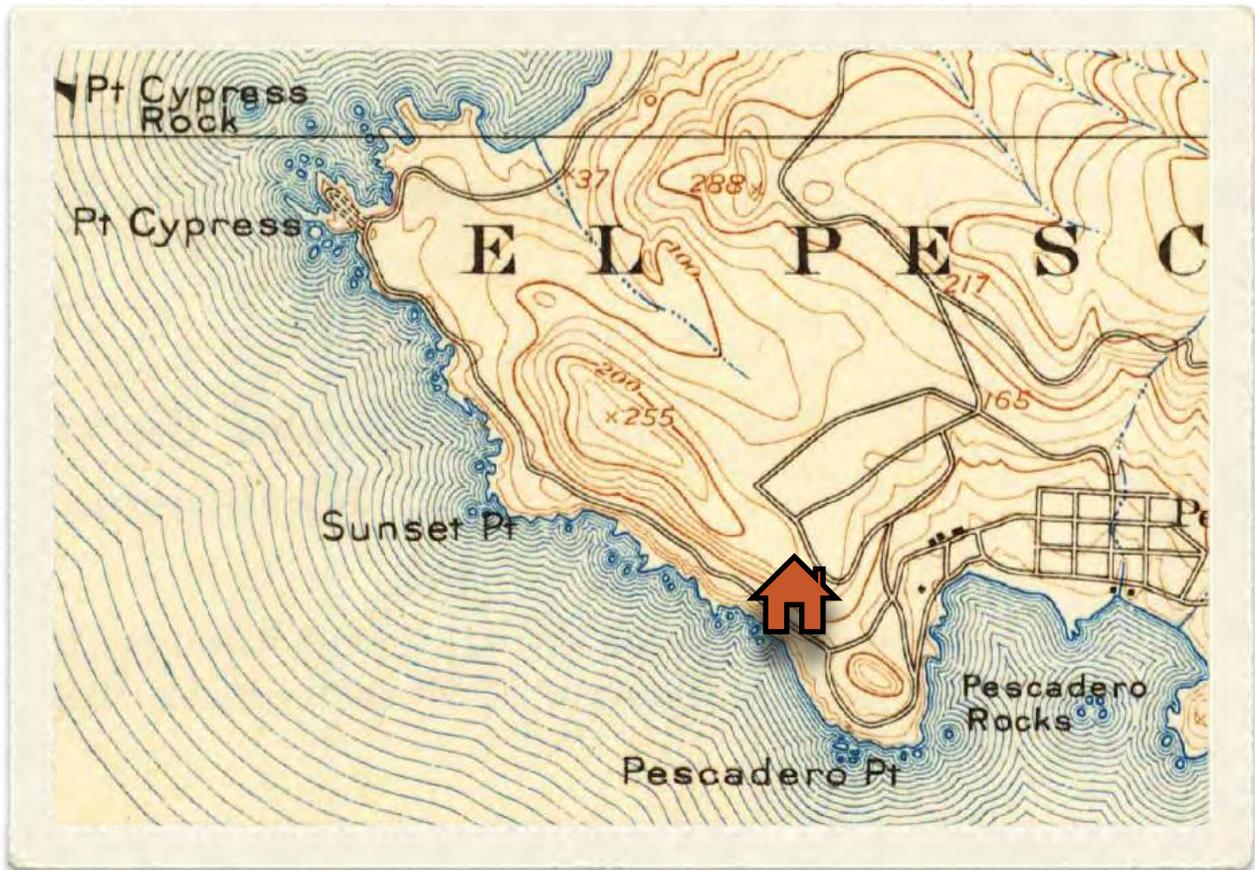


Exhibit H

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**BIOTIC REPORT
FOR
THE BAILEY RESIDENCE
3257 17-MILE DRIVE, PEBBLE BEACH, CALIFORNIA 93953
County of Monterey: PLN160608**



Prepared for,
Caroline Coleman Bailey
Copied to John Moore, Moore Design

Prepared by,
Jeffrey B. Froke, Ph.D.
Pebble Beach CA

— 14 August 2017 —

BIOTIC REPORT FOR THE CAROLINE BAILEY RESIDENCE
3257 17-MILE DRIVE, PEBBLE BEACH, CALIFORNIA 93953
In View of Proposed Improvements to an Existing Residence
APN 008-461-010-000 // County of Monterey PLN160608

DATE: 14 August 2017

TO: Caroline Coleman Bailey
c2cshell@gmail.com

COPY: John Moore, Moore Design
john@mooredesign.com

SUBJECT: An assessment of biological resources and special environmental conditions associated with the developed residential property at 3257 17-Mile Drive, Pebble Beach, Monterey County, CA (93953)

INTRODUCTION

This report conveys my findings and recommendations based on a recent field study and evaluation of biotic constituents and cover conditions associated with the Bailey property at 3257 17-Mile Drive in Pebble Beach, California (the *subject property* or *study site*). This developed coastal property is located within the jurisdictional area of the Del Monte Forest Land Use Plan (DMFLUP) of the Monterey Local Coastal Program (LCP): The DMFLUP is collaboratively overseen by the County of Monterey and California Coastal Commission. As such, questions about whether and where there may be present an Environmentally Sensitive Habitat Area (ESHA) on the property are of immediate and paramount concern. The main objective of this report is to provide documentation and an assessment of biological resources, including potential ESHA, sufficient in detail to support a consistency analysis by the County of Monterey with respect to guiding regulations and policies, particularly those per the DMFLUP and California Environmental Quality Act (CEQA).

This study and report were ordered in response to the County's 18 May 2017 notice of an *Incomplete Application for a Combined Development Permit* that would include a Coastal Development Permit to allow construction of an addition to the existing residence on the subject property; also a new garage and ancillary outdoor hardscape features. The County's incomplete notice called for additional resource information that would identify the physical extent of ESHA, i.e., Monterey Cypress Forest, and evaluate its relationship to proposed site improvements within 100 feet of any ESHA resources. Herein, and in part, the task of documenting the occurrence and physical condition of biotic resources including onsite Monterey Cypress trees and forest habitat has been undertaken in view of the County's proposed Policy 20 of the DMFLUP.

Previous Report — This report is independent of a previous reconnaissance-level biological report that was prepared for the owner by Andrea Edwards (EMC Planning Group, Monterey, 22 Feb 2017). Ms. Edwards conducted her field work for the EMC report in late December (2016), i.e., outside of the local plant flowering and wildlife breeding seasons which collectively range from the first of February through August of any year.

Field Study Dates — The present report is based on three field visits conducted on 13, 15, and 19 June 2017; hence, all reported dates occurred during the local flowering and bird nesting seasons. In addition to contemporary observations, this report is supported by specific knowledge of local botanical and zoological conditions that I have garnered from continuous field work in Pebble Beach, and specifically the coastline and 17-Mile Drive corridor between Cypress Point and Pescadero Point, from 1992 to present.

SITE IDENTIFICATION AND REFERENCES

Parcel Size —	1.24 ac (~ 53,884 ft ²)
Assessor's Parcel No. —	008-461-010-000 (Monterey County)
Physical Address —	3257 17-Mile Drive, Pebble Beach CA
Map Coordinates —	36.566355° lat / -121.958332° lon
Elevation Range —	45 ft (~98-143 ft, asl)
Slope Average—	5.77 pct E-W

Geographic Landmark: Cypress Point (1.59 mi WNW)
Historical Context: Ro. El Pescadero (Mexican, ca 1836)
Subdivision: *Pebble Beach Amended* (Pacific Improvement Co., ca 1909)

Map References

Plan Documents: Moore Design (architectural sheets, July 2017)
HD Peters (engineering sheets, June 2017)
Hall Landscape Design (planting sheets, April 2017)

Topographic (USGS): *Monterey CA* (USGS no. o36121e8; v. 1997; 7.5-min; 1:24,000)
Adjacent Quads: *Mt. Carmel, Seaside, Marina, Soberanes Point*

Geological References

Clark, J.C., Dibblee, T.W., Jr., Greene, H.G., and Bowen, O.E., Jr. , 1974. Preliminary geologic map of the Monterey and Seaside 7.5-minute quadrangles, Monterey County, California, with emphasis on active faults. U.S. Geological Survey, Miscellaneous Field Studies Map MF-577

Clark, Joseph C., Duprè, William R., and Rosenberg, Lewis I., 1997. Geologic Map of the Monterey and Seaside 7.5-minute Quadrangles, Monterey County, California: A Digital Database: U.S. Geological Survey Open-File Report 97-30.

Wagner, D.L., Greene, H.G., Saucedo, G.J., and Pridmore, C.L., 2002. Geologic map of the Monterey 30' x 60' quadrangle and adjacent areas, California (.California Geological Survey, Regional Geologic Map No. 1.

Local formations are granodiorite-porphyrific (gdp, Kgd).

Soil Reference

Cook, T.A. Soil survey of Monterey County, California. USDA Soil Conservation Service.

Local soils are *Narlon Loamy Fine Sand* (NcC)

FIGURES AND TABLES

- Figures:
1. Regional and local geographic context of the study site.
 2. Mapped extent of Monterey Cypress Forest in Pebble Beach
 3. Photo-series illustrating current site conditions
 4. Annotated site plan focus on improvements and cypress cover.

- Tables:
1. Onsite observed plant species.
 2. Onsite observed animal species.

STUDY APPROACH

- Work on this report started with a pro forma review of California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB), with application of its records (processed and unprocessed) to the subject and surrounding four (4) USGS 7.5-minute topographic quadrangles.
 - Additional botanical authorities and data-files were referenced for local information on confirmed and potential presence of plant taxa. Most useful and reliable, Calflora's WGH data portal was used to search for historical and contemporary records at the focal scale of the headlands and coastal forest complex that extends from Cypress Point to Pescadero Point.
 - Field observations were made on three occasions during the optimal spring nesting and flowering seasons (13, 15, and 19 June 2017). Access throughout the entire site was totally unencumbered and conducive to effective observation.
-

PROJECT SETTING

Geographic Context – The property is set amidst the historic *Pebble Beach Amended* subdivision (Pacific Improvement Co., circa 1909), wherein it occupies a natural terrace interface between the rocky seacoast and sloping coastal forests. It is situated on 17-Mile Drive between Pescadero Point (S) and Cypress Point (N) (Figure 1a). The site, itself an historically developed property (the existing residence and landscape areas were built in 1929), is surrounded by older developed properties (Figure 1b). A narrow (15-ft) "park lot" owned by Pebble Beach Company that is undeveloped runs along the northern boundary of the subject property, extending from 17-Mile Drive to the westerly boundary of the adjacent uphill residential parcel, i.e., the park lot is truncated and does not connect with Padre Lane. The closest dedicated open spaces are the adjacent SFB Morse Memorial and Crocker Grove (N, 0.90 mi) and the adjoining Cortland Hill and Pescadero Point preserves (S, 0.29 mi): all four conservation sites, which combined encompass 21 acres, are owned in-fee by Del Monte

Forest Conservancy. A discontinuous array of conservation easements protecting stands of indigenous Monterey Cypress Forest is established on private properties between Cypress Point and Pescadero Point, all in favor of Del Monte Forest Conservancy.

The lower elevation and seaward one-half of 1.24-ac parcel is mapped as native Monterey Cypress Forest habitat, while the upper interior portion is shown as outside of the forest boundary (see DMFLUP 2012 [Figure 2a]; Figure 2; also footnote no. 6).

Geophysically, the property is located 1.50 mi ESE of Cypress Point, a headland that is the westernmost landfall in the southern half of California¹ and that demarcates the central point of the California coastline. The site is approximately 600 ft W of the Cypress Fault, a feature that is significant with respect to the ecological evolution of the Pebble Beach landscape and project vicinity: The geologic, soil and edaphic discontinuities associated with Cypress Fault represent the approximate E-limit of native Monterey Cypress (*Hesperocyparis macrocarpa*) in Pebble Beach.

BIOLOGICAL FINDINGS

Habitats and Vegetation Communities

Altogether, the 1.24-ac developed site is divisible into three (3) basic cover environments: (1) The existing residence with its surrounding hardscape and courtyard plantings; (2) a wooded front yard with mixed native and nonnative trees and shrubs, and with a predominantly cypress overstory; and (3) a wooded back yard with nominal ground cover of native and nonnative woody and herbaceous plants and an patchy overstory of mixed Coast Live Oak, Monterey Pine, and Monterey Cypress (Figure 3).

During the 2016-17 winter and into the 2017 spring, numerous mature trees – pine and cypress – in the back area were damaged or felled by heavy winds. Pine losses throughout Pebble Beach were substantial during this period, in part due to stress from the multiple-year drought followed and exacerbated by seasonably excessive rainfall and winds. A large amount of tree falls and branch breakage – to both pines and cypress – has accounted for extensive destruction of the cyclone fence that envelops the back and two sides of the subject property.

¹ By the same reckoning, Pebble Beach is the most westerly and seaward residential community in southern California.

While the largest part of the proposed new construction would affect already built-up spaces including the driveway, former garage foundation, and back and (N) side courtyards, a portion of the expanded use would affect existing open ground and vegetation over a portion of the back yard and N side yard. Figure 4 illustrates the modified interface of the residence and infrastructure with arboreal characteristics of the property, including those of a single potentially affected cypress tree.

A key finding of this report, especially with respect to ESHA and DMFLUP Policy 20, is that the mixed cypress-pine-oak cover of the historically developed property, particularly on the back half of the site does not constitute Monterey Cypress Forest, biologically, ecologically or structurally. Furthermore, the back portion of the property and the area that would be affected by the proposed property improvements are outside of the cypress forest coverage as presented by DMFLUP Figure 2a. Nevertheless, the mixed canopy does include numerous individuated cypress trees, whether planted or naturally-occurring, and if to fudge the boundary of cypress forest in favor of an ESHA determination, the trees could be made to fit within the rubric of DMFLUP Policy 20.

Figure 4 illustrates a portion of the onsite coverage of Monterey Cypress trees. The figure is based on a collaborative effort by the project surveyor and arborist to liberally depict the dripline of each tree. Areas of contact by the *diagrammatic dripline* plus a 10-ft outer bandwidth with proposed construction features are shown. A summary and assessment of these findings is provided in the *Evaluation and Recommendations* section, to follow.

Cypress trees were mapped as occurring across the subject property, at varying densities to all quarters of the site (refer to the expert tree report by Frank Ono, project arborist). Cypress height and diameter and canopies dimensions vary widely across the site, . In addition to cypress, other prominent trees are Coast Live Oak (*Quercus agrifolia*) and Monterey Pine (*Pinus radiata*). Few snags were present on the historically developed and occupied residential property in contrast to unoccupied portions of adjacent wooded properties, e.g., uphill of the subject property where the density of undergrowth and standing dead trees is substantial.

Botanical Resources

Table 1 identifies 18 plant species observed on the entire Bailey property in 2017, including species found inside and outside of the specific project footprint. Of these taxa, seven (7) are locally native and the balance (11) are nonnative. Of the latter group, at least eight (8) are

locally noxious invasive species and among these six (6) represent the most problematic across Pebble Beach and Del Monte Forest.

TABLE 1 — Observed flora associated with the Bailey Property in Pebble Beach, CA. Species are listed alphabetically per their binomial.

Among the seven (7) native plants listed above, none are listed as threatened or endangered by either the State of California or the federal government, whereas two (2) are categorized as special plants² and are also ranked as rare by California Department of Fish and Wildlife

BINOMIAL	ENGLISH NAME	STATUS
<i>Acacia longifolia</i> ,	Golden Wattle	invasive, nonnative
<i>Acacia verticillata</i> ,	Prickly Moses	invasive, nonnative
<i>Carpobrotus edulis</i> ,	Iceplant	invasive, nonnative
<i>Clinopodium douglasii</i> ,	Yerba Buena	native
<i>Delairea odorata</i>	Cape Ivy	invasive, nonnative
<i>Echium candicans</i>	Pride of Madeira	invasive, nonnative
<i>Frangula californica</i>	Coffeeberry	native
<i>Genista monspessulana</i> ,	Scotch Broom	invasive, nonnative
<i>Gnaphalium californicum</i>	California Everlasting	native
<i>Hedera helix</i>	English Ivy	nonnative
<i>Hespercoyparis macrocarpa</i>	Monterey Cypress	native, rare (RPR 1B.2)
<i>Leptospermum laevigatum</i> ,	Australian Teatree	invasive, nonnative
<i>Leptospermum scoparium</i>	Manuka	invasive, nonnative
<i>Myoporum laetum</i>	Myoporum	invasive, nonnative
<i>Pennisetum clandestinum</i> ,	Kikuyugrass	invasive, nonnative
<i>Pinus radiata</i>	Monterey Pine	native, rare (1B.1)
<i>Pteridium aquilinum</i>	Western Brackenfern	native
<i>Quercus agrifolia</i> ,	Coast Live Oak	native

² CDFW, 2017 (April), California Department of Fish and Wildlife, Natural Diversity Database. Special Vascular Plants, Bryophytes, and Lichens List. Quarterly updated publication. 126 pp.

pursuant to its Rare Plant Ranking program.³ The two ranked plants are Monterey Pine and Monterey Cypress.

Other Potentially Occurring Special Plants

The absence of integral habitat, particularly ground-level and understory conditions that would be suitable or requisite for special plants known from local closed-cone coniferous forests reinforces the observed absence of such plants onsite. For example, Yadon's Rein-Orchid (*Piperia yadonii*) and Hickman's Cinquefoil (*Potentilla hickmanii*), both of which are listed as endangered by the federal government and the former as well by the State of California are absent from this historically and currently occupied residential property. Also, neither present nor expected to be present, non-listed special taxa including, e.g., Hickman's Onion (*Allium hickmanii*; RPR 1B.2), and Small-leaved Lomatium (*Lomatium parvifolium*; RPR 4.2 (limited distribution, not rare) are absent from the site.

Zoological Resources

Table 2 presents a list of all wildlife species observed on the subject property and its neighborhood environs during site visits in June 2017. The list also includes species not observed onsite but that are specifically and recently known to occupy comparable environments in the immediate vicinity of the site. Of the list of 27 vertebrate species listed below, all but one — European Starling — is native to the site or neighborhood. Furthermore, all of the identified bird, mammal, reptile and amphibian species presented are known to breed in local Pebble Beach habitats.

None of the animal taxa detected on site or nearby is listed by either the federal or state governments as Threatened or Endangered. As well, none of the animals is listed as a Special Animal by CDFW⁴. Particularly, the Monterey Big-eared Woodrat (*Neotoma macrotis luciana*) is not present onsite.

³ The CDFW Rare Plant Rank program (RPR), developed collaboratively with the nonprofit California Native Plant Society (CNPS), replaced the former CNPS rare plant index, effective 2010, thence was further reorganized in 2013. Below, plants with a ranking of 1B (including 1B.1 and 1B.2) are considered rare throughout their range with the majority of them endemic to California (e.g., Monterey Cypress). Most of the plants that are ranked 1B have declined significantly over the last century. California Rare Plant Rank 1B plants constitute the majority of plant taxa tracked by the CNDDDB, with more than 1,000 plants assigned to this category of rarity.

⁴ CDFW 2017 (April), California Department of Fish and Wildlife, Natural Diversity Database. April 2017. Special Animals List. Periodic publication. 51 pp.

Active nesting by Pygmy Nuthatches, only, was determined during the onsite searches and observations. Pairs were active in at the back (east) end of the property, in several pine snags that straddle the property boundary with the adding uphill neighbor. Others likely nest onsite, for instance earlier or later in the season (see Summary and Evaluation, below).

As a useful index of wildlife movement and corridor usage in Pebble Beach, the adjoining (northerly) park lot that is owned by Pebble Beach Company is a brushy habitat that is evidently well-trodden by Blacktail Deer, Coyotes, and Striped Skunk, and very likely other mammals. There is a break in the property fence that opens with the park lot and that was occupied and used as an escape route by two doe and two fawns during the present observation period. The importance of such perforated or discontinuous fences, whether intentional or incidental, to benefit deer and other ground-born mammals cannot be overstated and is discussed in the *Summary and Evaluation* section, to follow.

—

TABLE 2 – Observed vertebrate fauna associated with the Bailey property and its surrounding neighborhood in Pebble Beach CA. Species are listed alphabetically per their binomial.

BINOMIAL	ENGLISH NAME
<i>Aphelocoma californica</i>	Western Scrub Jay
<i>Buteo lineatus</i>	Red-Shouldered Hawk
<i>Callipepla californica</i>	California Quail
<i>Calypte anna</i>	Anna’s Hummingbird
<i>Canis latrans</i>	Coyote
<i>Corvus brachyrhynchos</i>	American Crow
<i>Cyanocitta stellari</i>	Steller’s Jay
<i>Haemorhous mexicanus</i>	House Finch
<i>Junco hyemalis</i>	Dark-eyed Junco
<i>Melanerpes formicivora</i>	Acorn Woodpecker
<i>Melospiza crissalis</i>	California Towhee
<i>Mephitis mephitis</i>	Striped Skunk

BINOMIAL	ENGLISH NAME
<i>Odocoileus hemionus columbianus</i>	Black-Tailed Deer
<i>Patagioenas fasciata</i>	Band-tailed Pigeon
<i>Picoides nuttallii</i>	Nuttall's Woodpecker
<i>Picoides villosus</i>	Hairy Woodpecker
<i>Pipilo maculatus</i>	Spotted Towhee
<i>Poecile rufescens</i>	Chestnut-backed Chickadee
<i>Pseudacris sierra</i>	Sierran Treefrog
<i>Sceloporus occidentalis bocourtii</i>	Coast Range Fence Lizard
<i>Sitta pygmaea</i>	Pygmy Nuthatch
<i>Streptopelia decaocto</i>	Eurasian Collared Dove
<i>Sturnus vulgaris</i>	European Starling
<i>Sylvilagus bachmanii</i>	Brush Rabbit
<i>Thomomys bottae</i>	Botta's Pocket Gopher
<i>Thryomanes bewickii</i>	Bewick's Wren
<i>Urocyon cinereoargenteus</i>	Gray Fox

EVALUATION AND RECOMMENDATIONS

Habitats and Vegetation Communities

As was previously stated, Monterey Cypress Forest as an integral, natural or even disturbed cover type is not present on the backend of the property, i.e., on the back side of the existing residence where proposed construction would occur. The front of the property between the residence and 17-Mile Drive may qualify as a disturbed and ruderal cypress forest, but that area is wholly outside of the project footprint or affected area. Nevertheless, a low density of

individual mature cypress trees are distributed across the mid-section of the property including in proximity to the proposed house addition and infrastructure revisions.

In a general fashion, the map-of-record that illustrates the range of native Monterey Cypress Forest in Pebble Beach (see DMFLUP Figure 2a), and that is solely based on the Monterey Cypress range map produced by Griffin and Critchfield (1972)⁵, draws the line virtually across the center of the subject property (Figure 2), thusly reinforcing the findings of this report. To wit, the lower half evinces Monterey Cypress Forest while the upper half, wherein the project is planned, does not.

While it is infeasible to determine the specific onsite boundary of indigenous versus non-indigenous or planted cypress trees, the conservative or least argumentative approach is to concede that all mature trees are effectively native. Furthermore, in assessing all onsite and local cypress stands, it is evident that the principal constraints to cypress trees are the ongoing encroachment by Monterey Pines, the root effects of encroaching pines and concomitant over-hydration and pathogenesis, and losses associated with storm damage and windfall, in part as a direct effect of pine encroachment.

Project Effects – Cypress Encroachment

A single mature cypress tree is proximal to a proposed structural element of the project, and the project has the potential to encroach inside the dripline of the tree. The following assessment looks at the areal effect of the construction on the tree: the effect of the project on the physical integrity and welfare of the tree is referred to Mr. Ono, who is qualified to determine the actual risk to the trees, if any.

The approximate area of the protracted circular and buffered dripline and presumably the rootworks of the tree (tagged, no. 372) is 1,550 ft², of which approximately 75 ft² (< 5 pct) overhangs the projected footprint of the proposed garage. The portion of the garage that intersects the dripline of cypress no. 372 already is developed: it is the graded, paved and walled floor area of the former garage. Thereby, it is clear that none of the project, here

⁵ Griffin, J.R. and W.B. Critchfield, 1972. The distribution of forest trees in California. USDA FOREST SERVICE RESEARCH PAPER PSW- 82 /1972.

specifically the garage construction, will adversely affect the identified cypress, or any other cypress onsite, directly or indirectly.

Botanical Resources

The project plan emphasizes a *mostly native* plant selection, with several nonnative horticultural exceptions. The proposed palette from Scott Hall is duplicated below, with notations.

Recommendation (1), Native Plant Species

Two of the three proposed nonnative plants are problematic: (1) Hellebores are toxic to dogs (and deer) and use of the taxa should be avoided and replaced with a noninvasive, nontoxic plant, whether native or nonnative; and (2) the Australian Teatree is invasive in Pebble Beach and its use should be avoided and replaced, as well. For example, teatrees could be replaced with additional plantings of native shrubs, for example California Coffeeberry, Pacific Wax-Myrtle, California Wild Rose (*Rosa californica*), or Toyon (*Heteromeles arbutifolia*).

Zoological Resources

Nesting Birds

Several of the confirmed or expected local bird species may nest on the site in-season (typically first of February through August). In the event site demolition, landscape clearing and tree work were to start during that period, there would be an elevated risk of disturbing or destroying ongoing bird nesting efforts. Disruption of nesting native birds, including the parent birds, their active nests, eggs and nestlings, whether committed intentionally or inadvertently, is unlawful pursuant to the U.S. Migratory Bird Treaty Act of 1918 (MBTA) and California Fish and Game Code (secs. 3503 and 3505.5): exemption from either the state regulations or federal laws is not available.

Symbol	Botanical Name	
ARM MAR	<i>Armeria maritima</i> 'Allacea'	
CAL NUT	<i>Calamagrostis nutaensis</i> Alt. <i>Carex prae-gracillilis</i> / <i>pansa</i>	
CYP MAC	<i>Cupressus macrocarpa</i>	< Name change: now <i>Hesperocoyparis macrocarpa</i>
CEA THY	<i>Ceanothus thyrsiflorus</i> 'Snow'	
COL DWF	<i>Coleonema pulchrum</i> 'Compact'	< Coleonemas (nonnative) are noninvasive
DRY ARG	<i>Dryopteris arguta</i>	
HEL ORI	<i>Helleborus Hybridus</i> 'Ivory Prince'	< Hellebores (nonnative) are toxic to dogs
IRI DOU	<i>Iris douglasiana</i> 'species'	
LAV BAR	<i>Lavatera assurgentiflora</i> 'Barnes'	
LEP LAV	<i>Leptospermum lavigatum</i>	< Australian Teatree (nonnative) can be invasive
MYR ALT	<i>Myrica californica</i> Alternate: <i>Ceanothus thyrsiflorus</i> 'Blue'	
MYR CAL	<i>Myrica californica</i>	< Name change: now <i>Morella californica</i>
PEN CEN	<i>Penstemon centranthifolius</i>	
PTE AQU	<i>Pteridium aquilinum</i> var. <i>pubescens</i>	
QUE AGR	<i>Quercus agrifolia</i>	
RHA CAL	<i>Rhamnus californica</i> spp. California	< Name change: now <i>Frangula californica</i>
RHO CAL	<i>Rhododendron californica</i>	
	<i>Eschscholzia californica</i> 'maritima'	
MULCH	Fine Mini-Bark	
PIN RAD	<i>Pinus radiata</i>	
VAC OVA	<i>Vaccinium ovatum</i>	
WOO FIM	<i>Woodwardia fimbriata</i>	

Recommendation (2) Nesting Birds

To ensure protection of nesting birds, e.g., whether nesting in trees, shrubbery or under the eaves of the house, it is advisable to schedule demolition and vegetation clearing outside of the nesting season, i.e., to conduct the work during September through mid-February. In the event that is not practical or feasible, e.g., if dependent on forthcoming County permits, it is advised that the owner/applicant task a qualified wildlife biologist or ornithologist to properly survey the affected location no more than 15 days out from when the work would start.

If nesting birds are discovered in a situation where it is certain or likely that the planned work would disrupt the birds, the ornithologist should prescribe a plan to avoid the conflict: For example, the work-around options may range from (1) rescheduling or (2) phasing the start-up, or (3) phasing it with set-backs to create sufficient distance between the work and active nest or nests. Regardless, the optimal or best option is to schedule during September through January, thus requiring participation by the County to complete the permit process in a timely manner to allow appropriate bird-wise scheduling.

Wildlife Movement

Due to a property-by-property trend to construct tall and impenetrable walls and fences, 17-Mile Drive, among other Pebble Beach roadways, is an increasingly walled off environment that interferes with and outright blocks natural movement of wildlife. The most vulnerable species is Blacktail Deer: All deer including adults and perilously their fawns are affected by lot-by-lot impassable barriers.

Although CEQA and Coastal policies recognize the importance of maintaining effective wildlife movement corridors in urban and developing landscapes, actual design review at the local level, i.e., Del Monte Forest LUAC, Del Monte Forest Architectural Review Board, and Monterey County RMA Planning Department, as well as California Coastal Commission, have not consistently supported wildlife movement in their respective review and approvals of residential designs, particularly the specifics of residential walls and fences. Nevertheless, architectural resolution of potential conflicts between owners' understandable expectations of privacy and security (from humans) and the humane management of neighborhood deer are available: Within Pebble Beach and Del Monte Forest, private initiatives that would engage property owners, their designers and appropriately skilled wildlife specialists ought to be formulated to find aesthetically and ecological sound solutions, on a case by case basis.

Recommendation (3), Deer Movement

The owner/applicant and appropriate designees are encouraged to incorporate smart fence and design elements that will facilitate unabated movement by wildlife – and particularly deer – across the property, or a portion of the property, from 17-Mile Drive and the adjoining (north-side) park lot.

Lethal Effects on Native Reptiles

Native reptiles in Pebble Beach – all of which are nonvenomous and harmless to humans – and particularly local snakes are highly susceptible to entrapment, injury and death when caught in the plastic, nylon and vinyl mesh-netting that is commonly used to bind erosion control materials. In particular, the net-wrapping that typically is used to encase 'coconut rolls'

and 'fiber blankets' are dangerous and universally lethal to snakes that become entangled when attempting to move through the netting. The problem is greatly lessened or eliminated when materials that incorporate netting are made exclusively with natural fibers, such as jute, to bind the rolls and blankets. Such materials are commonly available, at least as effective and not necessarily more expensive than those bound with plastic, nylon and/or vinyl netting.

California Coastal Commission has published an informative and well-referenced brochure on the problematic use of certain erosion and sediment control materials versus snakes, with guidelines for use of alternative and reptile safe materials⁶.

Recommendation (4), Protection of Reptiles

Here, it is strongly recommended that all erosion and sediment control measures employed by project contractors specifically utilize materials that employ natural fiber mesh and netting, exclusively.

Protecting Monterey Cypress Cover as ESHA

DMFLUP Policy 20 emphasizes the application of conservation easements to support long-term protection of indigenous cypress resources in Pebble Beach. Specifically, such easements would be dedicated in favor of Del Monte Forest Conservancy. It should be pointed out that the Conservancy is not obliged to accept offers of such easements and is free to determine the ecological value, practicality and financial feasibility of taking-on and managing the affected resource before acceptance. Factors such as the specific ecological benefit of any proposed easement and whether the subject area is contiguous with or disjunct from comparable sites are important considerations for the County and the Conservancy to make in determining whether an easement is worth pursuing or conditioning upon the property owner/applicant.

⁶ https://documents.coastal.ca.gov/assets/water-quality/permits/Wildlife-Friendly_Netting_in_Erosion_&_Sediment_Control-Factsheet_r5_Sept_2016.pdf

Recommendation (5), Easement Option

In the event a conservation and/or scenic easement is determined to be feasible *and* acceptable to Del Monte Forest Conservancy, the appropriate area would be the uphill (E) one-third of the property, extending from above the garage to the back fence and from the N to S borders, specifically continuous with the Pebble Beach Company park lot along the N boundary line. On the other hand, the area so designated is neither bonafide nor mapped Monterey Cypress Forest, and its cypress cover may not be indigenous. As previously stated, it is a wooded backyard appurtenant to a existing and historically developed re is covered with a mix of live oak, pine and cypress. See Figure 3.

In sum, a condition imposed by the County of the owner/applicant to dedicate a conservation easement to the DMF Conservancy should be predicated on a determination of value and practicality made by the Conservancy. If affirmative, the owner/applicant would be advised to develop mutually suitable terms of an easement with the organization.

CONCLUSION

CEQA – Based on the project description provided for review in June 2017, and by implementing the five (5) preceding recommendations, the project as proposed will not threaten to adversely affect special-status habitat, plant or animal resources, nor will it violate state and federal wildlife protection statutes.

DMFLUP Policy 20 – This assessment of cypress resources on the historically developed and currently occupied property and implications for implementing DMFLUP Policy 20 concludes with an opinion that has no cypress trees or cover being adversely affected by any element of the project .

The question of whether to require or condition a conservation easement in favor of the Del Monte Forest Conservancy ought to be resolved in consultation with the Conservancy, i.e., rather than presume the suitability and acceptability of such an easement.

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A handwritten signature in blue ink, appearing to read 'J. Froke', with a long horizontal line extending to the right.

Jeffrey B. Froke, Ph.D.
Consulting Ecologist

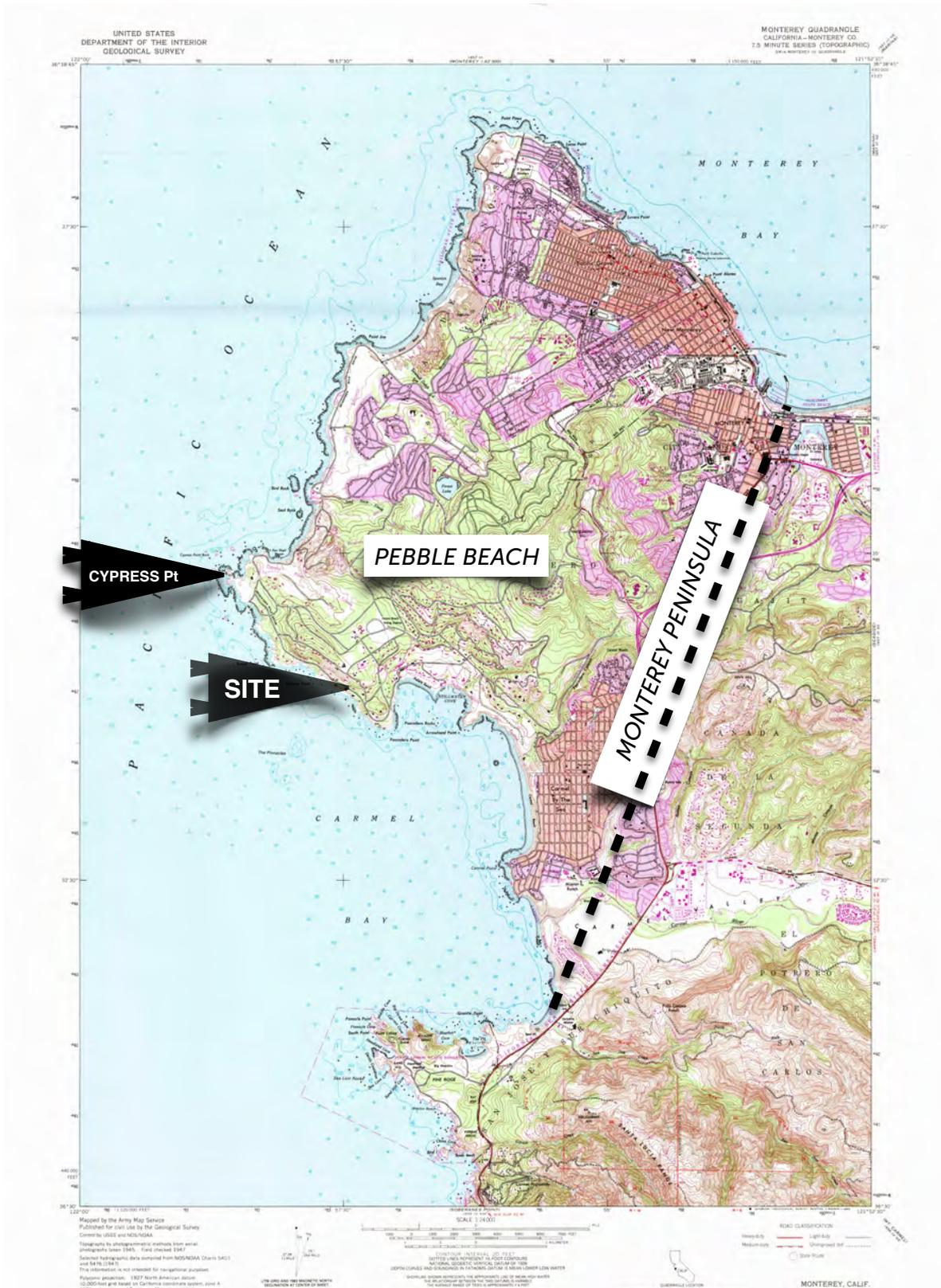


FIGURE 1a. Regional and local geographic context of the Pebble Beach study site on the Monterey Peninsula in Monterey County, CA (93953). (Base is USGS Monterey CA 7.5-minute quadrangle).

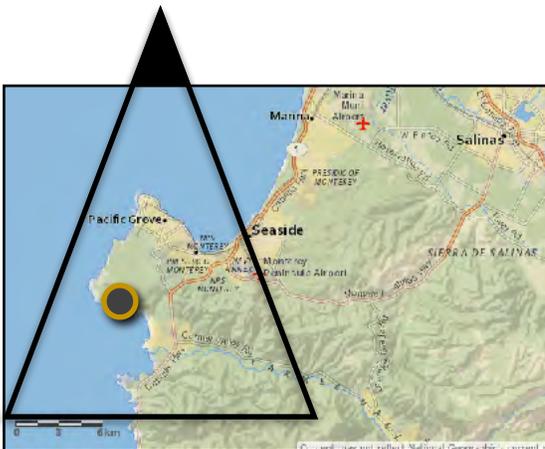
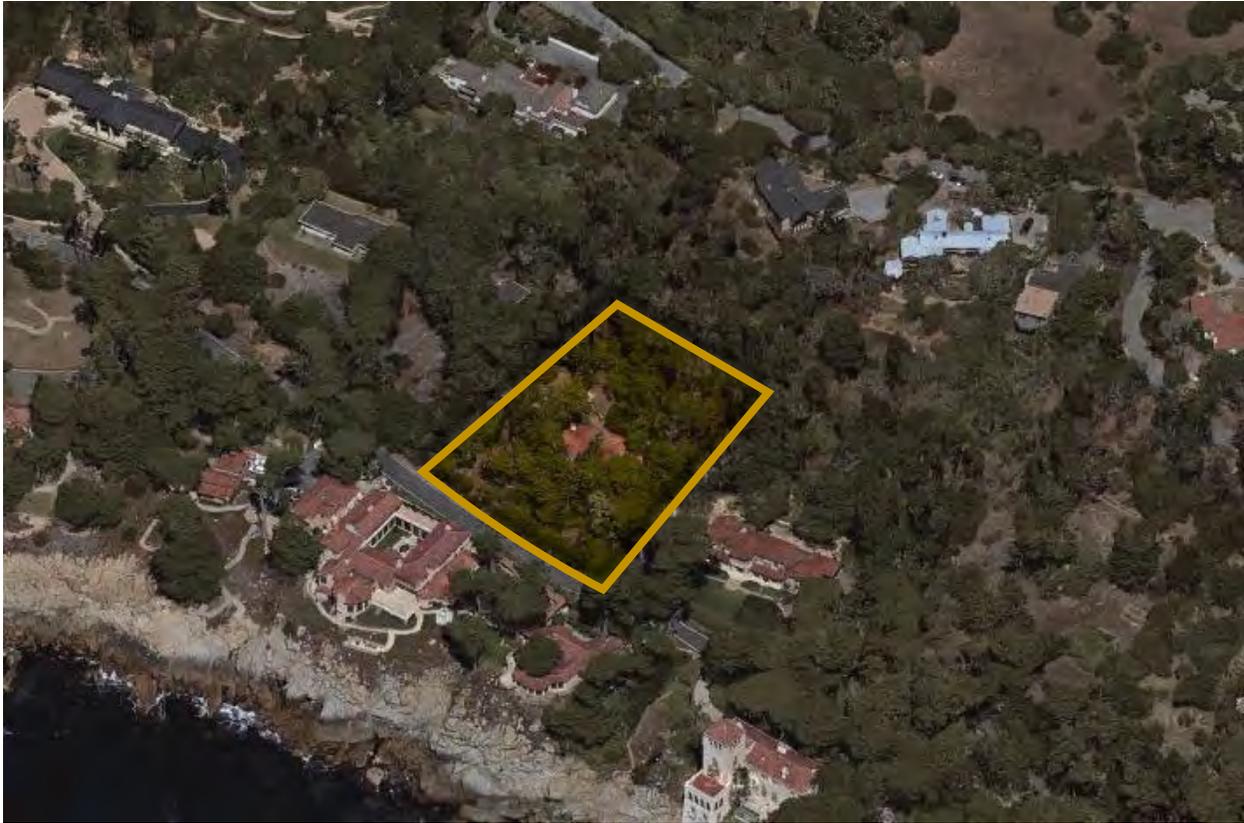


FIGURE 1b. Regional and local geographic context of the Pebble Beach study site on the Monterey Peninsula in Monterey County, CA (93953). Base aerial image is from Google Earth (2016).

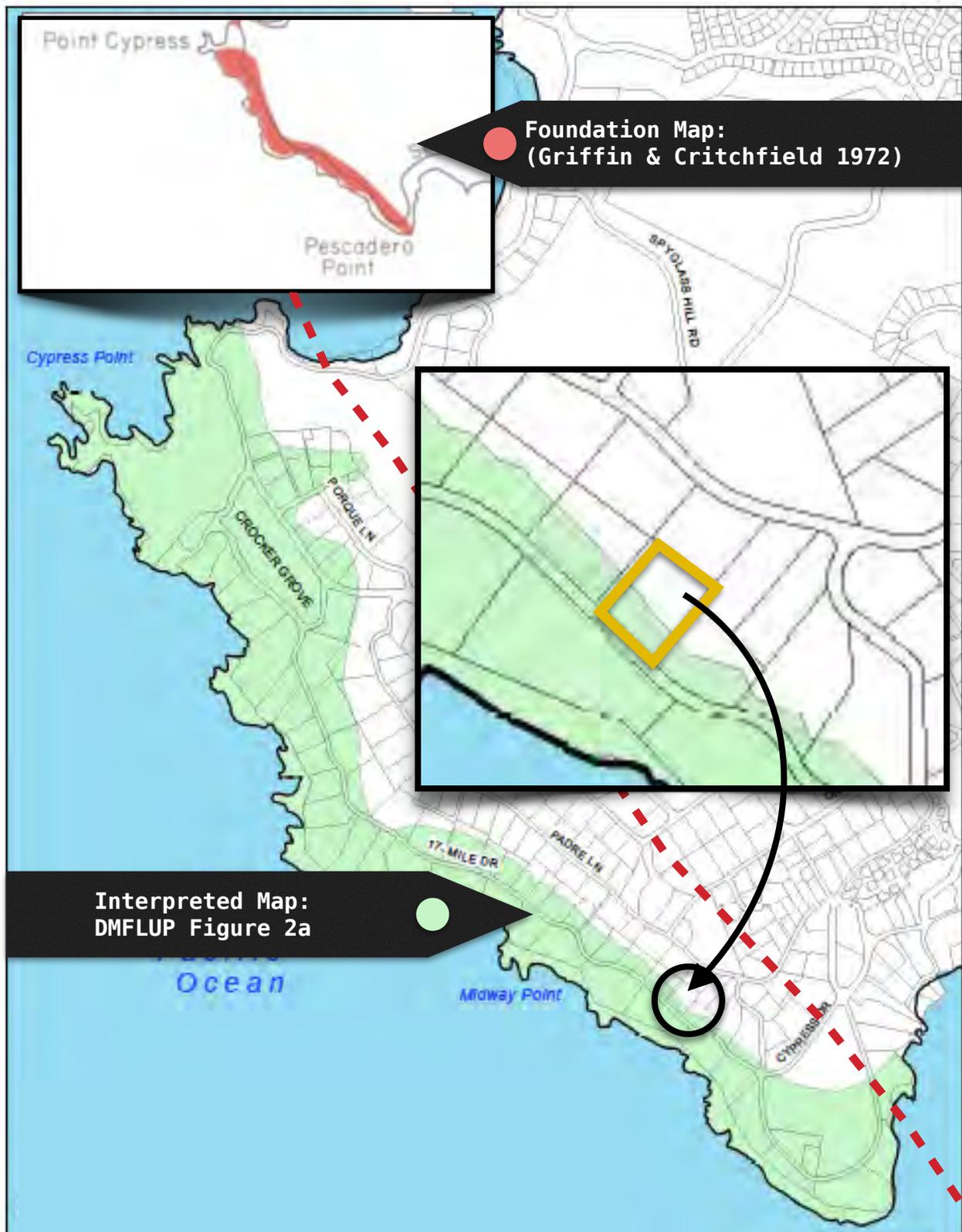


FIGURE 2 — Location of subject site on an interpreted map of the distribution of indigenous Monterey Cypress Forest in Pebble Beach, Monterey County, California 93953, also showing the foundation map of local native cypress, circa 1972.



FIGURE 3a— Current series of site photos to illustrate existing cover conditions across the subject property at 3257 17-Mile Drive, Pebble Beach, Monterey County, CA 93953.



(L) story poles for proposed garage and (R) for house additions.



Existing / old garage foundation plus story-poles for proposed new garage extension.

FIGURE 3b— Current series of site photos to illustrate existing cover conditions across the subject property at 3257 17-Mile Drive, Pebble Beach, Monterey County, CA 93953.

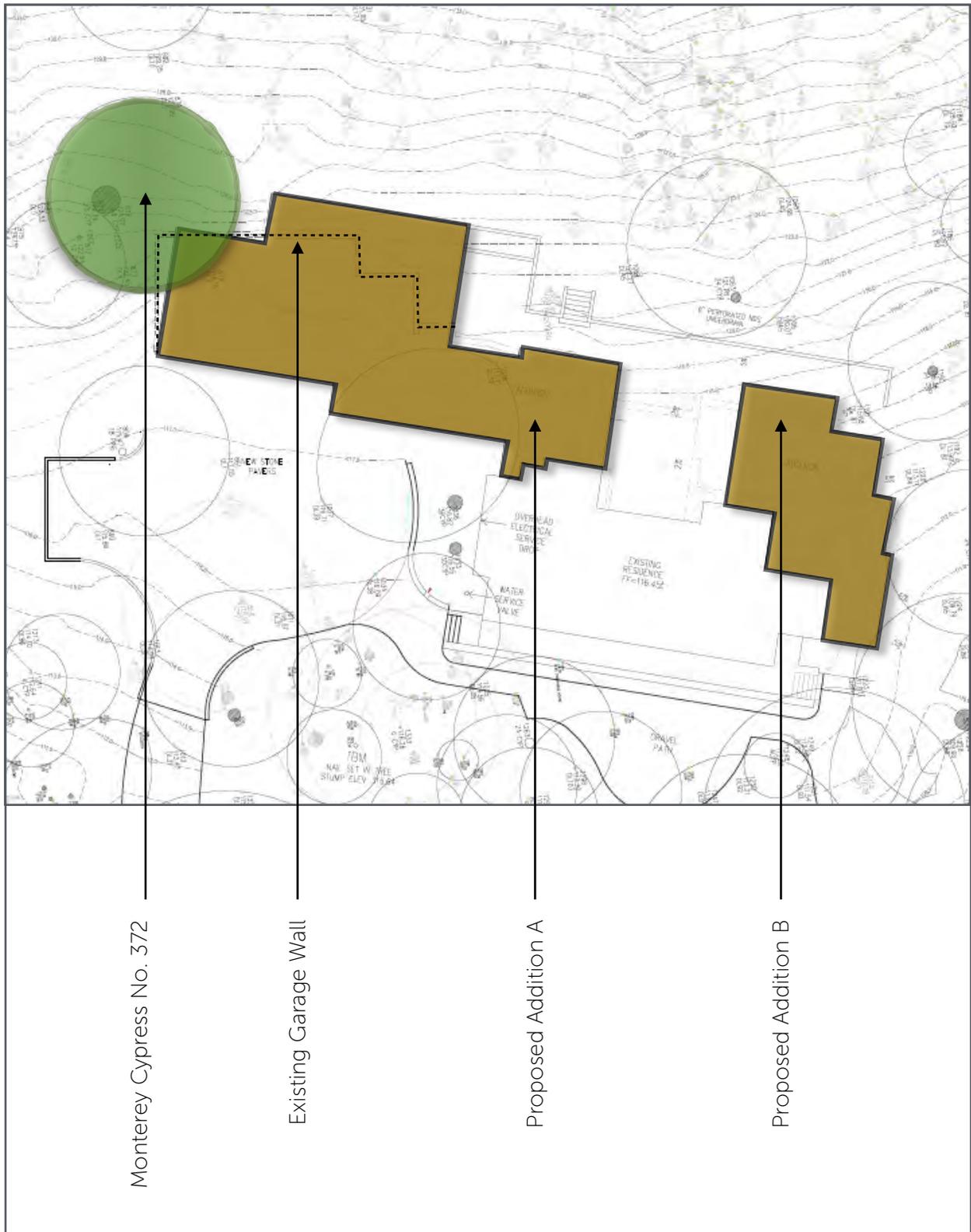


FIGURE 4 — Portion of site map and tree survey (HD Phillips 2017) emphasizing location of tree resources and proposed property improvements for subject property at 3257 17-Mile Drive, Pebble Beach, Monterey County, CA 93953