

Attachment I

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Judy Pennycook

14220 Campagna Way Royal Oaks, CA 95076
(831)214-7300

March 14, 2019

Honorable John M. Phillips, Chair
Board of Supervisors
County of Monterey
Salinas, CA 93901

Re: Support for FANS' appeal of a Combined Development Permit for PG&E project PLN160131 (490 and 500 Strawberry Canyon Road and 95 and 123 Tucker Road; North County Land Use Plan, Coastal Zone [APNs: 129-281-007-000, 129-181-009-000, 129-281-008-000, and 129-281-017-000])

Chair Phillips and Members of the Board of Supervisors:

I own one of the properties that this PG&E project proposes to develop: 500 Strawberry Canyon Road. There is a house on my property, downhill from the PG&E tower. I object to the PG&E project and support the appeal by Friends, Artists and Neighbors of Elkhorn Slough (FANS) for numerous reasons.

My property would be the one most affected by the proposed work. I believe that the project is not well thought out and would have downstream consequences. The project could change the drainage and cause runoff, mud flow or other unstable hill issues. This would impact my property and the house I own. Significantly, it could pose a threat to the well being of my tenants and their baby.

I support making the location safe for fire, of course. The issue is the unintended consequences of this project. The proposed grading includes excavating up to 10 vertical feet of soil. Grading that amount of soil in that location would change the views, harm the ridge line, and disrupt native species that help control erosion and that make North County unique. It is difficult to imagine that moving that much soil, rock and vegetation would not have adverse consequences, including downstream/downhill drainage and erosion.

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I base my comments on my experience as a 40-year property owner in the North Monterey County coastal area, including my years as a Realtor and as an elected from this area. Given the nature of climate change, and these atmospheric storms we have been having that deluge water, I am concerned that the project could cause serious impacts due to the amount of soil proposed to be removed, the proposed steep new slopes and the proposed clearing of vegetation.

PG&E has been a very poor steward of the site. For decades PG&E has allowed significant amounts of erosion to occur, while allowing invasive species to take hold. To my knowledge, PG&E has made no efforts to improve the situation.

It is also not clear exactly why PG&E is proposing this project and what PG&E is trying to do. Once the County has explained that, and we as property owners understand the exact issues and problems that PG&E is trying to address, then the County and PG&E should explain whether there are better ways that are less harmful to the environment and to the downhill properties.

If you can gather from the notices, please explain to me exactly what the project is. I do not understand what clearance is needed – between what and what? Has there been a problem identified with this PG&E tower? Have the power line and tower elements been updated so as to reduce the risk? In other words, what steps has PG&E undertaken to address the issue so far? What other possible steps are there that PG&E could take to address the issue, other than the proposed excavation? If PG&E needs to increase the clearance, can PG&E raise the lines? What is the expense of other possible mitigation measures? What alternatives are there instead of excavation and vegetation removal?

The PG&E problems identified in the recent Camp Fire were multiple poor maintenance issues. As I understand it, height/clearance was not a cause. The County has indicated here that the transmission tower on my property was installed in the 1940s. Has the County asked PG&E for the maintenance records for this transmission tower? What do those records show?

I am not persuaded that County monitoring would make this project better or safe. As you know, I was the County Supervisor for the North

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Monterey County area for a decade. As Supervisor, I was appalled at the lackluster efforts by the County at monitoring land use agreement compliance, and I know that monitoring often did not take place even when it was required. I also know this from my personal experience as a longtime owner of numerous properties in North Monterey County, and as a local Realtor. The recent turnover at the County Planning Department has made things even worse. In short, I would ask that you do what is necessary to make sure that all relevant parties have the necessary information to properly evaluate this project, and that if it has to be done, it be done right from the beginning with its safety not being dependant on County monitoring.

Thank you for your help, and please also make sure that I am on the notification list for everything to do with this project. Notices may be sent by email to: judy pennycook@gmail.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Judy Pennycook", with a long, sweeping horizontal line extending to the right.

Judy Pennycook

California Native Plant Society

Monterey Bay Chapter, P.O. Box 221303, Carmel, CA 93922

October 10, 2018

VIA EMAIL TO: Mike X5176 Novo <novom@co.monterey.ca.us>; Wendy X5430 Strimling <strimlingw@co.monterey.ca.us>

Cc: Jacqueline X5193 Onciano <oncianoj@co.monterey.ca.us>; Brandon Xx5334 Swanson <swansonb@co.monterey.ca.us>; Carl P. X5103 Holm <holmcp@co.monterey.ca.us>; Yolanda Maciel Pantoja <macielpantojay@co.monterey.ca.us>; Melissa X5146 McDougal <mcdougalm@co.monterey.ca.us>; Kevin Kahn <kevin.kahn@coastal.ca.gov>; Michael Watson <michael.watson@coastal.ca.gov>; "katie.butler@coastal.ca.gov" <katie.butler@coastal.ca.gov>; Dan Carl <dan.carl@coastal.ca.gov>

Mike Novo, Zoning Administrator
168 W. Alisal Street
Salinas, CA 93901

SUBJECT: Meeting October 11, 2018, Agenda Item ZA 18-065, PLN 160131, PG&E Powerline Maintenance

Dear Mr. Novo:

It has come to the attention of the Monterey Bay Chapter of the California Native Plant Society that a Mitigated Negative Declaration has been prepared for a grading and vegetation removal project proposed in an area of Environmentally Sensitive Habitat in North Monterey County. The work proposed consists of grading on slopes in excess of 25% and the removal of special status plants for PG&E powerline maintenance on Assessor's Parcels 129-281-017, 129,281,007, 008 and 009.

The Monterey Bay Chapter of CNPS obtained the Initial Study and Staff Report for this project, however we were not able to review the 2016 Biological Report prepared by Arcadis U.S., Inc. As outlined in the Initial Study, the proposed mitigation to offset damage to Environmentally Sensitive Habitat Area, notably Central Maritime Chaparral and several special status plant species, seems inadequate for a project that involves substantial grading and vegetation removal in this rare natural community.

Sandy substrates in this region are notoriously erosive and mitigation must include soil stabilization measures that are monitored for an adequate amount of time. No proposed mitigation in the Initial Study addresses the issue of erosive soil stabilization.

The Initial Study includes a proposed mitigation for impacts to Biological Resources that mentions stockpiling topsoil and then replacing it and seeding with a "local native seed stock". What type of seed mix is recommended and how will germination and success criteria be maintained? Any sort of seed introduced into Central Maritime Chaparral ESHA must be carefully considered and sourced to maintain habitat integrity.

The Initial Study includes a proposed mitigation for impacts to Biological Resources that mentions salvaging 20 special status plants and replanting them. The success of transplanting shrubs found in rare Central Maritime Chaparral has not been documented. This mitigation measure is inappropriate and inadequate. Who will maintain the planting stock and what are the success criteria parameters? The 3 shrub species mentioned in the Initial Study include Parajo manzanita, Hooker's manzanita and Eastwood's goldenbush. These species are truly uncommon, and in particular, Eastwood's goldenbush (*Ericameria fasciculata*), is a CNPS Rank 1B.1 plant, indicating it is extremely rare and restricted in distribution. The ESHA habitat that supports these special status plant species should be avoided.

Please reconsider the proposed mitigations described in the Initial Study - they will not reduce Biological Impacts to Less Than Significant in the ESHA impacted by this project.

Sincerely,

s/s Nicole Nedeff

Nicole Nedeff
President



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California Native Plant Society

MONTEREY BAY CHAPTER, P.O. Box 221303, Carmel, CA 93922

November 4, 2018

VIA EMAIL TO: Mike X5176 Novo novom@co.monterey.ca.us
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Mike Novo, Zoning Administrator
Monterey County Resource Management Agency
168 W. Alisal Street
Salinas, CA 93901

SUBJECT: PLN 160131, PG&E Powerline Maintenance, North Monterey County Coastal Zone

Dear Mr. Novo:

Thank you, and your colleague Brandon Swanson, for posting the Biological Assessment for this project on the County's document sharing site. The proposed project is a grading and vegetation removal effort in an area of Environmentally Sensitive Habitat in North Monterey County. The work proposed consists of grading on erosive slopes in excess of 25% and involves the removal of special status plants and Central Maritime Chaparral for PG&E powerline maintenance. Assessor's Parcels 129-281-017, 129,281,007, 008 and 009, in the Moss Landing Area are impacted by the proposed project.

The comments CNPS - Monterey Bay Chapter submitted prior to the Zoning Administrator Hearing on October 11, 2018, reflected our review of the Initial Study without the benefit of access to the Biological Assessment for this project. After reviewing the County Staff Report and the Biological Assessment prepared by Arcadis in 2016, CNPS still has major concerns regarding potential impacts to special status plants and Environmentally Sensitive Habitat. The Chapter also has major concerns about the adequacy of the Biological Assessment and environmental review that the County is relying on to forward this project through the County's permitting process.



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The Biological Assessment fails to include items that are fundamental to thorough environmental review and mitigation of potential impacts to biologically sensitive resources. The Biological Assessment does not include the whole of the project, the whole of the impacts, adequate mitigation measures, a habitat restoration plan, success criteria for restoration, or monitoring parameters to confirm mitigation success. Each of these items are typically required by the Monterey County Resource Management Agency for environmentally sensitive habitat loss and grading in extremely erosive soil, particularly in the Coastal Zone where this proposed grading and vegetation removal project will occur.

It remains unclear what impacts are anticipated in the 6,880 square-foot LOD (Limit of Disturbance) and what restoration is proposed to remediate environmental damage when the project is complete. The Biological Assessment looks only at the small sub-site and not at the larger Limit of Disturbance. Topsoil will be salvaged and replaced over the grading footprint, however does this pertain to the entire LOD, or only the location of slope reconfiguration?

What revegetation is proposed and how will it be maintained throughout the entire LOD after heavy equipment is maneuvered and stored, soil is exposed and stockpiled, and vegetation is either removed or damaged? The impacts associated with these components of the project have not yet been disclosed. Until the County has investigated and addressed these impacts as part of an amended biological assessment it would be premature for the County to propose and adopt mitigation measures.

As CNPS previously noted, the proposed mitigation includes salvaging 20 extremely uncommon special status plants and replanting them (the Biological Report notes, "if feasible"). However, the long-term success of transplanting shrubs found in rare Central Maritime Chaparral has not been documented. What mitigation will occur if the salvage and transplanting of rare plants is deemed "not feasible", and how will the long-term viability of transplanted shrubs be documented if this proposed mitigation is determined to be "feasible"?

Will there be mitigation for the loss of 10 coast live oak seedlings and will the removal of weedy invasive plants like pampas grass, eucalyptus and French broom be required as a component of the restoration of the project site? The Biological Assessment prepared by Arcadis notes that these weedy invasive species occur in the project vicinity, however management of non-native weeds is not addressed. This is an important issue due to its impact on native habitats, and the County should act to condition discretionary applications to address it.

Please elaborate on whether the mitigation plan has been amended in any way and whether a proper restoration plan has been developed. Any restoration plan proposed for the remediation of damage to environmentally sensitive habitat in the Coastal Zone should also incorporate success criteria and a monitoring time-line before the project moves forward in the County permitting process. Fundamental to the adequate environmental review of this project is identifying who will be responsible for the mitigation, restoration and monitoring - will this be completed by PG&E, or will this responsibility be encumbering the land owners where the utility right-of-way occurs?

CNPS asks that the biological assessment be revised to include the missing information and that the initial study be recirculated. The addition of the discussion of impacts to the entire LOD is a significant and material change to the Biological Assessment, and CNPS-Monterey Bay asks for time to review the information and any proposed mitigations.

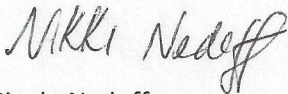
CNPS would appreciate being informed of the progress being made towards preparing a thorough and biologically defensible environmental review of this project as the permit application navigates through the County process.

Please include the Monterey Bay Chapter of CNPS on any notices and updates regarding this project, including notices that are required to be provided under Public Resources Code section 21092.2. Thank you for addressing correspondence and future communication directly to nikki@ventanaview.net.

Finally, CNPS asked the County to ensure there are consistent standards regarding evaluation of impacts and mitigations in sensitive habitat areas. CNPS would be interested in assisting the County in developing these written standards. If the County has already adopted standards on the preparation of Biological Assessments, please forward those to the Monterey Bay Chapter of CNPS.

Thank you for your consideration.

Sincerely,



Nicole Nedeff
President

cc: Board of Directors, Monterey Bay Chapter, CNPS

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