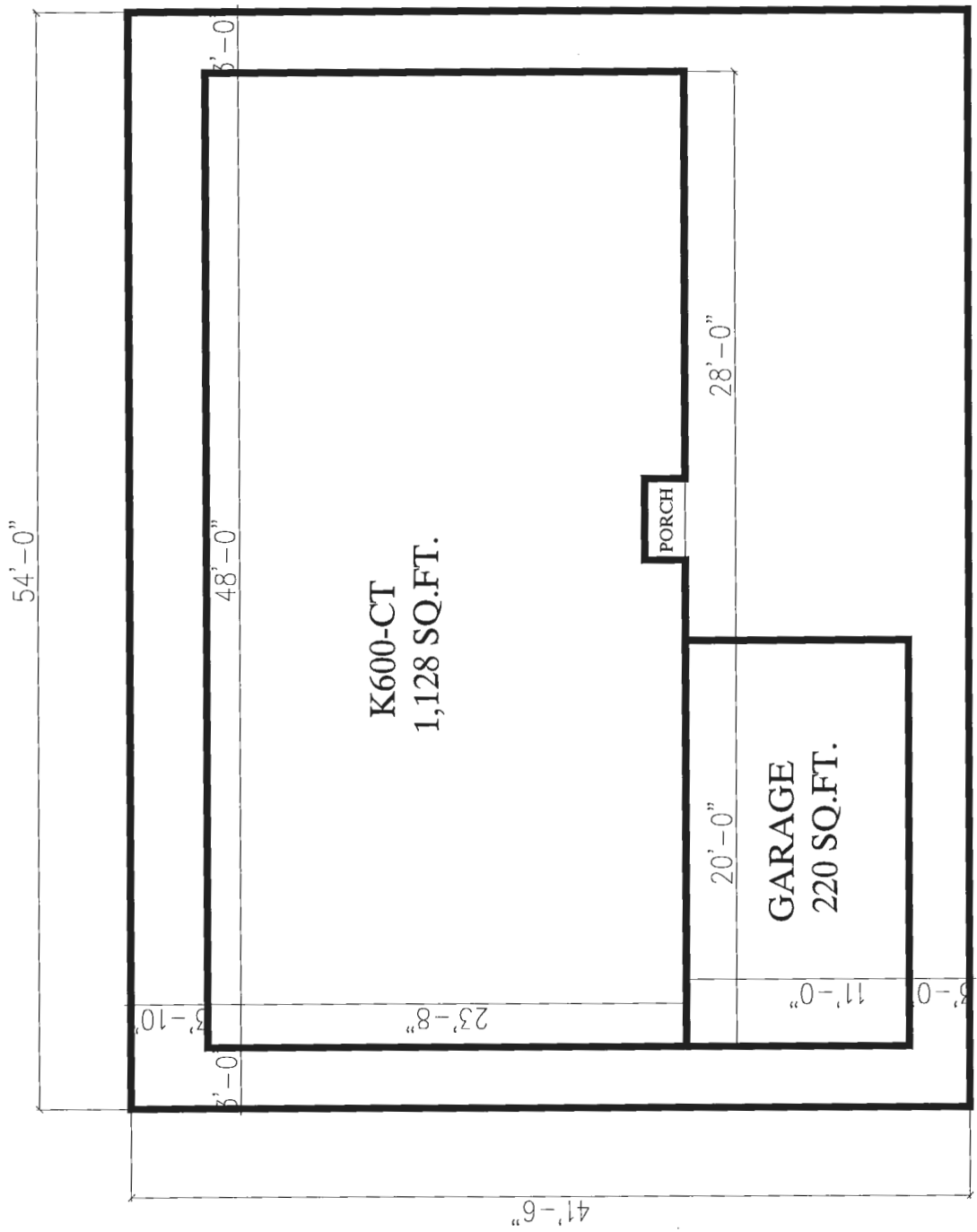
SCHEDULES/
STANDARDS
SHEET

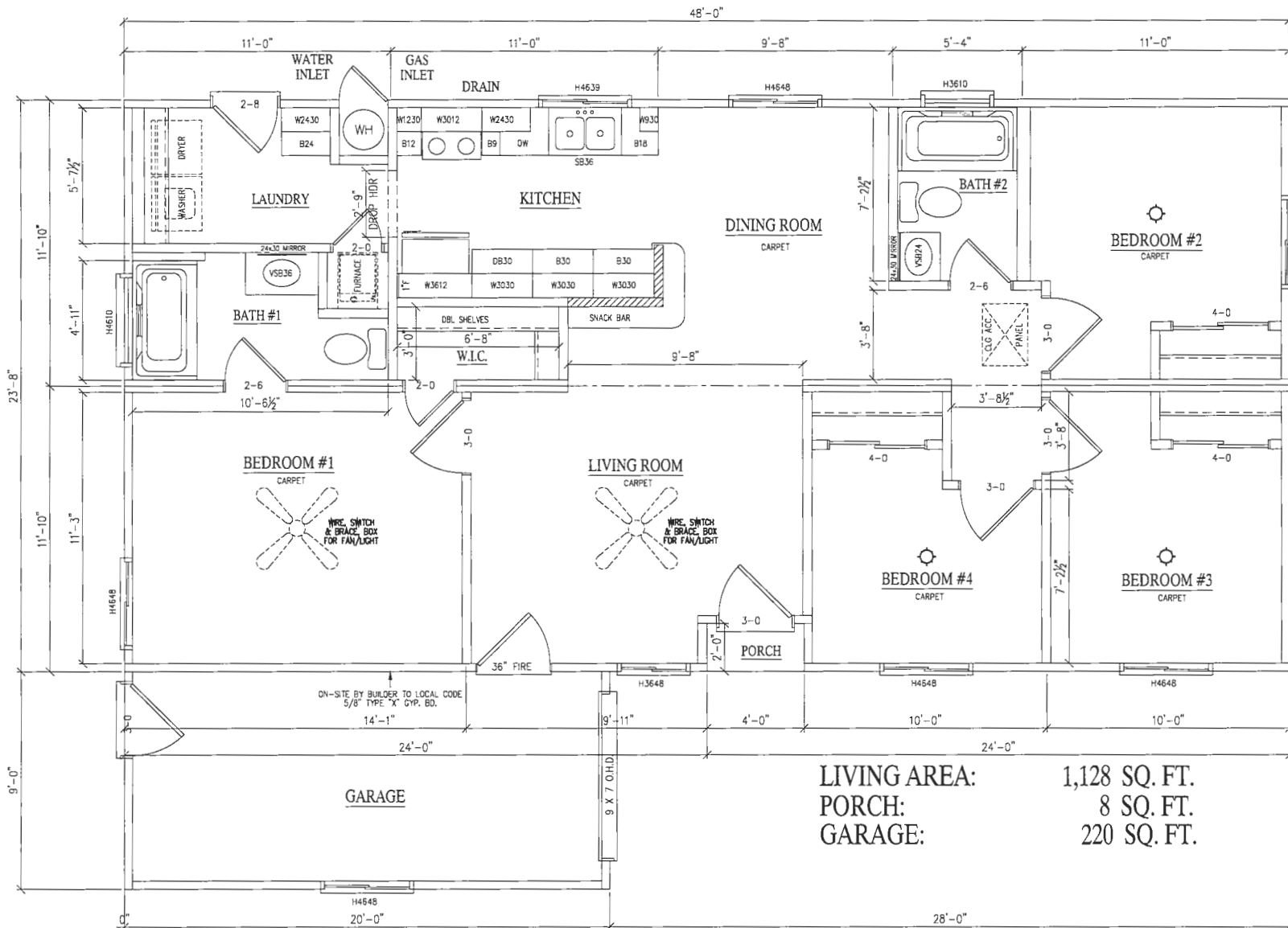
DATE
09/26/20

SCALE
N.T.S.

SHEET
5
OF 5 SHEETS

 BUILDERS/DEVELOPERS 140 E. STESON AVE. #301, HEMET, CA 92343 951-679-9907 888-987-6638 Fax: 951-672-0926 info@usmodularinc.com		K600-CT PHONE --- --- --- ---	<table border="1"> <tr> <th>REV.</th> <th>BY</th> <th>DATE</th> </tr> <tr> <td>01</td> <td>SD</td> <td>09/29/20</td> </tr> <tr> <td>02</td> <td>SD</td> <td>10/09/20</td> </tr> <tr> <td>03</td> <td>SD</td> <td>11/25/20</td> </tr> </table>	REV.	BY	DATE	01	SD	09/29/20	02	SD	10/09/20	03	SD	11/25/20	PROPOSED PROJECT RANCH 1,128 SQ.FT.	SITE PLAN SHEET	DATE 09/26/20	SCALE 3/16" = 1'-0"	SHEET 1 OF 5 SHEETS
REV.	BY	DATE																		
01	SD	09/29/20																		
02	SD	10/09/20																		
03	SD	11/25/20																		





LIVING AREA: 1,128 SQ. FT.
 PORCH: 8 SQ. FT.
 GARAGE: 220 SQ. FT.



BUILDERS/DEVELOPERS
 140 E. STESON AVE. #301,
 HEMET, CA 92343
 951-679-9907
 888-987-6638
 Fax: 951-672-0926
 info@usmodularinc.com

K600-CT

REV.	BY	DATE
01	SJD	09/26/20
02	SJD	10/09/20
03	SJD	11/25/20

PROPOSED PROJECT
 RANCH
 1,128 SQ. FT.

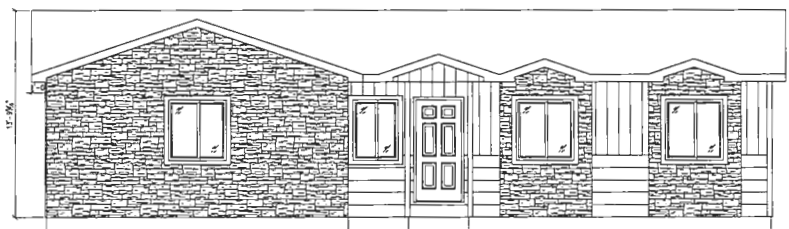
1ST FLOOR
 PLAN
 SHEET

DATE
 09/26/20

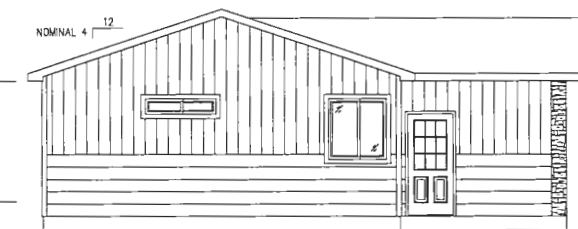
SCALE
 1/4" = 1'-0"

SHEET
 2
 OF 5 SHEETS

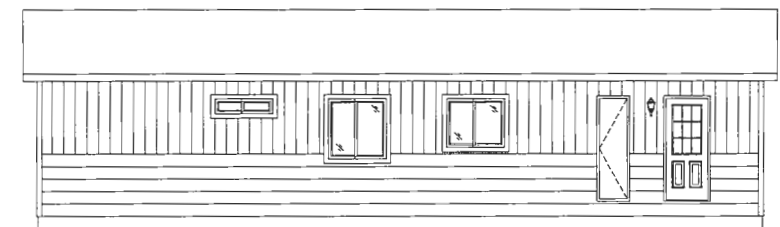
18



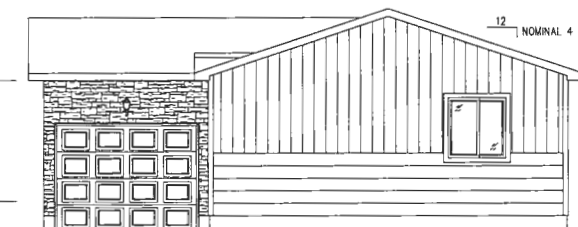
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



BUILDERS/DEVELOPERS
140 E. STILSON AVE. #301,
HEME1, CA 92543
951-679-9907
888-987-6638
Fax: 951-672-0926
info@usmodularinc.com

K600-CT

PHONE

REV.	BY	DATE
01	SDD	09/29/20
02	SDD	10/09/20
03	SDD	11/25/20

PROPOSED PROJECT
RANCH
1,128 SQ.FT.

ALL
ELEVATIONS
SHEET

DATE
09/26/20

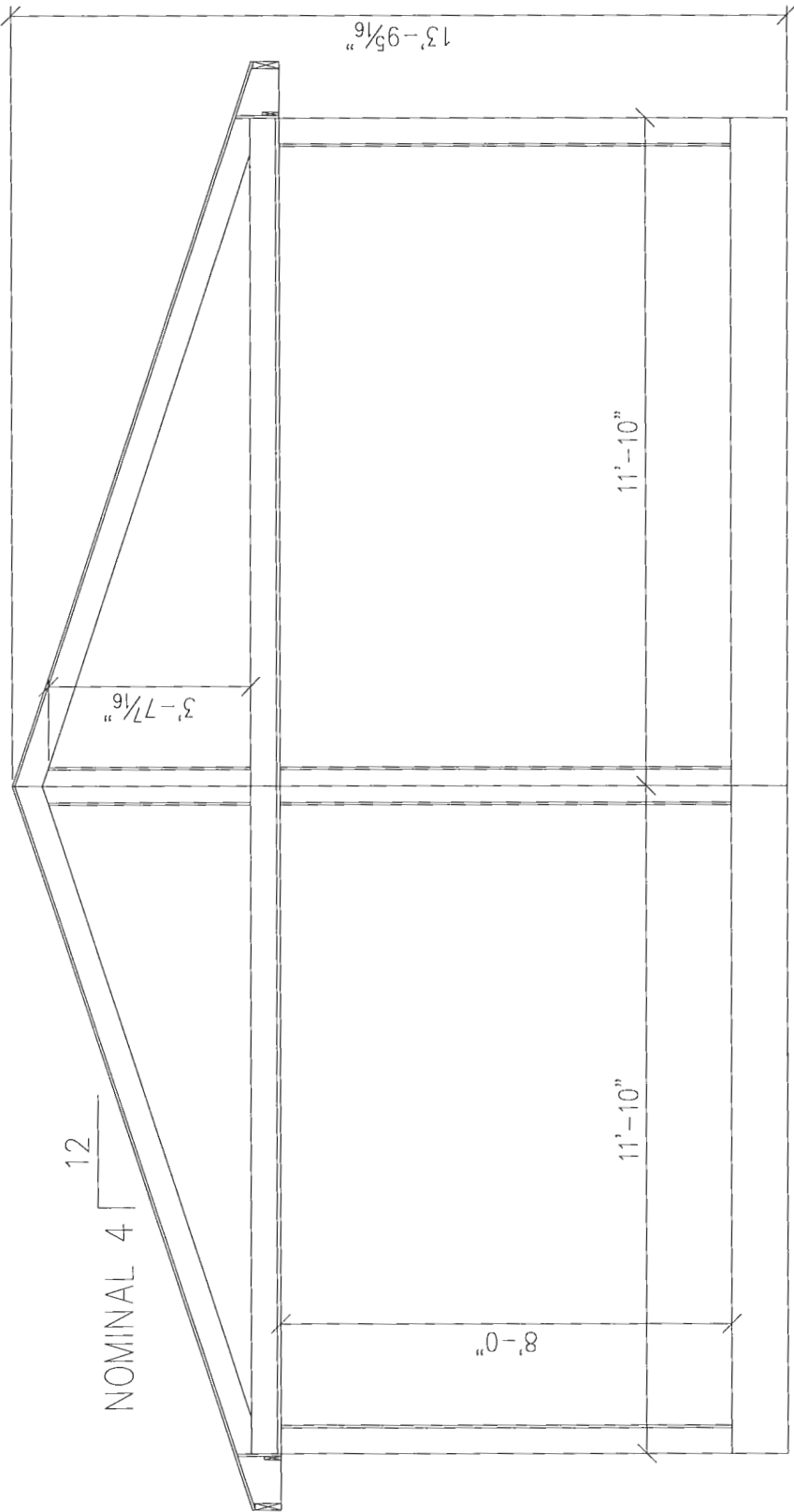
SCALE
1/8"=1'-0"

SHEET
3
OF 5 SHEETS

Exhibit

19

SECTION PLAN SHEET		DATE 09/26/20	SCALE 1/2" = 1'-0"	SHEET 4 OF 5 SHEETS
PROPOSED PROJECT RANCH 1,128 SQ.FT.		BUILDERS/DEVELOPERS 140 E. STEVEN AVE. #501, HEMET, CA 92543 951-679-9907 988-987-6638 Fax: 951-672-0926 info@usmodularinc.com		
REV. BY DATE	01 SDD 09/28/20	02 SDD 10/09/20	03 SDD 11/25/20	K600-C1 PHONE

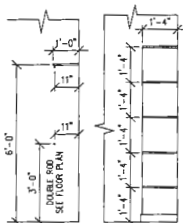


BUILDING SECTION

[illegible]

NOTES

1. ALL SHELVING MATERIAL TO BE PAINTED PARTICLE BOARD.
2. 12" SHELF DEPTH @ ALL CLOSETS WITH A DEPTH OF 2'-2" OR LESS.
3. CLOSETS WITH A DEPTH OF 2'-2" OR LESS WILL NOT HAVE A TOP SHELF.
4. BASE TRIM TO BE INSTALLED AROUND BOTTOM OF VERTICAL SUPPORT.



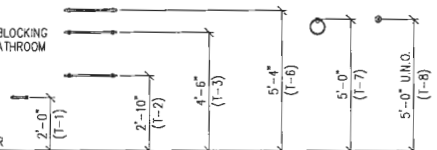
plain solid door

[illegible]

2x4-2x4 MARRIAGE WALL:	9 13/16"
2x4-2x6 MARRIAGE WALL:	11 13/16"
2x6-2x6 MARRIAGE WALL:	13 13/16"

TYPE	DESCRIPTION	LOWER	MAIN
T-1	TOILET PAPER HOLDER	1	2
T-2	STACKED TOWEL BAR (BOTTOM)	-	-
T-3	SINGLE TOWEL BAR	1	2
T-4	DOUBLE TOWEL BAR	-	1
T-5	STACKED TOWEL BAR (TOP)	-	-
T-6	TOWEL BAR ABOVE TUB OR TOILET	-	-
T-7	TOWEL RING	1	2
T-8	TOWEL HOOK	-	2

FINISHED FLOOR



BUILDERS/DEVELOPERS
140 E. STESON AVE. #301,
HEMET, CA 92543
951-679-9907
888-987-6638
Fax: 951-672-0926
info@usmodularinc.com

K600-CT

REV.	BY	DATE
01	SDD	03/29/22
02	SDD	10/09/22
03	SDD	11/25/22

PROPOSED PROJECT

SCHEDULES/
STANDARDS
SHEET

DATE
09/26/20

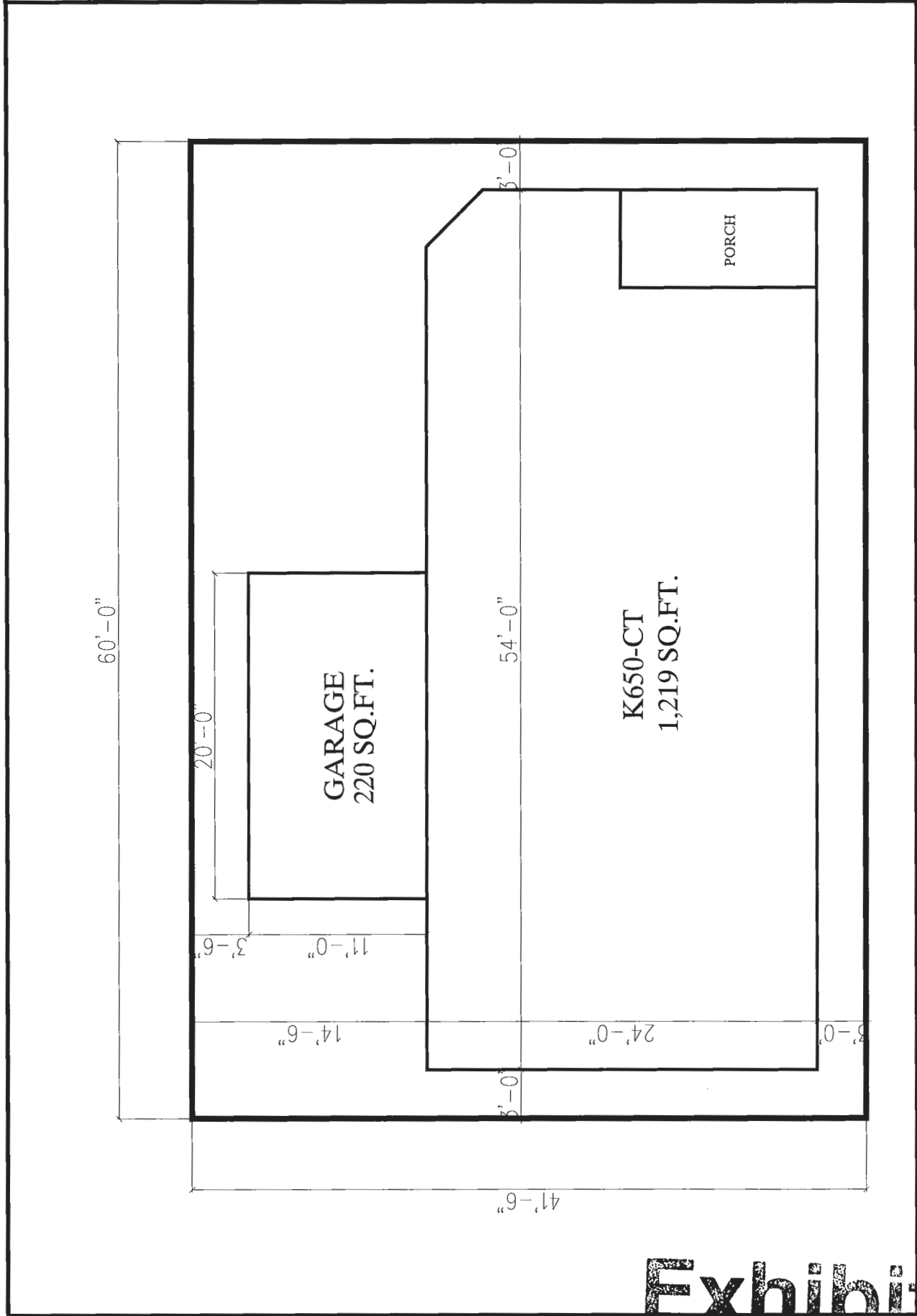
SCALE
N.T.S.

SHEET
5
OF 5 SHEETS

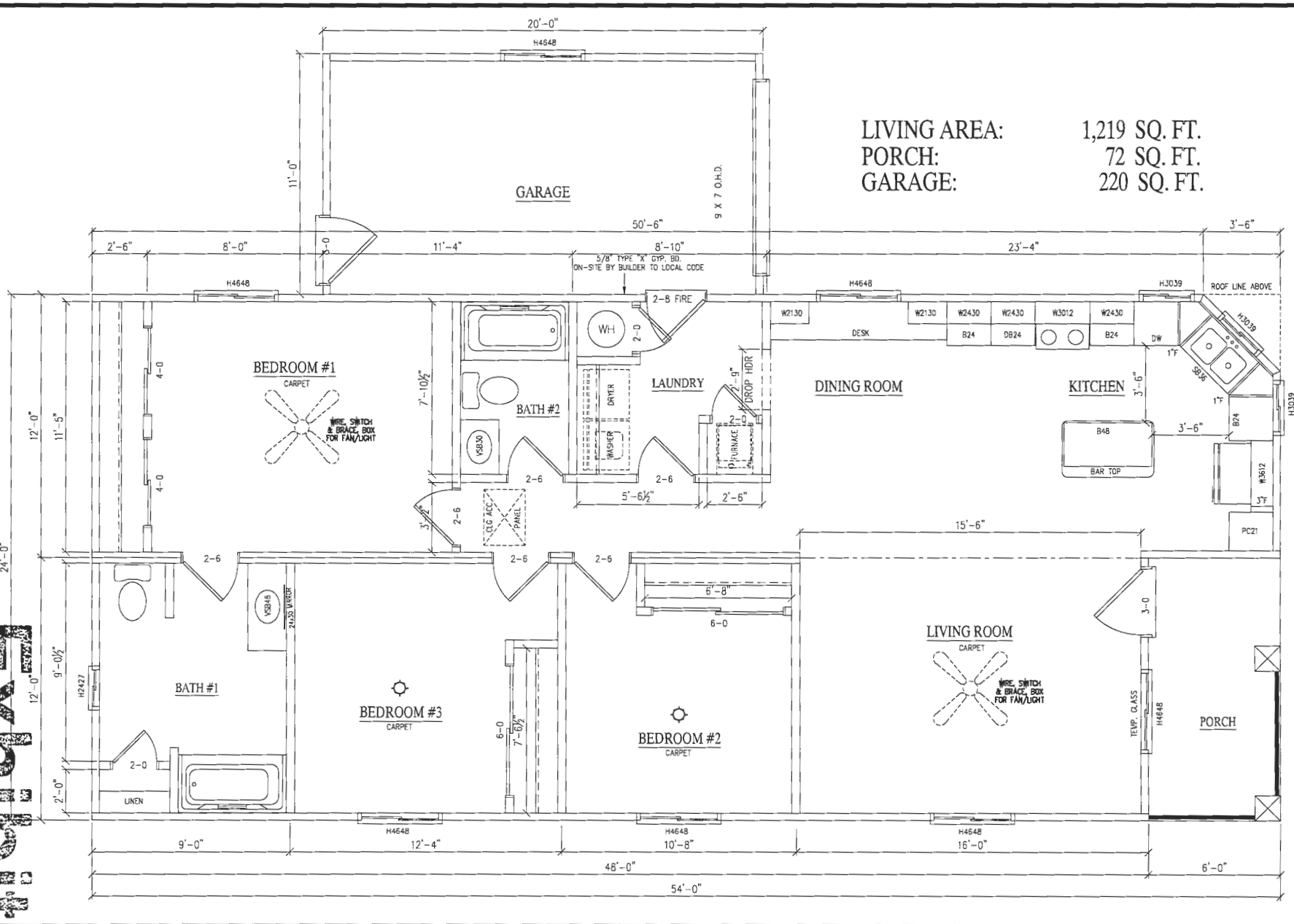
PROPOSED PROJECT RANCH 1,219 SQ.FT.	SITE PLAN SHEET	DATE 09/26/20	SCALE 3/16"=1'-0"	SHEET 1 OF 5 SHEETS
	BUILDERS/DEVELOPERS 140 E. STEVEN AVE. #301, HEWLET, CA 92543 951-679-9907 888-987-6638 Fax: 951-672-0926 info@usmodularinc.com			

REV.	BY	DATE
01	SD	09/29/20
02	SD	10/09/20
03	SD	11/25/20

K605-CT PHONE --- --- ---



23



LIVING AREA: 1,219 SQ. FT.
 PORCH: 72 SQ. FT.
 GARAGE: 220 SQ. FT.



BUILDERS/DEVELOPERS
 140 E. STEVEN AVE. #301,
 HEWLET, CA 92543
 951-679-9907
 888-987-6638
 fax: 951-672-0926
 info@usmodularinc.com

K605-CT

 PHONE

REV.	BY	DATE
01	SD	09/29/20
02	SD	10/09/20
03	SD	11/25/20

PROPOSED PROJECT
 RANCH
 1,219 SQ. FT.

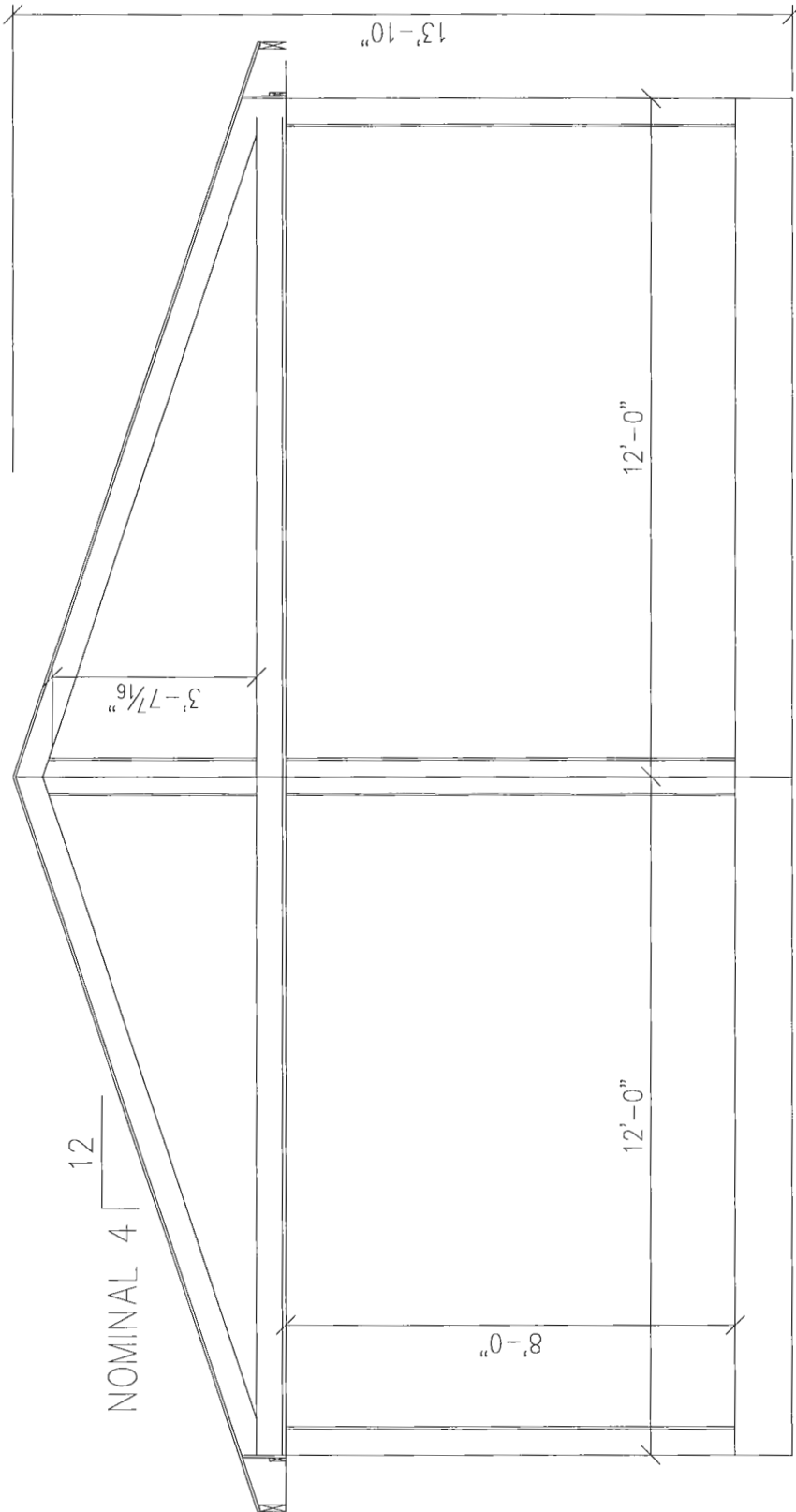
1ST FLOOR
 PLAN
 SHEET

DATE
 09/26/20

SCALE
 1/4" = 1'-0"

SHEET
 2
 OF 5 SHEETS

PROPOSED PROJECT RANCH 1,219 SQ.FT.		REV. BY DATE 01 SDD 09/29/20 02 SDD 10/09/20 03 SDD 11/25/20		BUILDERS/DEVELOPERS 140 E. STESON AVE. #301, HEMET, CA 92543 951-679-9907 888-987-6638 fax: 951-672-0926 info@usmodularinc.com	
SECTION PLAN SHEET		DATE 09/26/20		SCALE 1/2"=1'-0"	
SHEET 4 OF 5 SHEETS		PHONE --- --- --- K605-C1		USMODULAR, INC. 140 E. STESON AVE. #301, HEMET, CA 92543 951-679-9907 888-987-6638 fax: 951-672-0926 info@usmodularinc.com	



BUILDING SECTION

BUILDERS/DEVELOPERS
140 E. STESON AVE. #301,
HEMET, CA 92543
951-679-9907
888-987-6638
Fax: 951-672-0926
info@usmodularinc.com

K605-CT

PHONE

REV.	QY	DATE
01	SDD	09/29/20
02	SDD	10/09/20
03	SDD	11/25/20

RANCH
1,219 SQ.FT.

SCHEDULES/
STANDARDS
SHEET

DATE
09/26/20

SCALE
N.T.S.

SHEET
5
OF 5 SHEETS

[illegible]

plain solid door

[illegible]

DOOR JAMB SIZES (1/2" GYP. BD.)
2x4 WALL: 4 9/16"
2x6 WALL: 6 9/16"
2x8 WALL: 8 5/16"

DOOR JAMB SIZES (1/2" GYP. BD.)

2x4-2x4 MARRIAGE WALL:	9 9/16"
2x4-2x6 MARRIAGE WALL:	11 9/16"
2x6-2x6 MARRIAGE WALL:	13 9/16"

DOOR JAMB SIZES (5/8" GYP. BD.)	
2x4 WALL:	4 13/16"
2x6 WALL:	6 13/16"
2x8 WALL:	8 9/16"

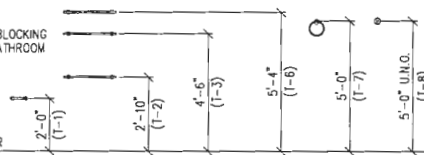
DOOR JAMB SIZES (5/8" GYP. BD.)	
2x4-2x4 MARRIAGE WALL:	9 13/16"
2x4-2x6 MARRIAGE WALL:	11 13/16"
2x6-2x6 MARRIAGE WALL:	13 13/16"

TYPICAL BATHROOM MOUNTING HEIGHTS

TYPE	DESCRIPTION	LOWER	MAIN
T-1	TOILET PAPER HOLDER	—	2
T-2	STACKED TOWEL BAR (BOTTOM)	1	—
T-3	SINGLE TOWEL BAR	1	2
T-4	DOUBLE TOWEL BAR	—	1
T-5	STACKED TOWEL BAR (TOP)	—	—
T-6	TOWEL BAR ABOVE TUB OR TOILET	—	—
T-7	TOWEL RING	1	2
T-8	TOWEL HOOK	—	2

NOTE PROVIDE BLOCKING
IN WALL FOR BATHROOM
ACCESSORIES

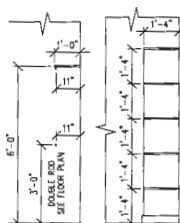
FINISHED FLOOR



TYPICAL CLOSET ROD/SHELF PROFILE
AND 5 STACK SHELF PROFILE

NOTES

1. ALL SHELVING MATERIAL TO BE PAINTED PARTICLE BOARD.
2. 12" SHELF DEPTH @ ALL CLOSETS WITH A DEPTH OF 2'-2" OR LESS.
3. CLOSETS WITH A DEPTH OF 2'-2" OR LESS WILL NOT HAVE A TOP SHELF.
4. BASE TRIM TO BE INSTALLED AROUND BOTTOM OF VERTICAL SUPPORT.



מאמר זה

26

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

February 25, 2020

File No.: 19-1377

Thomas Wiles, Project Planner
City of Salinas
Community Development Department
65 W. Alisal Street, 2nd Floor
Salinas, CA 93901

re: County File Number PUD 2019-001, TM 2019-002 / 11 Hill Circle / William Coffey

Dear Mr. Wiles:

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Project Description: The proposed project entails a Planned Unit Development application and revised plans for a Tentative Map application requesting approval to subdivide an existing 7.74-acre parcel into 43 single-family residential lots, including two inclusionary units, 43 off-street garage parking spaces, 40 onsite off-street parking spaces, and 134,484 square feet of usable open space.

Previous Studies:

XX This office has no record of any previous cultural resource studies for the proposed project area (see *recommendations below*).

Archaeological and Native American Resources Recommendations:

XX Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Monterey County have been found near areas populated by oak, buckeye, laurel, and hazelnut, as well as near a variety of plant and animal resources. Sites are also found near watercourses and bodies of water. The proposed project area is located on a flat terrace and is partially wooded. The project area contains an unnamed drainage and is in proximity to several other watercourses. Given the similarity of these environmental factors, there is a moderate potential for unrecorded Native American resources to be within the proposed project area.

We therefore recommend that a qualified archaeologist conduct further archival and field study to identify cultural resources. Field study may include, but is not limited to, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

Built Environment Recommendations:

XX The 1947 (photorevised 1984) USGS Salinas 7.5' quad depicts a building in the proposed project area. Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Monterey County conduct a formal CEQA evaluation if this building is present and if it is at least 45 years old.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions, please contact our office at nwic@sonoma.edu or at (707) 588-8455.

Sincerely,

Jessika Akmenkalns, Ph.D.
Researcher

CULTURAL RESOURCE EVALUATION OF
THE PROPOSED PROJECT AT 11 HILL CIRCLE
IN THE CITY OF SALINAS

FOR

HANNA & BRUNETTI
ATTN: MS. AMANDA MUSEY-VERDEL
7651 EIGLEBERRY STREET
GILROY, CA 95020
NWIC# 19-1377

BY

Archaeological Resource Management

Dr. Robert Cartier, Principal Investigator

*496 North Fifth Street
San Jose, CA 95112
Phone: (408) 295-1373
FAX: (408) 286-2040
Email: armcartier@netscape.net*

AUGUST 27, 2020

Exhibit 28

ADMONITION

Certain information contained in this report is not intended for general public distribution. Portions of this report locate significant archaeological sites in the region of the project area, and indiscriminate distribution of these data could result in the desecration and destruction of invaluable cultural resources. In order to ensure the security of the critical data in this report, certain maps and passages may be deleted in copies not delivered directly into the hands of environmental personnel and qualified archaeologists.

THE PRINCIPAL INVESTIGATOR

ADMONITION

- Certain information contained in this report is not intended for general public distribution. Portions of this report locate significant archaeological sites in the region of the project area, and indiscriminate distribution of these data could result in the desecration and destruction of invaluable cultural resources. In order to ensure the security of the critical data in this report, certain maps and passages may be deleted in copies not delivered directly into the hands of environmental personnel and qualified archaeologists.

THE PRINCIPAL INVESTIGATOR

ABSTRACT

This cultural resource evaluation was conducted for the proposed project at 11 Hill Circle in the City of Salinas. Research included an archival search in the State records and a surface survey of the proposed project area. The archival research revealed that no previously recorded archaeological resources are located within the proposed project area. However, the Northwest Information Center of the California Historic Resources Information System (CHRIS) recommended that a the proposed project area be surveyed by a qualified archaeologist. No significant cultural materials, prehistoric or historic were noted during surface reconnaissance. Therefore, it is concluded that the proposed project will have no impact on cultural resources. In the event, however, that prehistoric traces (human remains, artifacts, concentrations of shell/bone/rock/ash) are encountered, all construction within a fifty meter radius of the find should be stopped, the Planning Department notified, and an archaeologist retained to examine the find and make appropriate recommendations.

REQUEST FOR CULTURAL RESOURCE EVALUATION

The cultural resource evaluation was carried out to determine the presence or absence of any significant cultural resources. Cultural resource services were requested in August of 2020 in order to provide an evaluation that would investigate the possible presence of cultural materials within the proposed project area. This study meets the requirements of CEQA (California Environmental Quality Act).

QUALIFICATIONS OF ARCHAEOLOGICAL RESOURCE MANAGEMENT

Archaeological Resource Management has been specifically engaged in cultural resource management projects in central California since 1977. The firm is owned and supervised by Dr. Robert Cartier, the Principal Investigator. Dr. Cartier is certified by the Register of Professional Archaeologists (RPA) for conducting cultural resource investigations as well as other specialized work in archaeology and history. He also fulfills the standards set forth by the Secretary of the Interior for inclusion as a historian and architectural historian and is certified as such on the State of California referral lists.

LOCATION AND DESCRIPTION OF THE SUBJECT AREA

The subject area consists of the property at 11 Hill Circle in the City of Salinas (APN 004-601-066). On the USGS 7.5 minute quadrangle of Salinas, the Universal Transverse Mercator Grid (UTMG) center point of the project area is 10S 6 22 848 mE/40 60 688mN. The elevation is approximately 50 feet MSL. The nearest source of fresh water is an unnamed intermittent drainage which runs through the center of the proposed project area. In addition, the channelized route of Nativdad Creek runs approximately 1000 feet to the north of the subject property.

The proposed project consists of the construction of a new multi-family residential complex including 37 units. This project will involve the necessary excavation, grading, trenching, and other earthmoving activities.

METHODOLOGY

This investigation consisted of an archival search, a surface reconnaissance, and a written report of the findings with appropriate recommendations. The archival research is conducted by transferring the study location to a state archaeological office which maintains all records of archaeological investigations. This is done in order to learn if any archaeological sites or surveys have been recorded within a half mile of the subject area. Each archival search with the state is given a file number for verification. The purpose of the surface reconnaissance is to determine whether there are traces of prehistoric or historic materials within the study area. The survey is conducted by an archaeologist, who examines exposed soils for early ceramics, Native American cooking debris, and artifacts made of stone, bone, and shell. Older structures, distinctive architecture, and subsurface historic trash deposits of potentially significant antiquity are also taken into consideration. A report is written containing the archival information, record search number, survey findings, and appropriate recommendations. A copy of this evaluation is sent to the state archaeological office in compliance with state procedure.

A cultural resource is considered "significant" if it qualifies as eligible for listing in the California Register of Historic Resources (CRHR). Properties that are eligible for listing in the CRHR must meet one or more of the following criteria:

1. Association with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States;
2. Association with the lives of persons important to local, California, or national history;
3. Embodying the distinctive characteristics of a type, period, region, or method of construction, or representing the work of a master, or possessing high artistic values; or
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Most Native American prehistoric sites are eligible due to their age, scientific potential, and/or burial remains.

The CRHR interprets the integrity of a cultural resource as its physical authenticity. An historic cultural resource must retain its historic character or appearance and thus be recognizable as an historic resource. Integrity is evaluated by examining the subject's location, design, setting, materials, workmanship, feeling, and association. If the subject has retained these qualities, it may be said to have integrity. It is possible that a cultural resource may not retain sufficient integrity to be listed in the National Register of Historic Places yet still be eligible for listing in the CRHR. If a cultural resource retains the potential to convey significant historical/scientific data, it may be said to retain sufficient integrity for potential listing in the CRHR.

ARCHIVAL BACKGROUND

Prior to this report, a study of the maps and records at the Northwest Information Center (NWIC) of the California Historic Resources Information System (CHRIS) was conducted and given the file number NWIC #19-1377. This research into the records at the Information Center, along with in-house material at Archaeological Resource Management, was done to determine if any known archaeological resources were reported in or around the subject area. Archival research revealed that no previously recorded sites are located within the proposed project area. In addition, no previous

studies have been carried out which included the current proposed project area within their scope. However the NWIC, noted that:

“Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Monterey County have been found near areas populated by oak, buckeye, laurel, and hazelnut, as well as near a variety of plant and animal resources. Sites are also found near watercourses and bodies of water. The proposed project area is located on a flat terrace and is partially wooded. The project area contains an unnamed drainage and is in proximity to several other watercourses. Given the similarity of these environmental factors, there is a moderate potential for unrecorded Native American resources to be within the proposed project area.”

Thus they recommended that the proposed project area be surveyed by a qualified archaeologist.

SURFACE RECONNAISSANCE

A "general surface reconnaissance" was conducted by a qualified archaeologist on all visible open land surfaces in the project area. A "controlled intuitive reconnaissance" was performed in places where burrowing animals, exposed banks and inclines, and other activities had revealed subsurface stratigraphy and soil contents. The boundaries of the subject area were well established in the field by project maps and existing fence lines. Accessibility to the property was fair; some areas were inaccessible due to steep banks and overgrown vegetation; however, most areas were available for a walking survey. Soil visibility was fair; although much of the surface area was obscured by dry weeds and dense vegetation, small exposures were present throughout. Vegetation within the proposed project area consisted of dry grasses and weeds, as well as dense riparian growth along the intermittent drainage which runs through the center of the proposed project area. Where native soils were exposed, a light brown silty clay was observed. Rock types noted included native metamorphic gravel as well as imported gravel. No traces of significant cultural material, prehistoric or historic, were noted during surface reconnaissance.

CONCLUSION AND RECOMMENDATIONS

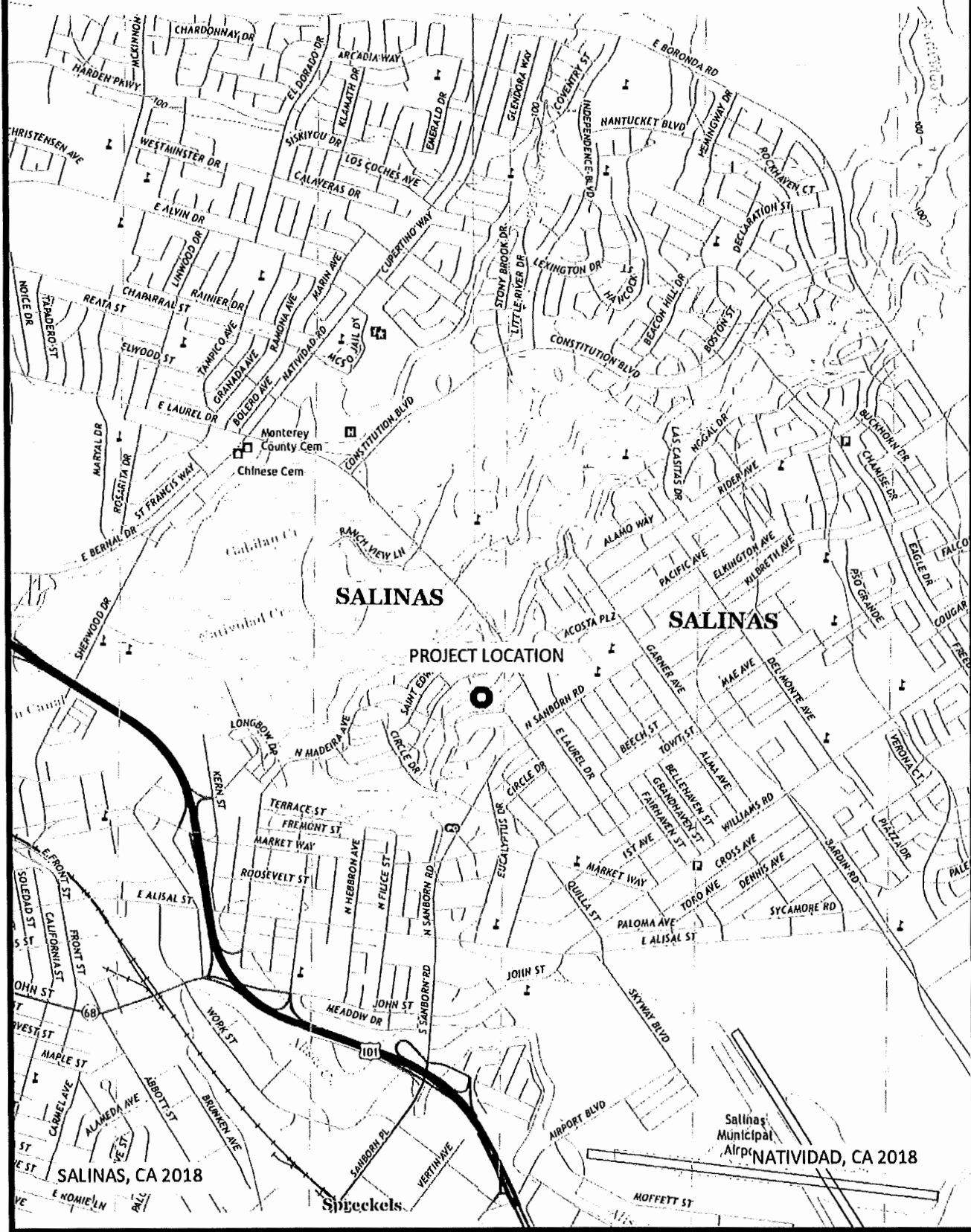
The archival research revealed that no previously recorded archaeological resources are located within the proposed project area. However, the Northwest Information Center of the California Historic Resources Information System (CHRIS) recommended that the proposed project area be surveyed by a qualified archaeologist. No significant cultural materials, prehistoric or historic were noted during surface reconnaissance. Therefore, it is concluded that the proposed project will have no impact on cultural resources. In the event, however, that prehistoric traces (human remains, artifacts, concentrations of shell/bone/rock/ash) are encountered, all construction within a fifty meter radius of the find should be stopped, the Planning Department notified, and an archaeologist retained to examine the find and make appropriate recommendations.

LITERATURE CITED AND CONSULTED

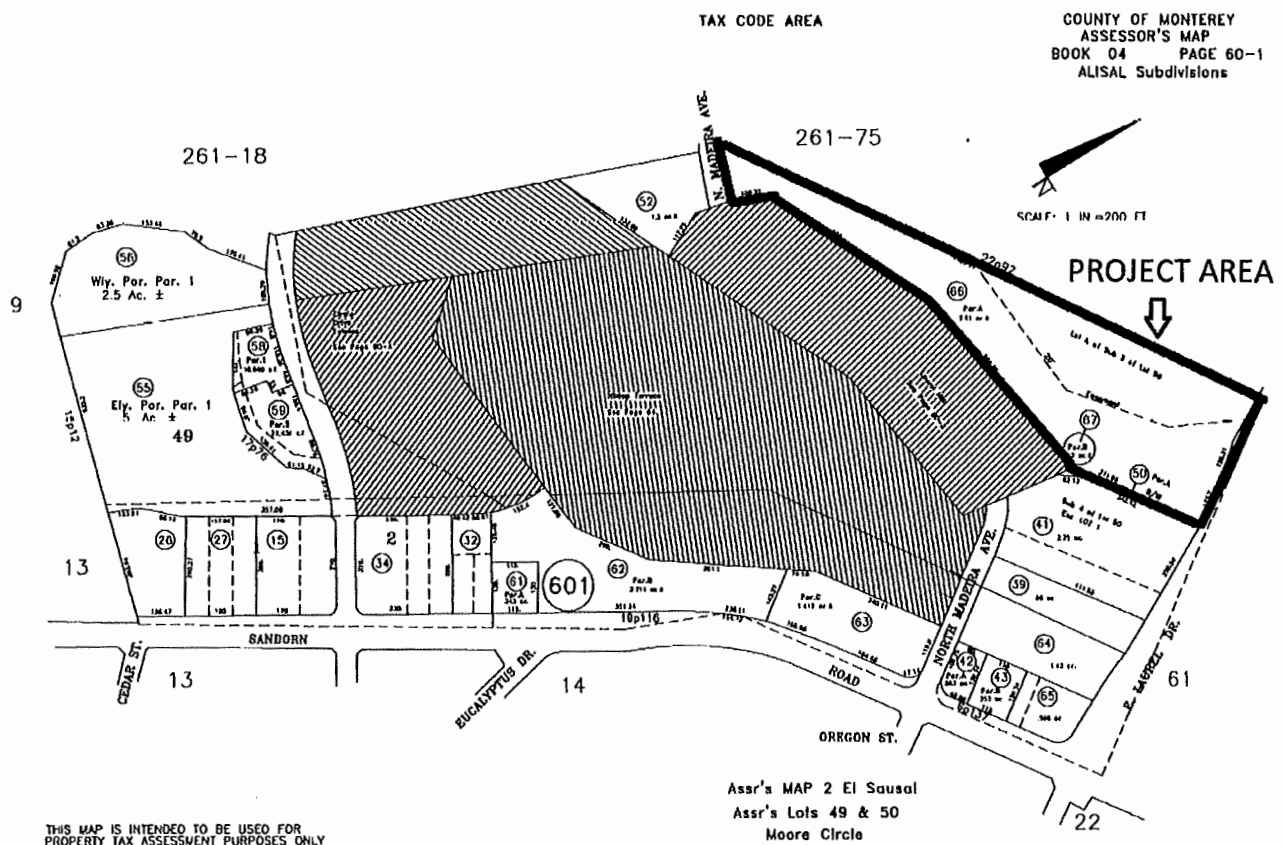
California Historical Resources Information System

2020 Archival search number NWIC #19-1377 on file at the Northwest Information Center, Department of Anthropology, Sonoma State University, Rohnert Park.

11 HILL CIRCLE PROJECT LOCATION MAP



11 HILL CIRCLE PROJECT AREA MAP



BIOLOGICAL SURVEY REPORT
for the
TED THOENY PROPERTY

11 Hill Circle,
Salinas, California
APN 004-601-053

Prepared by
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September 2005

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THE PROPERTY AND PROJECT

The Ted Thoeny Property is an approximately 7.6 acre parcel surrounded by existing residential developments. It is an elongate, roughly triangular parcel with its long axis running northeast to southwest from its wider end at East Laurel Drive to its narrower end at North Madeira Avenue. Most of the parcel is gently rolling terrain, the rest is the shallow but steep sided ephemeral drainage channel meandering through most of the property. Mr. Ted Thoeny would like to develop Los Laureles (CUP 03-06), a 53-unit senior housing project on the parcel. No houses are proposed for narrower southwestern third of the property adjacent to North Madeira Avenue.

METHOD OF SURVEY

On-site surveys, aerial photographs, existing written references, and consultations with individuals knowledgeable on the biological resources of the area were all utilized in the preparation of this biological survey report.

The on-site surveys for the preparation of the species list were done in the spring and fall of 2004 and the spring of 2005. All areas were studied on foot. All of the plants listed on the plant list were observed during the surveys.

Wildlife was observed from around mid-day to dusk. The majority of the species of wildlife on the list were not actually observed, but are known from other investigations by myself and other biologists to likely be in the local area in similar habitats.

ENVIRONMENTAL OVERVIEW

The Ted Thoeny Property can be divided into three biological areas. They are:

- 1) Most of the property other than the drainage. Most of this portion of the property is disked yearly for weed control and is dominated by naturalized, non-native, annual grasses and herbaceous plants. This portion of the property has the lowest biological values and most of the development is proposed for this area.
- 2) A few areas containing native plants away from the drainage. There are a few patches of native perennial plants such as California mugwort (*Artemisia douglasiana*), coyote brush (*Baccharis pilularis*) and poison oak (*Toxicodendron diversiloba*) within the surrounding naturalized, non-native, annual grasses and herbaceous plants (see vegetation map).
- 3) The drainage and drainage slope. The drainage, which is ephemeral, contains patches of herbaceous wetland plants such as swamp knotweed (*Polygonum amphibium* var. *emersum*) and broad-leaved cat-tail (*Typha latifolia*), along its bottom. There are also two major patches of arroyo willows (*Salix lasiolepis*) and one large patch of the non-native Himalayan blackberry (*Rubus discolor*), mostly on the banks of the drainage (see vegetation map). Most of the immediate drainage vegetated with shrubs and trees has recently been subject to extensive clearing. I have been informed that this clearing was done by the Northern Salinas Valley Mosquito Abatement District.

Most of the property outside of the immediate drainage and the associated tracts of arroyo willows and Himalayan blackberry are disked yearly for weed control. Virtually all of the property is disturbed in some way, which degrades potential biological values. There is dumped trash in many areas and there is a shelter area built of trash, presumably erected by the homeless. There is evidence of human habitation, presumably by the homeless, in several areas of the property including the groves of arroyo willows.

VEGETATION

PLANT COMMUNITIES

In discussing the plant communities of the Ted Thoeny Property, I will use the California Department of Fish and Game's Preliminary Descriptions of the Terrestrial Natural Communities of California by Robert F. Holland as my primary reference. I use the terminology of this publication, with some modifications, instead of the more current California Department of Fish and Game's List of California Terrestrial Natural Communities Recognized by the Natural Diversity Data Base in my biological reports because: 1) it provides more general plant community categories that are more easily understood by planning, administrative, legal and most non-biologist scientific personnel; 2) it is the type of general plant community classification most of the biologists currently working in the field grew up with and are most familiar with; and 3) the general morphological categories in this source are more easily related to ecological factors. Element codes from this source are listed after the name of the plant community.

Four natural plant communities are present on the property:

1. Central Coast Arroyo Willow Riparian Forest (61230)
2. Vernal Marsh (52500)
3. Central Coastal Scrub (32200)
4. Non-native Grassland (42200)

Please refer to the vegetation map and text to find where these plant communities are located on the property.

Central Coast Arroyo Willow Riparian Forest

This community is a closed canopy forest in riparian environments that is dominated by arroyo willows (*Salix lasiolepis*). Two major small groves of Arroyo willows are present on the banks of the drainage. The trees are generally large and healthy. The grove on the western portion of the property formerly extended across the bottom of the drainage and onto the parcel on the opposite bank but the willows in the area of the immediate drainage bottom were cleared out last summer. As mentioned previously, I have been informed that the clearing was done by the Northern Salinas Valley Mosquito Abatement District.

Vernal Marsh

Vernal marsh vegetation is primarily annual and some perennial herbaceous wetland plants and is dominated by rushes and sedges. Elements of this plant community occur along the wetter sections of the drainage bottom where the central coast arroyo willow riparian forest does not occur.

Central Coastal Scrub

Central coastal scrub is a brushy plant community of the type sometimes referred to as "soft chaparral" because the plants present have softer, more herbaceous growth than chaparral plants and also have less woody stems containing more pith. In general, central coastal scrub occupies sites with lower effective moistures and heavier soils than the chaparral plant communities do. These areas are often gently sloping and between grasslands and more densely wooded communities. In formerly disturbed areas, it is often a stage of succession leading to chaparrals.

Many grassland areas that are better watered and have looser soils will gradually become scrubs in the absence of disturbance from grazing, agriculture or fires. In some of the non-native grassland areas of the Salinas Valley that have not been in agricultural use for over a decade, some of the plants of this community can be seen to be returning.

A few patches of native plants of the central coastal scrub plant community such as coyote brush (*Baccharis pilularis*), poison oak (*Toxicodendron diversiloba*) and mugwort (*Artemisia douglasiana*) are present on the higher areas of the property near its northern and southern boundaries. Where it is present, it appears to be fairly undisturbed in areas that have not been disked regularly as has most of the land away from the drainage. Central coastal scrub is probably the climax community for many slopes and some flats in this area.

Non-native Grassland

This plant community covers virtually all of the Ted Thoeny Property outside of the areas of riparian vegetation and the small patches of central coastal scrub.

There is a considerable amount of grassland in the undeveloped portions of the Salinas Valley, and most of it has one of two environmental conditions associated with it: 1) it is on the more level areas land and usually has the finer grained, heavier soils of the region, or 2) it is land that has been cleared of brush and trees and is still in a somewhat disturbed state.

The first category of grasslands mentioned above is a natural one that will remain grassland in the absence of disturbance. The second category is successional grasslands that are a product of disturbance and will gradually succeed back into communities of shrubs and possibly trees if no longer disturbed.

Most of the non-native grassland on the Ted Thoeny Property appears to be successional because of disturbance, but much of the property outside of the immediate drainage would probably remain non-native grassland in the absence of continued disturbance. The quality of the habitat would gradually improve with time and under certain conditions, the return of native grasses to the area could occur. The restoration plan for the property includes reestablishment of native perennial grasses.

Most grasslands throughout coastal California are non-native grasslands now no matter what their origin. The native perennial bunch grasses that were originally dominant in our grassland communities were largely replaced by annual grasses from the Old World. These Old World grasses have evolved for over 11,000 years to meet the demands of the overgrazed and heavily disturbed soils where they originated. They have generally outcompeted and replaced our native grasses under similar conditions of heavy use, especially overgrazing. Native grasses often slowly reestablish themselves after these disturbances stop, but the imported annuals usually continue to play a dominant role in most grasslands. Natural grassland areas receiving a lot of coastal fog, such as those in the northern portion of the Salinas Valley, often return to native grasslands more easily under the right conditions.

SENSITIVE HABITAT

Sensitive habitat on the Ted Thoeny Property as defined in the Salinas General Plan is the riparian habitat containing wetland vegetation. Wetland vegetation includes the central coast arroyo willow riparian forest and the vernal marsh herbaceous vegetation along the drainage bottom. It is imperative that no significant impacts occur to this sensitive habitat during and after development and that no net loss of this habitat occurs. Mitigation will be required for developments closer than 100 feet from riparian and other wetland vegetation in accordance with the setback recommendations of the Salinas General Plan.

SENSITIVE PLANT SPECIES

Current California Department of Fish and Game Natural Diversity Data Base printouts for the Salinas and Natividad Quadrangles do not indicate that any sensitive plant species have ever been previously reported from the Ted Thoeny Property.

The California Department of Fish and Game Natural Diversity Data Base report for the Salinas Quadrangle and surrounding area shows records for alkali milk vetch (*Astragalus tener* var. *tener*) (California Native Plant Society list 1B) approximately 1 mile away and Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*) (California Native Plant Society list 1B) approximately 1.5 miles away. California Native Plant Society's list 1B includes plants rare, threatened and endangered in California and elsewhere. The California Department of Fish and Game Natural Diversity Data Base report for the Natividad Quadrangle and surrounding area also has records for Congdon's tarplant. The closest record is approximately 3 miles away. Neither of these plants are state or federally listed species.

These two plant species were thoroughly searched for on my surveys.

WILDLIFE

Even though the Ted Thoeny Property is an island of undeveloped land in a residential area, the drainage running through it supports a diversity of wildlife. The drainage bottom is in a relatively natural state on much of the property and also on both sides of it. It is important to keep areas such as this in a natural state for long distances to serve as refuges for wildlife species in developed areas and as corridors for the movement of wildlife species through developed areas. This project includes a restoration plan by Rana Creek Habitat Restoration for the drainage area. This will greatly enhance the habitat values to wildlife as well as creating an area of unexpected natural beauty. Restoration efforts of this type should be encouraged as mitigation for development near wetland areas in similar situations in the City of Salinas and elsewhere.

SENSITIVE ANIMAL SPECIES

There are no state or federally listed rare or endangered animal species known to occur on the Ted Thoeny Property from California Natural Diversity Data Base records for the Salinas and Natividad Quadrangles.

There are no records for listed species of wildlife from California Natural Diversity Data Base records for the Salinas and Natividad Quadrangles, however, there are sensitive species of amphibians that have been found in and around wetland habitats in Monterey county that could potentially be present in vernal marsh and central coast arroyo willow riparian forest habitats on the property.

There are two listed species of amphibians that have been found in and near wetland habitats in Monterey County. These species are the California red-legged frog (*Rana aurora draytonii*), which is federally listed as threatened and is a state species of special concern and the Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*) which is listed as endangered by both the state and federal governments. The California red-legged frog is much more likely to be present in suitable habitats in this area than the Santa Cruz long-toed salamander. Temporary as well as permanent water sources can serve as breeding areas for these amphibians. Water sources that could possibly serve this purpose in the immediate area would be pools of water along the bottom of the drainage. Pools of water are usually present here during the spring and early summer when breeding would be most likely to occur.

The California tiger salamander (*Ambystoma tigrinum californiense*) is proposed for federal listing as threatened. It is another amphibian that is usually found in and near wetland habitats. It breeds in ponds and quiet pools of water. There is also a possibility of this amphibian being present in and around the areas of wetland habitat on the property.

None of these amphibians or their eggs was identified on my surveys. My survey was not a protocol level survey for these amphibians.

There are several animal species with ranges that include similar habitats in the local area that are classified by various agencies as species of special concern, protected or sensitive species. Some of these are candidates for listing and many are simply uncommon and/or restricted in distribution.

These species are the western pond turtle (*Clemmys marmorata*), California legless lizard (*Anniella pulchra pulchra*), California horned lizard (*Phrynosoma coronatum frontale*), two-striped garter snake (*Thamnophis hammondi*), white-tailed kite (*Elanus leucurus*), burrowing owl (*Athene cunicularia*), ornate shrew (*Sorex ornatus*), pallid bat (*Antrozous pallidus*), Monterey dusky-footed woodrat (*Neotoma macrotis luciana*), and badger (*Taxidea taxus*).

In many cases it would be difficult to verify for certain the presence or absence of these animal species on the property. The California Natural Diversity Data Base printout does not show any records for them on the Ted Thoeny Property.

The only one of these species with California Department of Fish and Game Natural Diversity Data Base records for the Salinas and Natividad Quadrangles is the burrowing owl, which is a state species of special concern. The closest occurrences of this species to the Ted Thoeny Property are approximately 2.5 miles away for the Salinas Quadrangle and approximately 1.5 miles away for the Natividad Quadrangle. This bird is found in and around the Salinas Valley in association with California ground squirrel colonies since it uses their abandoned burrows for nesting sites. It is declining due to development and predation. None were observed on my surveys and it is not likely that they would be present since no California ground squirrel colonies were found on the Ted Thoeny Property.

White-tailed kites could potentially be seen over the Ted Thoeny Property since these predators hunt on open grasslands, but the poor quality of the grassland habitat on the property makes this unlikely. They are occasionally seen over less developed portions of the Salinas Valley.

No Monterey dusky-footed woodrat nests were found on my field surveys. They are most likely to be present in coast live oak forest habitat, which is not present on the Ted Thoeny Property. Badgers were not observed and are unlikely to be present. They are rarely reported around the margins of the Salinas Valley, usually in areas with California ground squirrel colonies.

California legless lizards and more rarely, California horned lizards, are occasionally found in the Salinas Valley area. California legless lizards burrow in sandy soils unlike those of the Ted Thoeny Property and are unlikely to be present.

In order to support amphibian populations, both their aquatic habitats which are important for breeding and residence during certain times of the year and their preferred terrestrial habitats used at other times of the year must be preserved along with habitat connecting them that will support their movements between the two. The restoration plan by Rana Creek Habitat Restoration for the drainage area will restore terrestrial habitat that will greatly improve habitat requirements for resident amphibians including the California red-legged frog and the California tiger salamander if they are present.

NECESSARY PERMITS RELATING TO BIOLOGY

Mr. Jeff Cann, California Department of Fish and Game Biologist, met Mr. Thoeny and me at the site and recommended that Mr. Thoeny fill out a Steambed Alteration Notification, which he did. Mr. Thoeny was notified in a letter dated July 7, 2004 that he could proceed with his developments in

the ephemeral drainage channel as he has proposed under California Department of Fish and Game Streambed Alteration Permit number 1600-2003-5326-3.

Since no discharge into the drainage channel is proposed, a permit from the Water Quality Control Board of the Central Coast Region should not be necessary.

Since the drainage channel containing the ephemeral stream is not related to any local navigable waterway, a permit from the United States Army Corps of Engineers should not be necessary.

If California red-legged frog, Santa Cruz long-toed salamander and California tiger salamander, which have federal listing status, are found to be present on the property, permits from the U. S. Fish and Wildlife Service will be necessary. The two permits that would be necessary are the Incidental Take Permit and the Enhancement of Survival Permit.

IMPACTS

The 7.6 acre Ted Thoeny Property is proposed for 53 two bedroom, single family senior housing units with side patios. An access road and parking areas will also be constructed. The access road will cross the drainage channel three times. Five-foot diameter culverts are proposed for the creek crossings. 220 linear feet of the drainage channel will be disturbed and 200 cubic yards of cut and fill will be required for the installation of the three culverts. Much of the eastern two thirds of the property will contain the housing units. The only development on the western third of the property will be an access road. Most of the development will take place on the areas of non-native grassland.

Developments in some portions of the project will be closer to the edge of the drainage slope than 50 feet, which is the recommended minimum setback from riparian habitat commonly stated by the California Department of Fish and Game. In the Salinas General Plan, 100 feet is the desired setback of developments from the top of the bank or the outer edge of riparian and other wetland vegetation, whichever is greater. Developments in some portions of the project will also be closer than this to wetland vegetation in the riparian corridor as well as to the edge of the slope. Sixteen homes will be closer than 50 feet from the edge of the drainage. Eight of the homes will be closer than twenty feet from the edge of the drainage slope. Approximately 1080 feet of road and approximately 800 feet of single-row side-by-side parking area will be closer than 50 feet from the edge of the drainage. Grading will be necessary for the road, parking areas, bridges and culverts and on all of the lots.

MITIGATIONS

The only significant biological values on the Ted Thoeny Property are present in the central coast arroyo willow riparian forest and vernal marsh plant communities and associated wildlife, which are found in and around the drainage. Impacts to these plant communities on the property will be kept to as minimal levels as possible through implementation of the following mitigation measure:

As mitigation primarily for the reduced setback of the developments from the edge of the drainage and to riparian habitat, restoration of natural terrestrial and aquatic habitat to the entire drainage area on the property will be undertaken. Rana Creek Habitat Restoration created the

restoration and mitigation plan for this area, which is included in this report. This restoration of natural plants and natural plant community structure to this area will greatly improve habitat values for the resident wildlife. This will also hopefully discourage the wanderings of native wildlife into developed areas.

Restoration of natural habitat in other areas of the drainage as is being undertaken on the Ted Thoeny Property would greatly increase its value as wildlife habitat and would increase local natural habitat area. It would also allow the area of the drainage to be very useful as a wildlife movement corridor. The Cascade Development project to the north of the western half of the Ted Thoeny Property has restoration of the northern side of the drainage by Rana Creek Habitat Restoration as mitigation for its development.

RECOMMENDATIONS

There are also some recommendations that if followed, will further maximize preservation of natural values present.

- 1) No invasive species of plants should be planted on the property and plants of these species that are present on the property should be removed. Invasive plants include such species as pampas grass (*Cortaderia jubata*), French broom (*Genista monspessulana*) and related plants, Hottentot fig, Sea fig or "ice plant" (*Carpobrotus sp.*), certain kinds of Eucalyptus such as blue gum (*Eucalyptus globulus*), certain kinds of the Acacias such as the wattles, giant reed (*Arundo donax*) and ground covers such as periwinkle (*Vinca sp.*), German ivy (*Senecio mikanooides*), English ivy (*Hedera helix*) and capeweed (*Arctotheca calendula*). These plants and others like them can quickly spread through local natural habitats and seriously degrade them.

English ivy, sea fig, Hottentot fig and giant reed were found on the property on my survey (see species list). These plants should be totally eradicated from the property.
- 2) Perimeter fencing at the boundaries of the property where the natural open space borders undeveloped land within the drainage channel or natural open space or restored area on other parcels should be of a type that will allow wildlife to easily cross. Wire fencing should have a clearance of eighteen inches between the ground and the first wire and can be any height. Board fencing can be of any height and should have at least two panels on a side with at least fifteen inches between boards.
- 3) New curbs, if present at the edges of future roads, parking areas, or driveways, should be rolled curves, at a low angle, 40° to 50° or less, to allow invertebrates, amphibians, reptiles and other small animals to cross them easily.
- 4) Native wildlife should be protected. Maintenance of healthy predator populations is the best way to insure that prey species such as mice, rats and other rodents do not increase their numbers to the point where they become pests.
- 5) Chemical herbicides and chemical pesticides should only be used when other options for control have been exhausted. Care should be taken to keep them confined to the

immediate areas of use. In all cases, if it becomes necessary to use chemicals, they should be types that quickly break down into harmless compounds. Pesticide use, if necessary, should be part of an integrated pest management program in which all other natural means of control are also used and pesticide use is infrequent and timed to coincide with periods of maximum pest vulnerability.

- 6) Pets, such as dogs and cats, should not be allowed to disturb or destroy wildlife. Unless cats and dogs are to be used for breeding purposes, they should be spayed or neutered. This is especially important for cats to prevent the establishment of feral populations and to discourage distant wanderings. Keeping dry food and water available at all times to cats and dogs will discourage hunting.

MONITORING AND ADDITIONAL WORK

Monitoring inspections will be done by a qualified biologist once during construction, once within the 3 months following completion of the development and once each year following completion in the spring season for the next 5 years. A report on each inspection will be submitted to the City of Salinas. Rana Creek Habitat Restoration has similar monitoring requirements for their work as can be seen in their report. A spring survey of biological resources will not be necessary since a survey for preparation of the species list was done in spring.

Inspections will monitor the quality of implementation of all of the mitigations listed in this report. Success of the terrestrial and wetland restoration will be assessed on the basis of percent survival of plants, percent cover and percent progress towards the establishment of plant community structure expected for the period of time under optimal conditions.

Rana Creek Habitat Restoration states that riparian restoration and mitigation will be defined as successful when restored plants are fully established and growing vigorously. Success is further defined as approximately 80% of restored plant species occurring within the mitigation areas after five years with intermediate criteria of 60% at the two-year and 70% occurrence at the four-year intervals. Riparian buffer restoration and mitigation will be defined as successful when invasive plant cover is less than 15% of total cover for a consecutive period of three years. Please consult the restoration and mitigation plan for the property by Rana Creek Habitat Restoration for further details on their specific requirements.

RECOMMENDATIONS ON THE DEVELOPMENT PLAN

The development plan for the Ted Thoeny Property is consistent with its biological values. It was conceived with the idea that although the maximal amount of land with the lowest biological values on the property will be developed, the maximum possible amount of existing natural habitat will be preserved and the entire riparian corridor on the property will be restored and preserved in perpetuity as undeveloped natural open space. Native vegetation will also be dominant in landscaping in all developed areas including within development envelopes. In spite of the degree of development close to the riparian corridor, the mitigation by restoration of the entire ephemeral drainage channel and the retention of existing natural habitat on the property will result in a net gain of viable natural habitat.

With the successful implementation of the mitigations listed above, impacts to biological values should be at a level of insignificance and in compliance with the regulations and standards of the City of Salinas and county, state and federal agencies concerned with the maintenance of habitat quality and protection of biological resources. In addition to the mitigations, the following of the recommendations listed above is encouraged to maximize protection of natural values during and after construction.

REFERENCES

California Department of Fish and Game (1999). List of California Terrestrial Natural Communities Recognized by the Natural Diversity Data Base.

California Department of Fish and Game (2000). Natural Diversity Database overlay and text for the Prunedale Quadrangle.

California Native Plant Society (1994). Inventory of Rare and Endangered Vascular Plants of California. Special Publication No. 1, fifth edition.

City of Salinas (2002) Salinas General Plan.

Gordon, B.L. (1977). Monterey Bay Area: Natural History and Cultural Imprints. Second edition. Pacific Grove, California: Boxwood Press.

Holland, R.F. (1986). Preliminary Descriptions of the Terrestrial Natural Communities of California. California Department of Fish and Game.

Monterey County Planning and Building Inspection Department (1987) Monterey County Coastal Implementation Plan.

Sawyer, J. O. and T. Keeler - Wolf (1995). A Manual of California Vegetation. California Native Plant Society.

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October 10, 2019

***RE: Update biological survey report for the Hill Circle Property, 11 Hill Circle, Salinas, CA.
APN 004-601-053.***

Dear Mr. Grossman:

I conducted my update biological survey for the Hill Circle Property on September 24, 2019. The purpose of this biological assessment is to record the current status of biological resources present on the property. The original biological survey for the Hill Circle Property was completed and submitted to the Community Development Department of the City of Salinas in September of 2005. At that time, it was the Ted Thoeny Property and it was later named the Los Laureles Subdivision. A copy of the original Ted Thoeny Property survey is included with this update.

This update biological survey report contains two sections:

- the text of the biological survey report
- the map of approximate locations of Congdon's tarplant on the property.

METHOD OF SURVEY

I received a current site plan for the property and current owner John Filighera provided information about the current development plans and current conditions on the property and accompanied me on my survey.

I surveyed the entire property on foot. I identified plant and wildlife species for the species lists and assessed possible use of the property by wildlife and possible impacts to biological values from the proposed project. Inaccessible areas were surveyed from a distance with binoculars.

The latest California Department of Fish and Wildlife Natural Diversity Data Base records for the Salinas Quadrangle and surrounding area were used for background information on sensitive plant and animal species and sensitive habitat that have been found on or around the Hill Circle Property.

CHANGES FROM OBSERVATIONS ON ORIGINAL BIOLOGICAL SURVEY OF SEPTEMBER 2005

Environmental Overview

The Current Environmental Overview differs from the environmental overview presented in the original biological survey in three main ways:

1. Native perennial shrubs have overall increased in abundance in most areas of the property. This is most likely because of a decline in construction and maintenance activities since the previous owner ended his interest in developing the property.
2. Disturbance has increased on the property. This is for three primary reasons. It is because of the substantial increase in use of the property by the homeless, because of recent brush clearing to reduce cover for homeless habitations and because of trash removal and elimination of habitations of the homeless.
3. Due to the ample rainfall of the last two rainy seasons, there is currently a greater volume and increased species distribution of annual plants than observed in the past and the presence of a sensitive annual plant species not previously observed on the property.

Sensitive Habitat

The sensitive habitat on the Hill Circle Property as outlined in the original biological survey is the riparian habitat containing wetland vegetation. Wetland vegetation includes the central coast arroyo willow riparian forest and the vernal marsh herbaceous vegetation along the drainage bottom. Of course, protection of sensitive habitat is mandatory and the wetland habitat on the Hill Circle Property has remained somewhat protected up to now. The total amount of wetland vegetation has only suffered minor declines in the time following its reduction by the construction of three road crossings with culverts by the previous owner.

Two things have resulted in some impacts to the sensitive riparian habitat on the Hill Circle Property. Modifications made by homeless inhabitants have included clearing of underbrush, excavations into the banks and in some cases the building of structures using dead wood, bricks of various types and sizes, blankets and rugs. The owner of the neighboring property to the north has cut the willows in his portion of the riparian corridor down to stumps and has caused some ground disturbance. This has eliminated some shade on the Hill Circle Property and has resulted in the increased potential for erosion of soil and organic matter into the drainage. This was apparently done in an attempt to discourage homeless occupation on his property.

Sensitive Plant Species

As mentioned in the original biological survey for the property and still valid today, the most recent California Department of Fish and Wildlife Natural Diversity Data Base printouts for the Salinas and Natividad Quadrangles do not indicate that any sensitive plant species have ever been previously reported from the Hill Circle Property.

The California Department of Fish and Wildlife Natural Diversity Data Base report for the Salinas Quadrangle and surrounding area shows records for two sensitive plant species in the greater local area that could occur in the habitats present on and around the Hill Circle Property. They are Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), approximately 1.5 miles away and alkali milk vetch (*Astragalus tener* var. *tener*) approximately 1 mile away.

No sensitive plant species were observed on the original biological survey, but on this update biological survey, one sensitive plant species, Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), was observed growing on the property. See map of approximate locations of Congdon's tarplant on the Hill Circle Property.

Congdon's tarplant is an annual herb found primarily in valley areas west of the Sierras in central California that blooms from May through October. It grows in heavier valley soils and two plants were observed growing on areas of the Hill Circle Property in two different areas that have heavy, hardpacked soils. This plant is severely threatened by development. It has no state or federal listing status, but is on California Native Plant Society's List 1B.1, which includes plants that are very endangered in California and elsewhere. It has no state or federal listing status.

Congdon's tarplant usually occurs in colonies and the two widely separated individuals observed on the property is an uncommon occurrence. Since Congdon's tarplant is an annual plant, it grows from seed every year and numbers can fluctuate depending on rainfall and other environmental factors. It is likely that the seeds for these two individual plants were distributed here from other nearby colonies such as the large one I have observed in the Acosta Plaza area just across East Laurel Drive, and the ample rainfall this last season allowed them to grow. Seeds of this plant may have been present but no germination and growth occurred in the years that I performed previous surveys on this property. Both of the tarplants observed on the property were of average to small size and moderately healthy. They both had some flowers present. They were each marked by blue flags on the property and their locations are indicated on the map of the property included with this report.

Alkali milk vetch is an annual herb severely threatened by development and found primarily in valley areas west of the Sierras in central California. This plant is on the California Native Plant Society's List 1B.2, which includes plants that are moderately endangered in California and elsewhere, and has no state or federal listing status. No evidence for the presence of this plant on the property was observed on my survey.

Mitigation for the presence of Congdon's tarplant on the property will be discussed in the impacts section and the mitigations section of this report.

Sensitive Animal Species

There are no sensitive animal species known to occur on the Hill Circle Property from California Natural Diversity Data Base records for the Salinas and Natividad Quadrangles. No sensitive animal species were observed on the property on the survey for this report and on the surveys for the original report.

There was a restoration plan prepared by Rana Creek Habitat Restoration for the drainage area of the property for the original owner that will restore terrestrial habitat and will greatly improve habitat requirements for resident wildlife. I recommend that this restoration plan or a similar one be implemented.

Necessary Permits Relating to Biology

There is no change in this section.

A Steambled Alteration Permit was obtained by the former owner prior to construction of the roads and culverts. The former owner was notified in a letter dated July 7, 2004 that he could proceed with his developments in the ephemeral drainage channel as he has proposed under California Department of Fish and Game Steambled Alteration Permit number 1600-2003-5326-3.

Impacts

Potential impacts to the riparian wetland sensitive habitat have been reduced in the current plan as compared to the original plan by increasing setbacks from the edge of riparian habitat.

The required setbacks of developments from sensitive habitats, such as riparian and wetland resources, is 100 feet unless a biotic study determines that the development will not have significant adverse impact on the habitats. This is stated for riparian and wetland habitats in Salinas General Plan Implementation Program Policy COS-17 and Salinas, California Municipal Code Zoning Section 37-50.180(h) as well as in policies of Monterey County and other agencies.

- Salinas, California Zoning Code Section 37-50.180(h)(1)(A), requires a one hundred-foot setback from developments be established along Gabilan and Natividad Creeks and other unnamed creeks, including Reclamation Ditch No. 1665, within the city. The setback is measured from the top of bank or outside edge of the riparian woodland, whichever is greater. Development within the 100 foot creek setback may be considered if the City Planner determines the encroachment will not have a significant adverse impact on the riparian and wetland resources because the property being developed is adjacent to a reclamation ditch, and no riparian or wetland resources are identified outside of the areas of the improved ditch, as demonstrated and confirmed in either case by a biotic resources study prepared for the City Planner by their designee.
- Salinas General Plan Policy COS-17 similarly states that any development within 100 feet of any stream, including Reclamation Ditch No. 1665, must be only for passive recreation unless a biotic resources study prepared by the City Planner or his/her designee demonstrates that the implementation of alternative mitigation measures will result in a comparable or better level of mitigation than the provision of the 100-foot setback or that no riparian or wetland resources are identified outside of the area of the improved ditch. COS-17 also requires project developers to protect and enhance riparian corridors through setbacks and open space easements within development areas along Gabilan and Natividad Creeks and other streams in the planning area.
- BMP 4.6 of the City's Storm water Management Plan requires a minimum of 30 feet of undisturbed soil and riparian vegetation from the reclamation ditch shall be required to provide a filter strip to minimize erosion and sedimentation in the reclamation ditch.
- The desired minimum setback from the edge of riparian habitat for the California Department of Fish and Wildlife for the original project was 50 feet.

The original plan was not compatible in all ways with the statutes of the City of Salinas mentioned above because of the setbacks of some of the homes from the edge of riparian habitat was closer than the minimum 30 feet stated in BMP 4.6 of the City's Storm water Management Plan. The number of homes was reduced from 50 in the original plan to 44 in the current plan and the edges of all of the lots in the current plan will be over 30 feet from the edge of the top of the bank of the drainage.

This new development fulfills the requirements of the statutes of the City of Salinas in that:

1. There is the required minimum of 30 feet of undisturbed soil between the nearest developed structure and riparian vegetation in the drainage.

2. No riparian or wetland resources were identified outside of the area of the drainage floor.
3. Implementation of proposed alternative mitigation measures will result in a comparable or better level of environmental quality than the provision of the 100-foot setback without those mitigation measures.

Mitigations

The habitat of the drainage should be in a much better state after development is completed because it will have been cleaned up and restored to a natural state. It should remain that way because it will be protected through the presence of nearby residents, deed restrictions on the property, etc. Its use as a habitation site for the homeless and a trash dumping site should end.

There are some changes to this section related to changes in the plan, previous work completed or planned, changes in the drainage plan and the current presence of Congdon's tarplant on the property. There are three new mitigations in this update report.

Mitigation 1. This is also a broad mitigation in the original biological survey report which states: *as mitigation primarily for the reduced setback of the developments from the edge of the drainage and to riparian habitat, restoration of natural terrestrial and aquatic habitat in the entire drainage area on the property will be undertaken.* For the original plan, Rana Creek Habitat Restoration created a restoration and mitigation plan for this area. Something similar will need to be created for the current plan to ensure compliance with Salinas General Plan Policy COS-17 mentioned above. This restoration of natural plants and natural plant community structure to this area will greatly improve habitat values for the resident wildlife. This will also hopefully discourage the wanderings of native wildlife into developed areas. Landscaping in this area will be with at least 40 percent native plants of local origin. Up to 60 percent of the plantings can be plants native to coastal California, but not native to this area. A native annual plant seed mix will be used for erosion control. California native trees and shrubs suggested for planting in and around the drainage include the following:

Trees

Coast Live Oak (*Quercus agrifolia*)
 Interior Live Oak (*Quercus wislizenii*)
 Valley Oak (*Quercus lobata*)
 Black Oak (*Quercus kelloggii*)
 California Sycamore (*Platanus racemosa*)
 California Buckeye (*Aesculus californica*)
 California Bay (*Umbellularia californica*)
 Bigleaf Maple (*Acer macrophyllum*)
 Boxelder (*Acer negundo*)
 Black Cottonwood (*Populus balsamifera*)
 Red Willow (*Salix laevigata*)
 White Alder (*Alnus rhomifolia*)
 California Wax Myrtle (*Myrica californica*)
 Incense Cedar (*Calocedrus decurrens*)

Shrubs

Toyon (*Heteromeles arbutifolia*)
 Blue Elderberry (*Sambucus mexicana*)
 Blueblossom (*Ceanothus thyrsiflorus*)
 Warty-Leaved Ceanothus (*Ceanothus papillosus*)
 California Coffeeberry (*Rhamnus californica*)
 California Wild Rose (*Rosa Californica*)
 Island Manzanita (*Arctostaphylos insularis*)
 Bearberry (*Arctostaphylos uva ursi*)
 Summer Holly (*Comarostaphylos diversifolia*)
 Western Ninebark (*Physocarpus capitatus*)
 Creeping Snowberry (*Symphoricarpos mollis*)
 Tree Mallow (*Lavatera assurgentiflora*)
 Spice Bush (*Calycanthus occidentalis*)
 Pink-Flowering Current (*Ribes sanguineum*)

I formulated a custom annual plant seed mix list for the floor of the northern Salinas Valley that would be useful for restoration in this project. It can be purchased from Central Coast Wilds nursery in Santa Cruz. It should be broadcast in the amount of 60 pounds of seeds per acre of restoration area. 60 pounds of this seed mix contains:

10 lbs. red fescue (*Festuca rubra*)
 10 lbs. beardless rye (*Leymus triticoides*)
 5 lbs. Purple needlegrass (*Stipa pulchra*)
 5 lbs. small fescue (*Festuca microstachys*)
 10 lbs. California brome (*Bromus carinatus*)
 10 lbs. blue wild rye (*Elymus glaucus*)
 2 lbs. common yarrow (*Achillea millefolium*)
 2 lbs. California poppy (*Eschscholzia californica*)
 4 lbs. sky lupine (*Lupinus nanus*)
 2lbs. blue eyed grass (*Sisyrinchium bellum*)

There are a number of native plant nurseries in the central coast area that are good sources for native plants and native plant seeds and seed mixes. I know and have worked with and can recommend Central Coast Wilds of Santa Cruz (831-459-0656, centralcoastwilds.com) Rana Creek Nursery in Carmel Valley (831-659-3820, ranacreekdesign.com), and Yerba Buena Nursery in Half Moon Bay (650-851-1668, yerbabuenanursery.com). In addition, Pacific Coast Seeds in Livermore (925-373-9417, pcseed.com) can supply a wide diversity of native plant seeds and seed mixes and Native Revival in Aptos (831-684-1811, nativerevival@sbcglobal.net) carries a nice selection of native plant seeds available in smaller quantities. These nurseries are good sources for native plants and seeds of local origin including erosion control seed mixes and plantings and for recommendations on planting and maintaining plants. Native grass mulches, wattles and hay bales are recommended and may also be obtained from these sources.

Restoration of natural habitat on other properties containing the drainage as is being undertaken on the Hill Circle Property would greatly increase its value as wildlife habitat and would increase local natural habitat area. It would also allow the area of the drainage to be very useful as a wildlife movement corridor.

Mitigation 2. All runoff/stormwater will go through infiltration/water treatment chambers or will be directed into bioretention areas. None will flow directly into the drainage. Every home will have its own infiltration/water treatment chamber for its runoff and infiltration/water treatment chambers will be present under areas of permeable pavers in the development. There will be 0.38 acres of infiltration/water treatment chamber area in the development. Bioretention areas will be scattered over the property totaling 0.49 acres in area. Some of the bioretention areas will be within the 30-foot setback areas.

Mitigation 3. Mitigation for the development of the areas on the property where the two Congdon's tarplants are currently growing will involve the following: Seeds and/or soil containing seeds will be collected from these plants after they have died back, and planted on soil relocated from the growing areas to mitigation areas to be designated within areas to be landscaped that have similar environmental characteristics. Additional seeds can be imported from the large colony in the Acosta Plaza area just across East Laurel Drive. The mitigation sites will be selected on the basis of whether relatively level areas and relatively level areas with shallow depressions can be created that will receive as close to full sun conditions as possible when the development is completed. Since these plants are often associated with disturbed conditions and compacted soil, these mitigation areas will tolerate, within reason, being walked on and even driven on. Some seeds should be scattered in bioretention areas receiving full sun on the property since Congdon's tarplants are occasionally found growing in shallow depressions in areas with heavy soils that may receive considerable water during the rainy season. Disking or mowing in the spring season is recommended to reduce the load of exotic annual grasses which can inhibit the growth and survival of Congdon's tarplant.

LSA Associates Inc. could be employed for the implementation of the Congdon's tarplant mitigation because they have experience with mitigation growing of Congdon's tarplant in similar projects. They did this on the Creekbridge Parcel JJ. in the City of Salinas. On the Creekbridge Parcel JJ, shallow basins were created on the periphery of the property in topsoil imported from growing sites. Thousands of seedlings grew the first year. Although they remained very small, they flowered. Seedling mortality rate was approximately 20 percent.

The following mitigations presented in the original biological survey report submitted for this property in 2005 should also be followed.

- 1) No landscaping, building additions or disturbance of any kind will be allowed in the restoration area within the 30-foot setback from the top of the bank of the drainage or within the drainage itself. It will remain in perpetuity as undisturbed natural open space. The only entrance into this area will be on foot.
- 2) Arroyo willow branches may be trimmed if necessary, but no other cutting or other impacts to branches, trunks or roots of the arroyo willows in the arroyo willow riparian forest will occur during construction, grading or after occupancy. An exception to this may be granted by the County if it is determined that selective removal of some lateral branches of arroyo willows is necessary to ensure the visibility of homeless attempting to live in the natural open space area. An agreement with The Northern Salinas Valley Mosquito Abatement District must be secured so that the restored environment of the drainage channel will be maintained as mosquito free as possible without the extensive cutting of arroyo willows in the stream channel as has occurred in the past. Biological control of mosquitos is recommended. Biological control by means other than by mosquito fish (such as Bti) should be used since mosquito fish tend to also prey on the eggs of local protected species of amphibians.

Bacillus thuringiensis israelensis (Bti) is a naturally occurring soil bacterium that can effectively kill mosquito larvae present in water. Commercially available Bti strains are sold under the trade names Aquabac, Teknar, Bactimos and Vectobac.

- 3) Landscaping on the parcels will emphasize drought tolerant native plants. Drought tolerant plants with similar requirements to our native vegetation may also be used, but to a lesser degree. No invasive non-native plants will be planted. Invasive plants include such species as pampas grass (*Cortaderia jubata*), French broom (*Genista monspessulana*) and related plants, Hottentot fig, Sea fig or "ice plant" (*Carpobrotus* sp.), certain kinds of Eucalyptus such as blue gum (*Eucalyptus globulus*), certain kinds of the Acacias such as the wattles, giant reed (*Arundo donax*) and ground covers such as periwinkle (*Vinca* sp.), German ivy (*Delairea odorata*), English ivy (*Hedera helix*) and capeweed (*Arctotheca calendula*). These plants and others like them can quickly spread through local natural habitats and seriously degrade them.
- 4) Silt fencing will be erected before the start of construction along the entire length of the edge of the drainage below where grading will take place to ensure that no fill, soil dislodged through construction activities or any other debris will enter the drainage. Measures, such as retaining walls, may be required to ensure that fill or loose soil will be secure and not subject to erosion and deposition into the drainage after completion of the project.
- 5) Disturbance of the arroyo willow riparian forest will be avoided between March 1 and July 31 due to the possibility of nesting birds being present. If disturbance to the arroyo willow riparian forest is unavoidable during these times, a qualified ornithologist or biologist competent in ornithology will survey the trees for the presence of nesting birds before any disturbance begins and determine how and whether the work can be accomplished at that time.
- 7) The drainage channel will not be used as a storage or staging area for construction.

Monitoring and Additional Work

Not much change here.

Monitoring inspections will be done by a qualified biologist once during construction, once within the 3 months following completion of the development and once each year following completion in the spring season for the next 5 years. A report on each inspection will be submitted to the City of Salinas.

A spring survey of biological resources will not be necessary since a survey for preparation of the species list for the Ted Thoeny Property was done in spring.

Inspections will monitor the quality of implementation of all of the mitigations listed in this report. Success of the Congdon's tarplant mitigation will be assessed on the basis of whether a suitable site for the growth of this plant has been identified and designated and whether a self-sustaining population of these plants has been established or is likely to be established with the mitigation activities underway. A self-sustaining population should be present by the second year of monitoring. Success of the terrestrial and wetland restoration will be assessed on the basis of percent survival of plants, percent cover and percent progress towards the establishment of plant community structure expected for the period of time under optimal conditions.

Recommendations on the Project

Not much change here.

The development plan for 11 Hill Circle is consistent with its biological values. It was conceived with the idea that although the maximal amount of land with the lowest biological values on the property will be developed, the maximum possible amount of existing natural habitat will be preserved and the entire riparian corridor on the property will be restored and preserved in perpetuity as undeveloped natural open space. Native vegetation will also be dominant in landscaping in all developed areas including within parcels. In spite of the degree of development close to the riparian corridor, the mitigation by restoration of the entire ephemeral drainage channel and the retention of existing natural habitat on the property will result in a net gain of viable natural habitat.

With the successful implementation of the mitigations listed above, impacts to biological values should be at a level of insignificance and in compliance with the regulations and standards of the City of Salinas and county, state and federal agencies concerned with the maintenance of habitat quality and protection of biological resources.

Please contact me if you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read 'Ed Mercurio', written in a cursive style.

Ed Mercurio,
Biological Consultant

NATIVE AND NATURALIZED VASCULAR PLANTS OF THE TED THOENY PROPERTY**

by Ed Mercurio, spring and fall 2004 and spring 2005

Scientific Name

Common Name

DIVISION ANTHOPHYTA

CLASS DICOTYLEDONEAE

FLOWERING PLANTS

DICOTS (Two Seed-Leaved Flowering Plants)

AIZOACEAE

*Carpobrotus chilensis**

*Carpobrotus edulis**

ICEPLANT FAMILY

Sea Fig

Hottentot fig

AMARANTHACEAE

*Amaranthus deflexus**

AMARANTH FAMILY

Low Amaranth

ANACARDIACEAE

Toxicodendron diversiloba

SUMAC FAMILY

Poison Oak

APIACEAE

*Conium maculatum**

Cyclospermum leptophyllum

*Scandix pecten-veneris**

CARROT FAMILY

Poison Hemlock

Marsh Parsley

Shepherd's Needle

ARALIACEAE

*Hedera helix**

GINSENG FAMILY

English Ivy

ASTERACEA

Artemisia douglasiana

Baccharis pilularis

*Centaurea solstitialis**

*Centaurea calcitrapa**

*Chamomilla suaveolens**

Conyza canadensis

Euthamia occidentalis

*Lactuca serriola**

*Picris echoides**

Senecio vulgaris

*Silybum marianum**

*Sonchus asper**

*Sonchus oleraceus**

*Taraxacum officinale**

*Tragopogon porrifolius**

SUNFLOWER FAMILY

California Mugwort

Coyote Brush

Yellow Star-thistle

Purple Star-thistle

Pineapple Weed

Horseweed

Western Goldenrod

Prickly Lettuce

Bristly Ox-Tongue

Common Groundsel

Milk Thistle

Prickly Sow Thistle

Common Sow Thistle

Common Dandelion

Salsify

*Xanthium spinosum**

Spiny Clotbur

BORAGINACEAE

Amsinckia menziesii var. *intermedia*

Heliotropium curassivicum

BORAGE FAMILY

Common Fiddleneck

Chinese Pusley

BRASSICACEAE

*Brassica geniculata**

Brassica rapa ssp. *olifera**

*Cardaria draba**

*Raphanus sativus**

MUSTARD FAMILY

Summer Mustard

Field Mustard

Hoary Cress

Wild Radish

CARYOPHYLLACEAE

*Cerastium arvense**

*Spergula arvensis**

PINK FAMILY

Common Chickweed

Spurry

CHENOPODIACEAE

Atriplex triangularis

GOOSEFOOT FAMILY

Spearscale

CONVOLVULACEAE

*Convolvulus arvensis**

MORNING-GLORY FAMILY

Bindweed

EUPHORBIACEAE

Chamaesyce serpyllifolia

SPURGE FAMILY

Thyme-leaved Spurge

FABACEAE

Lupinus succulentus

Medicago polymorpha ssp. *vulgaris**

*Melilotus alba**

*Trifolium angustifolium**

*Trifolium repens**

*Vicia sativa**

PEA FAMILY

Succulent Annual Lupine

Bur Clover

White Sweet Clover

Narrow-Leaved Clover

White Clover

Spring Vetch

GERANIACEAE

*Erodium botrys**

*Erodium moschatum**

*Geranium dissectum**

GERANIUM FAMILY

Long-Beaked Filaree

White-stemmed Filaree

Cut-leaved Geranium

JUGLANDACEAE

*Juglans nigra**

WALNUT FAMILY

Black Walnut

MALVACEAE

*Lavatera cretica**

*Malva parviflora**

Malvella leprosa

MALLOW FAMILY

Cretan Mallow

Cheeseweed

Alkali mallow

ONAGRACEAE

Epilobium brachycarpum

OXALIDACEAE

Oxalis albicans ssp. *pilosa*

*Oxalis pes-caprae**

PAPAVERACEAE

Eschscholzia californica

PLANTAGINACEAE

*Plantago lanceolata**

*Plantago coronopus**

POLYGONACEAE

Polygonum amphibium var. *emersum*

Polygonum argyrocoleon

*Rumex acetosella**

*Rumex crispus**

PORTULACACEAE

*Portulaca oleracea**

PRIMULACEAE

*Anagallis arvensis**

ROSACEAE

*Rubus discolor**

SALICACEAE

Salix lasiolepis

SCROPHULARIACEAE

Veronica sp.

SOLANACEAE

Solanum americanum

ZYGOPHYLLACEAE

Tribulus terrestris

CLASS MONOCOTYLEDONEAE

CYPERACEAE

Carex ssp.

Cyperus eragrostis

EVENING PRIMROSE FAMILY

Summer Cottonweed

OXALIS FAMILY

Hairy Wood Sorrel

Bermuda Buttercup

POPPY FAMILY

California Poppy

PLANTAIN FAMILY

English Plantain

Cut-leaved Plantain

BUCKWHEAT FAMILY

Swamp Knotweed

Silversheath Knotweed

Sheep Sorrel

Curly Dock

PURSLANE FAMILY

Common Purslane

PRIMROSE FAMILY

Scarlet Pimpernel

ROSE FAMILY

Himalayan Blackberry

WILLOW FAMILY

Arroyo willow

FIGWORT FAMILY

Speedwell

NIGHTSHADE FAMILY

Small-flowered Nightshade

CALTROP FAMILY

Puncture-vine

MONOCOTS (One seed-leaved Flowering Plants)

SEDGE FAMILY

Sedge

Umbrella Sedge

POACEAE

*Arundo donax**

*Avena fatua**

Bromus carinatus

*Bromus hordeaceus**

*Bromus rigidus**

*Cynodon dactylon**

*Hordeum leporinum**

*Hordeum vulgare**

*Lolium multiflorum**

Melica sp.

*Pennisetum clandestinum**

*Phalaris aquatica**

*Sorghum bicolor**

GRASS FAMILY

Giant Reed

Wild Oat

California Brome

Soft Chess Grass

Ripgut Grass

Bermuda Grass

Barnyard Foxtail

Common Barley

Italian Ryegrass

Melica

Kikuyu Grass

Harding Grass

Sorghum

TYPHACEAE

Typha latifolia

CAT-TAIL FAMILY

Broad-leaved cat-tail

** = Based on field studies done by Ed Mercurio in the spring and fall of 2004 and spring 2005.

* = Naturalized species not native to the Ted Thoeny Property.

WILDLIFE LIST FOR THE TED THOENY PROPERTY
More common Birds Observed or Likely to Occur on the Property**

HAWKS, FALCONS, VULTURES (ORDER FALCONIFORMES)

Turkey Vulture

White-tailed Kite

Sharp-shinned Hawk^w

Cooper's Hawk^w

Red-tailed Hawk

Red-shouldered Hawk

Northern Harrier (Marsh Hawk)^w

American Kestrel (Sparrow Hawk)

Merlin^w

SHOREBIRDS (ORDER CHARADRIIFORMES)

Killdeer

PIGEONS, DOVES (ORDER COLUMBIFORMES)

Rock Dove*

Mourning Dove

OWLS (ORDER STRIGIFORMES)

Barn Owl

Great Horned Owl

SWIFTS, HUMMINGBIRDS (ORDER APODIFORMES)

Anna's Humminbird
Rufous Humminbird
Allen's Hummingbird^s

WOODPECKERS (ORDER PICIFORMES)

Common Flicker (Red Shafted)
Hairy Woodpecker
Downy Woodpecker
Nuttall's Woodpecker

PERCHING BIRDS (ORDER PASSERIFORMES)

TYRANT FLYCATCHERS (FAMILY TYRANNIDAE)

Western Wood Pewee^s
Black Phoebe
Say's Phoebe^w
Western Flycatcher^s

SWALLOWS (FAMILY HIRUNDINIDAE)

Tree Swallow
Violet-green Swallow
Barn Swallow^s
Cliff Swallow^s

JAYS, CROWS, MAGPIES (FAMILY CORVIDAE)

Scrub Jay
American Crow

CHICKADEES, BUSHTITS (FAMILY PARIDAE)

Chestnut-backed Chickadee
Bushtit

WRENS (FAMILY TROGLODYTIDAE)

House Wren^s
Bewick's Wren

KINGLETS, ETC. (SUBFAMILY SYLVIINAE)

Ruby-crowned Kinglet^w

THRUSHES (SUBFAMILY TURDIDAE)

Western Bluebird
American Robin
Swainson's Thrush^s
Hermit Thrush^w

MOCKINGBIRDS, THRASHERS (FAMILY MIMIDAE)

Northern Mockingbird

WAGTAILS, PIPITS (FAMILY MOTACILLIDAE)

American Pipit^w

WAXWINGS (FAMILY BOMBYCILLIDAE)

Cedar Waxwing^w

SHRIKES (FAMILY LANIIDAE)

Loggerhead Shrike^w

STARLINGS (FAMILY STURNIDAE)

European Starling^{*}

VIREOS (FAMILY VIRIONIDAE)

Hutton's Vireo

Warbling Vireo^s

WOOD WARBLERS (SUBFAMILY PARULINAE)

Orange-crowned Warbler

Yellow Warblers^s

Yellow-rumped Warbler (Myrtle & Audubon's Warblers)^w

Townsend's Warbler^w

Common Yellowthroat^w

Yellow Breasted Chat^s

Wilson's Warbler^s

SPARROWS (SUBFAMILY EINBERIZINAE)

Brown Towhee

Savannah Sparrow^w

Junco (Oregon race of dark-eyed Junco)

White-crowned Sparrow^w

Golden-crowned Sparrow^w

Song Sparrow

Lincoln's Sparrow^w

GROSBEAKS, BUNTINGS (SUBFAMILY CARDINALINAE)

Black-headed Grosbeak^s

Lazuli Bunting^s

BLACKBIRDS, ORIOLES (FAMILY ICTERINAE)

Red-winged Blackbird

Western Meadowlark

Northern Oriole^s

Brewer's Blackbird

Brown-headed Cowbird

FINCHES (FAMILY FRINGILLIDAE)

House Finch

Lesser Goldfinch

Lawrence's Goldfinch^s

American Goldfinch

WEAVERS (FAMILY PASSERIDAE)

House Sparrow*

** = Based on National Audubon Society data base printout for the greater local area; and field studies done by Ed Mercurio in the spring and fall of 2004 and spring 2005.

* = naturalized species not native to the Ted Thoeny Property

w = likely to be present only in winter

s = likely to be present only in summer

**More common Amphibians, Reptiles and Mammals
Observed or Likely to Occur on the Ted Thoeny Property****

Common Name

Scientific Name

AMPHIBIANS

CLASS AMPHIBIA

SALAMANDERS

ORDER CAUDATA

MOLE SALAMANDER FAMILY

AMBYSTOMATIDAE

California tiger salamander

Ambystoma tigrinum californiense

NEWT FAMILY

SALAMANDRIDAE

Coast range newt

Taricha torosa torosa

LUNGLESS SALAMANDER FAMILY

PLETHODONTIDAE

Monterey salamander

Ensatina eschscholtzii eschscholtzii

Arboreal Salamander

Aneides lugubris

Pacific slender salamander

Batrachoseps pacificus

FROGS AND TOADS

ORDER SALIENTIA

TRUE TOAD FAMILY

BUFONIDAE

California toad

Bufo boreas halophilus

TREEFROG FAMILY

HYLIDAE

Pacific treefrog

Hyla regilla

TRUE FROG FAMILY

RANIDAE

California red-legged frog

Rana aurora draytonii

Bullfrog

Rana catesbeiana

REPTILES

CLASS REPTILIA

LIZARDS AND SNAKES

ORDER SQUAMATA

IGUANID FAMILY

IGUANIDAE

Northwestern fence lizard

Sceloporus occidentalis occidentalis

SKINK FAMILY

SCINCIDAE

Skilton skink

Eumeces skiltonianus skiltonianus

ALLIGATOR LIZARD FAMILY

ANGUIDAE

California alligator lizard

Gerrhonotus multicarinatus multicarinatus

San Francisco alligator lizard

Gerrhonotus coeruleus coeruleus

BOA FAMILY

BOIDAE

Pacific rubber boa

Charina bottae bottae

COLUBRID FAMILY

COLUBRIDAE

Monterey ringneck snake

Diadophis punctatus vandeburghi

Sharp-tailed snake

Contia tenuis

Western yellow-bellied racer

Coluber constrictor mormon

Pacific gopher snake

Pituotphis melanoleucus catenifer

California kingsnake

Lampropeltis getulus californiae

California red-sided garter snake

Thamnophis sirtalis infernalis

Coast garter snake

Thamnophis elegans terrestris

Santa Cruz garter snake

Thamnophis couchi atratus

MAMMALS

CLASS MAMMALIA

POUCHED MAMMALS

ORDER MARSUPIALIA

OPOSSUM FAMILY

DIDELPHIDAE

Opposum*

Didelphis virginiana

INSECT EATERS

ORDER INSECTIVORA

SHREW FAMILY

SORICIDAE

Ornate shrew

Sorex ornatus

MOLE FAMILY

TALPIDAE

Shrew-mole

Neurotrichus gibbsi

Broad-handed mole (California mole)

Scapanus latimanus

BATS

EVENING BAT & PLAINNOSE BAT FAMILY

Little brown myotis
Yuma myotis
Long-eared myotis (hairy-winged myotis)
California myotis
Small-footed myotis
Western pipistrel
Big brown bat
Red bat
Hoary bat
Western big-eared bat (Lump-nosed bat)
Pallid bat

FREETAIL BAT FAMILY

Brazilian freetail bat (Mexican freetail bat)

FLESHEATERS

RACCOON FAMILY

Raccoon

WEASEL AND SKUNK FAMILY

Longtailed weasel
Badger
Spotted skunk
Striped skunk

DOG, WOLF AND FOX FAMILY

Coyote
Red fox*

CAT FAMILY

Bobcat

GNAWING ANIMALS

SQUIRREL FAMILY

California ground squirrel
Eastern gray squirrel
Fox squirrel

POCKET GOPHER FAMILY

Valley pocket gopher

ORDER CHIROPTERA

VESPERTILIONIDAE

Myotis lucifugus
Myotis yumanensis
Myotis volans
Myotis californicus
Myotis leibii
Pipistrellus hesperus
Eptesicus fuscus
Lasiurus borealis
Lasiurus cinereus
Plecotus townsendi
Antrozous pallidus

MOLOSSIDAE

Tadarida brasiliensis

ORDER CARNIVORA

PROCYONIDAE

Procyon lotor

MUSTELIDAE

Mustela frenata
Taxidea taxus
Spilogale putorius
Mephitis mephitis

CANIDAE

Canis latrans
Vulpes fulva

FELIDAE

Lynx rufus

ORDER RODENTIA

SCIURIDAE

Spermophilus beecheyi
Sciurus carolinensis
Sciurus niger

GEOMYIDAE

Thomomys bottae

POCKET MOUSE AND KANGAROO RAT FAMILY
California pocket mouse
Heermann kangaroo rat

HETEROMYIDAE
Perognathus californicus
Dipodomys heermanni

RAT AND MOUSE FAMILY
Western harvest mouse
California mouse
Deer mouse
California meadow mouse (California vole)

CRICETIDAE
Reithrodontomys megalotis
Peromyscus californicus
Peromyscus maniculatus
Microtus californicus

OLD WORLD RAT AND MOUSE FAMILY
House mouse*
Norway rat*
Black rat*

MURIDAE
Mus musculus
Rattus norvegicus
Rattus rattus

HARES AND RABBITS

ORDER LAGOMORPHA

HARE AND RABBIT FAMILY
Blacktail jackrabbit
Audubon cottontail (Desert Cottontail)
Brush rabbit

LEPORIDAE
Lepus californicus
Sylvilagus audubonii
Sylvilagus bachmani

EVEN-TOED UNGULATES

ORDER ARTIODACTYLA

DEER FAMILY
Mule deer (Blacktail deer)

CERVIDAE
Odocoileus hemionus

* = Naturalized species not native to the Ted Thoeny Property.

** = Based on field studies done by Ed Mercurio in the spring and fall of 2004 and spring 2005.
(Checklist of the Amphibians, Reptiles and Mammals of Elkhorn Slough National Estuarine Sanctuary and Vicinity, 1986 by Erica Schafer used for reference).

**MAP OF NATIVE VEGETATION AND
PLANT COMMUNITIES**

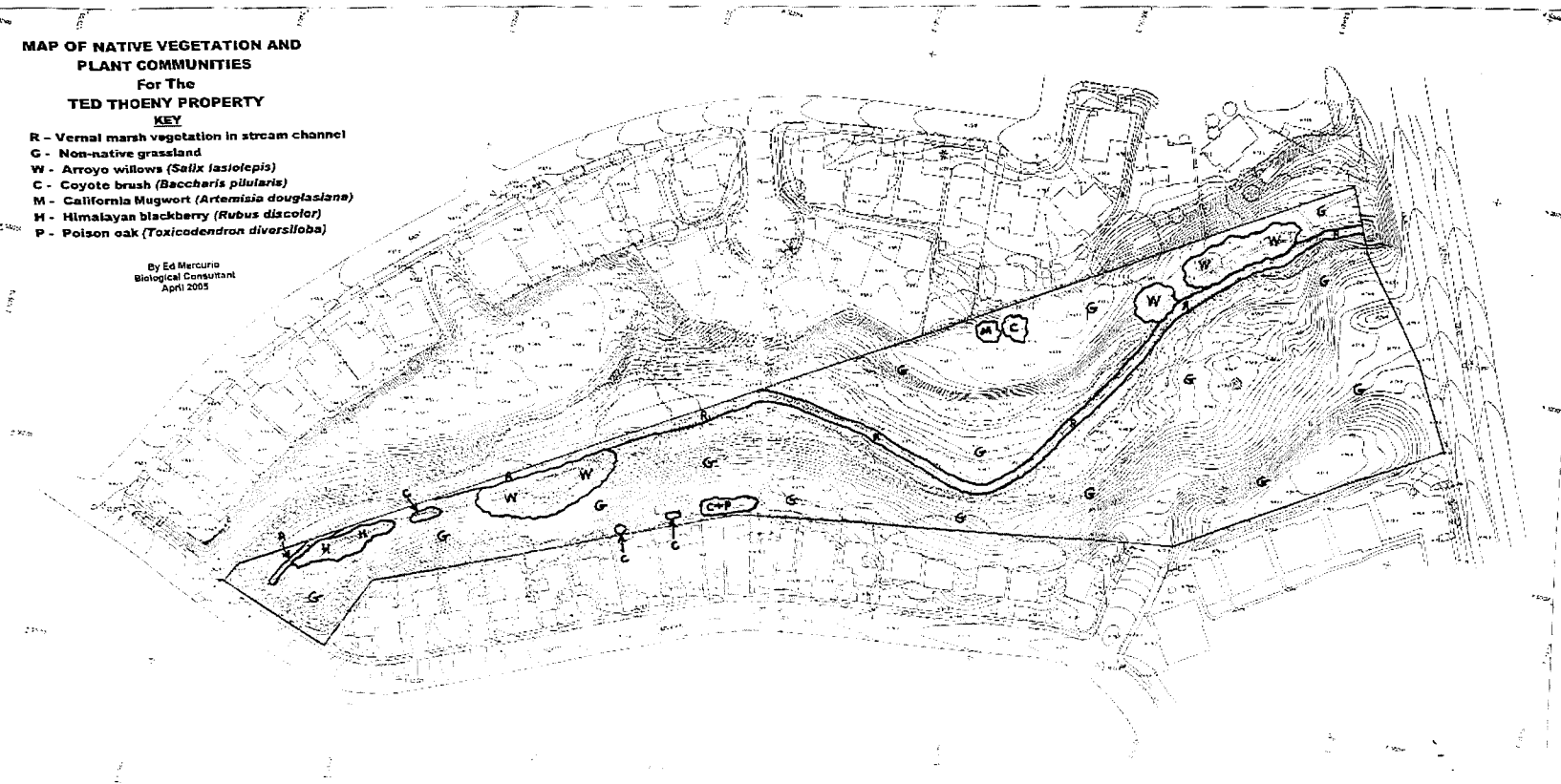
For The

TED THOENY PROPERTY

KEY

- R - Vernal marsh vegetation in stream channel
- G - Non-native grassland
- W - Arroyo willows (*Salix lasiolepis*)
- C - Coyote brush (*Baccharis pilularis*)
- M - California mugwort (*Artemisia douglasiana*)
- H - Himalayan blackberry (*Rubus discolor*)
- P - Poison oak (*Toxicodendron diversiloba*)

By Ed Mercurio
Biological Consultant
April 2005





Rincon Consultants, Inc.

Environmental Scientists

Planners

Engineers

M E M O R A N D U M

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Date: February 10, 2020
To: Tomas Wiles
Project: 11 Hill Circle
From: Samantha Kehr; David Daitch, PhD
E-mail: skehr@rinconconsultants.com; ddaitch@rinconconsultants.com
cc: Megan Jones, mjones@rinconconsultants.com
Re: Peer Review of the 11 Hill Circle Property Biological Survey Report

This technical memorandum provides the results of Rincon's review of the 2019 updated Biological Survey Letter Report (Mercurio 2019 report) prepared by Ed Mercurio, Biological Consultant for the 11 Hill Circle Property in Salinas, Monterey County, California. A previous project was proposed for this property in 2007, and a Biological Survey Letter Report (Mercurio 2006 report) was prepared by Ed Mercurio in 2006 for that project. That report was peer reviewed by Biotic Resources Group (BRG) in 2007 and included in the Los Laurels Senior House Project Initial Study-Mitigated Negative Declaration (IS-MND). The Mercurio 2019 report evaluated in this peer review is an update to the Mercurio 2006 Report.

Rincon understands the project will require California Environmental Quality Act (CEQA) environmental review, and that the preparation of an IS-MND is anticipated. This peer review was requested by the City of Salinas to evaluate the report for completeness in regard to CEQA and the City General Plan Policy COS-17 and City Zoning Code Section 37-50.180(h)(1)(A), requiring a setback of 100 feet from a creek.

Because the Mercurio 2019 report relies heavily on the results of the Mercurio 2006 report, and only address those areas where updated information is required, and because the Mercurio 2006 report was substantively supported by the 2007 BRG peer review report, the Mercurio 2019 report is insufficient on its own to support CEQA environmental review. Therefore, Rincon has evaluated the Mercurio 2019 report under the assumption that the Mercurio 2006 report and its accompanying BRG 2007 peer review report will be included in the supporting technical documents for the CEQA review of the current project.

Rincon has also evaluated the report's applicability for supporting City Zoning Code that specifies the setback shall be measured from the top of bank or outside edge of the riparian woodland, whichever is greater. Per Section 37-50.180(h)(D), for properties located in the City's existing boundary as indicated on Figure LU-1 (future growth area) of the General Plan Land Use Element, development activities may be considered within the setback area if the city planner determines the encroachment will not have a significant adverse impact on the riparian and wetland resources either because: (1) the implementation of alternative mitigation measures will achieve a comparable or a better level of mitigation than the strict application of the one-hundred-foot setback, or (2) the property being developed is adjacent to a reclamation ditch, and no riparian or wetland resources are identified outside of the areas of the improved ditch, as demonstrated and confirmed in either case by a biotic resources study prepared for the city planner by their designee. The critical issue regarding the zoning code required setbacks is that there is not a current jurisdictional delineation, nor are there figures showing the extent of vegetation communities on the site. Any assessment of required setbacks must be based in current, field-verified mapping of the limits of jurisdictional features including the bed and bank of the drainage and associated riparian habitat. Lacking an overlay of the current project site design on current, field-verified habitat mapping and/or the results of a jurisdictional delineation of Sanborn Creek/Madera Ditch, Rincon is unable to assess the project's adherence to required setbacks. Therefore, Rincon's review is focused on all available information in the Mercurio 2019 report as well as the 2006 report and 2007 BRG peer review, as presented in the following section.

Findings of the Biological Survey Report

Rincon reviewed the report to ascertain the degree to which the evaluation considered existing information (e.g., literature review, databases other resources) for accuracy of existing conditions documentation (e.g., vegetation communities, wildlife habitats, jurisdictional waters), and to evaluate whether the report sufficiently assessed potential impacts to biological resources and developed appropriate mitigation to reduce impacts to less than significant under CEQA.

The Mercurio 2019 report summarizes changes to the existing biological conditions and potential impacts to sensitive species and habitats that could result from the project, since the Mercurio 2006 report was completed. The report documented a reconnaissance-level survey and a literature review conducted to determine the potential presence of sensitive vegetation types, aquatic communities (e.g., wetlands), and special-status plant and wildlife species.

The results of the literature review, site visit, and subsequent species impact determinations were presented in a letter report. The evaluation of the existing conditions onsite and associated impact analysis is brief and alone lacks sufficient analysis of the potential impacts to biological resources. When taken in consideration with the Mercurio 2006 report and the BRG 2007 peer review, the three reports together likely provide sufficient information to support CEQA review. However, the Mercurio 2019 report lacks some pertinent supporting information and background data that would typically be included in a report designed to support CEQA environmental review, lacks detail in the specific requirements and success criteria for restoration, and includes some specific language in mitigation measures that should not be included in a CEQA document. Each of these issues are summarized in the following section.

Evaluation of the Biological Resource Analysis

1. **Literature Review:** The Mercurio 2019 report states that a query of the California department of Fish and wildlife (CDFW) California Natural Diversity Database (CNDDDB) was conducted for the Salinas Quadrangle and surrounding area. Typically, the results of the special status species quarries are tabulated in a Potential To Occur (PTO) table, in which each species is assessed for their potential to occur on the project site. However, the updated query was not included in the report, nor was a PTO, and thus the reporting includes no documentation of the evaluation for special status species to occur. Additionally, queries of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation system (IPaC), the National Hydrography Dataset (NHD), USFWS National Wetlands Inventory (NWI), current and historical aerial photographs of the site (Google Earth), regional and site-specific topographic maps, climatic data, and other available background information are also typically included in a literature review for CEQA. Rincon identified several species that were not addressed in the Mercurio 2019 report (discussed further under #3 below) or the Mercurio 2006 report.

2. **Regulatory Setting:** Typically, a Biological Resources Assessment would include a full discussion of the project's regulatory setting. The Mercurio 2019 report includes the regulatory requirements under the City of Salinas General Plan, Zoning Codes, and Stormwater Management Plan, but does not address the Endangered Species Act (ESA) or California Endangered Species Act (CESA), or U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) jurisdictions. The Mercurio 2019 report also does not adequately describe CDFW jurisdictional areas. This is not a critical oversight, and could be developed in the project's CEQA document.

3. **Results:**

Special Status Species: Neither the Mercurio 2019 report, nor the Mercurio 2006 report provide a full, habitat-based assessment of the potential for special status species to occur on the site, and several species that should be evaluated are missing from the analysis. The CNDDDB includes records of California red-legged frog upstream from the site, a western spadefoot occurrence overlapping the site, and tricolored blackbird, western bumble bee and California tiger salamander occurrences close to the site.

Sensitive Communities: Sensitive habitats identified on site include Arroyo willow riparian forest and "vernal marsh herbaceous vegetation" However these communities have not been mapped or evaluated per the California Sensitive Natural Communities List (CDFW).

Wetlands and Waters: The Mercurio 2019 report does not include preliminary mapping of jurisdictional limits, the extent of riparian habitat, or potentially jurisdictional areas on the site, and there is no mention of a formal jurisdictional delineation having been completed. The report does not include a discussion of the methodology for determining the edge of riparian or top of bank. Therefore, evaluating the extent of wetlands and waters, and the potential impacts to those resources is currently not feasible. Based on the discussion under the Impacts section of the report, impacts to wetlands and waters have been reduced as compared to the previous project, and may be completely avoided through a setback of less than 100 feet; however, updated vegetation community mapping would be required to fully assess the accuracy of these conclusions.

Impacts: The impact section is focused on a discussion of the reduced footprint of the project in relation to the sensitive habitat and jurisdictional limits of Sanborn Creek/Madera Ditch, and the projects compatibility with Salinas General Plan Policies and Codes, but lacks a formal impacts analysis for the CEQA Appendix G checklist. The project is unlikely to have significant impacts for

most of the Appendix G checklist items; however, a discussion of potential impacts to those special status species with potential to occur (even a low potential) need to be addressed in the CEQA document.

4. Mitigation:

The report is heavy on discussions of mitigation, including mitigation designed to meet the criteria of Salinas General Plan Policy COS-17 that requires alternate mitigation to meet or exceed the effects of a full 100-foot setback. Evaluating the efficacy of the proposed mitigation in the absence of any current vegetation communities mapping or the results of a jurisdictional delineation is infeasible; however, the intent of the proposed mitigation measures is to fully restore the section of Sanborn Creek/Madera Ditch in the project area to a natural condition, and ultimately providing habitat value consistent with natural stretches of this or similar creeks in the region. Restoration of this extent would function to offset impacts of the encroachment into the 100-foot setback and would likely exceed the mitigation efficacy of a 100-foot setback alone.

Mitigation Measure 1: of the Mercurio 2019 report recommends that a creek restoration plan prepared by Rana Creek Habitat Restoration for the previous owner (or a similar plan) be implemented to restore terrestrial habitat; however, this restoration plan is not included and whether this plan (or a similar plan) would reduce impacts to less than significant cannot be evaluated. The Mercurio 2019 report also includes recommended native trees and shrubs and seed mixes to be used in restoration; however, it is unclear what the mitigation measure is specifically requiring, or what success criteria would ensure restoration meets the minimum requirements for mitigation success. This measure also recommends that other properties containing the drainage outside the study area be restored as well, which is beyond the scope of the technical study and beyond the regulatory authority of the lead agency for this project.

Mitigation Measure 2: This measure allows bioretention areas over 0.49 acre, some of which will be located within the 30-foot setback, but this is not presented in the results or evaluated for impacts.

Mitigation Measure 3: This measure requires Congdon's tarplant seed collection and soil relocation as mitigation for the loss of two individual plants. Congdon's tarplant are not state or federally listed but have a rare plant rank of 1B.1. As such, impacts to two individuals would not represent a regional population level impact and would not be considered a significant impact under CEQA. Additionally, the mitigation measure recommends collection of seeds from another nearby population on private property and employing a specific consultant to perform the work. These recommendations are inappropriate as the City does not have the authority to require individuals or entities (i.e., private landowners or privately owned companies) not associated with the project to comply with project conditions. Measure 3 also defines the nesting bird season as March 1 to July 31; however, the generally accepted nesting season in central California is from February 1 to August 31.

Monitoring and Additional Work: This section outlines the habitat restoration monitoring requirements but lacks sufficient detail as to the goals of the monitoring, the data to be collected, or the criteria for success. This section does outline success criteria for Congdon's tarplant restoration; however, given that impacts to Congdon's tarplant are expected to be less than significant without mitigation, restoration and monitoring would not be necessary.

Conclusion

Overall, Rincon concurs with the general conclusions of this report that the project is unlikely to have significant impacts to most sensitive biological resources, and that the intent of the proposed restoration would be to mitigate as well or better than the 100-foot setback. However, the report does lack identification of potential impacts. Furthermore, the Mercurio 2019 report lacks mitigation measures designed to reduce impacts to special status species to less than significant levels, and does not provide sufficient detail on restoration and associated success criteria to fully support CEQA environmental review. Vegetation community mapping of the entire project site, and a delineation of the jurisdictional limits of waters of the state and associated riparian habitat, would provide critical information to fully assess the efficacy of the setbacks and proposed mitigation and would allow the drafting of a defensible CEQA document.

ED MERCURIO, BIOLOGICAL CONSULTANT
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Tom Wiles, Senior Planner
Community Development Department
City of Salinas
65 West Alisal Street,
Salinas, California 93901

August 4, 2020

RE: Response to Peer Review of the Hill Circle Property Update Biological Survey Report by Rincon Consultants Inc. February 10, 2020.

Dear Mr. Wiles:

This letter is my response to the February 10, 2020 peer review of the by Rincon Consultants Inc. of the Hill Circle Property, 11 Hill Circle, Salinas, CA. APN 004-601-053.

Before I specifically address the peer review, it should be kept in mind that there is an existing planned development for this property that has been approved by the City of Salinas. This original plan is not as compatible with the statutes of the City of Salinas as the current plan is because of the setbacks of some of the lots from the edge of riparian habitat in the original plan were closer than the minimum 30 feet stated in BMP 4.6 of the City's Storm water Management Plan and mandated by the Central Coast Regional Water Quality Control Board. In both plans, appropriate setbacks were measured from the top of the bank of the drainage. In the original plan, there was much less consistency in setbacks; many were over 50 feet from the edge of the drainage slope, but eight of the lots were closer than twenty feet. The number of homes was reduced from 53 in the original plan to 37 in the current plan and this allowed the edges of all of the lots in the current plan to be over 30 feet from the edge of the top of the bank of the drainage.

In general, the peer review notes the lack of a complete coverage of all biological assessment topics usually covered in a biological survey report in my October 10, 2019 Update Biological Survey for the Hill Circle Property. This is understandable since this survey was an update of the original biological survey for the property and primarily focused on the changes that had occurred on the property from the time of the original biological survey which was completed and submitted to the Community Development Department of the City of Salinas in September of 2005. At that time, the Hill Circle Property was the Ted Thoeny Property and it was later named the Los Laureles Subdivision. There is also a mitigation and restoration plan that was prepared by Rana Creek Habitat Restoration that Rincon did not review, because it was not available to them, that contains a lot of what I did not cover in my Update Biological Survey for the Hill Circle Property. The Rincon Peer Review does state that the update biological survey together with the original biological survey and an earlier peer review by Biotic Resources Group in 2007 likely provide sufficient information to support the CEQA review. With the added information in the mitigation and restoration plan prepared by Rana Creek Habitat Restoration and additional information provided in

my response to the peer review, there should be ample information to support the CEQA review. I left some of this additional information out of my Update Biological Survey since it is often developed specifically at the time of the CEQA review.

From there, the Rincon Consultants Inc. peer review outlines what information should be present to support a CEQA review and notes how my Update Biological Survey, taken alone, could use more of that information and more detailed information on some of what is in my report. Rincon outlines their concerns, which I will respond to in the following paragraphs by their numbers.

LITERATURE REVIEW (1,3)

California Department of Fish and Wildlife Natural Diversity Data Base (CNDDB)

Current California Department of Fish and Wildlife Natural Diversity Data Base (CNDDB) information for the Salinas and Natividad Quadrangles was reviewed in both 2005 and 2019 in order to determine what sensitive plant species, sensitive animal species and sensitive habitats have been previously reported from the area. All sensitive elements within a three-mile radius were considered as well as beyond this for elements with habitat requirements similar to what is present within the boundaries of the project area.

A more complete representation of what was considered in my biological survey assessments is presented below.

The sensitive plant species considered within the three-mile radius were:

1. Congdon's tarplant (*centromadia parryi* ssp. *congdonii*) at approximately 0.5 mile to the north and approximately 1.3 miles to the south-southeast of the property. There are also three other records beyond three miles to the north and northwest. Congdon's tarplant is an annual herb found primarily in valley areas west of the Sierras in central California. It is severely threatened by development. It occurs in non-native grassland communities, often with heavier soils. It has no state or federal listing status, but is state classified as very threatened. It is on California Native Plant Society's List 1B.1, which includes plants that are very endangered in California and elsewhere.

This species was considered to have a high possibility of being present and it was found on the property.

2. Alkali milk vetch (*Astragalus tener* var. *tener*) at approximately 1.1 mile to the northwest. Alkali milk vetch is also an annual herb severely threatened by development and found primarily in valley areas west of the Sierras in central California. It is found on alkaline sites in playas, in grassland on adobe clay and in vernal pools. This plant is on California Native Plant Society's List 1B.2 which includes plants that are moderately endangered in California and elsewhere and has no state or federal listing status.

This plant was considered to be unlikely to be present due to an absence of suitable habitats on the project site.

The following sensitive plant species that are present in current California Department of Fish and Wildlife Natural Diversity Data Base (CNDDB) records for the Salinas and Natividad Quadrangles have habitat requirements that overlap to some degree with habitats that are present on the project site, however, none of these species can be considered likely to occur on the site. Special attention was paid to the possibility of the occurrence of these species on my surveys. None of these species were identified on the project site. (I usually do not present these in a potential to occur [PTO] table unless there are more than twelve).

1. Contra Costa goldfields (*Lasthenia conjugens*) - Federally endangered and 1B.1
2. Fragrant fritillary (*Fritillaria Liliaceae*) - 1B.2
3. Hickman's onion (*Allium hickmanii*) - 1B.2
4. Hooked popcorn-flower (*Plagiobothrys uncinatus*) - 1B.2
5. Round-leaved filaree (*California macrophylla*) - 1B.2
6. Santa Cruz microseris (*Stebbinsoseris decipiens*) - 1B.2

The following five sensitive animal species have CNDDB occurrences within the three-mile radius of the project site:

1. California tiger salamander (*Ambystoma californiense*). These amphibians are federally listed as threatened and state listed as threatened. These amphibians prefer to breed in ponds, ephemeral pools and quiet flowing waters and spend most of their lives underground in burrows of California ground squirrels and sometimes valley pocket gophers. They have become rare, like many other amphibians, because of the elimination of freshwater wetlands. There is one old, general record for "the City of Salinas" which does not have a pinpoint location. Given the intensive urban development within the city, it is expected that this occurrence is no longer extant. The closest specific location to the property for California tiger salamanders is approximately 2.5 miles to the north on the Natividad Quadrangle. The habitat at this location consists of a .25 acre, approximately 5 feet deep agricultural basin with substantial submergent and emergent vegetation. This site is surrounded by active agricultural production in all directions. There are more numerous records for these amphibians on the Prunedale Quadrangle to the north and on the Fort Ord area to the west and southwest.

California tiger salamanders evolved using vernal or ephemeral pools that persist for a minimum of 10 to 12 weeks during the winter and spring months. Creeks and rivers are seldom suitable breeding habitat for this species due to the flowing currents that remove eggs and larvae. The water, when present, in the drainage on the project site also is largely supported by urban runoff and soap suds are often apparent. This drainage originates approximately 0.5 mile upstream, which is now urban neighborhood, and does not have a topographic connection to Natividad Creek to the northwest. The project site is disked annually and does not support suitable upland refuge habitat for this species. As stated above, California tiger salamanders live most of the year in underground burrows

constructed by the California ground squirrels (*Spermophilus beecheyi*) and sometimes

valley pocket gophers. The regular cycle of disturbance on the project site has most suitable upland habitat for this species and it is therefore not expected to occur onsite. The lack of observed burrows of California ground squirrels and the periodic disking of the project site make it unlikely that the Hill Circle Property would be used as upland habitat for California tiger salamanders.

2. Western spadefoot toad (*Spea hammondi*). The western spadefoot toad is classified as a Species of Special Concern by the California Department of Fish and Wildlife and a Sensitive Species by the Bureau of Land Management. These toads spend most of their lives buried underground in earth-filled burrows. They are active for only a short period each year to breed in rain-filled vernal pools, typically between October to May, depending on rainfall. Limiting factors for them are similar to those mentioned above for California tiger salamanders.

The closest specific location to the property for the western spadefoot toad is a very general 1922 record only labeled as "near Salinas". The lack of vernal pool habitat on or close to the project site make it unlikely that western spadefoot toads would be present.

3. Burrowing owl (*Athene cunicularia*). Burrowing owls are classified as a Species of Special Concern by the California Department of Fish and Wildlife, a Bird of Conservation Concern by the United States Fish and Wildlife Service, a Sensitive Species by the Bureau of Land Management and a Threatened Species by the International Union for Conservation of Nature and Natural Resources. Burrowing owls are a ground nesting bird that uses burrows of larger burrowing animals such as the California ground squirrel for nest sites and shelter. This species is declining in numbers in Monterey County due to such impacts as development of their nesting and foraging areas and predation by cats and dogs, the introduced red fox and other predators. They are now quite rare in northern Monterey County, but are still locally abundant in some areas of south Monterey County.

The closest California Natural Diversity Data Base records to the property for burrowing owls are approximately 1.6 miles to the south southeast, approximately 2.4 miles to the northwest, approximately 2.3 miles to the south and approximately 2.3 miles to the west. During the surveys for this project conducted over a two + year period, no burrowing owls were ever observed using this site. In addition, there were no substantial ground squirrel or other small mammal populations observed onsite that would provide a suitable prey base or sufficient nesting or overwintering habitat. As stated above, this site is disked annually, further reducing the site's suitability to support burrowing owls.

4. Tricolored blackbird (*Agelaius tricolor*). Tricolored blackbirds are classified as a Species of Special Concern by the California Department of Fish and Wildlife and they are a candidate for state listing under the California Endangered Species Act. Tricolored blackbirds are a highly colonial species that requires open water adjacent to protected nesting areas that typically consist of dense, emergent freshwater marsh vegetation.

The occurrence in the city of Salinas is from 1936 and just states "Salinas." Tricolored blackbirds have not been observed over a two + year period of surveys on the project site and there is no suitable habitat for them on or near the property.

5. Western bumble bee (*Bombus occidentalis*). This native bee is classified as Sensitive by the United States Forest Service and it is a Candidate for listing under the Federal Endangered Species Act. There is one general location for the City of Salinas without any more specific locality information from 1965.

Western bumble bees use a wide variety of natural, agricultural, urban, and rural habitat types. Western bumble bees require suitable nesting sites, overwintering sites for the queens, and nectar and pollen resources throughout the spring, summer, and fall. Over the past decade, numbers of *Bombus occidentalis* have dropped more than 40 percent and its range has decreased by 20 percent. The species has all but disappeared from southern British Columbia down to central California. Chances of the western bumble bee being present on the project site are very low.

California red-legged frog (*Rana draytonii*). This amphibian is federally listed as threatened and is a state species of special concern. The closest locations to the project site on California Department of Fish and Game Natural Diversity Data Base records are along the Salinas River approximately six miles west of Salinas and far to the north on the Prunedale Quadrangle.

Breeding habitat for California red-legged frogs includes rivers, creeks, and stock ponds with pools and overhanging vegetation. They most often occur in flowing water. They require dense, shrubby or emergent riparian vegetation, and prefer short riffles and pools with slow-moving, well-oxygenated water. They also require upland habitat to aestivate (remain dormant during dry months) in California ground squirrel or other small mammal burrows, cracks in the soil, or moist leaf litter. As for California tiger salamanders, the disturbance related characteristics of both the aquatic habitat and the upland habitat make it unlikely that California red-legged frogs would be present on the project site.

The other sensitive animal species that are present in current California Department of Fish and Wildlife Natural Diversity Data Base (CNDDDB) records for the Salinas and Natividad Quadrangles have habitat requirements that make them unlikely to be present on the project site. Nonetheless, attention was paid to the remote possibility of the occurrence of these species on my surveys. None of these species were identified on the project site.

United States Fish and Wildlife Service Information for Planning and Consultation System (IPaC)

The United States Fish and Wildlife Service Information for Planning and Consultation System information for the Hill Circle Property was accessed and studied.

United States Fish and Wildlife Service National Wetlands Inventory

The United States Fish and Wildlife Service National Wetlands Inventory for the Hill Circle Property was accessed and studied and is included here. The designation of freshwater emergent wetland

on the western portion of the property is perplexing because that is not the dominant cover there currently. There are small amounts of it in pools of the riverine designated floor of the drainage that runs through the property. Currently, this area is predominantly Himalayan blackberry (*Rubus armeniacus*) and clusters of arroyo willow riparian forest. On Google Earth historical photos, the arroyo willow riparian forest is variable and its visible extent is dependent on how much trimming had been done at the time of the photograph. The Google Earth historical photos going back to 1998 do not appear to indicate freshwater emergent wetland. It is possible that there may have been an impoundment of water behind the crossing of Madeira Avenue before the currently present culvert was installed that created an area of freshwater emergent wetland.

The south bank of the drainage in the western portion of the property has been altered to create more flat land suitable for development at the level of the road behind a retaining wall.

National Hydrography Dataset

The National Hydrography Dataset for the Hill Circle Property was accessed and studied and is included here.

Google Earth

The best recent Google Earth aerial photograph of the Hill Circle Property is included here.

REGULATORY SETTING (2)

Federal Plans and Regulations

Regulations for the City of Salinas were included in my update biological survey.

Endangered Species Act

The federal Endangered Species Act of 1973 (known hereafter as the "Act") protects species that the USFWS has listed as "Endangered" or "Threatened." Permits may be required from USFWS if activities associated with a proposed project would result in the "take" of a federally listed species or its habitat. Under the Act, the definition of "take" is to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." USFWS has also interpreted the definition of "harm" to include significant habitat modification that could result in "take." "Take" of a listed species is prohibited unless (1) a Section 10(a) permit has been issued by the USFWS or (2) an Incidental Take Statement has been obtained through formal consultation between a federal agency and the USFWS pursuant to Section 7 of the Act.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act of 1989 prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This Act encompasses whole birds, parts of birds, bird nests, and eggs of over 800 native birds, including many common species.

Clean Water Act

Section 404 of the Clean Water Act of 1972 regulates the discharge of dredge and fill material into "Waters of the U.S." including wetlands. Certain natural drainage channels and wetlands are considered jurisdictional "Waters of the U.S." The U.S. Army Corps of Engineers (USACE) is responsible for administering the Section 404 permit program. The agency determines the extent of its jurisdiction as defined by ordinary high-water marks on channel banks. Wetlands are habitats with soils that are intermittently or permanently saturated, or inundated. The resulting anaerobic conditions naturally select for plant species known as hydrophytes that show a high degree of fidelity to such soils. Wetlands are identified by the presence of hydrophytic vegetation, hydric soils (soils intermittently or permanently saturated by water), and wetland hydrology according to methodologies outlined in the 1987 *Corps of Engineers Wetlands Delineation Manual* and the 2006 *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region*.

Activities that involve the discharge of fill into jurisdictional waters are subject to the permit requirements of the USACE. Discharge permits are typically issued on the condition that the project proponent agrees to provide compensatory mitigation which results in no net loss of wetland area, function, or value, either through wetland creation, restoration, or the purchase of wetland credits through an approved wetland mitigation bank. In addition to individual project discharge permits, the USACE also issues general nationwide permits applicable for certain activities.

State Plans and Regulations

California Endangered Species Act

Pursuant to the California Endangered Species Act and Section 2081 of the California Fish and Game Code, an Incidental Take Permit from the CDFW is required for projects that could result in the "take" of a state-listed Threatened or Endangered species. "Take" is defined under these laws as an activity that would directly or indirectly kill an individual of a species. If a project would result in the "take" of a state-listed species, then a CDFW Incidental Take Permit, including the preparation of a conservation plan, would be required.

Nesting Birds and Birds of Prey

Sections 3505, 3503.5, and 3800 of the California Fish and Game Code prohibit the take, possession, or destruction of birds, including their nests or eggs. Birds of prey (the orders Falconiformes and Strigiformes) are specifically protected in California under provisions of the California Fish and Game Code, Section 3503.5. This section of the Code establishes that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this Code. Disturbance that causes nest abandonment and/or loss of reproductive effort, such as construction during the breeding season, is considered take by the CDFW.

Streambed Alterations

The CDFW has jurisdiction over the bed and bank of natural drainages according to provisions of Sections 1601 through 1603 of the California Fish and Game Code. Diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that support wildlife resources and/or riparian vegetation are subject to

CDFW regulations. Activities that would disturb these drainages are regulated by the CDFW; authorization is required in the form of a Streambed Alteration Agreement. Such an agreement typically stipulates measures that will protect the habitat values of the drainage in question.

California Porter-Cologne Water Quality Control Act

Under the California Porter-Cologne Water Quality Control Act, the applicable Regional Water Quality Control Board (RWQCB) may necessitate Waste Discharge Requirements for the fill or alteration of "Waters of the State," which according to California Water Code Section 13050 includes "any surface water or groundwater, including saline waters, within the boundaries of the state." The RWQCB may, therefore, necessitate Waste Discharge Requirements even if the affected waters are not under USACE jurisdiction. Also, under Section 401 of the Clean Water Act, any activity requiring a USACE Section 404 permit must also obtain a state Water Quality Certification (or waiver thereof) to ensure that the proposed activity will meet state water quality standards. The applicable state RWQCB is responsible for administering the water quality certification program and enforcing National Pollutant Discharge Elimination System (NPDES) permits.

Local Plans and Regulations

County of Monterey General Plan

The *2010 Monterey County General Plan* - Conservation and Open Space (OS) element contains the following goal and policies associated with biological resources that are applicable to the proposed project:

Goal OS-5: Conserve listed species, critical habitat, habitat and species protected in area plans; avoid, minimize and mitigate significant impacts to biological resources.

Policy OS-5.4: Development shall avoid, minimize, and mitigate impacts to listed species and critical habitat to the extent feasible. Measures may include but are not limited to: clustering lots for development to avoid critical habitat areas, dedications of permanent conservation easements; or, other appropriate means. If development may affect listed species, consultation with United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) may be required and impacts may be mitigated by expanding the resource elsewhere on-site or within close proximity off-site. Final mitigation requirements would be determined as required by law.

Policy OS-5.16: A biological study shall be required for any development project requiring a discretionary permit and having the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.

Policy OS-5.25: Occupied nests of statutorily protected migratory birds and raptors shall not be disturbed during the breeding season (generally February 1 to September 15) The county shall consult, or require the developer to consult, with a qualified biologist prior to any site preparation or construction work in order to: determine whether work is proposed during nesting season for

migratory birds or raptors, determine whether site vegetation is suitable to nesting migratory birds or raptors, identify any regulatory requirements for setbacks or other avoidance measures for migratory birds and raptors which could nest on the site, and establish project-specific requirements for setbacks, lock-out periods, or other methods of avoidance of disruption of nesting birds.

City of Salinas

Salinas General Plan Implementation Program Policy COS-17 and Salinas, California Municipal Code Zoning Section 37-50.180(h) are discussed in my update biological survey for the Hill Circle Property.

United States Army Corps of Engineers Jurisdictional Determinations and Delineating Waters of the United States, including Wetlands

Clean Water Act Jurisdiction 33 CFR 328.3 (a)

1. Waters currently used, used in past, or susceptible for use in interstate or foreign commerce, including waters subject to ebb and flow of the tide.
2. Interstate waters and wetlands.
3. Intrastate waters where destruction or degradation could affect interstate or foreign commerce (HQ approval required):
 - a. Waters used for recreation or other purposes.
 - b. Waters with fish or shellfish sold in interstate or foreign commerce.
 - c. Waters used for industrial purposes.
4. Impoundments of waters of the U.S.
5. Tributaries to waters in categories 1 – 4.
6. Territorial seas (3 miles from shore).
7. Wetlands adjacent to waters of the U.S.

California Department of Fish and Wildlife - Environmental Review and Permitting

CDFW's Environmental Review and Permitting Programs implement sections of the California Fish and Game Code, California Code of Regulations, and other statutes and regulations. These Programs help fulfill CDFW's mission to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.

California Endangered Species Act (CESA) Permits

CESA authorizes CDFW to permit project proponents to take state-listed threatened, endangered or candidate species if certain conditions are met. The CESA Program administers the incidental take provisions of CESA, including Incidental Take Permits, Consistency Determinations, and Safe Harbor Agreements to ensure regulatory compliance and statewide consistency.

California Environmental Quality Act (CEQA) Review

CEQA requires public agencies to disclose and mitigate environmental impacts of discretionary projects they approve. Most often, CDFW acts as a Trustee and/or Responsible Agency and provides the requisite biological expertise to review and comment upon CEQA environmental documents prepared by another Lead Agency. CDFW may also act as Lead Agency.

Habitat Restoration and Enhancement Act (HREA) Approvals

The HREA established a process for CDFW to approve small-scale, voluntary habitat restoration projects that meet specific eligibility requirements. Projects approved by CDFW, pursuant to HREA, will not require additional permits from CDFW, such as an LSA agreement or CESA permit.

Lake and Streambed Alteration (LSA) Agreements

Fish and Game Code Section 1602 requires any entity to notify CDFW before beginning any activity that may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake. If CDFW determines that the activity may substantially adversely affect fish and wildlife resources, an LSA Agreement will be prepared.

Suction Dredge Permits

The use of vacuum or suction dredge equipment, otherwise known as suction dredging, is currently prohibited and unlawful throughout California. Under existing state law, CDFW is currently prohibited from issuing any permits for suction dredging in California under the Fish and Game Code.

Timberland Conservation Program

Forest practices on private timberlands in California are overseen by multiple state agencies to address the variety of potential impacts timber operations have on the environment. CDFW often issues permits for building roads across streams and for water drafting from streams and lakes. Occasionally, CDFW issues incidental take permits when timber operations impact threatened and endangered species.

RESULTS (3)

Special Status Species

This is covered under Literature Review above.

Sensitive Communities

Using the California Department of Fish and Wildlife's California Sensitive Natural Community List, most of the wetland associated natural plant communities on the Hill circle Property are classified as sensitive, such as:

61.201.01 *Salix lasiolepis*

61.201.05 *Salix lasiolepis* – *Baccharis pilularis* – *Rubus ursinus*

63.901.05 *Rubus ursinus*

Sensitive plant communities have been mapped, both by me and by Rana Creek Habitat Restoration. My map is included here and Rana Creek's is in their report, which is also included here. I confirmed the continuing accuracy of my map in 2019. The primary change to the property since the original map was prepared is the presence of the two culverts over the drainage for the road crossings. There were also some changes in the topography of the property since the excess soil excavated for the culverts was deposited and leveled on areas away from the drainage. There were changes in the amounts of some native shrubs of the central coastal scrub plant community because of less brush clearing and disking in the past decade or so, but these shrubs were largely removed recently with the return to regular maintenance on the property.

Wetlands and Waters

As far as USACE jurisdiction is concerned. This was researched in 2005, and it was determined that the Madeira Ditch, the drainage on the property was unlikely to contain jurisdictional waters. There is no hydrological connection to Natividad Creek. Drainage from the Madeira Ditch flows on to Caesar Chavez Park and actually ends at a pumping station which discharges into the reclamation ditch. Nonetheless, no construction was or will be done in the drainage, and crossings over it were produced by arch culverts to further protect against impacts to riparian vegetation, so that no U. S. Army Corps of Engineers permit would be required.

The top of the banks of the drainage were determined on the basis of location of the topographic hinge point with modifications based on steepness of the slope. The original top of bank was determined by Hanna-Brunetti, Inc., land surveyors. I looked at it after road and culvert construction and some topographic contours had changed due to surplus soil that was spread on land adjacent to the drainage. It did not appear to me that the deposition of the soil had changed the positions of the previously mapped bank tops relative to the floor of the drainage since an effort had been made to avoid any deposition that could easily fall into the drainage.

Impacts

Impacts from this development should be mitigatable to a level of insignificance from the standpoint of federal, state, county and city policies and also from the standpoint of CEQA Guidelines (Appendix G) outlined below.

Thresholds or Standards of Impact Significance

The CEQA Guidelines (Appendix G) indicates that a project may have a significant effect on the environment if it would have any of the effects listed below.

- 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 Wildlife or U.S. Fish and Wildlife Service;
- 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 Wildlife or U.S. Fish and Wildlife Service;
- 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;
- 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;

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

MITIGATION (4)

Mitigation Measure 1.

All aspects of restoration and mitigation for the Hill Circle Property are covered in the Las Laureles Detached Rental Housing Restoration and Mitigation Plan prepared by Rana Creek Habitat Restoration in 2005 which is included here. In my update report, I listed some trees, shrubs and annuals to augment what Rana Creek Habitat Restoration presented in their plan.

Mitigation Measure 2.

The bioretention areas planned for the project site were not discussed in detail in my update report. They will be vegetated with native herbaceous grasses, sedges, rushes and forbs, and soil from the two areas on the property where Congdon's tarplants (*centromadia parryi* ssp. *congdonii*) were observed growing will be spread around the outer areas of the bioretention areas. Congdon's tarplant is a native annual plant that likes areas with ample moisture during their growing season, sometimes grows in wetland areas, and can be very spectacular as large bright green mounds covered with bright yellow flowers in the late summer and fall when few annuals are actively growing and blooming. These bioretention areas are planned to be vegetated to add diversity to the range of native plants growing on the property.

Mitigation Measure 3.

I know that two Congdon's tarplants does not qualify as regional population and their loss would not be a significant impact under CEQA. However, the presence of this plant is taken very seriously by all agencies even though it is not a listed species and its presence at any level is usually of interest and concern. Congdon's tarplant is seriously endangered because this coastal central California endemic grows on valley floors where it competes for space with the most intense pressures for urban and agricultural development in the state. If additional seeds would be needed, the close by population in the Acosta Plaza area just across East Laurel Drive would be accessible to me for seed collection because I have done biological work for the property and know the owners. This is not likely to be necessary. As mentioned above, the seeds of this species will be spread around the outer areas of the bioretention areas.

Monitoring and Additional Work

All aspects of monitoring and additional or ongoing work are covered in the Las Laureles Detached Rental Housing Restoration and Mitigation Plan prepared for the previous planned development for this property by Rana Creek Habitat Restoration in 2005 which is included here.

Please contact me if you have any questions.

Best regards,

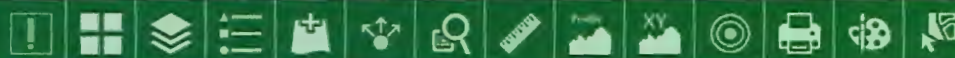
A handwritten signature in black ink, appearing to read 'Ed Mercurio', with a stylized, cursive script.

Ed Mercurio, Biological Consultant

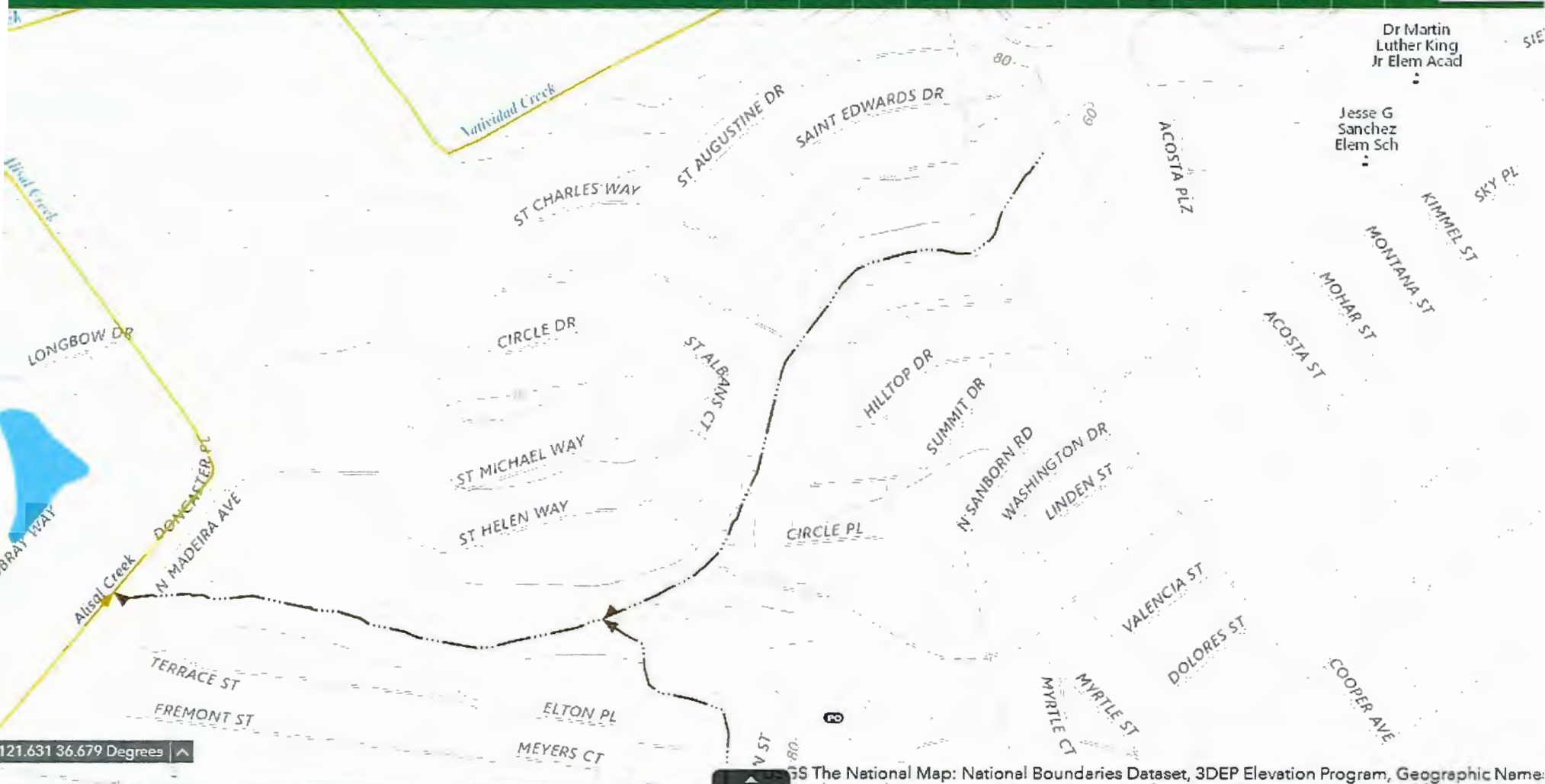


The
National
Map

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121.631 36.679 Degrees

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Services Accessibility

Geological Survey





U.S. Fish and Wildlife Service
National Wetlands Inventory

Hill Circle Property



August 6, 2020

Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Los Laureles Detached Rental Housing Restoration and Mitigation Plan

Salinas, California

Property Owner:
Mr. Ted Thoeny

APN 004-60-153

Prepared for:
Mr. Ted Thoeny

Prepared by:
Rana Creek Habitat Restoration
June 29, 2005

FEB 2006
Received
Comm. Dev. Dept.

Exhibit 33

TABLE OF CONTENTS

I. PROJECT DESCRIPTION.....	1
OWNER AND LOCATION OF PROJECT	1
PROJECT SUMMARY	1
PROJECT OBJECTIVE.....	2
II. POTENTIAL IMPACTS AND RECOMMENDED ACTIONS.....	2
SOIL.....	2
WATER QUALITY	2
HABITAT	2
EXOTIC SPECIES.....	2
III. RESTORATION LANDSCAPE PLAN.....	3
SITE PREPARATIONS AND ASSESSMENTS	3
TYPES OF HABITAT TO BE CREATED.....	3
BIO RE-MEDIATION	3
PREVENTION AND PRECAUTION – SUDDEN OAK DEATH	3
HERBICIDE USE	4
RESTORATION OF PLANT COMMUNITIES	4
RESTORATION GOALS	4
RESTORATION METHODS	5
SITE PREPARATION.....	5
<i>Site Preparation after Grading</i>	5
<i>Site Preparation for Slopes</i>	5
<i>Site Preparation for Channel Areas</i>	5
<i>Site Preparation for Landscaped Areas</i>	5
EROSION CONTROL	5
EROSION CONTROL MEASURES	6
<i>BMP Erosion Control Blanket</i>	6
<i>Installation on Slopes</i>	7
BMP MAINTENANCE.....	7
<i>BMP Dust Control</i>	7
<i>BMP Temporary Erosion Control Seeding</i>	7
BMP EARTH-MOVING ACTIVITIES.....	7
<i>The following earth moving BMP's shall be implemented</i>	7
<i>The following general guidelines shall be implemented</i>	7
<i>The following construction conditions shall be monitored</i>	8
TEMPORARY EQUIPMENT STORAGE AND FUELING AREA	8
HERBICIDE SPRAY OPERATIONS	8
HYDROSEEDING OPERATIONS.....	8
IRRIGATION.....	8
PLANT PROPAGATION AND INCREASES	9
PLANT PROPAGATION.....	9
TREE PLANTING.....	9
GRASS ESTABLISHMENT	9
RECOMMENDATIONS – PLANTS AND THEIR APPLICATIONS.....	10
<i>Plant List</i>	10
<i>Plant List for Temporary Erosion Control</i>	11
IMPLEMENTING MANAGEMENT AND MAINTENANCE	12
<i>Equipment, Fuel Storage and Handling</i>	12
<i>Emergency response</i>	12

IV. MONITORING AND REPORTING	12
MONITORING GOALS	13
WATER QUALITY SAMPLING AND ANALYSES	13
MONITORING METHODS	13
MONITORING PROCEDURES	13
SUCCESS CRITERIA	13
ANALYSES OF RESULTS	14
REMEDIAL MEASURES	14
REPORTING RESULTS	14
<i>General Guidelines</i>	14
<i>Parties to Receive Reports</i>	14
<i>Erosion Control Standards</i>	15
V. SITE MAINTENANCE	17
IRRIGATION	17
INSPECTION DURING MAINTENANCE	17
FENCING MAINTENANCE	17
EVALUATION AND REPORTING OF MAINTENANCE ACTIVITIES	17

LIST OF ATTACHED DOCUMENTS

Sudden Oak Death – Updated Host Species List
 Landscape Planting Plan L1 – Project Overview 11x17 (see 24x36 full color plan)
 Landscape Planting Plan L2 – Biological Assessment 11x17 (see 24x36 full color plan)
 Landscape Planting Plan L3 – Planting Details 11x17 (see 24x36 full color plan)

I. PROJECT DESCRIPTION

OWNER AND LOCATION OF PROJECT

1. Applicant: Mr. Ted Thoeny
2981 San Juan Hollister Road
San Juan Bautista, California 95045
2. Location: The project is located in the Sanborn Creek watershed of east Salinas California. It is located between East Laurel Drive and North Madera Hill Circle. The area is described as a city drainage area surrounded by residential and suburban mixed use.
3. Assessor's Parcel Number: APN 004-60-153

PROJECT SUMMARY

The applicant is proposing to develop fifty-three Detached Rental Housing Units and ninety-nine open parking units located on the upland areas of a city drainage area. The erosion control and revegetation will encompass several phases of work including grading phase, soil stabilization, revegetation, and landscaping. This plan focuses on the establishment of native vegetation for erosion control as well as for sustainable landscaping to restore the areas biological health and ecological function. Bio-remediation techniques will be implemented to enhance soil health by increasing moisture retention and plant regeneration. Erosion control will be implemented on all disturbed soil locations and habitat restoration carried out to establish plant assemblages representative of native plant communities supportive of local fauna. Restoration will occur within areas subject to soil disturbance, and housing development. Most important to the restoration process will be follow up maintenance and monitoring to assure that the project goals are achieved.

The project will be implemented under a California Department of Fish and Game Streambed Alteration Permit number 1600-2003-5326-3. Once the drainage channel is shaped, the upland contoured, and the housing developed, run off and drainage water will flow through the channel. Vegetation will shift to more moisture loving plant species, specifically in the channel bottom and banks. Increased surface flows can carry disturbed topsoil and run off during intense winter storms. On steep portions of the site, especially slopes, revegetation targets water retention and energy dissipation to address the potential for on-site soil erosion. Erosion control will protect downstream fresh water resources. Water retention will also enhance wildlife ecology. Connecting overland flow to seasonal drainages downstream will reestablish and enhance watershed values.

The drainage channel, slopes, and surrounding land will be revegetated with native grasses and emergent plants that are adapted to periodic inundation. The channel bottom and the outfall areas will be planted with riparian and emergent vegetation. Upland landscapes of the housing development will be planted with native tree species and understory plants. The restoration will increase the native plant cover and increase the total amount and quality of Riparian habitat.

Preparer certification: This document and all attachments were prepared under my supervision. Based on my inquiry and gathering of information, the information is true, accurate, and complete.

Paul Kephart _____ Certified Professional in Erosion and Sediment Control #2571

Responsible Parties: Ted Thoeny
2981 San Juan Hollister Road
San Juan Bautista California 95045

PROJECT OBJECTIVE

This erosion control and restoration plan has been developed to restore the Riparian channel and corridor to an ecologically functioning condition and to provide sustainable, low maintenance landscaping for the housing project. The intent is to:

- Contain sediments and pollutants on-site through revegetation and erosion control.
- Mitigate temporary loss of stream channel habitat as a result of the grading and construction activities.
- Control exotic pest plants on site that may impact the establishment of native species.
- Develop performance standards and monitoring protocols to assure project success.

II. POTENTIAL IMPACTS AND RECOMMENDED ACTIONS

SOIL

Destabilizing soils could have potential impact on water quality. By implementing best management practices, erosion control, mycofiltration, and bio engineering techniques, those potential impacts should not occur. On steep exposed slopes, cover crops, erosion mats, straw wattles, and blankets shall be installed.

WATER QUALITY

Event winter rains can create run off, especially on compacted and/or disturbed soils. By implementing erosion control, bio remediation, and restoration, potential water quality impacts will be minimized. In addition to surface treatments, micro-topographic relief, swales, and a retention basin shall be placed in key locations of the housing project to intercept storm water run off and allow for ground water percolation.

HABITAT

Temporary impacts to migratory birds, invertebrates, and mammals will result from the housing project. Direct impacts to species discovered prior to and during implementation shall be avoided. Indirect and temporary impacts will be addressed by restoration of habitats. Overall, once housing is developed and restoration is in process, immediate recovery and benefit to wildlife will occur.

EXOTIC SPECIES

Exotic plants have significant impact on the restoration potential of the land. In areas now occupied by exotic vegetation, the soil seed bank contains millions of viable seeds. Disturbing the soil and exposing the disturbed areas to sunlight can scarify and germinate dormant seeds, resulting in mass colonization. Understanding the potential for exotic species re-generation, planning for follow up maintenance and control, and monitoring the site will assure exotic species have less than significant impact.

III. RESTORATION LANDSCAPE PLAN

SITE PREPARATIONS AND ASSESSMENTS

Prior to commencing landscape restoration plans, site assessment shall be conducted to demarcate areas of erosion control, specific tree planting locations, and bio remediation treatments. The restoration ecologist shall identify areas for access, prioritize tree planting, and identify any sensitive vegetation, animals, and/or habitats that shall be avoided. The revegetation team shall attend a walk through with the project manager in order to understand the limit of work, discuss potential hazards, and determine areas of avoidance.

TYPES OF HABITAT TO BE CREATED

The drainage areas, slopes, and surrounding disturbed areas shall be planted with a diverse assemblage of native species found within similar habitats of the Monterey Bay area. The restored habitat will consist of series of Riparian meanders along the drainage gradient. The channel will be stabilized with engineered rock outfalls with emergent vegetation, willows and other riparian plants native to the site. Slopes and banks shall be stabilized with erosion control blankets, slope breakers, and straw wattles. The upland landscaped sites will be planted with California perennial grasses as low maintenance lawn substitutes, upland tree species, and upland under story plants and shrubs. As a result of the planting and management of the site, overall the amount and quality of the native riparian habitat will be increased and enhanced. Oaks shall dominate the slopes and upland landscaped areas, and Sycamores and willows shall be planted in the channel and on banks.

BIO RE-MEDIATION

Bio remediation is a holistic approach to restoration ecology supporting above and belowground natural process between soil organisms, insects, plants, and hydrology. By inoculation with mycelia and the introduction of organic structure such as straw, wood chips, and/or mulch, one can create a living network below ground that supports moisture retention, plant regeneration, insect utilization, and suppression of disease. Mycelia enhance a plants ability to acquire nitrogen, zinc, and phosphorus by increasing the root absorbing parts that grow as a finer longer network. Introducing generic endophytic fungi as part of erosion control and restoration practices is quite commonplace, and beneficial effects such as overall better stand health, moisture retention, and disease suppression is well documented. Inoculation of mycelium as part of the planting, and mulching with native forbs and herbs is discussed below.

PREVENTION AND PRECAUTION – SUDDEN OAK DEATH

Sudden Oak Death is a forest disease caused by the fungus-like pathogen *Phytophthora ramorum*. This disease causes dieback of tanoak and many oak species in central and northern coastal counties of California. It has also been found on numerous other species, such as California bay laurel that is found regionally. Some oaks suffer immediate mortality and others exhibit systems such as limb and twig dieback. Wind and rain can transfer *P. ramorum* spores that spread from infested trees and from leaves of host plants throughout an infested area. Other plants that are potential hosts of *P. ramorum* are the California bay laurel, big leaf maple, toyon, and California buckeye.*(this list has since increased greatly in size see appendix for complete list) Some of these species are specified as part of the restoration at Los Laureles Housing Project. Mortality is most common where oaks and the foliar hosts grow together. Care shall be taken to steam clean all transportation equipment prior to entering the site from other wild land forest areas that may contain spores of *P. ramorum*. Oaks and other native vegetation shall be procured from inspected nursery sources registered free of *P. ramorum* infected plant materials.

HERBICIDE USE

This plan focuses on herbicide alternatives utilizing natural processes, manual labor, mowing and restoration ecology as principle management tools and as part of its land ethic. Safe alternatives to Garlon 4 and Round up are greatly needed. A number of alternatives have been discussed; Finale, a least toxic non-selective plant killer kills weeds and roots and is made up of glufosinate that degrades into water, CO₂ and nitrogen. Propane flame torches can effectively sear young plants and may be utilized in the winter and spring. Placing cardboard and mulching inhibits unwanted plants. TK10 and corn gluten are other safe control agents. Roundup, Honcho, and Kill-zall are glyphosphate herbicides, all equally effective as non-selective agents and are possibly the least toxic.

RESTORATION OF PLANT COMMUNITIES

Restoration of plant community structure, function, and diversity is targeted for the entire housing development area. Seed collection and propagation of local ecotypes is currently underway and will be re-introduced to the site to maintain local gene pools and plant types. Restoration also targets natural recruitment and regeneration over reintroduction and if the soil, hydrology and exotic vegetation are managed after the housing development activities, a diverse assemblage of native plants can recolonize. Plant communities reflect insect and animal relationships; where appropriate we will tailor topography and vegetation to support specific habitat. Ecological function may be measured by utilization of insects and plants with complex synergistic relationships.

Structure created by topographic relief, rock outfalls, and varied plant forms will support more diversity and increase stability of the landscape. Diversity of restored areas may be compared to intact reference sites nearby and site capability described as "states" that follow a somewhat predictable pattern during post disturbance regimes. In the post disturbance state, a release of nutrients from soils support pioneering species as well as a release of dormant seeds in the seed bank. Diversity is impacted. Insects immediately recruit but utilization by complex organisms is low. As stability increases over time, long-lived vegetation will dominate, however long-lived non-native species can also reach a stable state, and lessen diversity by competition. In three to five years as soils are stabilized; long-lived species establish, providing more complex structure that will enhance function and utilization by wildlife as well as decrease the need for maintenance.

RESTORATION GOALS

- Collect and propagate local and regional seed: Collection, propagation, and increase of local plant material will maintain the local genetic stock of selected native plants.
- Establish assemblages of native plant species represented in the plant community found on specific sites where they have potential to occur.
- Manage the restored habitat by ongoing weed control and planting activities.
- Monitor the health and viability of restored landscapes within the Los Laureles Housing area, particularly areas that have been restored or enhanced, and enter monitoring data into a central database to ensure documentation of successful restoration efforts.

RESTORATION METHODS

Protection, enhancement, and restoration are the guiding principles of this Plan. The results of the success of plant establishment, and results of erosion control and planting will need to be tracked. The following sections provide discussion on plants, planting methods, rates and densities and follow up with management strategies for the Los Laureles Housing Project. The restoration and erosion control specifications have been designed for three Project Phases; 1) Temporary Erosion Control, 2) Stream Corridor Restoration, and 3) Upland Landscape Restoration. The attached plan sheet depicts the three planting phases. Within each phase are selected plant assemblages for specific applications including erosion control, habitat enhancement, stream corridor stabilization, and landscaping.

SITE PREPARATION

Prior to planting, pre-planting activities will occur including soil preparation, weed control, handling of mulch, biomass removal, and creation of topographic relief where required. A soil test from a certified laboratory shall be conducted on soils within distinct planting zones. Fertilization recommendations are provided within this plan, and as a result of soil testing may be modified based on particular nutrient deficiencies.

Site Preparation after Grading

Upland areas subject to soil disturbances, grading, and equipment staging areas, shall be ripped with a chisel or rippers to a depth of twelve inches. The area is next disked to create a seedbed, and cultipacked with a ring-roller. Areas disturbed by grading shall match existing contours. The site shall be free of cobble, debris, trash, tires, and any other obstacles that would prevent successful erosion control establishment.

Site Preparation for Slopes

Sloped areas can be disked where tractors can access the site safely. The slopes should be rough graded to match engineered drawings, and then track walked up and down the slope to prepare the seedbed. Track walking with a cleated bulldozer will create micro topographic indentations that support seed, retain moisture, and aid in germination.

Site Preparation for Channel Areas

Channel areas should remain rough, with micro topography, boulders, and rock placed according to civil drawings. Pockets of loose soil will accommodate willow planting and planting of emergent vegetation.

Site Preparation for Landscaped Areas

Landscaped areas shall be free of rock and debris, rototilled and finish graded. Prior to planting, topsoil shall be imported and incorporated into planting areas.

EROSION CONTROL

Note* All denuded areas and areas subject to soil disturbances shall have erosion control measures continuously applied between October 15th and April 15th. All erosion control measures shall be installed by October 15th.

Erosion control methods will consist of a suite of soil stabilizing and revegetation techniques that target healthy soils, vegetation, and sediment containment. Bare, disturbed soils on the site must be protected and revegetated. Storm Water Prevention and Pollution activities and monitoring will assure no adverse effects will result from the housing project grading plans and development. These erosion control methods will prevent any potential impacts to fresh water resources. These techniques conform to the intent of the National Pollutant Discharge

Elimination System (NPDES). These techniques are Best Management Practices (BMPs) and are designed to keep all products of erosion from moving off site into receiving waters. The Erosion and Sediment Control Guidelines are minimum standards and requirements of this Restoration and Erosion Control Plan. Modifications shall be made as necessary to conform to the intent of the NPDES. The goal of this Restoration and Erosion Control Plan is for full containment of offsite runoff during soil disturbing activities and no connection with offsite runoff traveling through the Housing Project Site to receiving waters. There are instances where there is potential chance of impacts due to run-off; therefore Los Laureles Housing Project has developed the following standards and monitoring guidelines using a proactive approach. Some or many of the following BMPs are recommended for each planting area through out the project site.

- a. Cover crop seeding: Annual and/or perennial grass and forbs that establish quickly protecting soils from rain and wind.
- b. Straw wattles: Netted straw tubes placed on the contour in trenched and staked.
- c. Erosion blankets: Straw, coir, and/or jute used with seed and mulch to cover and protect exposed steep slopes.
- d. Mulching: layering straw, mulch, compost, leaves, and other organic mater.
- e. Rolling waterbars: Berms placed on the diagonal designed to effectively drain road and trail surfaces to prevent erosion and sedimentation.
- f. Rip-rap or other impact reducing mechanisms such as emergent plants at the outfall of each waterbar and/or culvert to dissipate the potential cutting energy of water collected and conveyed prior to dispersal.
- g. Filter berms collect sediments deposited into existing drainage ways or riparian channels. Filter berms are recommended to both filter out sediment and to dissipate the cutting energy of the drainage water. Straw bales are recommended around drainage devices during the winter storm season and will filter water, collect sediments, and dissipate water energies. Small gaps (approximately 1-2" wide) must be left between the bales for effective passage of drainage water; if gaps are not left, trapped fine sediments in the water can "plug" the surface of the bales and may cause flooding and secondary erosion.
- h. Willow wattles: Willow poles are placed in mass on cut banks and channel banks to prevent scour, capture sediments, and increase channel stability.

EROSION CONTROL MEASURES

BMP Erosion Control Blanket

Erosion control blankets shall be installed to protect the prepared soil surface of steep slopes and banks. Erosion control blankets are used on slopes to temporarily stabilize and protect disturbed soil from raindrop impact and surface erosion, to increase infiltration, decrease compaction and soil crusting, and to conserve soil moisture. Erosion control blankets also protect seeds from predators, reduce desiccation and evaporation by insulating the soil and seed environment.

Proper site preparation is essential to ensure complete contact of the protection matting with the soil. Grade and shape area of installation. Remove all rocks, clods, vegetative or other obstructions so that the installed blankets, or mats will have direct contact with the soil. Prepare seedbed by loosening 2-3 inches (50-75 mm) of topsoil above final grade. Seed area before blanket installation for erosion control and revegetation. (Seeding after mat installation is often specified for turf reinforcement application.) U-shaped wire staples, metal geotextile stake pins, or triangular wooden stakes can be used to anchor mats to the ground surface. Wire staples should be a minimum of 11 gauge. Metal stake pins should be 3/16 inch diameter steel with a 1 1/2 inch steel washer at the head of the pin. Wire staples and metal stakes should be driven flush to the soil surface. All anchors should be 6-

8 inches long and have sufficient ground penetration to resist pullout. Longer anchors may be required for loose soils.

Installation on Slopes

Begin at the top of the slope and anchor its blanket in a 6 inch deep x 6 inch wide trench. Backfill trench and tamp earth firmly. Unroll blanket downslope in the direction of the water flow. The edges of adjacent parallel rolls must be overlapped 2-3 inches and be stapled every 3 feet. When blankets must be spliced, place blankets end over end (shingle style with upper blanket on top of lower blanket) with 6 inch overlap. Staple through overlapped area, approximately 12 inches apart. Lay blankets loosely and maintain direct contact with the soil - do not stretch. Blankets shall be stapled sufficiently to anchor blanket and maintain contact with the soil. Staples shall be placed down the center and staggered with the staples placed along the edges. Steep slopes, 1:1 to 2:1, require 2 staples per square yard. Moderate slopes, 2:1 to 3:1, require 1-2 staples per square yard (1 staple 3' on center). Gentle slopes require 1 staple per square yard.

BMP MAINTENANCE

All blankets and mats should be inspected periodically following installation. Inspect installation after significant rainstorms to check for erosion and undermining. Any failure should be repaired immediately. If washout or breakage occurs, re-install the material after repairing the damage to the slope.

BMP Dust Control

Dust shall be controlled at all times by use of a water truck. Monitoring shall assure appropriate moisture levels shall be kept on all disturbed soils during grading activities and that no dust occurs on site.

BMP Temporary Erosion Control Seeding

Restoration plans specify seeding annual species by a hydroseed application. All temporary stockpiled soils shall be seeded with a temporary seed mix as follows:

Crop barley	<i>Hordeum vulgare</i>	@	80 pounds/acre
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BMP EARTH-MOVING ACTIVITIES

Handling of Spoils and stockpiling of soils: Any stockpiled soils shall be treated with temporary erosion control hydroseed mix. Soils shall be removed promptly before October 15th.

The following earth moving BMP's shall be implemented

- a. Vegetation shall remain intact and disturbed only within the limit of work.
- b. Existing vegetation shall be removed only when absolutely necessary.
- c. Seed or plant *temporary* vegetation for erosion control on slopes and temporary stock piled soil.
- d. Downslope drainage courses, and streams will be protected with hay bales and silt fences.
- e. Temporary stockpiles and excavated soil will be seeded and hydromulched.

The following general guidelines shall be implemented

- a. Excavation and grading work shall occur only in dry weather.
- b. Major equipment repairs shall be conducted away from the job site.
- c. Refueling or vehicle/equipment maintenance must be done on site, work within a completely bermed area at minimum 150 feet from watercourse.

The following construction conditions shall be monitored

Excavation and grading work shall occur only in dry weather. If any of these conditions are observed, test for contamination and contact the Regional Water Quality Control Board:

- a. Unusual soil conditions, discoloration, or odor.
- b. Abandoned underground tanks.
- c. Abandoned wells.
- d. Buried barrels, debris, or trash.

TEMPORARY EQUIPMENT STORAGE AND FUELING AREA

A temporary area for the purpose of storing construction machinery, fuel, and other potentially hazardous materials will be identified on site. The fuel handling and storage area shall be established to protect the soil and wetland areas from contamination.

HERBICIDE SPRAY OPERATIONS

Personnel providing spray services shall be fully trained in such operations, and shall wear all required protective clothing. The spray contractor shall carry all licenses and insurance required by the State of California and all other governmental agencies having jurisdiction. The spray contractor shall also be responsible for notification of all parties regarding application of chemical herbicide, as is required by law. Only herbicides registered for aquatic use will be permitted within banks and channels of the creek. Use of herbicides shall be restricted to only those times when standing and/or flowing water is not present.

The specified spray mix is as follows:

Herbicide: active ingredient: Glyphosate, N-(phosphonomethyl) glycine, in the form of its isopropylamine salt (Rodeo or equal). NO hazardous chemicals under the criteria of the OSHA hazard Communication standard (29CFR 1910.1200.

Water: clean and free of particulate matter (*glyphosate* adsorbs on clay particles)

Surfactant: Triton Ag 98 or equal

Dye: Blazon agricultural dye

Ingredient rates as specified by manufacturer.

HYDROSEEDING OPERATIONS

The majority of the Erosion Control and Restoration seeding will be done from seed with a hydroseeder. Seed shall be uniformly mixed placing seed, water, mulch, fertilizer, and tackifier into the mix tank. Seed shall be applied in a slurry of seed, mulch, fertilizer and a plantago-based tackifier. Mixing time shall not exceed 45 minutes from the time the seed contacts the water until the entire batch is discharged onto the prepared soil. Mix specified seed with 150 pounds per acre "Gro-Power" 12-8-8 slow release fertilizer, if deemed necessary by the restoration contractor, 10 pounds per acre Mychorizae fungi, 2,000 lbs./acre wood fiber mulch, and 100 lbs./acre "M" binder tackifier. Fertilizer type and rates shall be based on soils analyses.

IRRIGATION

Irrigation shall be supplied to planted container plants and trees with hoses, from temporary surface main lines. The main line shall be charged via a water truck and/or water tank placed upslope. The Contractor shall irrigate all trees and shrubs at minimum one time per week during the summer months for a period of two years.

PLANT PROPAGATION AND INCREASES

Indigenous plants from the Monterey Bay Region are most adapted to the soils, seasons, and climates of the region. The astonishing diversity of plants found provides unique relationships to living organisms that have persisted over thousands of years. Many support local wildlife interactions and are necessary for a particular organisms survival. Native plants selected for Los Laureles Housing Project are ornamental, medicinal, productive, and restorative. These plants are sources of food, shelter, and tools and have sustainably supported indigenous populations as well as provide agricultural products. Now, these plants provide connection to diminishing values; open space and intact habitats. As part of the restoration, locally and regionally collected plant materials will be propagated and increased. Seeds can be collected nearly all year, and some general guidelines should be used. Seed should be gathered from the Monterey/Salinas region and collections made from many plants representative of the genus and species. Generally, one should not gather all the available seed from a single plant; leave some for the plant to generate next season. Seeds should be stored in paper sacks. Weevils and beetles will inhabit seeds, so careful inspections will help assure the seeds are free from pathogens, insects, and they are viable. Acorns should be collected from many trees near the site as possible. The acorns should be free of snout beetles that spend their larval stage within the acorn. Once the acorn germinates, the snout beetle pupates, eating most of the acorns carbohydrates. The snout beetle acorns have distinct dark spots, and may be hollow. Seed collections should be clearly labeled, dated, and stored in a cool dry place. Fluctuating temperatures decrease seeds viability.

PLANT PROPAGATION

Propagation of oaks can be by direct planting saplings, screening and protecting young trees. To prevent introducing pathogens to the Los Laureles Housing Project, oaks should be inspected and certified SOD free by the USDA. Nurseries growing oaks can inoculate nursery soil with the Housing site soil to assure local mycelia strains are active in the growing medium. For restoration, it is better to use small containers. Small plants tend to adapt and establish better without a great deal of water, fertilizer, and maintenance than large containerized plants.

TREE PLANTING

Planting basins should be excavated twice the depth and diameter of root balls. Inoculation with native topsoil will aid in establishment and growth of the newly plant tree especially in poor soil conditions. The tree will be protected from rodents and gophers and staked. Irrigation is required for at least two summers when planting large native trees.

GRASS ESTABLISHMENT

Grass establishment in planting zones and within the Riparian buffer areas shall conform to the following procedures.

- a. Rip, disk, and/or rototill and prepare seedbed.
- b. Incorporate amendments/fertilizer per specification.
- c. On slopes install erosion blankets, wattles, or straw bales.
- d. Hydro-seed per specification.
- e. Broadcast seed and mulch with 2 inches of straw.
- f. Once vegetation reaches 6 inches tall in the spring, mow the vegetation to a 3-inch height.

RECOMMENDATIONS – PLANTS AND THEIR APPLICATIONS

Plant List

Following plant list are general recommendations for plant collection and applications.

Trees - Creek Channel Slopes				
Scientific Name	Common Name	Size	Spacing/ Rate	Quantity
<i>Quercus agrifolia</i>	Coast live oak	15 gallon	25 feet	28
<i>Platanus racemosa</i>	Sycamore	15 gallon	25 feet	45
<i>Sambucus mexicana</i>	Elderberry	5 gallon	35 feet	11

Grass Cover – Channel/Basin Hydroseeding			
Scientific Name	Common Name	Rate/Acre	Quantity (lbs)
<i>Achillea millefolium</i>	Common yarrow	1.5	2.2
<i>Bromus carinatus</i>	California brome grass	10	15
<i>Leymus triticoides</i>	Creeping wild rye	10	15
<i>Hordeum brachyantherum</i>	Meadow barley	15	22.5
<i>Juncus patens</i>	Spreading rush	1.5	2.2

Plants – Creek Channel				
Scientific Name	Common Name	Size	Spacing/ Rate	Quantity
<i>Rosa californica</i>	California wild rose	stubby cone	20 feet	161
<i>Salix lasiolepis</i>	Arroyo willow	Pole cutting	48 feet	22
<i>Sambucus mexicana</i>	Blue elderberry	stubby cone	20 feet	161

Permanent Native Grassland Hydro-seeding			
Scientific Name	Common Name	Rate/Acre	Quantity (lbs)
<i>Achillea millefolium</i>	Common yarrow	0.5	2.6
<i>Bromus carinatus</i>	California brome grass	10	52.8
<i>Leymus triticoides</i>	Creeping wild rye	2.5	13.2
<i>Nassella pulchra</i>	Purple needlegrass	15	79.2
Permanent Native Grass- Lawn Substitute			
Scientific Name	Common Name	Rate/kSq.Ft.	Quantity (lbs)
<i>Festuca rubra</i>	Creeping red fescue	3	TBD
<i>Festuca brachyphylla</i>	Pt Joe Fescue	3	TBD

Landscape Shrub/Perennial Planting				
Scientific Name	Common Name	Size	Spacing/ Rate	Quantity
<i>Ceanothus c. rigidus</i>	'Snowball'	stubby cone	10 feet	2300
<i>Ceanothus thyrsiflorus</i>	Blue blossom	1 gallon	20 feet	575
<i>Heteromeles arbutifolia</i>	toyon	stubby cone	12 feet	1597
<i>Mimulus aurantiacus</i>	sticky monkey flower	stubby cone	20 feet	575
<i>Rhamnus californica</i>	coffeeberry	1 gallon	12 feet	1597

Landscape Trees				
Scientific Name	Common Name	Size	Spacing/ Rate	Quantity
<i>Quercus agrifolia</i>	Coast live oak	15 gallon	35 feet	92
<i>Aesculus californica</i>	California buckeye	5 gallon	35 feet	129
<i>Umbellularia californica</i>	California bay	15 gallon	35 feet	31
<i>Prunus illicifolia</i>	Cherry	5 gallon	25 feet	106

Landscape Ground Cover Planting				
Scientific Name	Common Name	Size	Spacing/ Rate	Quantity
<i>Muhlenbergia rigens</i>	Deer grass	4" pot	20 feet	575
<i>Carex tumulicola</i>	Foothill sedge	4" pot	12 feet	1597
<i>Arctostaphylos uva-ursi</i>	Manzanita	4" pot	12 feet	1597
<i>Fragaria chiloensis</i>	Strawberry	4" pot	12 feet	1597
<i>Satureja douglasii</i>	Yerba buena	4' pot	20 feet	575
<i>Stachys bullata</i>	California hedge nettle	4" pot	20 feet	575

Plant List for Temporary Erosion Control

Grassland Hydroseeding			
Scientific name	Common name	Rate/acre	Quantity (lbs)
<i>Bromus carinatus</i>	California brome	50	TBD
<i>Hordeum vulgare</i>	Crop barley	80	TBD

IMPLEMENTING MANAGEMENT AND MAINTENANCE

Equipment, Fuel Storage and Handling

During Restoration and Erosion Control programs, a specific location outside of work area will be selected to stage and service equipment, and store fuel and wastes. The areas can be layered with gravel with impermeable fabric or plastic underlain. Periodic inspections on hydraulic, diesel, and gas-operated equipment will assure there are no leaks. Toxic materials and wastes shall be clearly labeled and comply with City, State, and County ordinances.

Emergency response

During fuel restoration implementation an emergency response program shall be developed that targets health and safety, fire response and suppression, safety and suppression equipment and emergency services.

IV. MONITORING AND REPORTING

As our knowledge of the site and restorative process unfolds, it is important we observe, record, and evaluate post implementation management and restoration actions. There are numerous systems and data gathering methods available for monitoring plant performance, biological, and geophysical features. Monitoring methods are location based; data, photos, and actions are recorded and linked to specific locations by attribute. Adaptive management can focus on implementation costs, efficacy of restoration and site stabilization, invasive plant control, and levels of success or failure of the prescribed management. If restoration or invasive weed control programs fail to achieve anticipated trends or thresholds of success, alternative management can be prescribed. Finally, monitoring can assure that no direct, indirect, or accumulative water quality impacts occur on or adjacent to the property and that avoidance and protection measures are strictly adhered to.

The restoration areas shall be monitored by a qualified restoration ecologist and reports prepared. Such reports should include qualitative evaluations. At the least, qualitative measurements should record plant density and relative composition, native plant cover percentages, and the general effects on the amount of exotic vegetation prior to and after treatments. At the least, qualitative assessment should describe the general health and vitality of the restored and managed vegetation and habitat. The assessment should also target soil and slope stability. If the reports identify a failure to meet any of the goals or standards, or failure to meet any other standards consistent with current professional restoration standards, the report should include appropriate recommendations for modifying plans in order to achieve the standards. The reports should be specific to activity, resources used, timing, and costs.

Restoration monitoring and reporting can continue on an annual basis until the goals and standards have been achieved. These standards can be modified after (3) years, if the ecologist determines that the preceding standards cannot be feasibly maintained due to adverse natural conditions on the site.

There are indicators that support the achievement of the goals and standards for the restoration of the riparian channel and corridor. Recording plant and soil indicators, vegetative states, and conditions on the site prior to implementing particular treatments, and actions can be compared with the results and trends tracked accordingly. The monitoring program will be established for the restoration/enhancement effort of oak woodlands and grasslands to determine and ultimately ensure the success of restored, and enhanced Los Laureles Project Site.

MONITORING GOALS

- Monitor the effects of the hydroseeded areas; stated goals that target a percentage of vegetative cover.
- Monitor the vigor, growth, and mortality of planted species within the Restoration Areas: Stated goals that target mortality, growth, and vigor.
- Monitor exotic species cover. Restoration sites shall demonstrate a reduction in invasive plant cover and an increase in native vegetation.

WATER QUALITY SAMPLING AND ANALYSES

- Steward shall maintain a log of inspections as required and shall include photographs of BMP's during runoff events where such information determines the effectiveness of BMP's.
- If potential pollutants are identified on site, a potential pollutant report shall be recorded and action taken to remedy the situation.
- In areas where chain saws, equipment, and trucks are maintained, A Fuel Containment/Spill Prevention Weekly Inspection Checklist will be maintained.

MONITORING METHODS

Qualitative standards for the Los Laureles Housing Project restoration and erosion control plan focus on the establishment, recruitment, and maintenance of representative species of riparian plant communities. Qualitative standards will be measured by periodic photo monitoring. The planted areas shall simulate natural contours, vegetative growth, and composition of existing habitat to the extent possible given the terrain and soil conditions.

MONITORING PROCEDURES

- Impacts to site: Once the Restoration and Erosion Control is installed, visually inspect the perimeter of the planting area for adequacy of protective measures. Inspection shall occur not less than weekly during restoration activities (see erosion standards in the following section).
- Plant growth, vigor, and mortality: Visually inspect and photo document the plants and trees planted within the Los Laureles Housing Project Site.
- Monitor associated species cover, including exotic species and naturally recruiting species by visual inspection and photo-documentation.

SUCCESS CRITERIA

1. Riparian restoration and mitigation will be determined successful when specified plants and trees are fully established and growing vigorously. Approximately 80% of specified plant species shall occur within the mitigation areas after five years with intermediate criteria of 60% at the two-year and 70% occurrence at the four-year intervals.

2. The Riparian Buffer restoration and mitigation will be determined successes when invasive plant cover is less than 15% of total cover for a consecutive period of three years.

ANALYSES OF RESULTS

The Restoration Ecologist shall:

1. Set up no less than 10 permanent photo-monitoring plots in the planting zones. Photo documentation shall occur twice per year for a period of three years.
2. Inspect planted trees and shrubs, measure and record individual plant performance for a period of three years.
3. Establish a sampling regime and permanently locate and sample no less than ten randomly selected monitoring plots to assess exotic weed control effect for a period of three years.

REMEDIAL MEASURES

1. If plants fail to establish, die, or become diseased they will be replaced at a 1:1 ratio.
2. If exotic species are not controlled within the Planting Areas to less than 15% cover, than additional weed control measures will be required.

REPORTING RESULTS

General Guidelines

The restoration and erosion control areas shall be monitored by the ecologist and reports submitted on an annual basis for at least three years to the Land Owner/agent and the appropriate agencies. Such reports shall include both quantitative and qualitative evaluation. At a minimum, qualitative measurements shall record plant mortality, plant vigor, and the general amount of exotic vegetation. If the report should identify a failure to meet any of these minimum standards, or failure to meet any other standards consistent with current professional habitat restoration standards, the report shall include appropriate recommendations for achieving these minimum standards.

Restoration monitoring and reporting shall continue on an annual basis until the minimum standards have been achieved. These standards may be modified after (3) years, subject to prior approval from the agencies. If the ecologist determines that the preceding standards cannot be feasibly maintained due to adverse natural conditions on the site consultation with the agencies will be conducted to determine the changes required. All reports of such change in conditions shall be signed and dated.

Parties to Receive Reports

Ted Thoeny
2981 San Juan Hollister Rd.
San Juan Bautista, California 95045

Erosion Control Standards

Recommended Standards	Parameter/Method of Analyses	Frequency and Type of Monitoring and Reporting	Remedial Measure/ Corrective Action
1: Restoration Contractor shall conduct training in BMPs Training shall include installation and inspection and maintenance of BMPs.	Training shall be verified and filed.	Weekly inspections during the rainy season.	Erosion control cannot commence until training is completed.
2. Soil disturbance areas shall be clearly demarcated and no equipment shall disturb slopes or drainages outside of limit of work. Native vegetation and ground cover outside limit of work shall be protected.	Visual inspections.	Weekly inspections. Prior to and during Tire Project.	Grading will cease and appropriate revegetation put in place prior to commencing.
3. Limit soil disturbances to dry season: (May 1st through October 15 th). Reduce chance of severe erosion and soil saturation and runoff.	Visual inspections.	Weekly inspections. Prior to and during Tire Project.	Standard may be modified once all BMPs are in place, and site-specific erosion hazard assessment is conducted.
4. Hazardous Materials Storage: Use of hazardous materials such as fuel, and oil shall be stored at a single location, clearly identified.	Monitor will visually inspect property and conduct photo documentation.	Weekly inspections. Prior to and during Tire Project.	If not in compliance, no additional materials will be delivered and stored on site.
5. Spill Prevention and Control: Hazardous materials shall be locked, and employees trained in spill prevention.	Monitor will visually inspect property and conduct photo documentation.	Weekly inspections. Prior to and during Tire Project.	If not in compliance, no additional materials will be delivered and stored on site.
6. Sanitary Waste: Septic facilities shall be placed 50 feet from any drainage.	Monitor will visually inspect property and conduct photo documentation.	Weekly inspections. Prior to and during Tire Project.	If not in compliance, construction will cease until corrections are made.

7: Erosion hazard standards:	Parameter/Method of Analyses	Frequency and Type of Monitoring and Reporting	Remedial Measure/ Corrective Action
a. Class 1. No soil loss or erosion: topsoil layer intact, well-dispersed accumulation of litter from past year's growth plus smaller amounts of older litter.	Monitor will visually inspect property and conduct photo documentation.	Annually during rainy season	a. No remedial action required
b. Class 2. Soil movement slight and difficult to recognize: small deposits of soil in form of fans or cones at end of small gullies or fills, or as accumulations back of plant crowns or behind litter, litter not well dispersed or no accumulation from past year's growth obvious.	Monitor will visually inspect property and conduct photo documentation.	Annually during rainy season	b. Re-seed (as per temporary erosion control or specific habitat) Apply loose straw and/or 'flakes' as needed. Apply only to gullies and or accumulation. Control or divert source of erosion.
c. Class 3. Soil movement or loss more noticeable, topsoil evident, with some plants on pedestals or in hummocks: rill marks evident, poorly dispersed litter and bare spots not protected by litter.	Monitor will visually inspect property and conduct photo documentation.	Annually during rainy season	c. Re-establish and compact surface grade in eroded areas Re-seed (as per temporary erosion control or specific habitat) Apply loose straw and/or 'flakes' as needed. Control or divert source of erosion. Install straw wattles or silt fence.
d. Class 4. Soil movement and loss readily recognizable: topsoil remnants with vertical sides and exposed plant roots; roots frequently exposed: litter in small amounts and washed into erosion patches.	Monitor will visually inspect property and conduct photo documentation.	Annually during rainy season	d. Re-apply and compact soil Re-establish surface grade in eroded areas Re-seed (as per temporary erosion control or specific habitat) Apply loose straw

d. Class 4. Continued.			and/or 'flakes' as needed. Control or divert source of erosion Install straw wattles and/or silt fence
e. Class 5. Advanced erosion; active gullies with steep side walls: well-developed erosion pavement on gravelly soils, litter mostly washed away.	Monitor will visually inspect property and conduct photo documentation.	Annually during rainy season	e. Same as above.

V. SITE MAINTENANCE

IRRIGATION

The Restoration Contractor shall be responsible for providing adequate water to planted plants to assure their survival and growth, so that the performance standards are reached. Not providing adequate irrigation to the planted plants does not relieve the contractor of the standard of mortality: which calls for a one to one replacement ratio if plants die or fail to perform.

INSPECTION DURING MAINTENANCE

Inspection shall occur during all phases of the revegetation program. The inspections shall: 1) ensure protection of extant habitat, 2) verify total sq. footage revegetated, 3) determine and report on weed control and plant irrigations.

FENCING MAINTENANCE

Inspections shall be done of the protection enclosures for planted trees during restoration implementation. If there is any damage to the fencing, it shall be reported and repaired.

EVALUATION AND REPORTING OF MAINTENANCE ACTIVITIES

Maintenance activities shall be monitored and a report prepared describing the results of the restoration program. These observations will be incorporated into the required monitoring reports.

APHIS List of Hosts and Plants Associated with *Phytophthora ramorum*

(Revision dated 10 November 2005) This list is constantly being updated.
The most current version is posted at: <http://www.aphis.usda.gov/ppq/ispn/pramorum>

Proven Hosts Regulated for *Phytophthora ramorum*

Scientific Name (38)	Common Name(s)
<i>Acer macrophyllum</i>	Bigleaf maple
<i>Aesculus californica</i>	California buckeye
<i>Arbutus menziesii</i>	Madrone
<i>Arctostaphylos manzanita</i>	Manzanita
<i>Calluna vulgaris</i>	Scotch heather
<i>Camellia</i> spp.	Camellia - all species, hybrids and cultivars
<i>Castanea sativa</i>	Sweet chestnut
<i>Fraxinus excelsior</i>	European ash
<i>Griselinia littoralis</i>	Griselinia
<i>Hamamelis virginiana</i>	Witch hazel
<i>Heteromeles arbutifolia</i>	Toyon
<i>Lithocarpus densiflorus</i>	Tanoak
<i>Lonicera hispidula</i>	California honeysuckle
<i>Maianthemum racemosum</i> (formerly <i>Smilacina racemosa</i>)	False Solomon's seal
<i>Parrotia persica</i>	Persian ironwood
<i>Photinia fraseri</i>	Red tip photinia
<i>Pieris floribunda</i> and <i>Pieris floribunda</i> x <i>japonica</i>	Mountain Andromeda and all cultivars of the hybrid with Japanese Pieris
<i>Pieris formosa</i> and <i>P. formosa</i> x <i>japonica</i>	Himalaya Andromeda, and all cultivars of the hybrid with Japanese Pieris
<i>Pieris japonica</i>	Japanese Pieris
<i>Pseudotsuga menziesii</i> var. <i>menziesii</i>	Douglas fir and all nursery grown <i>P. menziesii</i>
<i>Quercus agrifolia</i>	Coast live oak
<i>Quercus chrysolepis</i>	Canyon live oak
<i>Quercus falcata</i>	Southern red oak
<i>Quercus ilex</i>	Holm oak
<i>Quercus kelloggii</i>	California black oak
<i>Quercus parvula</i> var. <i>shrevei</i>	Shreve's oak and all nursery grown <i>Q. parvula</i>
<i>Rhamnus californica</i>	California coffeeberry
<i>Rhododendron</i> spp.	Rhododendron (including azalea) – all

	species, hybrids and cultivars
<i>Rosa gymnocarpa</i>	Wood rose
<i>Sequoia sempervirens</i>	Coast redwood
<i>Syringa vulgaris</i>	Lilac
<i>Taxus baccata</i>	European yew
<i>Trientalis latifolia</i>	Western starflower
<i>Umbellularia californica</i>	California bay laurel, pepperwood, Oregon myrtle
<i>Vaccinium ovatum</i>	Evergreen huckleberry
<i>Viburnum x bodnantense</i>	Bodnant Viburnum
<i>Viburnum plicatum</i>	Doublefile Viburnum
<i>Viburnum tinus</i>	Laurustinus

Plants Associated with *Phytophthora ramorum*

(These are regulated only as nursery stock)

Scientific Name (46)	Common Name, Date & Source of Report
<i>Abies concolor</i>	White fir – Oct 05 (1)
<i>Abies grandis</i>	Grand fir – June 03 (1)
<i>Acer laevigatum</i>	Evergreen Maple – Aug 05 (3)
<i>Acer pseudoplatanus</i>	Planetree maple – April 05 (3)
<i>Adiantum aleuticum</i>	Western maidenhair fern – Aug 05 (5)
<i>Adiantum jordanii</i>	California maidenhair fern – May 05 (5)
<i>Aesculus hippocastanum</i>	Horse chestnut – Dec 03 (3)
<i>Arbutus unedo</i>	Strawberry tree – Dec 02 (7)
<i>Calycanthus occidentalis</i>	Spicebush – May 05 (5)
<i>Clintonia andrewsiana</i>	Andrew's clintonia bead lily – May 04 (5)
<i>Corylus cornuta</i>	California hazelnut – Dec 02 (5)
<i>Drimys winteri</i>	Winter's bark – July 04 (3)
<i>Dryopteris arguta</i>	California wood fern – May 04 (5)
<i>Fagus sylvatica</i>	European beech – Dec 03 (3)
<i>Fraxinus latifolia</i>	Oregon ash – Aug 05 (5)
<i>Hamamelis mollis</i>	Chinese witch-hazel – Jan 05 (3)
<i>Kalmia latifolia</i>	Mountain laurel – Fall 02 (3)
<i>Laurus nobilis</i>	Bay laurel – July 04 (3)
<i>Leucothoe fontanesiana</i>	Drooping leucothoe - Oct 03 (3)
<i>Magnolia stellata</i>	Star magnolia – Jan 05 (3)
<i>Magnolia x loebneri</i>	Loebner magnolia – Jan 05 (3)

<i>Magnolia x soulangeana</i>	Saucer magnolia – Jan 05 (3)
<i>Michelia doltsopa</i>	Michelia – Aug 05 (3)
<i>Nothofagus obliqua</i>	Roble beech – Dec 04 (3)
<i>Osmorhiza berteroi</i>	Sweet Cicely – Aug 05 (5)
<i>Pittosporum undulatum</i>	Victorian box – Dec 02 (6)
<i>Pyracantha koidzumii</i>	Formosa firethorn – Apr 04 (9)
<i>Quercus cerris</i>	European turkey oak - Feb 04 (3)
<i>Quercus petraea</i>	Sessile oak – Aug 05 (3)
<i>Quercus rubra</i>	Northern red oak – Nov 03 (8)
<i>Rhamnus purshiana</i>	Cascara – Dec 02 (4)
<i>Rubus spectabilis</i>	Salmonberry – Dec 02 (4)
<i>Salix caprea</i>	Goat willow – July 04 (3)
<i>Taxus brevifolia</i>	Pacific yew – May 03 (5)
<i>Taxus x media</i>	Yew – June 05 (8)
<i>Torreya californica</i>	California nutmeg – Aug 05 (5)
<i>Toxicodendron diversilobum</i>	Poison oak – Dec 02 (4)
<i>Vancouveria planipetala</i>	Redwood ivy – Aug05 (5)
<i>Viburnum davidii</i>	David Viburnum - Oct 03 (3)
<i>Viburnum farreri</i> (= <i>V. fragrans</i>)	Fragrant Viburnum – Oct 03 (3)
<i>Viburnum lantana</i>	Wayfaringtree Viburnum – Oct 03 (3)
<i>Viburnum opulus</i> (= <i>V. trilobum</i>)	European cranberrybush Viburnum – Oct 03 (3) American cranberry Viburnum – June 05 (2)
<i>Viburnum x burkwoodii</i>	Burkwood Viburnum – Oct 03 (3)
<i>Viburnum x carlcephalum x V. utile</i>	Viburnum – Oct 03 (3)
<i>Viburnum x pragensense</i>	Prague Viburnum – Oct 03 (3)
<i>Viburnum x rhytidophylloides</i>	Alleghany or Willowood Viburnum – Sept 04 (2)

¹ California Department of Food and Agriculture, Sacramento, CA

² Oregon Department of Agriculture. Salem, OR

³ Department for Environment, Food, and Rural Affairs, UK

⁴ Everett Hanson, Oregon State University, Corvallis, OR

⁵ David Rizzo, University of California – Davis, CA

⁶ Matteo Garbelotto, University of California – Berkeley, CA

⁷ (Reserved)

⁸ Plant Protection Service, Wageningen, Netherlands

⁹ Canadian Food Inspection Agency, Ottawa, Ontario, Canada

¹⁰ (Reserved)

¹¹ (Reserved)

Rationale for Lists:

Host Plants for *Phytophthora ramorum*: Host plants are naturally infected associated plants added upon completion, documentation, review and acceptance of traditional Koch's postulates.

The plants listed in the original Interim Rule dated 14 February 2002 were adapted from a review and evaluation of lists of regulated plants from other regulatory agencies.

Plants Associated with *Phytophthora ramorum*: Associated plants are those reported found naturally infected and from which *P. ramorum* has been cultured and/or detected using PCR (Polymerase Chain Reaction). For each of these, traditional Koch's postulates have not yet been completed or documented and reviewed. These reports must be documented and reviewed by PPQ before they will be listed.

Regulation at the genus level:

For either list, a listed plant may be revised to regulate at the genus level to ensure appropriate and effective inspection in quarantine areas, regulated nurseries, and regulated articles to mitigate the spread of *P. ramorum*. An example is when the number of individual species, hybrids, or cultivars listed or to be listed is determined to prevent appropriate and effective inspection or regulation.

<http://www.aphis.usda.gov/ppq/ispm/pramorum/>

Broadleaf Deciduous

Quantity	Symbol	Scientific Name	Common Name	Code Name	Planting Size
129		<i>Aesculus californica</i>	California Buckeye	Aeca	5-Gallon
45	○	<i>Platanus racemosa</i>	California sycamore	Pira24	15-Gallon
22	○	<i>Salix lasiolepis</i>	Arroyo Willow	Salopc	Pole Cutting
11	○	<i>Sambucus mexicana</i>	Mexican elderberry	Same	5-Gallon

Broadleaf Evergreen

Quantity	Symbol	Scientific Name	Common Name	Code Name	Planting Size
92	○	<i>Quercus agrifolia</i>	California live oak	Quag24b	15-Gallon
31	○	<i>Umbellularia californica</i>	California laurel	Umca	5-Gallon

Line Legend By Color
Property Line
 1 ft Contour
 5 ft Contour
 Creek Channel



DRAWING INDEX

Sheet	Subject
LA1	Project Overview
LA2	Biological Assessment
LA3	Planting Details

Planting phase delineation and erosion control legend

Hatch	Phase # & type	Hydroseed mix spec. ref.	Shrub Mix Spec Ref	Erosion Control Blanket
As needed (See Specs)	1) Terra. erosion control	Temp erosion control mix	None	YES (see 3.10)
	2) Stream Corridor Restoration	Channel/Basin	Channel Plant (See LA3.23)	YES (see LA3.10)
	3) Upland Landscape Restoration	Permanent Native Grassland	Landscape Shrub & Ground (see LA3.25)	Varies (See LA 3.10 & Spec.)



RANA CREEK LIVING ARCHITECTURE

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DEVELOPER:

TED THOENY

LANDSCAPE DESIGN:

RANA CREEK

STAMP

PROJECT

Los Laureles Detached Housing Plan
 Restoration and Mitigation Plan
 APN 004-40-153 Salinas, California

REVISION DETAILS

Date: 08/26/05
 Job No.: 2250571
 Phase: N/A
 Issued For: Client Approval
 Scale: 1" = 8'
 By: JRB

SHEET TITLE









Restoration
 Landscape
 Plan

SHEET NUMBER

LA1

Native Vegetation, Invasive Species & Ecosystems

performed May 2005 by Ed Mercurio, Biological Consultant

HATCH	COMMON NAME	SCIENTIFIC NAME	TYPE	EFFECT
	Arroyo willow	Salix lasiolepis	Native	Bank Stabilization/ Erosion Control
	Coyote brush	Baccharis pilularis	Native	Bank Stabilization/ Erosion Control
	California mugwort	Artemisia douglasiana	Native	Bank Stabilization/ Erosion Control
	Paton oak	Toxicodendron diversiloba	Native	Bank Stabilization/ Erosion Control
	Himalayan blackberry	Rubus discolor	Invasive	Overruns Streams
	Giant reed	Arundo donax	Invasive	Overruns Streams
	Vernal marsh veg.		Beneficial Habitat	Supports native stream community
	All other	Non-native grassland	Invasive weeds	

Line Legend By Color
 Property line
 Easement
 Creek Channel



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STAMP

PROJECT

Los Laureles Detached Housing
 Restoration and Mitigation Plan
 APN 004-60-153 Solinas, California

REVISION DETAILS

Date:	08/26/05
Job No.:	2250571
Phase:	N/A
Issued For:	Client Approval
Scale:	1" = 8'
By:	JBB

SHEET TITLE

Biological
 Survey.

SHEET NUMBER

LA 2

Biotic Resources Group

Biotic Assessments ♦ Resource Management ♦ Permitting

LOS LAURELES PROJECT – 11 HILL CIRCLE (THOENY PROPERTY), SALINAS
PROPOSED CUP 03-06 AND PUD 06-04 (APN 004-601-053)
Updated Plan Review, Plan Received by City and Stamped November 20, 2006

BIOLOGICAL RESOURCES **PROJECT DESIGN AND PEER REVIEW REPORT** January 8, 2007

The Biotic Resources Group and Dana Bland & Associates conducted a review of the proposed Los Laureles Project (Preliminary Grading and Drainage Plan, dated March 2006 Hanna Brunetti, yet received and stamped by City of Salinas November 20, 2006), as it relates to biological resources, as requested. The Design Review included a review of previous biological reports, the applicant's proposed Restoration and Mitigation Plan, revised project plans (stamped November 20, 2006), a Riparian Habitat Exhibit (Hanna Brunetti, dated March 2006, yet received and stamped by City of Salinas November 20, 2006), an aerial photo, as well as a field reconnaissance site visit on August 3, 2006.

The Design Review includes an evaluation of the proposed design of the project and identifies recommendations for design changes that would avoid, minimize, or mitigate impacts to biological resources, in particular impacts to sensitive habitats and/or special status species habitat. The Design Review also includes an evaluation of the proposed project's setback to the creek and makes recommendations relative to biological resources. The project's *Biological Survey Report* (Mercurio, 2005), *Restoration and Mitigation Plan* (Rana Creek Living Architecture, August 2005), and Riparian Habitat Exhibit (Hanna Brunetti, dated March 2006, yet received and stamped by City of Salinas November 20, 2006), were reviewed and evaluated as to whether impacts to biological resources were adequately addressed. The feasibility of the proposed site-specific mitigation strategies was also analyzed.

The result of our design review is described herein.

REVIEW OF PROPOSED PROJECT

The property encompasses approximately 7.7 acres. Sanborn Creek, a tributary to Natividad Creek, traverses the property. Based on a review of the grading and drainage plan (dated March 2006, yet received and stamped by City of Salinas November 20, 2006), approximately 7.0 acres, or 90%, of the site is proposed to be graded and developed for a 53-unit senior housing project.

Summary of Biological Resources on the Site and Evaluation of Impacts

Plant Communities. The biological survey report (*Biological Survey Report for the Ted Thoeny Property*, Ed Mercurio, Biological Consultant, dated September 2005) documents biological resources on the property. The resources were documented from field surveys conducted by Mr. Mercurio in the spring and fall of 2004 and the spring of 2005. During these surveys, four plant community types were noted: central coast arroyo willow riparian forest, vernal marsh, central

coastal scrub and non-native grassland. The habitat types identified within the property and areas proposed for development were reported to support both native and non-native plant species. A plant community/habitat map (Sheet LA2, Biological Survey, dated 10/2/06) was submitted to the peer review consultants in late October 2006. This map and the general habitat features of willow riparian forest, central coastal scrub and non-native grassland, and plants identified as occurring with these habitat types, are consistent with literature on these habitats and our field observations in August 2006; therefore, this information is considered adequate. Mr. Mercurio identifies Sanborn Creek as an ephemeral feature (i.e., only flowing after rain events) supporting a vernal marsh. However, surface flow was evident in the creek during the August 2006 field visit, suggesting that, at present, the creek has perennial flow. In addition, the USGS topographic maps for the property (Salinas and Natividad quadrangles) depict Sanborn Creek as an intermittent creek, which historically extended upstream of Laurel Drive. The in-stream wetland vegetation would be more accurately described as freshwater marsh. At the time of the August 2006 field survey, the in-stream marsh vegetation had been sprayed by an herbicide. Dead wetland/marsh vegetation was observed in/along the creek (i.e., cattail, nut sedge, water smartweed).

Special Status Plant Species. The 2005 *Biological Survey Report* identifies several special status plant species that may occur in the project vicinity based on a review of the CNDDB database. The report states that no special status plant species were located on the site. Based on our field reconnaissance site visit and the disked condition of the grassland areas of the site, we concur with this assessment.

Special Status Wildlife Species. The 2005 *Biological Survey Report* briefly states that the creek on the project site is important for wildlife habitat and encourages restoration of the creek to improve the habitat for wildlife. The current condition of the creek (i.e., in stream and stream side vegetation sprayed with herbicide) is of only marginal value to wildlife because of reduced cover and forage opportunities. The 2005 report also states that the CNDDB has no occurrences of listed species for the Salinas and Natividad quadrangles. The current CNDDB (CDFG 2006) does contain a record of California red-legged frog for a tributary of Natividad Creek, to the northeast of the Los Laureles project site. The current site conditions are unsuitable for California red-legged frog due to lack of cover vegetation and lack of off-channel ponded areas for breeding. However, restoration of the creek may provide habitat for this frog for occasional foraging or as a movement corridor from wetland sites downstream.

The 2005 report also mentions the Santa Cruz long-toed salamander as a potential inhabitant of this site; however, this site is outside the known range of the species and does not have any suitable upland habitat or off-channel ponds that this species requires. The Santa Cruz long-toed salamander is not expected to occur on site. Likewise, the 2005 report mentions California tiger salamander, but the disked condition of the grasslands has eliminated potential upland habitat for this species, and the creek has no off-channel ponded areas for breeding. The California tiger salamander is not expected to occur on this site.

We agree with the evaluation in the 2005 *Biological Survey Report* for other special status wildlife species (e.g., California species of special concern such as burrowing owl) that they are unlikely to occur on this site.

Sensitive Habitats. The 2005 *Biological Survey Report* identifies two habitats considered sensitive in the City of Salinas General Plan: riparian forest and vernal marsh. Our review

confirmed the presence of these habitats (with the change of vernal marsh to freshwater marsh) on the property and also the acknowledgement that creeks are a sensitive resource under the City of Salinas General Plan.

The project, as currently proposed on the Grading and Drainage Plan (received and stamped by City of Salinas November 20, 2006) and depicted on the Riparian Habitat Exhibit (received and stamped by City of Salinas November 20, 2006) would remove approximately 0.28 acre of willow riparian forest from the property; this would occur from road construction, development of parking areas, and construction of a portion of the emergency access road. The riparian area in the eastern portion of the property is depicted in Figure 1.



Figure 1. Willow riparian woodland north of creek, looking downstream from Laurel Drive, August 2006. A roadway is proposed to cross the creek at this location; the proposed road will remove a portion of the willow riparian woodland.

The project also proposes three road crossings of Sanborn Creek, each with an arched culvert. The project applicant has indicated that construction of the arch culverts will be accomplished without any side casting of materials in the creek and no equipment will access the creek channel. The project proposes to grade over the arch culverts instead of installing retaining walls. In addition, site grading, including the construction of retaining walls, extends to the top-of-bank of Sanborn Creek in several locations. A multi-use recreational trail is proposed along a portion of the creek, this trail is located 2-5 feet from the top of bank. A footbridge is also proposed to cross the creek.

Although portions of Sanborn Creek are significantly degraded, as evidenced by the presence of significant amounts of old fill (asphalt and concrete pieces) and urban garbage, the creek is still an important biological corridor through an otherwise urban and built environment. In addition, the creek adjoins riparian habitat downstream of the project site (downstream of Madeira Avenue); this downstream section of Sanborn Creek supports dense wetland and riparian vegetation (as depicted in Figure 2) and increases the value of the creek corridor on the subject property.



Figure 2. View of Sanborn Creek immediately downstream of subject property (downstream of Madeira Avenue), August 2006.

The City of Salinas General Plan requires a 100-foot setback between development and creeks (measured from top-of bank or outer edge of the riparian woodland, whichever is greater). Encroachments into the 100-foot creek setback may be considered pursuant to the General Plan COS-17 Implementation Program, recently amended by the City. Development activities may be considered for certain areas within the City if the encroachment will not have a significant adverse impacts on the riparian and wetland resources because mitigation measures will achieve a comparable or better level of mitigation that the 100-foot setback OR the property is adjacent to a reclamation ditch and no riparian or wetland resources are identified outside the ditch. COS-17 also states where recreational trails are placed in the setback area a revegetation program to create a vegetative buffer between the trail and the riparian woodland is required. Based on our review of the project plans (plans received and stamped by City of Salinas November 20, 2006), the proposed project appears to meet the intent of COS-17, as recently amended. The subject property is within an area of the City subject to consideration of a creek setback encroachment. Although approximately 5.5 acres, or 71%, of the development is proposed within 100 feet of Sanborn Creek, with site grading, including the construction of retaining walls proposed immediately adjacent to the creek, the proposed project offers to restore a continuous riparian woodland along the creek. Impacted riparian resources are proposed to be replaced at a minimum 3:1 replacement ratio. Due to the degraded condition of the existing riparian and wetland resources, the establishment of a protected and managed riparian corridor on the property will adequately compensate for these direct impacts.

Our review acknowledges that the riparian forest and marsh habitats are considered sensitive by California Department of Fish and Game (CDFG) and are regulated habitats under California Fish and Game Code. The state agency has a no-net-loss policy for riparian habitat. Typically CDFG requires a 3:1 riparian habitat replacement ratio for impacts to riparian woodland, pursuant to the project's CEQA review and issuance of a Streambed Alteration Agreement. Based on our review of the proposed project and the applicant's Riparian Habitat Exhibit, we concur that the current design for the project will impact approximately 0.28 acre of riparian woodland. To meet the 3:1 replacement ratio, a minimum of 0.84 acre of woodland needs to be established on-site. The applicant's Riparian Habitat Exhibit proposes to retain 0.19 of existing riparian woodland and to restore 0.87 acres of riparian woodland on-site. The riparian

restoration/mitigation are proposed along the creek. Based on our review of the conceptual restoration areas, this mitigation approach is acceptable. A more-detailed planting plan, depicting the location of all mitigation plantings would be needed to verify the extent of the mitigation planting areas to achieve the 3:1 mitigation ratio. Assuming this mitigation is successfully implemented, direct impacts to riparian woodland would be mitigated to a less than significant level.

The in-stream wetlands (freshwater marsh) may be subject to regulation under Section 404 of the Clean Water Act. The *2005 Biological Survey Report* states that Sanborn Creek is ephemeral and is not related to any local navigable waterway. However, the applicant has indicated that in discussions with the U.S. Army Corps of Engineers (USACE) their jurisdiction would be limited to the drainage channel. We concur on these potential jurisdictional limits; however, the USACE has ultimate responsibility for determining the extent of their jurisdiction. If project construction (e.g., placement of the arch culverts) can be accomplished without any side casting of materials into the drainage channel, then we concur that no USACE permit would be required. The revised plan and the letter dated October 5, 2006 from Mr. Mercurio, indicate that the site will utilize an underground stormwater detention system and no stormwater will be discharged into the drainage channel.

The proposed senior residences and recreational trail are in close proximity to the creek and the proposed riparian mitigation plantings. Residential uses, including vehicles access over three bridges, recreational uses along the trail, and the potential for future alteration (trimming/pruning) of the mitigation plantings due to the close proximity of the plantings to residences, may pose significant indirect impacts to the creek environment and the proposed riparian mitigation. These indirect impacts are considered significant.

Recommendations to Avoid, Minimize or Mitigate Impacts to Sensitive Biological Resources

The proposed project provides mitigation for direct impacts to riparian woodland, a sensitive habitat, pursuant to the City's General Plan (COS-17, as amended). The project may still result in indirect impacts to creek resources due to the close proximity of the proposed development to the creek.

The following measures are recommended to provide mitigation for impacts to sensitive biological resources and to ensure successful implementation of the proposed riparian mitigation. With successful implementation of the following measures, impacts from the proposed project can be reduced to a less-than-significant level:

1. As riparian woodland and in-stream habitats are regulated areas and the proposed creek crossings will require review and permitting, the Applicant shall secure a Streambed Alteration Agreement from CDFG prior to construction. Consultation and/or permits from USACE and Regional Water Quality Control Board (RWQCB) would only be required if fill or discharge is proposed within the creek. The applicant shall secure such permits from these agencies, if necessary, prior to site construction.
2. To compensate for direct impacts to riparian resources along Sanborn Creek, the Applicant shall prepare and implement a Riparian Mitigation and Monitoring Plan. The Applicant shall submit the plan to the City of Salinas and CDFG for their review and approval prior to construction. The plan shall depict riparian mitigation area(s) that collectively encompass a

minimum of 0.87 acre (3:1 replacement ratio). Non-planted areas, such as the active streambed of Sanborn Creek, shall not be included in the acreage calculation. The riparian mitigation area(s) shall be designated as natural open space and protected as such in perpetuity. No landscaping, building additions, or other disturbances shall be allowed within the designated mitigation areas. Access to the mitigation areas shall be limited to pedestrian use only; no pets shall be allowed within the mitigation areas. The Riparian Mitigation and Monitoring Plan shall depict the location and size of all planting stock, an irrigation plan, and applicable planting details. The plan shall specify the use of locally native riparian plant species and specify a 5-year maintenance and monitoring program. The plan shall require monitoring of the mitigation areas a minimum of twice a year by a qualified biologist. During each year of the 5-year monitoring period, plantings shall achieve a minimum 80% survival rate for the revegetation to be deemed successful.

3. To minimize indirect impacts to Sanborn Creek and the riparian mitigation areas, the Riparian Mitigation and Monitoring Plan shall depict fencing, minimum height of 3 feet, (i.e., open, split-rail type, or similar) and a vegetative buffer (i.e., row of shrubs) between the residential development areas and the riparian mitigation areas. The fence and plantings shall create a physical barrier between residential areas and the adjacent riparian mitigation area and aquatic resources within Sanborn Creek. Native, drought tolerant plant species shall be used for the vegetative buffer.
4. To minimize indirect impacts to Sanborn Creek and the riparian mitigation areas, the Riparian Mitigation and Monitoring Plan shall depict fencing, minimum height of 3 feet, (i.e., open, split-rail type, or similar) and a vegetative buffer (i.e., row of shrubs) between the trail and the riparian mitigation areas. The fence and plantings shall discourage off-trail use in the mitigation areas. Native, drought tolerant plant species shall be used for the vegetative buffer.
5. To compensate for impacts to riparian resources along Sanborn Creek, the Riparian Mitigation and Monitoring Plan shall prohibit removal, trimming or pruning of vegetation within the riparian mitigation areas (with the exception of invasive, non-native plant species). Pruning vegetation to provide residential views to the creek, provide non-native landscape areas adjacent to residences, or provide other residential activities/features shall be prohibited. If such actions occur, the Applicant shall be required to restore the damaged mitigation plantings. Presently, the property supports occurrences of invasive, non-native plant species (English ivy, sea fig/ice plant, and giant reed). These occurrences, as well as other invasive, non-native plant species that may establish on the property in the future, shall be removed concurrent with project construction. The Applicant shall coordinate with the Northern Salinas Valley Mosquito Abatement District to ensure that riparian vegetation is not be cut for mosquito abatement purposes. The District is encouraged to utilize *Bacillus thuringiensis israelensis* (Bti), a naturally occurring soil bacterium, for the control of mosquito larvae on the subject property.
6. To compensate for impacts to riparian resources along Sanborn Creek, the Applicant shall employ a qualified biologist to monitor the project's compliance with the Riparian Mitigation and Monitoring Plan. Monitoring shall be for a period of five years, or longer if performance standards are not met. The biologist shall conduct monitoring as specified in the mitigation plan, including compliance with items 2, 3, 4, and 5 (above), and prepare yearly monitoring reports. Reports shall be submitted to the City of Salinas and CDFG at the end of each monitoring year. The reports shall identify the plant survival rate, maintenance actions at the site and include photographs documenting the status of the revegetation. The Applicant shall implement remedial measures if performance standards are not achieved in any of the monitoring years. Remedial measures may include replacement plantings, an increase in

maintenance, changes to the irrigation regime, or other measured identified in the monitoring report.

7. To minimize project impacts to Sanborn Creek, the project shall use design features that benefit water quality and minimize impacts to biological resources, including:
 - Use of grassy swales for collecting and filtering runoff from paved/developed surfaces.
 - Use of arched culverts that minimize impacts to the creek channel.
 - Use of native, drought tolerant plant species for project landscaping.
 - Use of pervious pavement in parking stalls.
 - Use of oil/water separators on drainage features, including periodic maintenance of such features.
 - Use of underground stormwater chambers.
8. To minimize project impacts to Sanborn Creek, all lighting within 100 feet of the creek shall be fully shielded and directed away from the creek and riparian mitigation areas.
9. To avoid impacts to nesting birds during project construction, the removal of willows shall be scheduled for the non-nesting bird season (i.e., between September and March of any given year). If this is not feasible, no more than 30 days prior to any ground disturbance or vegetation removal, the Applicant shall hire a qualified biologist to conduct surveys for nesting birds. If any protected bird species (e.g., migratory birds, species of special concern, raptors) are observed nesting on the property, the biologist shall stake out a buffer zone around the nest where no construction will occur until the biologist has determined that all young have fledged. The buffer zone may vary from 50 to 300 feet depending on the nesting bird species.
10. To minimize impacts of the project on the riparian resources of Sanborn Creek, the Applicant shall prepare and implement a landscape plan for the property. The landscaping within the development area shall emphasize the use of native, drought-tolerant plant species. The use of invasive, non-native plant species ranked *high*, *moderate* and *limited* in the California Invasive Plant Inventory (www.cal-ipc.org) shall be prohibited.
11. To minimize construction period impacts to Sanborn Creek, prior to construction the Applicant shall install silt fencing along the top of bank of Sanborn Creek or edge of riparian woodland (whichever is greater) to ensure that no fill, soil dislodged through construction activities, or any other debris enters the creek channel and/or retained riparian vegetation. Sanborn Creek and associated riparian woodland areas shall not be used as a storage or staging area for construction. The Applicant shall implement erosion control measures to ensure that fill or loose soil will be secure and not subject to erosion and deposition into the creek after completion of the project.
12. To compensate for impacts to riparian resources along Sanborn Creek, a deed restriction, subject to review and approval by the City, shall be recorded on the property for the riparian woodland and riparian mitigation areas to ensure they are preserved and maintained as natural open space. The deed restriction shall include provisions for periodic monitoring inspections of these areas to ensure compliance with the project conditions.
13. To minimize impacts to native wildlife utilizing Sanborn Creek, the Applicant shall notify renters that pets, such as dogs and cats, are prohibited from the riparian woodland and riparian mitigation areas. The project shall limit pets (i.e., dogs and cats) to a maximum of two indoor cats and/or dogs per dwelling unit. Pets shall only be allowed outdoors when accompanied by a responsible adult and restrained by a leash or similar restraint device. These use restrictions shall be stated in the rental agreement. The rental agreement shall be reviewed and approved by the City.
14. The Applicant shall prepare and distribute to renters a "creek information sheet" describing the location, purpose, and use restrictions within the riparian woodland and riparian mitigation

areas. Examples of use restrictions within the mitigation areas include no pets, pedestrian only access, and no landscaping. These use restrictions shall be included in the rental agreement. The creek information sheet shall be reviewed and approved by the City.

15. To allow movement of wildlife along Sanborn Creek, the Applicant shall utilize wire-strand fencing within/adjacent to the creek and adjacent parcels that support undeveloped open space areas. Wire-strand fencing shall have a clearance of 18 inches between the ground and the first wire.
16. To minimize impacts to riparian resources along Sanborn Creek, the Applicant shall limit the use of chemical herbicides and pesticides. Pesticide use shall be part of an integrated pest management program in which natural means of control are used and pesticide use is infrequent and timed to coincide with periods of maximum pest vulnerability.

Affordable Housing & Marketing Plan

11 Hill Circle

September 10, 2020

U4Ric Investments LLC

Bill Coffey, Developer

11 Hill Circle, Salinas, CA 93901

1

Affordable Housing Plan

The Project on 11 Hill Circle is planned for thirty-seven (37) detached single-family manufactured homes. A typical home is a three-bedroom, two bath home with approximately eleven hundred twenty (1,120sf) square feet of living space. Each home will have a single car attached garage and parking for one additional car. Several plans will be offered, each one with a subtle difference of floor plan, exteriors and the interior upgrades. The homes will sit on lots ranging from 2,251sf to 4,210sf and some will share driveways.

Inclusionary On-Site Options:

At this time the developer has elected to provide on-site Option 2 (15% = 6% Median, 6% Moderate and 3% Workforce) from the table below.

Inclusionary Housing Calculation:

37 total units x 15% = 5.5 Inclusionary Units. Per Inclusionary Ordinance, fractional units .5 or higher, round up to 6 Inclusionary units

Median-Income = 3 units

Moderate-Income = 2 units

Workforce-Income = 1 units

Note: Inclusionary units may be exempt should the market-rate initial sales price be equivalent or less than the Inclusionary initial sales price.

For for-sale Inclusionary units, shared appreciation documents or other documents approved by the City Council shall be recorded against each Inclusionary unit prior to sale. However, if the price of the market-rate units in that phase of the residential development is equal to or below the affordable ownership cost for a median, moderate, or workforce income household, then no documents need be recorded against the Inclusionary units in the relevant income category.

Number of Units Required

In computing the total number of Inclusionary units required on-site in a residential development, fractions of one-half (1/2) or greater are rounded up to the next highest whole number, and fractions of less than one-half (1/2) are rounded down. For example, a 53-unit development choosing option three would provide 47 market-rate units and 6 affordable units ($53 \times .12 = 6.36$, rounded down to 6). A 55-unit development would provide 48 market-rate units and 7 affordable units ($55 \times .12 = 6.60$, rounded up to 7)

TABLE 1: SUMMARY OF STANDARD ON-SITE INCLUSIONARY OPTIONS

	Option 1	Option 2	Option 3
	20%	15%	12%
Very Low-Income (50% of median)	4% Ownership or rental	Not Required	8% Rental
Lower-Income (80% of median)	8% Ownership or rental	Not Required	4% Rental
Median-Income (100% of median)	Not Required	6% All must be ownership	Not Required
Moderate-Income (120% of median)	4% All must be ownership	6% All must be ownership	Not Required
Workforce-Income (160% of median)	4% All must be ownership	3% All must be ownership	Not Required

In-lieu Fee: None.

Other Alternatives: None.

Density Bonus: None.

37 Unit Development Summary							
Unit Type	# of Market-Rate Units	# of Inclusionary Units	Bdrm. Size	Sq. Ft.	Market-Rate Initial Sales Price	Inclusionary Initial Sales Price (w/out HOA)	Inclusionary Initial Sales Price (w/HOA)
Market-Rate	34	N/A	3	1,120	\$415,300 (w HOA) \$434,700 (w/out HOA)	N/A	N/A
Inclusionary Median-Income	N/A	3				\$355,650	\$336,300**
Inclusionary Moderate-Income	N/A	*Exempt				\$434,700	\$415,300**
Inclusionary Workforce-Income	N/A	*Exempt				\$592,700	\$573,400**
Total	34	3					

**Inclusionary units may be exempt from on-site construction requirements should the initial market-rate sales price be equivalent or lower than the Inclusionary unit initial sales price per income category.*

***Should an HOA be implemented, we anticipate no more than \$100/mo., this will cover the common area landscape, common lighting and the common roads providing they are not accepted by the City.*

Phasing: There will be no Phasing to build the units. All units are manufactured at the factory and shipped to the site. There will be a sales office offering the different models with upgrades. A deposit will be taken and the home ordered. Delivery is usually in 90 days or less.

Construction Completion Schedule: Once the tentative map is approved, work on the final map will begin.

Building Permits and Occupancy - Concurrent Construction Requirements

A building permit Specialist will track the issuance of building permits by construction phase, noting the number of both Inclusionary and market-rate unit permits, building permits will only be issued for market- rate units according to the terms of the recorded Inclusionary Housing Agreement. However, the City may issue permits for Inclusionary units earlier than specified in the plan.

The concurrency requirements are as follows:

The city may issue building permits for 70 percent of the market-rate units within a residential development before issuing any building permits for Inclusionary units, and may approve certificates of occupancy or final inspections for Inclusionary units. After this point, a developer may be issued building permits and receive final inspections for market-rate units after a proportional number of Inclusionary units have been issued building permits or have received a final inspection.

For example, if a developer proposes a 100-unit development, and uses option 1, they are obligated to provide 20 Inclusionary units, which means there will be 80 market-rate units. The City may issue building permits for 56 market-rate units $(70\% \times 80)$ before issuing any building permits for Inclusionary units, and may approve occupancy of 56 market-rate units before approving occupancy of any Inclusionary units.

Project Financing: The tentative map process to the final map process will be financed with private investors. The home to be sold will be financed individually by the prospective clients. There will be a loan office on site, which will handle all the loan requests. It is the intention of the developer to use a local bank in Salinas to do the loans. The homes will qualify for FHA, VA ,FANNIE and FREDDIE MAE loans and traditional financing.

Construction Standards: All homes will be manufactured in the factory and will be constructed in compliance with existing HUD codes. The subtle differences or upgrades on each unit depends on buyers personal choices. There will be upgrades for the interiors such as appliances, flooring and vaulted ceilings.

Marketing Plan

The City of Salinas has established preferences for rental or purchase of Inclusionary units. First priority is given to those displaced by City actions. Second priority is given to those displaced by private market actions, while third priority is given to those who live or work in Salinas when they submit an application. Any other eligible household may purchase or rent an Inclusionary unit if there are no households with priority. If a residential development is receiving governmental financial assistance that does not permit these preferences, or requires different preferences, then the City's preferences will be modified as needed to conform to the terms of the other program.

First-Time Homebuyers For ownership units, within each of the above three preference categories, preference will be given to households that qualify as first-time homebuyers. A first-time homebuyer is a person who has not owned a home during the three-year period prior to the purchase of the Inclusionary unit. A manufactured home not on a permanent foundation is not considered a "home" for the purpose of this subsection. A first-time homebuyer also includes a displaced homemaker. A displaced homemaker is an adult who has been legally separated from his or her spouse or domestic partner in the last three years, has no current ownership interest in a home, and has not had an ownership interest in his or her primary residence during the past three (3) years, except with his or her spouse or domestic partner. First-time homebuyer status is verified by a review of three years of federal income tax returns.

All Inclusionary units must be marketed in a manner consistent with the federal Fair Housing Act, the California Fair Employment and Housing Act, the Unruh Act, and the Equal Credit Opportunity Act, and all materials must have a fair housing statement or logo. No person may be excluded from participation in, or denied the benefit of, or be subject to discrimination under any activity related to the sale or rental of the Inclusionary units on the basis of his or her religion, age, race, color, creed, gender, sexual orientation, marital status, familial status, physical or mental disability, national origin, ancestry, source of income, or participation in Section 8.

The developer will adhere to the following marketing requirements:

(1) The developer will supply the City with a description or example of all marketing that will be done for the Inclusionary units, such as press releases, direct mailing, and advertising (including internet advertising). The City requires that all Inclusionary units be advertised in The Californian and El Sol. The City will provide a list of organizations that must be notified and informational flyers must be available at City Hall and at the offices of the Housing Authority of the County of Monterey (or of a similar organization acceptable to City). The Fair Housing logo must be used on all marketing material. The City encourages the preparation of Spanish-language materials where appropriate.

(2) The developer or designee will pre-screen Inclusionary applications and establish a deadline for Inclusionary applications. Developer should allow a generous amount of time (at least 45 days) for applicants to submit complete applications, given the complexity of the process.

(3) The developer must arrange for at least two informational Inclusionary workshops for potential applicants, one in the evening during the week and one on a weekend. At least one workshop must be conducted in Spanish, or in both Spanish and English.

(4) The developer will provide information regarding financing options to be made available to applicants, down payment assistance programs available, information needed to calculate the maximum sales price, and the unrestricted fair market value of the Inclusionary units.

(5) Developer or designee's sales staff will meet with the City's Housing Staff to receive training on the selection process and, for ownership units, the City homebuyer documents.

It is important that the developer's sales or management staff understand the application process and the restrictions placed on the Inclusionary units by the City. In the case of for-sale Inclusionary units, before entering into any purchase and sale agreement for the units, the developer's sales staff must receive training so that they understand and can explain the City's equity-sharing program, option to purchase, and other City restrictions such as the owner-occupancy requirement.

(6) After the deadline for submitting applications, the developer or designee reviews all applications and determines if the applicant is eligible to purchase a unit, based on income and preapproval letter. The developer or designee must verify income as described in the developer's marketing plan. The developer or designee then groups all apparently eligible applicants by the City's preference categories (residents displaced by public action, renters displaced by private action, those who live or work in the City, all others, and within each category, first-time homebuyers), unless another financing source requires changes in these preferences.

(7) The developer submits to the City: a) a complete listing of developer pre-screened applicants, sorted by preference group, and indicating the developer's determination of eligibility (in hard copy and in an electronic format, either in Excel or Word and also in PDF format); b) the complete file for each applicant, numbered to correspond to the list of applicants; c) the form of purchase and sale agreement; and d) preliminary DRE public report, if applicable.

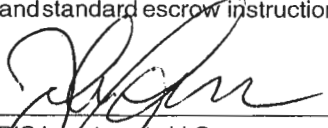
(8) The City reviews and either approves or requests changes in the developer's submittals within 90 business days. Once the list of eligible applicants is approved, the City ranks all eligible applicants by preference group on a random basis, such as by a lottery. The

developer must send written notice to applicants determined to be ineligible by the City.

(9) The developer offers units to applicants beginning at the top of the list established by the City. The developer may not pass over an applicant higher on a list in favor of another because of a higher income. Applicants are to be taken in the order ranked and given a reasonable period of time to close escrow, normally 60 days after the unit's final inspection is approved, or after the applicant is selected to purchase a unit, whichever is later. The developer may only exclude ranked applicants because the applicants were not successful in obtaining financing, were not able to demonstrate the qualifying household income included in their application, or otherwise were not eligible. The developer must send written notice to any excluded applicant within 15 days of the decision to exclude the applicant; copies of such correspondence must be provided to the City. However, developers may close escrow on Inclusionary units in any order as homebuyers are able to do so.

If the applicant enters into a purchase agreement for the unit, the developer provides to the City for review: a) the copy of the loan underwriting form (Form 1008); b) estimated HUD-1 Settlement Statement;

b) legal description of the Inclusionary unit; and d) appraised value of the Inclusionary unit at unrestricted fair market value. Provided that the documents are consistent with previous representations, the City will provide to escrow, within fourteen working days of receipt of the required documentation, executed copies of its homebuyer documents, an executed release of the Affordable Housing Agreement to be recorded with the sale of the unit, and standard escrow instructions.



U4RIC Investments LLC
John Filghera
Authorized Representative

9/10/2020

Date

CR V2

Christopher Valenzuela
City of Salinas Planning Manager

9/10/2020

Date



City of Salinas

DEVELOPMENT ENGINEERING (PW) • 65 West Alisal Street • Salinas, California

Phone: (831) 758-7251 • www.cityofsalinas.org

ENGINEER'S REPORT

DATE: 11/19/2020

PLANNER: Tom Wiles

OWNER/APPLICANT: Ted Theony/U4RIC Investments, LLC

PURPOSE: TM2019-002 & PUD2019-001

LOCATION: 11 Hill Circle

DEVELOPMENT PROPOSAL: 37 private residential lot subdivision of existing ~7.5 ac vacant site located FEMA zones AE and X.

RECOMMENDATION: Approved

SWDS CATEGORY: Priority Project (>10 lot subdivision)

SWDS THRESHOLD: Requirements 1-4 and 100-yr peak

NDPES CATEGORY: High Priority (SWPPP)

TENTATIVE MAP: The developer has submitted a Tentative Map to create thirty-seven (37) residential lots. The map, as presented, has been found to be consistent with existing record information and the Subdivision Ordinance, Chapter 31 of the Salinas Municipal Code (SMC). The following conditions must be addressed prior to recordation of the final map.

1. Project Description – Pursuant to SMC Section 31-903.4, private streets shall provide a permanent maintenance agreement (e.g. maintenance district) to ensure future maintenance. The project description shall identify the means the project will pursue to secure future maintenance of its facilities, including but not limited to common areas, walls, streets, paths, bioretention basins, culverts and water ways.
2. Boundary & Final Map – A final map, prepared by a California licensed land surveyor or civil engineer authorized to practice land surveying, shall conform with SMC Sections 31-402 through 31-402.8. More specifically, the final map must include the following:
 - a. The applicant shall indicate if multiple final maps are proposed to complete the tentative map improvements.
 - b. All survey and mathematical information and data necessary to locate all monuments and to locate and retrace any and all interior and exterior boundary lines appearing thereon shall be shown, including bearings and distances of straight lines, radii and arch length or chord bearings and length for all curves and any information which may be necessary to determinate the location of the centers of curves, and ties to existing monuments used to establish the subdivision boundaries.
 - c. Traverse calculations shall be required for review of a Final Map.
 - d. The location and description of all existing and proposed monuments shall be shown. All untagged monuments used for control or accepted as corners should be tagged by the preparer. Standard city monuments shall be set at the street centerline intersections, beginning and end of curbs or intersections of tangents and at location as required by the City Engineer.

- e. The map shall be legible, and care must be taken to clean overlapping text.
 - f. Each sheet shall have a title showing the subdivision name and location and space provided for the tract number.
 - g. The cover sheet shall include the owner's statement, trustee's certificate, if needed, surveyor's statement, City Engineer's statement, City Surveyor's certificate, Planning Manager certificate, City Clerk's certificate and County Recorder's statement in accordance with the Subdivision Map Act and SMC.
 - h. The names of all streets, alleys or highways within or adjoining the subdivision shall be shown.
 - i. All easements of record shall be shown on the map, together with the name of the grantee and sufficient recording data to identify the conveyance, such as document number and date or book and page of official records. The sidelines of all easements of record shall be shown by dashed lines on the final map with the widths, lengths and bearings of record.
 - j. Easements not disclosed by the records in the office of the County Recorder and found by the surveyor to be existing, shall be specifically designated on the map, identifying the apparent dominant tenements for which the easements were created.
 - k. According to the title report, an existing aviation easement agreement affects the subject property. While there isn't anything to plot on the map, a note should be added to the Final Map regarding the effect of the easement and rights waived by current and future owners as detailed in Instrument Number 2008-034027.
3. Reports and Documents – In accordance with SMC Section 31-402.5, the following reports and documents must be submitted for review and approval prior to approval of the Final Map and issuance of a grading permit.
- a. FEMA Floodplain – The area shown as floodplain does not follow the Flood Insurance Rate Map (FIRM). The applicant must provide the information as presented by FEMA. References to the must to made to SFHA zones and FIRM panel(s).
 - b. Wetlands and Riparian Areas - Provide reference information for the wetland areas as defined by the US Fish and Wildlife Service, National Wetlands Inventory, attached.
 - c. Biological Report – The plans shall be revised to include references to the various biological reports and define the existing and proposed riparian areas. Areas that will be impacted by the proposed development shall be shown mitigated on the biological report and exhibit. Improvement plans shall include ESA fencing to be required around riparian areas.
 - d. Soils Report – Prior to issuance of a grading/building permit, the project shall provide an updated soils report. Soils report shall be consistent with the proposed improvements and shall include infiltration rates for any proposed infiltration or bioretention facilities. Infiltration testing shall be measured at the design depth for the SCMs.
 - e. Traffic Study – A Traffic Impact Analysis (TIA) was prepared in 2004 by DKS Associates for the Los Laureles Senior Housing Development proposal at this site. The conclusion of that study no longer applies as this is a different type of development. Traffic impact fees will be assessed in accordance with the city's Traffic Fee Ordinance for single family homes. No additional traffic study is required.

- f. Hydrology and Hydraulic Calculations – Project engineer shall prepare a hydrology and hydraulic report showing the proposed piping and inlets meet the capacity requirements as specified in the city design standards.
- g. Sanitary Sewer Impact Calculations – The project engineer shall provide sanitary sewer flow calculations for the proposed piping along with sewer capacity calculation based on measured flows of the system in the immediate vicinity to verify capacity of the existing system with the added flow.
- h. Organizational Documents – Any proposed declarations, covenants, conditions, and restrictions, and all other organizational document for the subdivision in a form as prescribed by Section 4200 et seq. of the Civil Code. All documents shall be subject to review by the City Engineer, City Planner and City Attorney.
- i. Addressing Plan - The Final Map and improvement plans shall clearly identify the proposed streets as private streets. A list of potential street names and addresses shall be provided on an addressing plan, maximum size 8-1/2x14. Address number designations will be processed following recordation of the final map and prior to the issuance of any building permits.
- j. Engineer's Estimate – Project Engineer shall provide an Engineer's cost estimate for all construction encompassed on the improvement plans.

SITE PLAN REVIEW: Development Review Submittal prepared Hanna-Brunetti, dated October 2020 and Preliminary Stormwater Control Plan, dated October 2020. Improvement plans for construction shall be prepared in accordance with the City of Salinas Design Standards. The following comments shall be incorporated into the improvement plans:

- 1. Site Plan – The site plan shall clearly denote/show the following information:
 - a. Providing parking along the front of Lots 24-26, is not consistent with the zoning code and city standards. Staff recommends changing the orientation to these homes to face the creek, if parking is required. View fencing may be allowed if the appropriate deed restrictions are placed to not allow change of and to perpetually maintain the view fencing.
 - b. The site plan must clearly delineate red curbs and provide signage indicate roadways are fire lanes and no parking is allowed outside of designated parking areas.
- 2. Grading and Drainage Plan – Staff acknowledges that a mass grading permit was issued in 2008 for the previous development proposal. The grading plan shall be revised to correctly denote the following information:
 - a. Permeable surfaces on sloped roadways will require benched construction of the subsurface.
 - b. A roadway cross slope greater than 2% is not recommended. Cross slopes greater than 5% are not allowed.
 - c. A shoulder is recommended to support a roadway on a fill slope.
 - d. Adjust grading as required to not disturb the existing top of bank or creek and to limit grading within the 30-foot setback to the top of bank.
 - e. Pursuant to Section 31-902.3, stormwater basins shall be designed and landscaped to appear as natural or other aesthetically interesting feature.
 - f. Plan shall include plan and profile sheet for proposed roadways.
 - g. Plans shall include contours in intervals in accordance with the City Design Standards.
 - h. Plans shall include earthwork calculations and sections to clearly illustrated the proposed grading.

- i. Construction of site retaining walls shall require a building permit if 4-ft or greater, measure from the base of the foundation to the top of the wall.
 - j. Tops and toes of cut and fill slopes shall be set back from property boundary and structures in accordance with City Design Standards, Figure 4 or as recommended by project geotechnical report.
3. Utility Plan – Update the utility plan to include the following:
 - a. Pursuant to Section 31-902.6.1, all utilities shall be placed underground, including transformers.
 - b. The project shall provide a minimum of 6 signs in the vicinity of the ditch indicating “NO DUMPING VIOLATORS WILL BE PROSECUTED – NO TIRAR BASURA, LOS VIOLADORES SERAN MULTADOS – SALINAS CITY CODE SCC 14-18, 29-9”.
 - c. The project shall provide bilingual inlet markers at all inlets indicating “NO DUMPING DRAINS TO BAY”.
 4. Erosion Control Plan – Update the plan to include the following:
 - a. Provide inspection requirements for LID features.
 - b. Provide draft SWPPP for review and approval prior to NOI submittal to SMARTS.
 - c. Any areas disturbed must be landscaped or stabilized with a native hydroseeding mix.
 5. Stormwater Control Plan – The final report shall be updated to provide consistent information and to address the following comments.
 - a. Prior to issuance of a grading/building permit, updated geotechnical reports shall be provide with infiltration testing at the design depths.
 - b. Revise the time of concentration to 15 minutes minimum per city standards and review if this is adequate for DMA F.
 - c. SCM Sizing Calculator – Change landscape area to “replaced”.
 - d. SCM Sizing Calculator – Change the safety factor for the bioretention to 2.
 - e. Prior to issuance of a grading permit, maintenance plan for each of the propose SCMs shall be provided.
 - f. The project shall provide a sample deed restriction which will limit impervious areas for each lot consistent with the impervious areas assumed mitigated in the stormwater control plan. The stormwater control plan must clearly specify the impervious areas assumed for each lot.
 6. Public Improvements: Public improvements required of this development shall include, but are not limited to:
 - a. Constructing standard public improvements along the site's Hill Circle, North Madeira Avenue, and East Laurel Drive frontages conforming to City Resolution No. 12963 (N.C.S.)
 - b. Constructing new commercial driveway approaches with 4-foot ADA bypass behind ramps per the City's most current standards.
 - c. Reconstructing existing non-compliant pedestrian ramps at the Madeira Street / Hill Circle intersection per the latest CALTRANS standards.
 - d. Constructing curb, gutter and sidewalk where none currently exists along Hill Circle.
 - e. Installing two streetlights on East Laurel Drive and one streetlight at the Hill Circle cul-de-sac, per City standards.
 - f. Reconstructing all non-standard sidewalks to City standards along E Laurel Drive and Hill Circle to connect to the existing concrete sidewalk.
 - g. Installing landscaping and street trees along all street frontages (and within the site).

- h. Constructing a 6-ft masonry landscape wall along the East Laurel Drive frontage of lots 6 through 11. The remaining property from the wall to the edge of new sidewalk shall be landscaped with three tiers of planting, groundcover, shrubs and trees.
 - i. Landscaping and irrigation shall extend a minimum of 10-ft behind the sidewalk along the entire frontage of East Laurel Drive and North Madeira Ave. Landscaping shall include three tiers of planting; groundcover, shrubs and trees.
 - j. Landscaping near the area of the ditch shall be consistent with riparian habitat and approved by the project biologist.
 - k. Place a guardrail 8-ft behind the face of curb along East Laurel Drive in the area of the ditch.
 - l. New street pavement design shall be based upon the "R" value of the subgrade and the standard traffic index (TI) noted in Section 31-903.5 of the Salinas Subdivision Ordinance. A minimum TI of 7 shall be used for Hill Street cul-de-sac.
 - m. Adding a stop sign and crosswalk at Hill Cir and N Madeira Ave.
 - n. Curbs at the cul-da-sac shall be painted red and marked, "FIRE LANE – NO PARKING".
7. Pursuant to SMC Section 31-315, a subdivider may request an exception to any regulation or requirement included in this chapter, consistent with the procedures and findings of Sections 31-315.1, 31-315.2 and 31-315.3. The project proposed a deviation from the requirement for sidewalk along both sides of the proposed streets. Given the confined dimensions of the project, narrow roadways and steep terrain, staff has no objections with the proposed trail system which connects the project to N Madeira Ave to the west and E Laurel Dr to the east in lieu of the sidewalks.
8. Development Impact Fees – Based on the updated information provided with the revised submittal package dated October 2020, the proposed homes are assumed to be 3-bedroom single family homes. Development impact fees for a 37-lot subdivision are estimated at \$567,785. Fees are adjusted annually. Development impact fees are assessed prior to building permit issuance. See attached worksheet.

Notice: The Conditions of Approval for this Site Plan Review include certain fees and development requirements. Pursuant to Government Code Section 66020 (d)(1), this hereby constitutes written notice stating the amount of said fees, and describing the development requirements. The applicant is hereby notified that the 90-day appeal period in which he/she/they may protest these fees and development requirements, pursuant to Government Code Section 66020 (a), begins on the date the office land use permit is approved. If applicant files a written protest within this 90-day period complying with all requirements of Section 66020, he/she/they will be legally barred from challenging such fees and/or requirements at a later date.

CITY OF SALINAS

Reviewed By:



Adriana Robles, PE, CFM

Senior Civil Engineer/Interim City Engineer

adrianar@ci.salinas.ca.us

(831) 758-7194

DEVELOPMENT FEES

RESIDENTIAL UNITS (2019-2020)

Address:	11 Hill Cir	Permit #:	Estimate Only
Date:	9/3/2020	No. of Units:	37
1. STREET TREE FEE			
0	Street Frontage (LF)	multiplier (per 60' frontage) \$353:	\$ -
TOTAL STREET TREE FEE DUE:		\$ -	2304.00.0000-56.5110
2. PUBLIC UTILITY IMPACT FEE			
	No. Bedroom Credit	Total Bedrooms:	111 Assumes 3 bedroom units.
		Net New Bedrooms	111
		Fee Per Bedroom:	\$ 547.00
TOTAL SANITARY SEWER FEE DUE:		\$ 60,717.00	2301.00.0000-56.5120
		Fee Per Bedroom:	\$ 586.00
TOTAL STORM DRAIN FEE DUE:		\$ 65,046.00	2301.00.0000-56.5130
3. PARK FEE			
		Fee Per Bedroom:	\$ 1,004.00
TOTAL PARK FEE DUE:		\$ 111,444.00	2302.00.0000-56.5140
4. TRAFFIC IMPACT FEE			
0	Existing Trip Rate	Trip Rate Per Unit:	10
		Net Trips:	370 SFR 10 trips/unit
		Fee Per Trip (\$390/\$564 FGA):	\$ 390.00
TOTAL TRAFFIC IMPACT FEE DUE:		\$ 144,300.00	2306.00.0000-56.5150
5. REGIONAL DEVELOPMENT IMPACT FEE			
Fee assessed by the Transportation Agency for Monterey County		\$ 38,441.06	Per attached TAMC worksheet. 8809.81.8157-57.8640
6. PUBLIC FACILITIES IMPACT FEES			
FIRE IMPACT FEE:		Fee Per Dwelling Unit:	\$ 317.00 Use \$308.51/DU for MFRs
		\$ 11,729.00	2307.00.0000-56.5160
POLICE IMPACT FEE:		Fee Per Dwelling Unit:	\$ 1,742.53
		\$ 64,473.61	2308.00.0000-56.5160
LIBRARY IMPACT FEE:		Fee Per Dwelling Unit:	\$ 1,241.39
		\$ 45,931.43	2303.00.0000-56.5160
RECREATION IMPACT FEE:		Fee Per Dwelling Unit:	\$ 689.26
		\$ 25,502.62	2302.00.0000-56.5160
TOTAL DEVELOPMENT FEES DUE:		\$	567,584.72

Effective: July 1, 2019

Valid through June 30, 2020

Regional Development Impact Fees

Fee Calculation Worksheet

Last updated October 1, 2018

Project Name:

Date:

Select the Benefit Zone:	GREATER SALINAS
Select the Agency:	City of Salinas

Select the Land Use Type:	Fee Schedule	Enter the # of Units	Fees
1 Single-Family (Low Income)	\$1,909.92	37	\$70,667.04
2	\$0.00		\$0.00
3	\$0.00		\$0.00
4	\$0.00		\$0.00
5	\$0.00		\$0.00
Calculate by Fee per Trip (Only use for appeals)	\$346		\$0.00
Subtotal:			\$70,667.04
Apply discount:		45.60%	\$32,225.98
Apply credits:			\$0.00
Total Regional Fee:			\$38,441.06

Airport Comments on PUD 2019-001 and TM 2019-002 (11 Hill Circle) received on June 12, 2019

1. As a condition of the CUP approval the applicant must file with the FAA form 7460-1, Notice of Proposed Construction or Alteration. The aeronautical study must have a Determination of No Hazard to Air Navigation and the structure(s) would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Further, the application must comply with any conditions imposed by the FAA.
(<https://www.faa.gov/forms/index.cfm/go/document.information/documentID/186273>).
2. The Airport recommends a Grant of Aviation Easement Agreement for the associated parcel be secured and recorded.
3. The parcel is located on the extended centerline for Runway 13/31 and will experience noise exposure from over-flight aircraft. A portion of the parcel is located within 55 CNEL (Community Noise Equivalent Level) contour as depicted in the Year 2000 CNEL Noise Contour exhibit in the Salinas Municipal Airport Land Use Plan. The development should be developed to accommodate and be resilient to over-flight noise exposure. The developer should engineer the development to accommodate 55 Community Noise Equivalent Level (CNEL) as per the Salinas Municipal Airport Land Use Plan or the General Plan, which ever provides greater protection.

**HILL CIRCLE PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM
11 HILL CIRCLE
(PLANNED UNIT DEVELOPMENT PERMIT 2019-001 & TENTATIVE MAP 2019-002)**

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
AES-1 Aesthetics	Submit a photometric lighting plan to the Community Development Department demonstrating compliance with City Standards with regards to light and glare.	To minimize light impacts to adjacent properties.	Applicant, or Successor in Interest.	Permit Center – Building Division and Community Development Department – Current Planning Division	Prior to issuance of a building permit.
AQ-1 Air Quality	During construction, the applicant or successor in interest shall: a) Limit grading to 8.1 acres per day, and limit grading and excavation to 2.2 acres per day. b) Provide watering trucks on site to maintain adequate soil moisture during grading and water graded/excavated areas at least twice daily, thus minimizing dust generation. In addition, the water trucks shall be used to wash down trucks and tractors, including earth loads, prior to entering public roadways. c) Prohibit all grading activities during periods of high wind. d) Maintain a minimum of two feet for freeboard for all haul trucks. e) Cover all trucks hauling dirt, sand, or loose materials. f) Cover inactive storage piles. g) Enforce a 15-mph speed limit for all unpaved surfaces when visible dust clouds are formed by vehicle movement. h) Place gravel base near site entrances to clean tires prior to entering public roadways.	To minimize air quality impacts.	Applicant, or Successor in Interest.	Permit Center – Building Division	During construction phase.
AQ-2 Air Quality	Consult with the Monterey Bay Unified Air Pollution Control District regarding the potential need for a diesel health risk assessment and shall mitigate diesel impacts to a less than significant level in accordance with the Air District requirements.	To minimize air quality impacts.	Applicant, or Successor in Interest.	Permit Center – Building Division	During construction phase.
AQ-3 Air Quality	All applicable permits from the Monterey Bay Air Resources District shall be obtained for building demolition and construction.	To minimize air quality impacts.	Applicant, or Successor in Interest.	Permit Center – Building Division	During construction phase.

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-1 Biological Resources	As riparian woodland and in-stream habitats are regulated areas and the proposed creek/ditch crossings will require review and permitting, the Applicant, or successor in interest, shall secure a Streambed Alteration Agreement from the California Department of Fish and Game prior to construction, if needed. Prior to issuance of any Grading and/or Building Permit, the Applicant, or successor in interest, shall submit to Community Development Department a copy of the Streambed Alteration Agreement for the Project or written documentation from the California Department of Fish and Game that a Streambed Alteration Agreement is not necessary required for the Project. Consultation and/or permits from the United States Army Corps of Engineers and the California Regional Water Quality Control Board would only be required if fill or discharge is proposed within the creek. The Applicant, or successor in interest, shall secure such permits from these agencies, if necessary, prior to issuance of any grading and/or building permits. Copies of all such permits shall be provided to the City of Salinas (Community Development Department).	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-2 Biological Resources	To compensate for direct impacts to riparian resources along Sanborn Creek/ Madeira Ditch, the Applicant, or successor in interest, shall submit a Riparian Mitigation and Monitoring Plan, prepared by a qualified biologist, to the City of Salinas (Community Development Department) and to the California Department of Fish and Game for review and approval prior to issuance of any grading and/or building permits. Written verification of approval of said plan by the California Department of Fish and Game shall be provided to the Community Development Department. The Plan shall depict riparian mitigation area(s) that collectively encompass a minimum of 0.87 acre (3:1 replacement ratio). Non-planted areas, such as the active streambed of Sanborn Creek/Madeira Ditch, shall not be included in the acreage calculation. The riparian mitigation area(s) shall be designated as natural open space and protected as such in perpetuity. No landscaping (except habitat restoration landscaping), building additions, or other disturbances shall be allowed within the designated mitigation areas. Access to the mitigation areas shall be limited to pedestrian use only; no pets shall be allowed within the mitigation areas. The Plan shall depict the location and size of all planting stock, and shall include an irrigation plan, and applicable planting details. The Plan shall specify/require the use of locally native riparian plant species and specify/require a five-year maintenance and monitoring program. The plan shall require monitoring of the mitigation areas a minimum of twice a year by a qualified biologist. During each year of the five-year monitoring periods, plantings shall achieve a minimum 80% survival rate for the revegetation to be deemed successful. The Plan shall also incorporate fencing and landscaping requirements as described below in BIO-2.1, BIO-2.2, and BIO-2.3 (as shown below). The Applicant, or successor in interest, shall be responsible for the cost of the City's review the Plan, including the cost of a qualified biologist to review the Plan.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-2.1 Biological Resources	To minimize indirect impacts to Sanborn Creek/Madeira Ditch and the riparian mitigation areas, the Riparian Mitigation and Monitoring Plan shall depict a vegetative buffer consisting of a row of shrubs measuring a minimum of three feet in height at maturity, between the residential development areas and the riparian mitigation areas. The row of shrubs shall create a physical barrier between residential areas and the adjacent riparian mitigation area and aquatic resources within Sanborn Creek/Madeira Ditch – in order to discourage off-trail use in the mitigation areas. Native, drought tolerant plant species shall be used in the vegetative buffer. The Plan shall also depict temporary fencing (a minimum of three feet in height and consisting of open, split-rail type, or post and wire, or similar design) between the residential development areas and riparian mitigation areas to create a physical barrier, which shall be provided until such time as the vegetative buffer reaches maturity and establishes a physical barrier measuring a minimum of three feet in height.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-2.2 Biological Resources	<p>To compensate for impacts to riparian resources along Sanborn Creek/ Madeira Ditch, the Riparian Mitigation and Monitoring Plan shall prohibit removal, trimming or pruning of vegetation within the riparian mitigation areas (with the exception of invasive, non-native plant species), and with the following exceptions: removal, trimming or pruning of vegetation that is absolutely necessary for the protection of public health, safety, and welfare relative to vector control by the Northern Salinas Valley Mosquito Abatement District (NSVMAD); and selective pruning, trimming, or thinning of faster-growing, more vigorous tree species in order to create an environment that will support a diversity of tree species, other plant species, healthy individuals, and regeneration. Pruning vegetation to provide residential views to the creek, provide non-native landscape areas adjacent to residences, or provide other residential activities/features shall be prohibited. If such actions occur, the Applicant, or successor in interest, shall be required to restore the damaged mitigation plantings. Presently, the property supports occurrences of invasive, non-native plant species (English ivy, sea fig/ice plant, and giant reed). These occurrences, as well as other invasive, non-native plant species that may establish on the property in the future, shall be removed concurrent with project construction. The Applicant, or successor in interest, shall coordinate with the Northern Salinas Valley Mosquito Abatement District to ensure that riparian vegetation will generally not be cut for mosquito abatement purposes, except in the locations where it is necessary to access the creek/ditch and except as absolutely necessary for the protection of public health, safety, and welfare relative to vector control by the Northern Salinas Valley Mosquito Abatement District (NSVMAD). The District is encouraged to utilize <i>Bacillus thuringiensis israelensis</i> (Bti), a naturally occurring soil bacterium, for the control of mosquito larvae on the subject property.</p>	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-2.3 Biological Resources	To minimize impacts of the project on the riparian resources of Sanborn Creek/Madeira Ditch, the Applicant, or successor in interest, shall prepare and implement a landscape plan for the property. The landscaping within the development area shall emphasize the use of native, drought-tolerant plant species. The use of invasive, non-native plant species ranked high, moderate and low in the California Invasive Plant Inventory (www.cal-ipc.org) shall be prohibited.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
BIO-3 Biological Resources	At the time of grading/construction of the project, the Applicant, or successor in interest, shall implement the Riparian Mitigation and Monitoring Plan as described in BIO-2, BIO-2.1, BIO-2.2, and BIO-2.3 (as shown above). The site shall be in compliance with the Plan prior to occupancy of the first unit. The Applicant, or successor in interest, shall be responsible for the cost of inspections prior to occupancy, including the cost of a qualified biologist to verify compliance with the Habitat Restoration and Mitigation Plan.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
BIO-4 Biological Resources	To compensate for impacts to riparian resources along Sanborn Creek/ Madeira Ditch, a qualified biologist shall monitor the project's compliance with the Riparian Mitigation and Monitoring Plan. Monitoring shall be for a period of five years, or longer if performance standards are not met. The biologist shall conduct monitoring as specified in the mitigation plan, including compliance with BIO-2, BIO-2.1, BIO-2.2, and BIO-2.3 and prepare yearly monitoring reports for the City of Salinas (Community Development Department) and the California Department of Fish and Game at the end of each monitoring year. The reports shall identify the plant survival rate, maintenance actions at the site, and include photographs documenting the status of the revegetation. The Applicant, or successor in interest, shall implement remedial measures if performance standards are not achieved in any of the monitoring years. Remedial measures may include replacement plantings, an increase in maintenance, changes to the irrigation regime, or other measures identified in the monitoring report. The developer/ property owner, or successor in interest shall be responsible for the costs of the mitigation and monitoring.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-5 Biological Resources	Riparian woodland and mitigation areas shall be maintained and preserved as natural open space in perpetuity. No additional development shall be allowed in the restoration/mitigation areas. The site shall be subject to periodic monitoring inspections by the City (Community Development Department) of these areas to ensure compliance with implementation of the Habitat Restoration and Mitigation Plan. The Applicant, or successor in interest, shall be responsible for the costs of the monitoring including the cost of a qualified biologist to verify compliance with the Habitat Restoration and Mitigation Plan.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
BIO-6 Biological Resources	<p>To minimize impacts to Sanborn Creek/Madeira Ditch, the project shall use Low Impact Development (LID) design features that benefit water quality and minimize impacts to biological resources, including but not limited to:</p> <ul style="list-style-type: none"> • Use of grassy swales and bio-filtration measures for collecting and filtering runoff from paved/developed surfaces. • Use of arched culverts that minimize impacts to the creek/ditch channel. • Use of native, drought tolerant plant species for project landscaping. • Use of pervious pavement in parking stalls. • Use of underground stormwater chambers. • Possible use of other pollutant-removal devices, as determined by the City Engineer. <p>Periodic maintenance of such features (described above), as determined by the City Engineer. The Applicant, or successor in interest, shall be responsible for the costs of maintenance and monitoring of the maintenance of the LID design features described above.</p>	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-7 Biological Resources	To minimize project impacts to Sanborn Creek/Madeira Ditch, all lighting within 100 feet of the creek/ditch shall be fully shielded and directed away from the creek/ditch and riparian mitigation areas, subject to verification on photometric lighting plans (see Mitigation Measure AE-1).	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
BIO-8 Biological Resources	To avoid impacts to nesting birds during project construction, the removal of willows shall be scheduled for the non-nesting bird season (i.e., between September and March of any given year). If this is not feasible, no more than 30 days prior to any ground disturbance or vegetation removal, the Applicant, or successor in interest, shall hire a qualified biologist to conduct surveys for nesting birds. If any protected bird species (e.g., migratory birds, species of special concern, raptors) are observed nesting on the property, the biologist shall stake out a buffer zone around the nest where no construction shall occur until the biologist has determined that all young have fledged. The buffer zone may vary from 50 to 300 feet depending on the nesting bird species. Written results of the survey by the biologist shall be submitted to the City (Community Development Department).	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
BIO-9 Biological Resources	To minimize construction period impacts to Sanborn Creek/Madeira Ditch, prior to construction the Applicant, or successor in interest, shall install silt fencing along the top of bank of Sanborn Creek or edge of riparian woodland (whichever is greater) to ensure that no fill, soil dislodged through construction activities, or any other debris enters the creek channel and/or retained riparian vegetation. Sanborn Creek/Madeira Ditch and associated riparian woodland areas shall not be used as a storage or staging area for construction. The Applicant, or successor in interest, shall implement erosion control measures to ensure that fill or loose soil will be secure and not subject to erosion and deposition into the creek after completion of the project.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-10 Biological Resources	To minimize impacts to native wildlife utilizing Sanborn Creek/Madeira Ditch, the Applicant or successor in interest, shall notify renters that pets, such as dogs and cats, are prohibited from the riparian woodland and riparian mitigation areas. The project shall limit pets to a maximum of one indoor cat or dog per dwelling unit. Pets shall only be allowed outdoors when accompanied by a responsible adult and restrained by a leash or similar restraint device.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
BIO-11 Biological Resources	Prepare and distribute to all future property owners located on the project site a "Creek Information Sheet" describing the location, purpose, and use restrictions within the riparian woodland and riparian mitigation areas. The use restrictions shall also be stated in the any future rental agreement for any lot located on the project site. The "Creek Information Sheet" is subject to review and approval by the City. The Applicant, or successor in interest, shall be responsible for the cost of the preparation, review, and distribution of the "Creek Information Sheet."	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
BIO-12 Biological Resources	To allow movement of wildlife along Sanborn Creek/Madeira Ditch and adjacent habitat, no fencing is allowed abutting/adjacent to the creek/ditch and adjacent parcels that support undeveloped open space areas, except that wire/metal-strand fencing with a minimum clearance of 18 inches between the ground and the first wire may be allowed. Such fencing, if proposed, shall be reviewed, approved, and inspected by the City of Salinas (Community Development Department). The Applicant, or successor in interest, shall be responsible for the cost of the City's review.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
BIO-13 Biological Resources	To minimize impacts to riparian resources along Sanborn Creek/Madeira Ditch, the Applicant, or successor in interest, shall limit the use of chemical herbicides and pesticides. Pesticide use shall be part of an integrated pest management program in which natural means of control are used and pesticide use is infrequent and timed to coincide with periods of maximum pest vulnerability. Upon written request by the City, the Applicant, or successor in interest, shall provide a written pesticide use summary to the City within 30 days of the City's request.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-14 Biological Resources	All on-site bioretention areas shall be planted with native herbaceous grasses, sedges, rushes, and forbs. Soil from the two (2) on-site location identified in the "Updated Biological Survey Report for the Hill Circle Property, 11 Hill Circle, Salinas CA" dated October 10, 2019 where Congdon's Tarplant was observed to be located, shall be spread around the outer areas of all on-site bioretention areas.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
CU-1 Cultural Resources and TCR-1 Tribal Cultural Resources	In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.	To ensure protection of any on-site cultural resources	Applicant, or Successor in Interest.	Development and Engineering Services Department – Plan Check Services and Community Development Department	During construction phase.
GS-1 Geology/ Soils	All construction shall meet the seismic building standards required in the most recent, adopted edition of the California Building Standards Code.	To minimize on-site seismic risk.	Applicant, or Successor in Interest.	Permit Center – Building Division	Plan submittal stage/prior to issuance of building permit.
GS-2 Geology/ Soils	A geologic report, soils report, and structural calculations prepared by certified professionals shall be provided. Results and conclusions of the reports shall be incorporated into the final project design.	To minimize on-site seismic risk.	Applicant, or Successor in Interest.	Permit Center – Building Division	Plan submittal stage/prior to issuance of building permit.
GS-3 Geology/ Soils	A grading permit shall be obtained, subject to review and approval by the City Engineer pursuant to the California Building Standards Code, the City of Salinas Grading Ordinance, the City's NPDES Permit, and other applicable City Codes and standards.	To minimize on-site seismic risk.	Applicant, or Successor in Interest.	Permit Center – Building Division	Plan submittal stage/prior to issuance of building permit.
GS-4 Geology/ Soils	A detailed grading plan that shows existing and new grades/contours shall be submitted by the Applicant, or successor in interest, to the City Engineer for review and approval. Grading plans shall include tie-in grading to existing improvements/development, cut and fill locations with likely key-in details, provisions for varied slopes to provide a natural looking topography, and natural looking retaining wall systems to soften grade differentials on the site (i.e. allen block walls, or equal). Flowlines in gutters shall have a minimum slope of 0.4%, and generally a maximum slope of 5%. Grading plans shall show the building envelope on each lot, the proposed and existing	To ensure compliance with water quality standards	Applicant, or Successor in Interest.	Permit Center – Building Division	Plan submittal stage/prior to issuance of building permit.

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
	contours, proposed building envelop finished pad and finished floor elevations, and other structures as required. Grading shall conform to the City "Erosion and Grading Control Ordinance" and Standard Plan No. 47, "Slope Grading". Retaining walls greater than two (2) feet in height shall be constructed of material more durable than wood (concrete, masonry, etc.), and shall be approved by the City Engineer/ Building Official prior to installation. A soils report will be required for the design of said walls and grading, and building permits may be required for certain retaining walls.				
HH-1 Hazards and Hazardous Materials	File with the Federal Aviation Administration (FAA) a form 7460-1, Notice of Proposed Construction or Alteration. The aeronautical study must have a Determination of No Hazard to Air Navigation and the structure(s) would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Further, the application must comply with any conditions imposed by the FAA (https://www.faa.gov/forms/index.cfm/go/document.information/documentID/186273).	To minimize impacts to Airport operations	Applicant, or Successor in Interest.	Salinas Municipal Airport and Community Development Department – Current Planning Division	Prior to issuance of a building permit.
HH-2 Hazards and Hazardous Materials	Obtain a recorded Grant of Aviation Easement Agreement.	To minimize impacts to Airport operations	Applicant, or Successor in Interest.	Public Works Department - Salinas Municipal Airport and Community Development Department – Current Planning Division	Prior to issuance of a building permit.

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
HH-3 Hazards and Hazardous Materials	To address noise exposure from the Salinas Municipal Airport, any future development located on the project site shall be designed to accommodate 55 Community Noise Equivalent Level (CNEL) as per the Salinas Municipal Airport Land Use Plan or the Salinas General Plan, which ever provides greater protection.	To minimize impacts to Airport operations	Applicant, or Successor in Interest.	Public Works Department - Salinas Municipal Airport and Community Development Department – Current Planning Division	Prior to issuance of a building permit.

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
HW-1 Hydrology and Water Quality	<p>All applicable NPDES/NOI/SWPPP permits will be required and shall be obtained from the State Water Resources Quality Control Board prior to any construction activities, per EPA regulations. Development shall comply with all NPDES requirements in effect when building permits are issued, including provisions/ requirements contained in the City's most current NPDES permit. The developer/ property owner, or successor in interest, will be required to provide erosion control measures on all slopes indicated on the plan or resulting from site grading. Erosion control shall conform to all applicable Federal, State, and City standards).</p> <p>The Storm Water Pollution Prevention Plan (SWPPP) shall include a plan indicating erosion control measures and Best Management Practices (BMPs) and Best Available Technologies (BATs) proposed for this site. Said measures shall include, but are not limited to: installing a rock over filter fabric construction access at the site per City standards; placing straw wattles around the project site or on the downstream side of construction during construction activity (including along the top of bank along the creek/ditch); placing gravel bags over all inlets potentially impacted by construction activities; providing a concrete washout facility on the site; placing check dams along the creek/ditch corridor to "trap" sediment (without impacting potential fish passage); and sweeping streets on a daily basis (adjacent to the site) to keep them clean.</p> <p>The development shall provide a Storm Water Management Plan (SWMP) identifying low impact development (LID) strategies and related facilities/design methods to reduce storm water runoff, encourage percolation into native soils, clean discharges using bio-filtration, and address long-term NPDES requirements. SWMP measures may include, but are not limited to: using bio-swailes and grassy swales in the project design, installing larger canopy trees throughout the site to intercept stormwater, restoring the creek/ditch with a more hearty plant habitat, reducing impervious surfaces, and using more permeable pavement strategies on the site; all as applicable. Further, clean water discharge requirements in effect at the time of construction and mitigation measures/ requirements noted in the Biological Resources Section of this Initial Study are required elements of the project.</p>	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
HW-2 Hydrology and Water Quality	To ensure that the design of the Project shall not create an environment conducive to mosquito-breeding, the underground stormwater chambers (and all applicable drainage features of the Project) shall comply with City standards including, but not limited to, a 72-hour maximum detention period, a one percent minimum positive slope for all conveyance piping, and a minimum velocity of two feet per second for all conveyance piping. Prior to issuance of any Grading and/or Building Permit, the Applicant, or successor in interest, shall submit grading/drainage plans demonstrating, to the satisfaction of the City Engineer, that the underground stormwater chambers (and all applicable drainage features of the Project) are in compliance with City standards.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
HW-3 Hydrology and Water Quality	To ensure that the design of the Project shall not create an environment conducive to mosquito-breeding, the underground stormwater chambers (and all applicable drainage features of the Project) shall have adequate maintenance access, and the facilities shall be inspected and maintained regularly. Prior to issuance of any Grading and/or Building Permit, the Applicant, or successor in interest, shall submit grading/drainage plans demonstrating, to the satisfaction of the City Engineer, that the underground stormwater chambers (and all applicable drainage features of the Project) shall have adequate maintenance access. Additionally, prior to issuance of any Grading and/or Building Permit, the Applicant, or successor in interest, shall submit an inspection and maintenance program, to the satisfaction of the City Engineer in consultation with the Northern Salinas Mosquito Abatement District (NSVMAD).	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
HW-4 Hydrology and Water Quality	Maintain the on-site creek/ditch in a manner to preclude mosquito breeding and to preclude potential flooding including, but not necessarily limited to, prompt removal of urban refuse and prompt removal of emergent vegetation (i.e., vegetation growing up from the bed of the creek/ditch, creating areas of stagnant water and inhibiting wind action, which is conducive to mosquito breeding).	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
HW-5 Hydrology and Water Quality	Two points of vehicular access to the on-site creek/ditch shall be provided for equipment and staff of the Northern Salinas Valley Mosquito Abatement District (NSVMAD). As the vehicular access would need to be provided through proposed areas of riparian habitat restoration, the surface area of the vehicular access shall consist of "permeable pavement" that would allow vegetation to grow through it (i.e., articulated mats, geo cells, drainage cells). Also, the fencing (i.e., split-rail or similar) required by Mitigation Measure BIO-2.1 shall be gated at the vehicular access points to allow NSVMAD to access the creek/ditch. Grading/building plans demonstrating such access shall be submitted to the City of Salinas by the Applicant, or successor in interest, for review and approval by the City Engineer and the City Planner in consultation with the Northern Salinas Valley Mosquito Abatement District (NSVMAD) prior to issuance of any Grading and/or Building Permits. The proposed areas of riparian habitat restoration which will be essentially eliminated where the two vehicular access points are located, such areas shall not be counted as areas of habitat restoration for purposes of compliance with the Mitigation Measures relative to Biological Resources.	To minimize impacts on biological resources	Applicant or successor in interest	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Section	Prior to issuance of a building or grading permit
N-1 Noise	To provide sound attenuation, an eight (8) foot high masonry landscaped wall shall be constructed along the east property line.	To reduce noise impacts to adjacent residential development.	Applicant, or Successor in Interest.	Public Works Department – Development Engineering Section	During Construction
N-2 Noise	To provide sound attenuation, all dwelling units shall be constructed with sound insulation of the façade and window system in accordance with the plans reviewed by the acoustical engineer. The basic façade is comprised of the CertainTeed cement board on 2 x 6 framing with ½ inch gypsum board and six-inch batt insulation in the interstitial space. This façade system provides sound insulation with a minimum rating of STC 40. The windows will be comprised of dual pane insulating glass with a minimum internal air space of ¼ inch. This will provide a minimum STC 31 insulating performance. The composite noise reduction of the façade/window system is STC 36.	To reduce noise impacts to adjacent residential development.	Applicant, or Successor in Interest.	Public Works Department – Development Engineering Section; Permit Center – Building Division; and Community Development Department – Current Planning Division	During Construction
N-3 Noise	To reduce short-term noise impacts to existing residential development within the proximity of the site, construction activities shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.	To reduce noise impacts to adjacent	Applicant, or Successor in Interest.	Permit Center – Building Division	During Construction

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
		residential development.			
TR-1 Transportation	Pay all applicable traffic impact fees.	To reduce impacts to traffic and circulation	Applicant, or Successor in Interest.	Public Works Department – Development Engineering Section	Prior to issuance of a building permit
TR-2 Transportation	Pay a “fair share” contribution toward the East Laurel Drive–Saint Edwards Drive traffic signal.	To reduce impacts to traffic and circulation	Applicant, or Successor in Interest.	Public Works Department – Development Engineering Section	Prior to issuance of a building permit
TR-3 Transportation	Construct public street improvements along the site’s street frontages.	To reduce impacts to traffic and circulation	Applicant, or Successor in Interest.	Public Works Department – Development Engineering Section	Prior to issuance of a Final Certificate of Occupancy for the first unit

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