

**SEAWALL MAINTENANCE PROJECT
110 GROVE LANE, CAPITOLA**

BIOTIC REPORT



Biotic Resources Group

Biotic Assessments ♦ Resource Management ♦ Permitting

SEAWALL MAINTENANCE PROJECT 110 GROVE LANE, CAPITOLA

BIOTIC REPORT

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SEAWALL MAINTENANCE PROJECT 110 GROVE LANE, CAPITOLA

BIOTIC REPORT

1.0 INTRODUCTION

The sea cliff on the property at 110 Grove Lane is proposed for repair and maintenance. The property is located seaward of Park Avenue at the terminus of Grove Lane within the City of Capitola (Figure 1). The sea cliff currently supports a concrete seawall that extends from the edge of a natural cliff overhang down to the base of the cliff. The sea cliff is located on lands owned by Sharon and Phil Lebherz. The beach at the base of the cliff occurs on State Lands associated with the Monterey Bay shoreline.

The proposed project is the maintenance of the existing seawall, as depicted in plans prepared by R.I. Engineering, Inc. (plans dated August 2012). The work involves removing loose natural materials from damaged seawall areas and applying new shotcrete. The treated areas will include new rebar installed into the seawall/native bluff (secured with epoxy grout), placement of a rebar grid on the seawall surface and applying new shotcrete (minimum depth of 1.5 inches). The new shotcrete will be feathered into the existing wall. The plan depicts five repair areas on the sea wall. One work repair area will occur below the mean high tide line; all of the other repair areas are located above the mean high tide line. The project includes installation of a temporary fiber roll at the base of the seawall work area each working day. All concrete washout and equipment staging will occur at the top of the cliff; however, construction access to the seawall will be along the toe of the sea cliff from nearby New Brighton State Beach. Figure 2 shows the location of the project and the construction access on an aerial image.

The Biotic Resources Group and Dana Bland & Associates assessed the biotic resources of the proposed seawall maintenance area, including proposed construction access areas. The focus of the assessment was to identify sensitive biotic resources within the project area and evaluate the proposed activities relative to such resources.

Specific tasks conducted for this study include:

- Characterize and map the major plant communities within the proposed work area;
- Identify sensitive biotic resources, including plant and wildlife species of concern, within areas proposed for repair, including temporary construction features;
- Evaluate the potential effects of the proposed project on sensitive biotic resources and recommend measures to avoid or reduce such impacts.

Intended Use of this Report

The findings presented in this biological report are intended for the sole use of Sharon and Phil Lebherz, the City of Capitola, and other regulating agencies in evaluating the proposed repair work. The findings presented by the Biotic Resources Group in this report are for information purposes only; they are not intended to represent the interpretation of any State, Federal or City law or ordinance pertaining to permitting actions within sensitive habitat or endangered species. The interpretation of such laws and/or

ordinances is the responsibility of the applicable governing body.

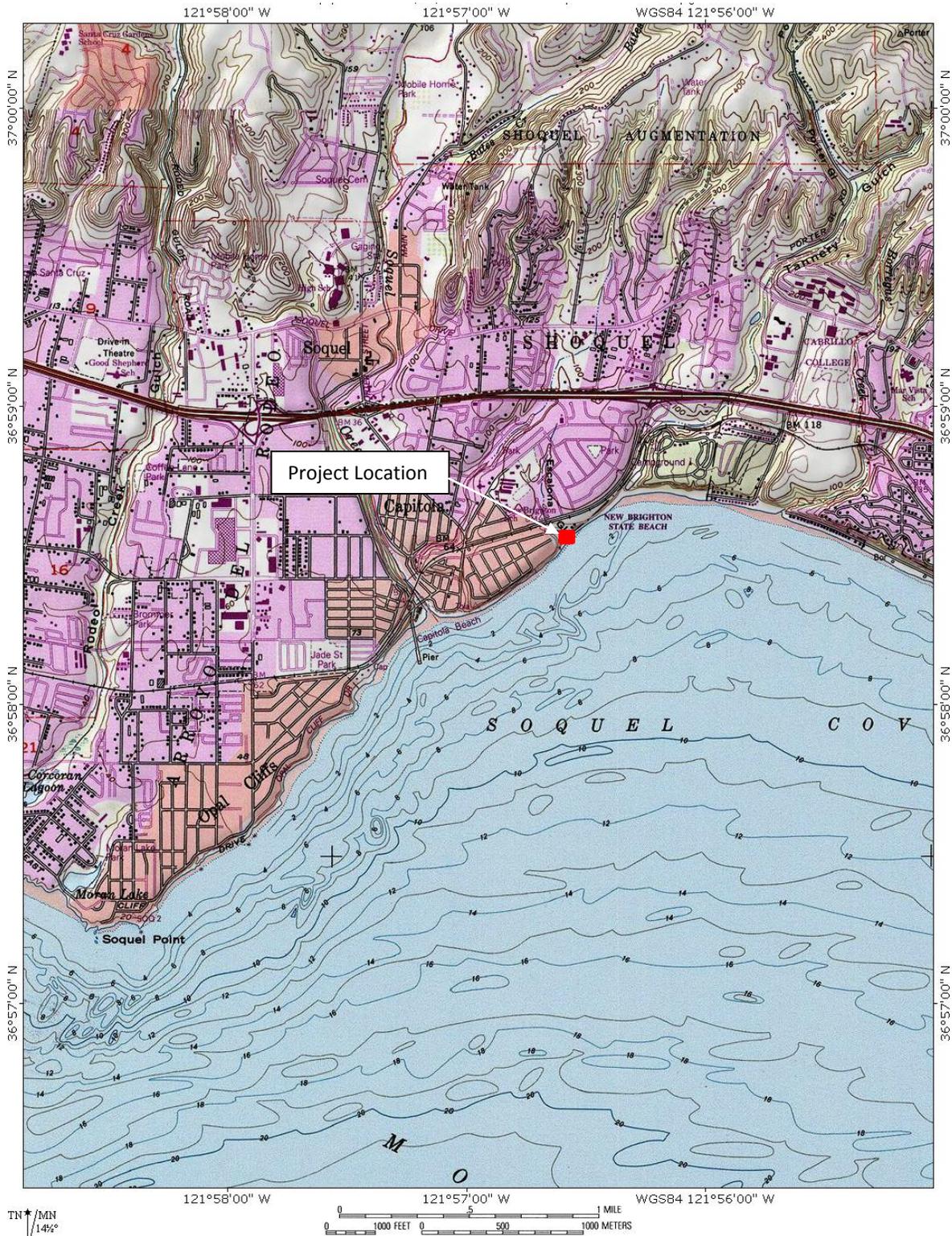


Figure 1. Project Location on USGS Soquel Topographic Map.



Figure 2. Project Location on Aerial (Google aerial dated 3/28/15)

2.0 METHODOLOGY

A survey to document site conditions and biotic resources in the project area was conducted by Kathleen Lyons (plant ecologist) and Dana Bland (wildlife biologist) in September 2015. Study methodology included a field reconnaissance survey on September 29th, aerial photograph interpretation, and accessing electronic databases. Database searches were conducted; the California Natural Diversity Data Base (CNDDDB) “RareFind 5” (2015) and the California Native Plant Society (CNPS) Rare Plant Electronic Inventory (2015) for the Soquel and surrounding quadrangles were accessed.

Prior to conducting the September field survey, a potential list of special status or sensitive species was reviewed, utilizing species recognized by California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS). The shoreline below the existing seawall was walked; the ocean edge, rocky outcrops, and sea cliff area was viewed from the shoreline during a minus 0.2-foot tide. The major plant community types in the project area, based on the classification system developed by CNDDDB’s *California Terrestrial Natural Communities* (CDFW 2010) and *A Manual of California Vegetation* (Sawyer and Keeler-Wolf 1995) were mapped during the field survey. Plant community types as recognized by CDFW were used to the greatest extent feasible; however, modifications to the classification system’s

nomenclature were made, as necessary, to accurately describe the site’s resources, particularly for areas that the CDFW system provides no suitable classification. The plant communities were mapped onto the tentative map with topographic base (Figure 2). The *Jepson Manual Vascular Plants of California* (2012) was the principal taxonomic reference used for the botanical work.

3.0 ENVIRONMENTAL SETTING

The project site lies at the mid-portion of the geographic area known as the Central Coast Range and extends eastward to the San Francisco Bay Area Range (Hickman, 1993). Presently, the project area supports little vegetation; small clumps of sea cliff vegetation occur where small crevices or ledges are present on the natural sea cliff; however, the concrete seawall is not vegetated except for bands of sea lettuce (*Ulva sp.*) within the tidal zone. Vegetation on the top of the cliff is dominated by non-native vegetation. A eucalyptus tree grove is located nearby but it is not within the project area.

Each terrestrial vegetation type, its California vegetation code, and state ranking (rarity) are listed in Table 1. The distribution of these communities is depicted on Figure 3.

Table 1. Vegetation Types at Seawall Maintenance Site, Grove Lane

CaCode ¹	Vegetation Type	Plant Association	State Ranking ²
21.200.00	Ice Plant Mat	Ice plant (<i>Carpobrotus spp.</i>), pampas grass (<i>Cortaderia jubata</i>)	None
21.125.00	Sea Cliff Vegetation	Sea rocket (<i>Cakile maritima</i>), seaside daisy (<i>Erigeron glaucus</i>), cut-leaved plantain (<i>Plantago coronopus</i>), sedge (<i>Carex sp.</i>)	None

¹ – California vegetation code as per CDFG (September, 2010); ² - Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled.



Figure 3. Distribution of Vegetation and Habitat Types in Work Area, September 2015

3.1 Ice Plant Mat

This plant community occurs on the upper edge of the sea cliff. The vegetation is dominated by non-native ice plant (*Carpobrotus edulis*). Other plants growing amid the dense ice plant are other non-native species, such as pampas grass (*Cortaderia jubata*). Native species are limited to clumps of seaside daisy (*Erigeron glaucus*). Figure 2 depicts this vegetation type at the top of the sea cliff.

3.2 Sea Cliff Vegetation

Portions of the sea cliff support small patches of vegetation. Crevices and crack in the sea cliff support sea rocket (*Cakile maritima*), seaside daisy, cut-leaved plantain (*Plantago coronopus*), and sedge (*Carex sp.*). The majority of the sea cliff is devoid of vegetation. Vegetation within the tidal zone is limited to patches of sea lettuce (*Ulva sp.*). The character of the sea cliff vegetation is depicted in Figure 4. The land between the sea cliff and the ocean is active beach/rocky shore. This area is devoid of vegetation as it is the area between mean tide and the furthest inland reach of storm waves. Figure 5 depicts the character of the construction access route from New Brighton State Beach to the seawall work area.



Figure 4. View of seawall and sea cliff, looking southerly from shoreline, showing algal zone (sea lettuce), patches of sea cliff vegetation, bare areas in the surf/wave zone, and beach, September 2015



Figure 5. View of construction access route, looking southerly from New Brighton State Beach to the work area, September 2015

3.2 Wildlife

The project work area provides little wildlife habitat because it is primarily a sheer cliff face. Birds may occasionally perch in the vegetation at the top of the bluff, but the cliff face lacks ledges and crevices suitable for nesting by seabirds. A ledge with nest materials was observed on the cliff face approximately 100 feet east of the project site, and a ledge with a crevice and abundant whitewash (indicating possible previous nesting) was observed approximately 300 feet east of the project site. Both potential nest sites are located on the east-facing side of cliff projections, facing away from the proposed work area. One Peregrine falcon was observed perched on vegetation on the western side of the cliff adjacent to the crevice nest area; it had small, white downy feathers stuck to its head and shoulders, perhaps from feeding on a gull or other seabird. There are no known records of nesting Peregrine falcons in this area, but pigeon guillemots have been observed nesting in the general vicinity (Chris Spohrer, Natural Resource Supervisor, Santa Cruz State Parks region).

4.0 REGULATED AND SENSITIVE HABITATS

4.1 Regulated Habitats

California Department of Fish and Wildlife (CDFW) is a trustee agency that has jurisdiction under Section 1600 et seq. of State Code. Under Sections 1600-1603 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream or lake which supports fish or wildlife. Along watercourses, CDFW jurisdictional limit typically extends to the top of bank or to the edge of riparian habitat if such habitat extends beyond top of bank (outer drip line), whichever is greater. The proposed project is outside CDFW jurisdiction; however a portion of the project area is located on State Lands. These lands are located up to the mean high tide line Ward Surveying determined the mean high tide line is at elevation 2.03; source: R.I. Engineering, Inc.). A portion of the seawall work will occur below the mean high tide line. Construction access along the shoreline will also be below the mean high tide line. State Lands in the Coastal Zone are subject to permitting by the California Coastal Commission, pursuant to the Coastal Act.

Water quality in California is governed by the Porter-Cologne Water Quality Control Act and certification authority under Section 401 of the Clean Water Act, as administered by the Regional Water Quality Control Board (RWQCB). The Section 401 water quality certification program allows the State to ensure that activities requiring a Federal permit or license comply with State water quality standards. Water quality certification must be based on a finding that the proposed discharge will comply with water quality standards which are in the regional board's basin plans. The Porter-Cologne Act requires any person discharging waste or proposing to discharge waste in any region that could affect the quality of the waters of the state to file a report of waste discharge. The RWQCB issues a permit or waiver that includes implementing water quality control plans that take into account the beneficial uses to be protected. Waters of the State subject to RWQCB regulation extend to the top of bank, as well as isolated water/wetland features and saline waters. Should there be no Section 404 nexus (i.e., isolated feature not subject to USACE jurisdiction); a report of waste discharge (ROWD) should be filed with the RWQCB. The RWQCB interprets waste to include fill placed into water bodies. The proposed project will be located within the jurisdiction of the RWQCB, as temporary construction access and a portion of the seawall work will occur below the mean high tide line (elevation 2.03; source: R.I. Engineering, Inc.).

The US Army Corps of Engineers (USACE) regulates activities within waters of the United States pursuant to congressional acts: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (1977, as amended). Section 10 of the Rivers and Harbors Act requires a permit for any work in, over, or under navigable waters of the United States. Navigable waters are defined as those waters subject to the ebb and flow of the tide to the Mean High Water mark (tidal areas) or below the Ordinary High

Water mark (freshwater areas). Tidal waters, up to the high tide line, are under federal jurisdiction. Section 10 of the Rivers and Harbors Act requires a permit for any work in, over, or under navigable waters of the United States. Examples of work include piers, docks, breakwaters, and dredging. For the project area, the mean high tide is approximately 2.03 feet (source: R.I. Engineering, Inc.). A portion of the proposed project will be located within the jurisdiction of the USACE. Temporary construction access and a portion of the seawall work will occur below the mean high tide line (2.03-foot elevation). A permit for temporary placement of fill associated with the construction period may be required from USACE (pending confirmation from this agency).

4.2 Sensitive Habitats

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. Sensitive habitats are also defined by City of Capitola Code (Section 17.95 Environmentally Sensitive Habitat). The beach is a sensitive habitat. The project is also located within the Coastal Zone and subject to provisions within the City’s Local Coastal Program (LCP) and permitting by the California Coastal Commission, pursuant to the Coastal Act. None of the plant community types on this site are ranked as sensitive (i.e., S1-S3) by CDFW.

5.0 SPECIAL STATUS SPECIES

5.1 Special Status Plants

The biotic review focused on special status plant species that are officially listed by the State and/or Federal government and CNPS List 1B. No special status plant species have been recorded for this property as per the CNDDDB (CDFW 2015). The species evaluated for potential occurrence in the project area, as per CNDDDB records, are listed on Table 2. The site does not support suitable habitat for special status plant species and none were observed, or are predicted, to occur in the proposed work area.

Table 2. List of Special Status Plant Species with Potential to Occur in the Vicinity of the Grove lane Seawall Maintenance Project Area, City of Capitola, September 2015.

Species	CNPS	State Status	Federal Status	Habitat Preference Observed on Site?
Hooker’s manzanita (<i>Arctostaphylos hookeri</i>)	List 1B.2	None	None	Sandy slopes, often intermixed with oak woodland; known from Buena Vista area No
Pajaro manzanita (<i>Arctostaphylos pajaroensis</i>)	List 1B.1	None	None	Sandy slopes, often intermixed with oak woodland; recorded from NW of Watsonville and in Prunedale area No
Monterey spineflower (<i>Chorizanthe pungens</i> var. <i>pungens</i>)	List 1B.2	None	Threatened	Sandy slopes, can be intermixed with oak woodland/maritime chaparral; recorded from Manresa and Sunset State beaches; Day Valley area; Pajaro Dunes No
Robust spineflower (<i>Chorizanthe robusta</i> var. <i>robusta</i>)	List 1B.1	None	Endangered	Sandy slopes, often intermixed with oak woodland/maritime chaparral; recorded from Manresa State Beach; NE of Ellicott Pond, Aptos HS area No
Sand-loving wallflower (<i>Erysimum</i>)	List 1B.2	None	None	Coastal dunes; recorded from Sunset State

Table 2. List of Special Status Plant Species with Potential to Occur in the Vicinity of the Grove Lane Seawall Maintenance Project Area, City of Capitola, September 2015.

Species	CNPS	State Status	Federal Status	Habitat Preference Observed on Site?
<i>ammophilium</i>)				Beach, along Shell Road No
Sand gilia (<i>Gilia tenuiflora ssp. arenaria</i>)	List 1B.2	Threatened	Endangered	Coastal dunes; recorded from Sunset State Beach No
Santa Cruz tarplant (<i>Holocarpha macradenia</i>)	List 1B.1	Endangered	Threatened	Grasslands, often on coastal terrace deposits; recorded from Harkins Slough area and Watsonville area No
Kellogg's horkelia (<i>Horkelia cuneata ssp. sericea</i>)	List 1B.1	None	None	Oak woodland and edges of grasslands; recorded from NW of Watsonville No
Dudley's lousewort (<i>Pedicularis dudleyi</i>)	List 1B.2	None	None	Woodlands; historic (1884) occurrence from Aptos No
Choris's popcorn flower (<i>Plagiobothrys chorisianus var. chorisianus</i>)	List 1B.2	None	None	Mesic grasslands, often on coastal terrace deposits; recorded from Watsonville Airport No
Bent-flowered fiddleneck (<i>Amsinckia lunaris</i>)	List 1B.2	None	None	Grassland; recorded from Scotts Valley and Davenport No
Anderson's manzanita (<i>Arctostaphylos andersonii</i>)	List 1B.2	None	None	Chaparral and forests; recorded from UCSC area and Bonny Doon No
King's Mountain manzanita (<i>Arctostaphylos regismontana</i>)	List 1B.2	None	None	Chaparral and forests; recorded from Skyline area No
Bonny Doon manzanita (<i>Arctostaphylos silvicola</i>)	List 1B.2	None	None	Ponderosa pine and chaparral in Zayante sands; known from Felton and Ben Lomond area No
Santa Cruz Mountains pussypaws (<i>Calyptridium parryi var. hesseae</i>)	List 1B.1	None	None	Ponderosa pine and chaparral in Zayante sands; known from Felton and Ben Lomond area No
Deceiving sedge (<i>Carex saliniformis</i>)	List 1B.2	None	None	Mesic areas, marshes; historic record from Scotts Valley No
Coyote ceanothus (<i>Ceanothus ferrisiae</i>)	List 1B.1	None	Endangered	Chaparral, on serpentine; recorded from Anderson Reservoir and Uvas Canyon area No
Congdon's tarplant (<i>Centromadia parryi ssp. congdonii</i>)	List 1B.1	None	None	Mesic grassland, heavy clay; recorded from Salinas area No
Ben Lomond spineflower (<i>Chorizanthe pungens var. hartwegiana</i>)	List 1B.1	None	Endangered	Ponderosa pine and chaparral in Zayante sands; recorded from Bonny Doon and Felton areas No

Table 2. List of Special Status Plant Species with Potential to Occur in the Vicinity of the Grove Lane Seawall Maintenance Project Area, City of Capitola, September 2015.

Species	CNPS	State Status	Federal Status	Habitat Preference Observed on Site?
Scotts Valley spineflower (<i>Chorizanthe robusta</i> var. <i>hartwegii</i>)	List 1B.1	None	Endangered	Grassland on sandstone outcrops; known only from Scotts Valley area No
Seaside birds-beak (<i>Cordylanthus rigidus</i> ssp. <i>littoralis</i>)	List 1B.1	Endangered	None	Maritime chaparral and closed cone forests; recorded from Monterey Co. No
Santa Clara Valley dudleya (<i>Dudleya abramsii</i> ssp. <i>setchellii</i>)	List 1B.1	None	Endangered	Serpentine chaparral and rock outcrops No
Eastwood's goldenbush (<i>Ericameria fasciculata</i>)	List 1B.1	None	None	Chaparral and coastal scrub; recorded from Monterey Co. No
Hoover's button-celery (<i>Eryngium aristulatum</i> var. <i>hooveri</i>)	List 1B.1	None	None	Vernal pools No
Ben Lomond wallflower (<i>Erysimum teretifolium</i>)	List 1B.1	Endangered	Endangered	Ponderosa pine and chaparral in Zayante sands; known from Felton and Ben Lomond area No
Minute pocket moss (<i>Fissidens pauperculus</i>)	List 1B.2	None	None	Sandstone outcrops in grassland and oak woodland; recorded from Scotts Valley region No
Fragrant fritillary (<i>Fritillaria liliacea</i>)	List 1B.2	None	None	Moist serpentine areas in grassland; recorded from Santa Clara Co. No
Loma Prieta hoita (<i>Hoita strobilina</i>)	List 1B.1	None	None	Talus in chaparral and woodlands; 1936 herbarium record from Santa Cruz No
Smooth lessingia (<i>Lessingia micradenia</i> var. <i>glabrata</i>)	List 1B.2	None	None	Serpentine soils in chaparral and grasslands; recorded from Santa Clara Co. No
Arcuate bush-mallow (<i>Malacothamnus arcuatus</i>)	List 1B.2	None	None	Serpentine chaparral No
Hall's bush-mallow (<i>Malacothamnus hallii</i>)	List 1B.2	None	None	Serpentine chaparral No
Woodland woollythreads (<i>Monolopia gracilens</i>)	List 1B.2	None	None	Serpentine forest, woodland, chaparral, and grassland No
Santa Cruz Mtns. beard's tongue (<i>Penstemon rattanii</i> var. <i>kleei</i>)	List 1B.2	None	None	Woodland and chaparral; herbarium collections from Ben Lomond Mtn. No
White-rayed pentachaeta (<i>Pentachaeta bellidiflora</i>)	List 1B.1	None	None	Serpentine grasslands No
Yadon's piperia (<i>Piperia yadonii</i>)	List 1B.1	None	Endangered	Coastal scrub and oak woodland, often an talus/rocky areas No

Table 2. List of Special Status Plant Species with Potential to Occur in the Vicinity of the Grove lane Seawall Maintenance Project Area, City of Capitola, September 2015.

Species	CNPS	State Status	Federal Status	Habitat Preference Observed on Site?
San Francisco popcorn flower (<i>Plagiobothrys diffusus</i>)	List 1B.1	Endangered	None	Mesic grasslands, often on coastal terrace deposits No
Scotts Valley polygonum (<i>Polygonum hickmanii</i>)	List 1B.1	None	Endangered	Grasslands, on coastal terrace deposits No
Pine rose (<i>Rosa pinetorum</i>)	List 1B.2	None	None	Closed cone pine forests No
Most-beautiful jewel-flower (<i>Streptanthus albidus</i> ssp. <i>peramoenus</i>)	List 1B.2	None	None	Serpentine grassland No
Santa Cruz Clover (<i>Trifolium buckwestiorum</i>)	List 1B.1	None	None	Mesic grasslands No
Saline clover (<i>Trifolium hydrophilum</i>)	List 1B.2	None	None	Mesic grasslands, alkaline No

5.2 Special Status Wildlife

Special status wildlife species include those listed, proposed or candidate species by the Federal or the State resource agencies, as well as those identified as State species of special concern. In addition, all raptor nests are protected by Fish and Game Code, and all migratory bird nests are protected by the Federal Migratory Bird Treaty Act. Special status wildlife species were evaluated for their potential presence in the project area as described in Table 3 below. The only species in Table 3 that may occur adjacent to this project site is the Monarch butterfly; however, the project will have no impacts on the Eucalyptus grove that provides potential Monarch roosting habitat, and the work is scheduled for spring and summer months which is outside the winter roosting season for Monarchs. No other special status wildlife species occur at this site.

Table 3. List of Special Status Wildlife Species with Potential to Occur Sinkhole in the Vicinity of the Grove lane Seawall Maintenance Project Area, City of Capitola, November 2015.

SPECIES	STATUS ¹	HABITAT	POTENTIAL OCCURRENCE ON SITE
Invertebrates			
Ohlone tiger beetle <i>Cicindela ohlone</i>	FE	Coastal terrace prairie with sparse vegetation and openings, Watsonville loam soils	None. No suitable habitat on site.
Zayante band-winged grasshopper <i>Trimerotropis infantilis</i>	FE	Openings in sand hills parkland habitat with Zayante sandy soils	None. No suitable habitat on site.
Monarch butterfly <i>Danaus plexippus</i>	*	Eucalyptus, acacia and pine trees groves provide winter habitat when they have adequate protection from wind and nearby source of water	Known from nearby New Brighton State Park. May occur in Eucalyptus grove at top of cliff adjacent to the house.
Fish			
Steelhead <i>Oncorhynchus mykiss</i>	FT	Perennial creeks and rivers with gravels for spawning.	None. No suitable habitat on site.
Tidewater goby	FE, CSC	Coastal lagoons and associated	None. No suitable habitat on site.

Table 3. List of Special Status Wildlife Species with Potential to Occur Sinkhole in the Vicinity of the Grove Lane Seawall Maintenance Project Area, City of Capitola, November 2015.

SPECIES	STATUS ¹	HABITAT	POTENTIAL OCCURRENCE ON SITE
<i>Eucyclogobius newberryi</i>		creeks up to 1 mile inland	
Amphibians			
Santa Cruz long-toed salamander <i>Ambystoma macrodactylum croceum</i>	FE, SE, FP	Ponds for breeding with water at least into June. Riparian, oak woodland, coastal scrub for upland habitat.	None. No suitable habitat on site.
Foothill yellow-legged frog <i>Rana boylei</i>	CSC	Perennial creeks with cobble substrate for egg attachment.	None. No suitable habitat on site.
California red-legged frog <i>Rana draytonii</i>	FT, CSC	Riparian, marshes, estuaries and ponds with still water at least into June.	None. No suitable habitat on site.
Reptiles			
Western pond turtle <i>Emys marmorata</i>	CSC	Creeks and ponds with water of sufficient depth for escape cover, and structure for basking; grasslands or bare areas for nesting.	None. No suitable habitat on site.
Birds			
Black swift <i>Cypseloides niger</i>	CSC	Coastal cliffs above surf line, sea caves and on cliffs behind waterfalls	None. No suitable habitat on site.
Mammals			
Pallid bat <i>Antrozous pallidus</i>	CSC	Roosts in rock outcroppings, caves, hollow trees, mines, building and bridges	None. No suitable habitat on site.
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	SCT	Forested habitats with caves, mines, old buildings and hollows in redwood trees as roosts	None. No suitable habitat on site.

¹ Key to status:

- FE = Federally listed as endangered species
- FT = Federally listed as threatened species
- SCT = State candidate for listing as threatened species
- SE = State listed as endangered species
- ST = State listed as threatened species
- FP = Fully Protected species by State
- CSC = California species of special concern
- * = Species of local concern under County LCP

6.0 PROJECT REVIEW AND RECOMMENDATIONS

6.1 Thresholds of Significance

The thresholds of significance presented in Appendix G of the CEQA Guidelines were used to evaluate project impacts and to determine if implementation of the proposed project would pose significant impacts to biological resources. For this analysis, significant impacts are those that substantially affect, either directly or through habitat modifications:

- A species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;

- Riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS;
- 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;
- Conflict with the provisions of an adopted Habitat Conservation plan, Natural Community Conservation plan, or other approved local, regional, or state habitat conservation plan.

6.2 Project Review and Recommendations

The proposed maintenance of the seawall was evaluated for its potential direct and indirect impacts to biotic resources. The proposed maintenance work (i.e., temporary construction access, cleaning the seawall, installing rebar and rebar mesh and application of shotcrete) will occur within areas devoid of vegetation. An area of ice plant and pampas grass that occurs at the top of the sea cliff may be temporarily affected by construction access. Due to the prevalence of non-native plant species within this area, the trampling of this vegetation is not considered a significant impact to local or regional botanical resources. With the exception of small amounts of sea cliff vegetation on ledges and in crevices adjacent to the seawall work area, native vegetation will not be affected by the maintenance work. Due to the prevalence of common native and non-native plant species on the sea cliff and the small area affected the potential damage to this vegetation during construction is not considered a significant impact to botanical resources.

As depicted on the project plans, the seawall maintenance will require access on open, sandy beach areas and along the rocky shore. Approximately 1,800 linear feet of beach/shoreline will be traversed to access the work area. An access permit from California Department of Parks and Recreation (State Parks) will be required. According to the project engineer, approximately 10 working days will be needed for the seawall work, with access limited to minus tides. Although the beach is an environmentally sensitive habitat; due to the lack of vegetation and the temporary nature of the construction, the impact to biological resources on the sandy beach is less than significant.

Impacts to Waters of the U.S., Waters of the State, and State Lands. A portion of the seawall maintenance (lower slopes work) will occur below the mean high tide line (2.03-foot elevation). Because these areas are considered “waters of the United States”, “waters of the State”, and on State Lands, fill is subject to permitting under federal and state agencies. Due to the value of jurisdictional waters as a natural habitat, degradation of the quality of the water from construction would be considered a significant impact. The following measure is recommended to avoid or reduce this impact.

Mitigation Measure BIO-1. Implement construction best management practices to protect the quality of Waters of the U.S., including measures to minimize side casting of materials into undisturbed area; confine the limits of the construction area to the minimum necessary, and prevent fuel spills. Secure any necessary permits from applicable state and federal agencies (i.e., USACE, RWQCB, and California Coastal Commission).

Impacts to Wildlife. No special status wildlife species are expected to occur within the proposed project work area. However, two large bird nest areas were observed just east of the project site. Because the reconnaissance survey for this project was conducted in the fall, outside of the bird nesting season, it was

not possible to determine what bird species may be utilizing the possible nest ledges/crevice. A Peregrine falcon was observed perching on one cliff area east of the project site; although the Peregrine is no longer state or federally listed species, it is still on the State list of Fully Protected Species. To ensure that the project does not impact sensitive nesting birds, a spring survey is recommended.

Mitigation Measure BIO-2. If construction is scheduled to occur between March 1 and September 1 of any given year, the applicant shall hire a qualified biologist to conduct nesting bird surveys of the cliffs along the beach access route. The surveys shall be conducted no more than 14 days prior to commencement of construction. If sensitive bird species are observed nesting on the cliffs, and the biologist determines that equipment access along the beach below the nests would significantly disturb the nesting birds, resulting in loss of eggs or chicks, the construction shall be postponed until the biologist determines all young have fledged or other measures (such as alternative access route) can be implemented to avoid impacts to nesting birds.

7.0 REFERENCES AND LITERATURE CITED

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