

Exhibit I

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June 13, 2024

Revised December 4, 2025

City Ventures
444 Spear Street Ste 200
San Francisco, California 94105

Attention: Ms. Pamela Nieting

**RE: Due Diligence Biological Site Assessment Report
Val Verde Drive Project, Carmel, California
APNs: 015-021-004-000, 015-021-015-000, 015-021-020-000, 015-021-021-000
(~13.2 acres)**

Dear Ms. Nieting:

1. INTRODUCTION

This letter-report has been prepared to present the results of Monk & Associates' (M&A) due diligence biological site assessment of the Val Verde project site located in Carmel, Monterey County, California (herein referred to as the "project site") (Figures 1-3). This project site is bisected by Val Verde Drive and is approximately 0.35 mile east of Highway 1 and roughly 0.25 mile south of Carmel Valley Road. The project site is at an approximate elevation of 33 feet above mean sea level and is mostly flat. The southernmost property line is located approximately 800 feet north of the Carmel River channel and 725 feet north of the edge of the riparian corridor.

On Wednesday, May 29, 2024, M&A biologist, Mark Jasper, conducted a due diligence biological resources assessment of the project site to take note of any plant communities/wildlife habitats onsite and to determine if the project site supports any special-status species habitats and/or waters of the U.S./State that could be regarded as wetlands or other waters subject to regulation by the U.S. Army Corps of Engineers (Corps), California Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and Wildlife (CDFW).

Based on our site analysis, the project site does not appear to support any significant or sensitive biological resources; permits from State and federal resource agencies (i.e., the U.S. Army Corps of Engineers, the California Regional Water Quality Control Board, the California Department of Fish and Wildlife, or the U.S. Fish and Wildlife Service) **should not** be warranted for any proposed work on this project site. No significant or sensitive biological resources were identified onsite.

During the May 29, 2024 site survey, M&A did not find any evidence of "wetlands" or "other waters" onsite that have potential to be regulated by Federal (Corps) or State (RWQCB and CDFW) agencies. However, please note that a formal wetland delineation would need to be



conducted and confirmed by the Corps to be certain of the extent of waters on the project site as only this agency can determine the extent of their jurisdiction.

Below is a summary of M&A's findings and a discussion of any biological constraints to future development of the project site.

2. PROJECT SITE DESCRIPTION

The entire roughly 13.4-acre project site is highly disturbed and is being actively farmed, except for the house with outbuildings at the south end of the property adjacent to the west of Val Verde Road (a dirt road). During the site visit there were several workers attending to the various crops and a sprinkler system was watering most of the site. The project site is surrounded on the west and south sides by high-density residential development. The adjacent properties to the north are also developed but appear to be urban farms with structures only covering part of the properties and the remaining portions either left vacant or used for agricultural purposes. The southernmost property line is located approximately 800 feet north of the Carmel River channel and roughly 725 feet north of the edge of Carmel River's riparian corridor. The property to the east is a former golf course that appears to have closed over 10 years ago, and, according to the *Val Verde Biological Assessment* prepared by Rana Consulting on May 9, 2024, the former golf course is slated for residential development "soon."

3. ANALYSIS METHODS

Prior to conducting the site survey and preparing this report, M&A researched the most recent version of California Department of Fish and Wildlife's (CDFW) Natural Diversity Database (CNDDDB) (RareFind 5 application) for records of special-status plants and wildlife within three miles of the project site (CNDDDB 2024). The CNDDDB is a database maintained by the CDFW that provides historic and recent records of special-status plant and animal species known from the state of California. M&A also searched the 2021 electronic version of the California Native Plant Society's (CNPS) *Inventory of Rare and Endangered Plants of California* (CNPS 2001) for records of special-status plants known in the vicinity of the project site.

4. PLANT COMMUNITIES AND ASSOCIATED WILDLIFE HABITATS ONSITE

As stated above, the project site consists almost entirely of actively farmed cropland. There are no small mammal or other burrows onsite. The southern end of the project site, just west of Val Verde Drive, is developed with an existing house with some minor landscaping (mowed grasses and a few planter boxes) and outbuildings. The only plant communities observed on the project site are agrestal (croplands) and the small disturbed mixed woodland around the residence and along the southern boundary of the project site west of Val Verde Drive.

4.1 Agrestal (Croplands)

An "agrestal" community is a weed dominated community of rural, agricultural areas (Holland & Keil 1995). Agrestal communities form in areas that have been disturbed by cultivation. Many ruderal (weedy) herbaceous species are found in the same environments as crop plants. These ruderal species thrive in areas that have been disturbed by human activity and are able to grow to



maturity and to reproduce side by side with crop plants. Plants introduced by man, generally for agricultural commodity crops, dominate these communities. The cultivation of agricultural fields continually disturbs the soil. As a result, these areas typically do not support native plant species or communities. Crops observed onsite include strawberry, raspberry, kale, and other lettuces. The existing vegetation over most of the project site is classified as agrestal and is the result of long-term ground manipulation and cultivation.

There are narrow strips of ruderal herbaceous plants along both sides of Val Verde Drive and between some of the rows of crops on both sides of Val Verde Drive where the land is likely being laid fallow for future use as cropland. Ruderal vegetation is adapted to high levels of disturbance and persists almost indefinitely in croplands and other areas with continuous disturbance. Ruderal herbaceous species observed on the project site include ice plant (*Carpobrotus edulis*), slender wild oat (*Avena barbata*), Italian thistle (*Carduus pycnocephalus* subsp. *pycnocephalus*), bristly ox-tongue (*Helminthotheca echinoides*), Canada horseweed (*Erigeron canadensis*), wild radish (*Raphanus sativus*), and stinging nettle (*Urtica urens*).

In general, agrestal areas do not provide habitat for many wildlife species. The intense cultivation and manipulation of the soil, including the application of pesticide, herbicide, and fertilizer, tend to limit the number of species that occupy or use cropland habitats. Nevertheless, crop fields can provide habitat for a number of resident wildlife species, particularly small mammal populations including California meadow vole (*Microtus californicus*), western harvest mice (*Reithrodontomys megalotis*), and deer mice (*Peromyscus maniculatus*). These rodents in turn serve as prey for various raptors, including Red-tailed Hawk (*Buteo jamaicensis*), White-tailed Kite (*Elanus leucurus*), and Red-shouldered Hawk (*Buteo lineatus*). Red-tailed Hawk and Red-shouldered Hawk were both observed onsite during M&A's site survey.

Migratory bird species also use agrestal communities, particularly in the winter months after crops are harvested. Waterfowl and shorebirds often alight in agricultural fields in the winter months en route to and from nesting grounds. Flooded conditions provide foraging opportunities for shore birds that probe for invertebrates in the substrate.

Common wildlife species associated with agrestal communities that M&A observed onsite include western fence lizard (*Sceloporus occidentalis*), American Crow (*Corvus brachyrhynchos*), European Starling (*Sturnus vulgaris*), House Sparrow (*Passer domesticus*), and House Finch (*Haemorhous mexicanus*).

Other wildlife species observed on or in the vicinity of the project site during the survey are Anna's Hummingbird (*Calypte anna*), House Finch, Bewick's Wren (*Thryomanes bewickii*), California Scrub-jay (*Aphelocoma californica*), Dark-eyed Junco (*Junco hyemalis*), Barn Swallow (*Hirundo rustica*), Cliff Swallow (*Petrochelidon pyrrhonota*), Black Phoebe (*Sayornis nigricans*), Bushtit (*Psaltriparus minimus*), and California Quail (*Callipepla californica*).



4.2 Mixed Woodland (Disturbed)

There is a row of planted Monterey cypress (*Cupressus macrocarpa*) with a shrubby understory of coffeeberry (*Frangula californica*), poison hemlock (*Conium maculatum*), poison oak (*Toxicodendron diversilobum*), and coyote brush (*Baccharis pilularis*) along the southern boundary east of Val Verde Drive. There are a few planted coast live oak (*Quercus agrifolia*) trees along Val Verde Drive. There is also a small area of mixed woodland including Monterey pine (*Pinus radiata*) and Monterey cypress trees, and a few big-leaf maple trees (*Acer macrophyllum*) with a dense understory of English ivy (*Hedera helix*) and Cape ivy (*Delairea odorata*) surrounding the residence at the south end of the project site just west of Val Verde Drive.

The remainder of the southern boundary of the project site west of Val Verde Drive consists primarily of planted Monterey cypress and holly-leaved cherry (*Prunus ilicifolia*), with poison hemlock, California blackberry (*Rubus ursinus*) and coffeeberry observed scattered throughout the understory. This row of trees continues roughly 200 feet to the north along the western boundary near the southwest corner of the project site (see Figure 3 and Exhibit A).

Trees in the mixed woodland plant community provide foraging, roosting, and nesting habitat for a large variety of wildlife species, including raptors such as the Great Horned Owl (*Bubo virginianus*), Red-shouldered Hawk (*Buteo lineatus*) and Red-tailed Hawk (*Buteo jamaicensis*). Common birds identified in the mixed woodland areas of the project site include Chestnut-backed Chickadee (*Poecile rufescens*), Bushtit, Dark-eyed Junco, California Quail, Western Flycatcher (*Empidonax difficilis*), and Spotted Towhee (*Pipilo maculatus*).

5. SPECIAL-STATUS SPECIES

Special-status species are those plants and animals that are legally protected under the California and Federal Endangered Species Acts (CESA and FESA, respectively) or other regulations, and species that are considered rare by the scientific community (for example, the CNPS). Special-status species also include plants and animals that meet the definition of endangered, rare, or threatened under the California Environmental Quality Act (CEQA) (14 CCR §15380) that may include species not found on either CESA or FESA lists.

The site is highly disturbed due to agricultural activities and does not provide suitable habitat for any special status plants. The only special status wildlife with any potential to occur on the project site would be the California red-legged frog (CRLF) (Federally threatened, and California Species of Special Concern), overwintering monarch butterfly (candidate for federal listing), and the Monterey dusky-footed wood rat (California Species of Special Concern). The California tiger salamander (CTS) (federally listed as threatened and California state listed as threatened) is not expected to occur on the project site. These species are all discussed below.

5.1 California red-legged frog

The California red-legged frog (CRLF) (*Rana draytonii*) was federally listed as threatened on May 23, 1996 (Federal Register 61: 25813-25833) and as such is protected pursuant to the



Federal Endangered Species Act (FESA). The California red-legged frog is also a California “species of special concern.” On March 16, 2010, the USFWS issued the final designation for California red-legged frog Critical Habitat (USFWS 2010); **the project site is not within designated critical habitat** for this species (USFWS updated 2010).

The California red-legged frog is typically found in ponds, slow-flowing portions of perennial and intermittent streams that maintain water in the summer months. This frog is also found in hillside seeps that maintain pool environments or saturated soils throughout the summer months. Populations probably cannot be maintained if all surface water disappears (i.e., no available surface water for egg laying and larval development habitat). Larval CRLF require 11-20 weeks of permanent water to reach metamorphosis (i.e., to change from a tadpole into a frog), in water depths of 10 to 20 inches¹. Riparian vegetation such as willows and emergent vegetation such as cattails are preferred red-legged frog habitats, though not necessary for this species to be present. Populations of CRLF will be reduced in size or eliminated from ponds supporting non-native species such as bullfrog, Centrarchid fish species (such as sunfish, bluegill, or largemouth bass), and signal and red swamp crayfish (*Pacifastacus leniusculus* and *Procambarus clarkii*, respectively), all of which are known CRLF predators. However, the presence of these non-native species does not preclude the presence of the CRLF.

California red-legged frogs use both aquatic and upland habitats for migration and dispersal. The USFWS’ *Recovery Plan for the California Red-Legged Frog* states that California red-legged frog overland excursions via uplands can vary between 0.25 mile up to 3 miles during the course of a wet season, and that frogs “have been observed to make long-distance movements that are straight-line, point to point migrations rather than using corridors for moving in between habitats”. The information presented in the USFWS’ Recovery Plan was obtained in part from a publication by Bulger et al.².

There are two CNDDDB occurrences of CRLF within 3 miles of the project site. The nearest record (Occurrence #1107 from 2003) documents 13 total observations of adults, subadults, and tadpoles observed along the Carmel River in river pools or along the main stem, and in ponds within the old golf course adjacent to the project site. However, based on historical aerial imagery, these golf course ponds have remained dry year-round for many years. They may still hold water for a short period of time after large rain events, but they are no longer suitable breeding habitat for CRLF.

There is no access to the site for CRLF from the north or west. The abandoned golf course is to the east and southeast of the project site with Carmel River running along the southern end of the golf course roughly 0.25 mile south of the project site. Carmel River still provides suitable

¹ USFWS (U.S. Fish and Wildlife Service). 2002. Recovery plan for the California red-legged frog (*Rana aurora draytonii*). U.S. Fish and Wildlife Service, Portland, Oregon. Viii + 173 pps.

² Bulger, J.B., N.J. Scott, Jr., R.B. Seymour. 2003. Terrestrial activity and conservation of adult California red-legged frogs *Rana aurora draytonii* in coastal forests and grasslands. *Biological Conservation*. Vol. 110. Issue 1. March 2003. pps. 85-95.



dispersal/migration habitat for CRLF. However, there is no direct connection between the project site and Carmel River, and it is highly unlikely that CRLF would travel to the project site from the river due to the numerous impediments to migrating frogs between the river and the project site (roads, houses, people) and the fact that the project site is farmed and does not provide habitat.

There is also an ephemeral drainage along the north side of Val Verde Drive southeast of the project site that may hold water for a short period during/after large rain events. This drainage is not directly connected to the project site. However, this ephemeral drainage is connected by an approximately 12"-18" diameter culvert pipe running north-south under Val Verde Drive to roadside drainages to the south that appear to eventually drain into Carmel River.

In summary, to get to the project site, CRLF would either need to travel roughly 0.25-mile through uplands on the golf course to the project site or along ephemeral drainages, through a 12"-18" diameter culvert and then to the project site through the yard of the residential property adjacent to the south. Then once onsite there is no habitat for this frog and numerous hazards due to farm equipment. However, there are no fences separating the project site from the properties to the south, so, though highly unlikely, a CRLF could travel through ruderal fields on these properties to the project site. Given the scenario under which the CRLF would have to travel to the project site, **potential for CRLF to occur on the project site is very low.**

5.2 California tiger salamander

The project site is located within the known range of the Central California "Distinct Population Segment" (DPS) of the California tiger salamander (CTS). The Central California DPS of the California tiger salamander was federally listed as threatened under the FESA on August 4, 2004. The USFWS designated critical habitat for the Central California DPS in the summer of 2004 and updated the critical habitat designations in 2005³. The project site **is not** within mapped Critical Habitat for this species. Finally, on August 19, 2010, the California tiger salamander was also state listed as a threatened species under the California Endangered Species Act (CESA).

Proposed projects may not impact the California tiger salamander without incidental taking authority from both the USFWS and the CDFW. Prior to impacting habitat that supports the California tiger salamander the USFWS must prepare an incidental take permit pursuant to either Section 7 or Section 10 of the Federal Endangered Species Act (FESA). Similarly, projects that impact the California tiger salamander also require incidental taking authority from the CDFW. Under Section 2081 of CESA an incidental take permit may be authorized by the CDFW for proposed projects that impact the California tiger salamander.

California tiger salamanders occur in grasslands and open oak woodlands that provide suitable over summering and/or breeding habitats. California tiger salamanders spend the majority of

³ USFWS (U.S. Fish & Wildlife Service). 2005. Endangered and threatened wildlife and plants; designation of critical habitat for the California tiger salamander, central population; final rule (50 CFR Part 17, Vol. 70, No. 162; August 23, 2005).



their lives underground. They typically only emerge from their subterranean refugia for a few nights each year during the rainy season to migrate to breeding ponds. Adult California tiger salamanders have been observed up to 2,092 meters (1.3 miles) from breeding ponds (USFWS 2004). As such, unobstructed migration corridors are an important component of California tiger salamander habitat.

California tiger salamanders emerge during the first heavy, warm rains of the year, typically in late November and early December. In most instances, larger movements of California tiger salamander do not occur unless it has been raining hard and continuously for several hours. Typically, for larger movements of California tiger salamanders to occur, nighttime temperatures also must be above 48° F. California tiger salamanders are able to move over, through or around almost all obstacles. Significant obstructions that block California tiger salamander movements include freeways and other major (heavy traffic) roads, rivers, and deep, vertical or near vertical sided, concrete irrigation/flood control ditches.

During the spring, summer, and fall months, most known populations of the California tiger salamander predominately use California ground squirrel burrows as over-summering habitat (Jennings and Hayes 1994; G. Monk personal observation). Other secondary subterranean refugia, or primary refugia where California ground squirrels are absent, likely include Botta's pocket gopher burrows, deep fissures in desiccated clay soils, and debris piles (e.g. downed wood, rock piles).

Stock ponds, seasonal wetlands, and deep vernal pools typically provide most of the breeding habitat used by the California tiger salamander. In such locations, California tiger salamanders attach their eggs to rooted, emergent vegetation, and other stable filamentous objects in the water column. Eggs are gelatinous and are laid singly or occasionally in small clusters. Eggs range in size from about $\frac{3}{4}$ the diameter of a dime to the full diameter of a dime. Occasionally California tiger salamanders are found breeding in slow-moving, streams or ditches. Ditches and/or streams that are subject to rapid flows, even if only on occasion, typically will not support or sustain California tiger salamander egg attachment through hatching, and thus, are not usually used successfully by California tiger salamanders for breeding (G. Monk and S. Lynch, pers. observations). Similarly, streams and/or ditches that support predators of the California tiger salamander or their eggs and larvae such as fish, bullfrogs, red swamp crayfish, or signal crayfish, almost never constitute suitable breeding habitat.

Typically, seasonal wetlands that are used for breeding must hold water into the month of May to allow enough time for larvae to fully metamorphose. In dry years, seasonal wetlands may dry too early to allow enough time for California tiger salamander larvae to successfully metamorphose. Under such circumstances, desiccated California tiger salamander larvae can be found in dried pools. In addition, as pools dry down to very small areas of inundation, California tiger salamander larvae become concentrated and are very susceptible to predation. However, in years exhibiting wet springs, these same pools can remain inundated long enough through continual rewetting to allow California tiger salamander larvae ample time to successfully metamorphose.



The nearest CNDDDB record (Occurrence #683) of CTS documents 459 larvae observed between March and June 2013 in a turbid, seasonal stock pond with very little emergent vegetation within a ruderal field roughly 1.9 miles southeast of the project site. Due to the absence of suitable aquatic habitat for this species on the project site and within 1.3 miles (the maximum known dispersal distance of this species) as well as the numerous impediments to migrating salamanders between the nearest known aquatic breeding ponds for this species and the project site, **CTS are not expected to occur on the project site.**

5.3 Monarch Butterfly

Monarch butterfly (*Danaus plexippus plexippus*) is a candidate species for federal protection pursuant to FESA, but is not yet listed or proposed for federal listing. In 2020, the USFWS determined that adding the monarch butterfly to the list of threatened and endangered species is warranted but precluded by work on higher-priority listing actions. As a candidate species, the USFWS will review the monarch butterfly's status each year to make sure its listing priority is appropriate. The USFWS intends to propose listing the monarch in 2024, if listing is still warranted at that time.

During the breeding season, monarchs lay their eggs on their obligate host plant milkweed (*Asclepias* spp.), and larvae emerge after 2–5 days⁴. Larvae develop through five larval instars (intervals between molts) over a period of 9–18 days, feeding on milkweed and sequestering toxic cardenolides as a defense against predators⁵. The larvae then pupate into chrysalises before emerging 6–14 days later as adult butterflies. Multiple generations of monarchs are produced during the breeding season, with most adult butterflies living approximately 2–5 weeks; overwintering adults enter reproductive diapause (suspended reproduction) and live 6–9 months (typically October to February)⁶.

Habitat for this species can vary provided their obligate host plant, milkweed, is present for breeding (although typically reproduction occurs in open grassland) and there is suitable overwintering habitat present within dispersal distance for this species. In many regions where monarchs are present, monarchs breed year-round. Individual monarchs in temperate climates, such as eastern and western North America, undergo long-distance migration, and live for an extended period. In the fall, in both eastern and western North America, monarchs begin migrating to their respective overwintering sites. This migration can take monarchs distances of over 3,000 km and last for over two months. In early spring (February-March), surviving monarchs break diapause and mate at the overwintering sites before dispersing. The same individuals that undertook the initial southward migration begin flying back through the breeding

⁴ Zalucki, M.P., 1982. Temperature and rate of development in *Danaus plexippus* L. and *D. chrysippus* L. (Lepidoptera, Nymphalidae). *Journal of the Australian Entomological Society* 21: 241-246

⁵ Parsons, J.A., 1965. A digitalis-like toxin in monarch butterfly *Danaus plexippus* L. *Journal of Physiology-London* 178:290-304.

⁶ Cockrell, B.J., Malcolm S.B., Brower L.P., 1993. Time, temperature, and latitudinal constraints on the annual recolonization of eastern North America by the monarch butterfly. Pp. 233-251 in Malcolm, S.B., Zalucki, M.P., eds. *Biology and Conservation of the Monarch Butterfly*. Natural History Museum of Los Angeles County, Science Series 38.



grounds and their offspring start the cycle of generational migration over again. As such, the presence of milkweed (i.e., breeding habitat) and suitable overwintering habitat do not necessarily need to occur in the same location.

Suitable overwintering habitat provides a specific roosting microclimate for overwintering: protection from the elements (e.g., rain, wind, hail, excessive radiation) and moderate temperatures that are warm enough to prevent freezing yet cool enough to prevent lipid depletion. Sources of nectar (fall or winter blooming plants) and clean water must be located near roosting sites. In California, the overwintering habitat is localized along the coast from Mendocino County down to Baja, California within 1.5 miles of the Pacific Ocean or San Francisco Bay at low elevations and situated on slopes oriented to the south, southwest or west which provide the most solar radiation. Suitable microclimate conditions are often found at sites consisting of roost trees, in which monarchs cluster, surrounded by a larger grove or windrow of trees. The tree species commonly used for roosting are the non-native blue gum (*Eucalyptus globulus*) and the native Monterey pine (*Pinus radiata*) and Monterey cypress, though the only species of tree that monarchs have been recorded overwintering in within Alameda County and Contra Costa County are blue gum eucalyptus, despite Monterey pines being used as ornamental trees throughout the region.

There is one CNDDDB record (Occurrence #85) of overwintering monarch butterfly roughly 2.8 miles southwest of the project site. This record documents an overwintering population first observed in December 1984 and last observed in 1985. Fewer than 100 were observed in 1985 and none were observed in 1990. There is a planted row of wind-protected Monterey cypress along the southern boundary of the property that could conceivably be used by overwintering monarchs, though the habitat would be marginal at best as the trees are in an isolated stand subject to wind and human disturbance. No monarchs were observed during M&A's survey, and none were observed by Rana Consulting during their surveys of the project site conducted in 2012, 2022 or 2024. **The potential for monarch butterfly to occur on the project site is very low.**

5.4 Monterey Dusky-footed Woodrat

The Monterey dusky-footed woodrat, a subspecies of the common woodrat, is a California species of special concern. These woodrats are found near a water source in areas of dense overgrowth in oak woodlands, willow riparian zones, and scrub. Woodrats tend to avoid open areas such as grasslands or woodlands with sparse understory. Woodrats build multi-chamber nests on the ground, usually next to trees, out of dead wood, leaves, and grass. Within suitable habitats, woodrats form small colonies of three or more nests. Woodrats are primarily herbivorous, eating plant material including leaves, flowers, and acorns. The reproductive period of this species usually extends from December to September, but individuals can be reproductively active year-round. Most females are reproductively active in April and May.

According to their Biological Assessment Report from May 2024, Rana Consulting observed several woodrat nests in the wooded areas of the project site during their surveys of the project site in 2007, 2012, and 2024. They reported that the nests observed were variable in size and



condition, although several showed signs of recent activity (i.e. active nest entrance). Most nests were built adjacent to the trunks of trees and in dense underbrush. Because the site lies within the range of the Monterey dusky-footed woodrat, *Rana* biologists assumed that the nests on site belong to that species. M&A did not observe any woodrat middens onsite during the May 2024 site visit, but the wooded areas along the southern boundary of the project site and surrounding the residence are potentially suitable habitat for this species. Based on Rana Consulting's findings, **this species is likely to be present on the project site.**

5.4.1 NESTING BIRDS

Passerine birds (songbirds), waterfowl (ducks), and raptors (i.e., birds of prey), their active nests, eggs, and young are protected under California Fish and Game Code (§3503 and §3503.5) and the federal Migratory Bird Treaty Act (16 U.S.C. §§ 703-712). There are a few trees onsite that could be suitable nesting habitat for songbirds and raptors, including the California state fully protected White-tailed Kite (*Elanus leucurus*). Thus, 7 days prior to any vegetation removal or ground disturbance/earthwork that would be conducted during the nesting season (February 1 through September 1) that could disturb nesting birds (for example, ground vibrations from grading equipment will cause some birds to abandon their nests), M&A recommends that preconstruction nesting bird surveys be conducted.

If active bird nests are identified onsite during preconstruction surveys, then a non-disturbance buffer would need to be erected around the nesting site(s) until the young have fledged.

6. CONCLUSIONS AND RECOMMENDATIONS

Due to the lack of regulatory waters (or any aquatic resources) onsite, development of the property would not require any permits from state or federal agencies relating to waters of the State/U.S. Any proposed project on this project site would need to undergo a CEQA review with Monterey County, with any potential impacts to Biological Resources mitigated to a less than significant level. Based on M&A's findings, the project should be eligible for an IS/MND (as opposed to an EIR). During the public and agency review/comment period for the CEQA document, typically, only the CDFW and the RWQCB provide comments during the public review process; the federal regulatory agencies do not.

Recommended measures are as follows:

- 1. Removal of native oak, madrone, and/or redwood trees onsite would require compliance with the tree permitting process of Policy CV-3.11 of the Conservation/Open Space element of the Monterey County General Plan for the Carmel Valley Master Plan Area.** A permit would be required for removal of any of these native tree species with a trunk diameter in excess of six inches, measured two feet above ground level. Where feasible, trees removed will be replaced by nursery-grown trees of the same species and not less than one gallon in size. The tree permitting process is detailed in Section 21.64.260 of the Monterey County Municipal Code.



- 2. Preconstruction nesting bird surveys, including White-tailed Kite and other raptors.** There are trees along the southern project site boundary that could be utilized by nesting songbirds and raptors, and, therefore, a nesting bird survey should be conducted within 7 days of commencing with ground disturbance or tree removal if this work commences during the nesting bird season, between February 1st and August 31st.

The nesting bird surveys should include an examination of all buildings onsite and all trees and shrubs onsite and within 300 feet of the entire project site (i.e., within a zone of influence of nesting birds), not just trees slated for removal. Passerine birds can also nest on the ground so all areas of the project site should be checked. The zone of influence includes those areas outside the project site where birds could be disturbed by earth- moving vibrations and/or other construction-related noise. If any active bird nests are identified onsite or within a zone of influence, a non-disturbance buffer would have to be erected around the nesting site and fenced.

- 3. Enclose the project site with fencing.** Install exclusion fencing, ERTEC or similar, with one-way funnels, around the perimeter of the project site the summer prior to any site grubbing or grading activities to prevent small mammals, amphibians, or reptiles from migrating onto the site. If installed in the summer months, this will prevent amphibians which disperse during periods of rain from entering the project site. While the project site in its current farmed condition does not provide habitat for the California red-legged frog or the California tiger salamander, if left fallow for any length of time (which can happen once a development project has been approved, farming activity typically stops), animals can move onto the property and set up residence. By installing a perimeter wildlife exclusionary fence around the property, it will prevent endangered species, should they be dispersing from adjacent areas, from establishing on the project site.
- 4. Prior to approval of a project's tentative map, a qualified biologist should survey the woodland habitats for evidence of nesting Monterey dusky-footed woodrats (i.e., large stick nests).** Since woodrats use their nests year-round, surveys for woodrat nests may be conducted at any time of the year. If woodrat nests are identified, they should be flagged in the field and delineated on project site maps. For any woodrat nest identified on a project site, the mitigation listed below should be implemented.

If any woodrat nests are identified, CDFW should be contacted immediately to coordinate mitigation. A qualified biologist should conduct a pre-construction survey for Monterey dusky-footed woodrat nests no more than 30 days prior to the onset of site grubbing/grading or construction activities within 50 feet of construction zones. Identified nests should be avoided, where possible. If avoidance is not possible, the nest(s) should be manually deconstructed when helpless young are not present, typically during the non-breeding season (October through January). If it is determined that young may be present during the pre-construction survey, a suitable buffer, depending on the type of proposed impact, nest location and topography of



where the nest is located, shall be established by the qualified biologist (typically ranges between 20-50 feet). This non-disturbance buffer should remain in place around the nest until the young are independent enough to successfully move from the nest to be deconstructed.

5. **To avoid impacts to monarch butterfly**, preconstruction surveys the year prior to project commencement should be conducted for potential monarch butterfly overwintering habitat (i.e., Monterey cypress trees). Surveys for overwintering aggregations (i.e., clusters) of monarch butterflies should be conducted over the winter season (November 1 to first week of March) before construction activities within 100 feet of the potential butterfly overwintering habitat. A minimum of two surveys shall be conducted at least one month (30 days) apart within the monarch butterfly wintering season. If no overwintering monarch butterflies are found, no further mitigation is required.

If monarch butterflies are found roosting onsite, then no construction planned for the winter season (November 1 to first week of March) should be conducted within 100 feet of the roost site until a qualified biologist has determined that the butterflies have left the area.

There are no other constraints pertaining to biological resources that would impact the proposed development. Should you have any questions or wish to discuss any other aspect of this report, please do not hesitate to call me at (925) 947-4867 extension 223 or my cellphone which is 510-847-7972.

Sincerely,

A handwritten signature in blue ink that reads 'Mark Jasper'.

Mark Jasper
Project Biologist II

Attachments: Figures 1-3
Exhibit A. Constraints Map, Val Verde Drive Project Site



Monk & Associates
Environmental Consultants
1136 Saranap Avenue, Suite Q
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Figure 1. Val Verde Drive Project Site
Regional Map
Carmel, California

County: Monterey
Map Preparation Date: May 21, 2024



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Figure 2. Val Verde Drive Project Site
Location Map
Carmel, California

36.539878 -121.902368
Section: 18; T16S R1E
7.5-Minute Monterey quadrangle
Aerial Photograph Source: ESRI
Map Preparation Date: May 21, 2024

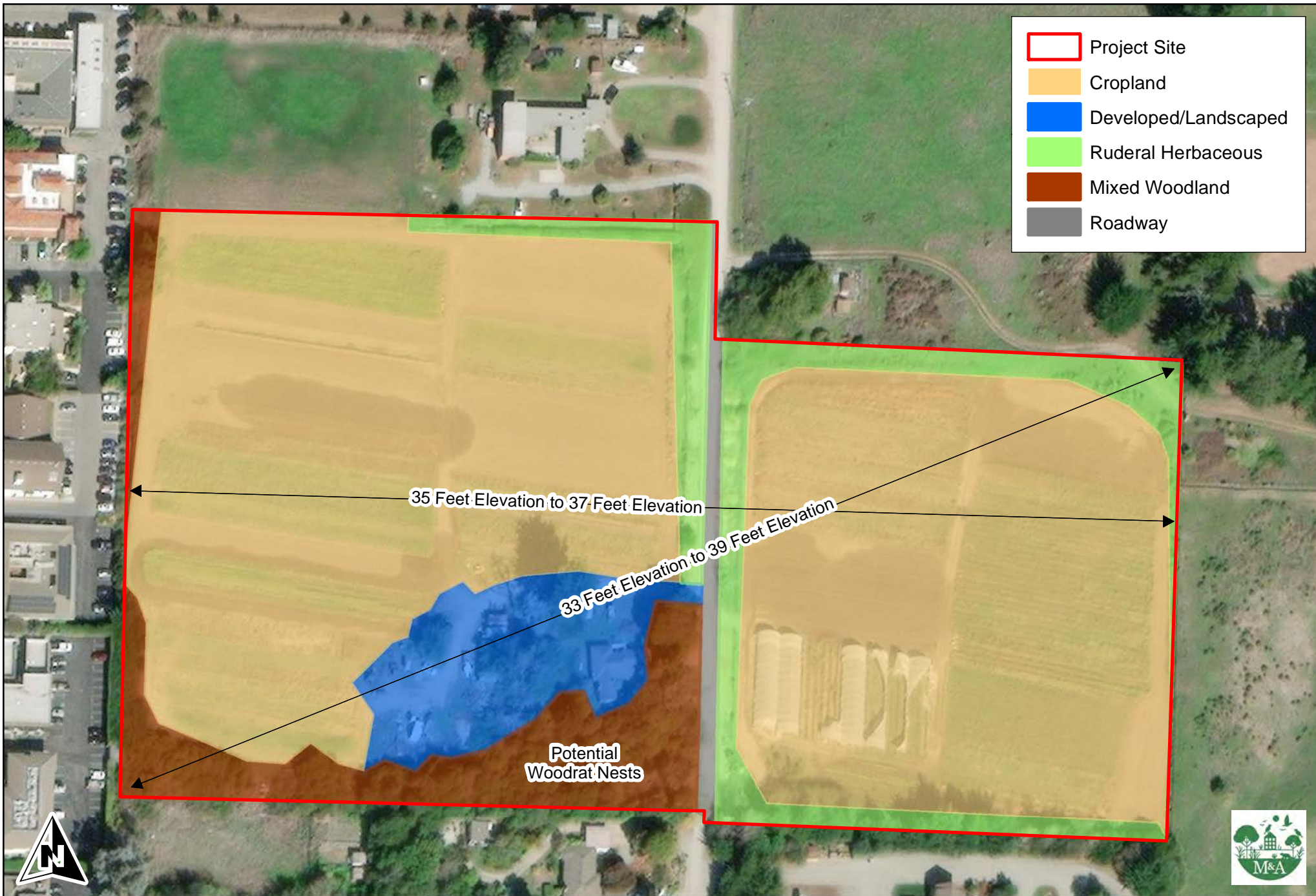


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0 50 100 200 300 400 500 Feet

Figure 3. Aerial Photograph of the
Val Verde Drive Project Site
Carmel, California

Aerial Photograph Source: ESRI
Map Preparation Date: May 21, 2024

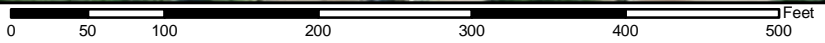


- Project Site
- Cropland
- Developed/Landscaped
- Ruderal Herbaceous
- Mixed Woodland
- Roadway

35 Feet Elevation to 37-Foot Elevation

33 Feet Elevation to 39 Feet Elevation

Potential Woodrat Nests



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Exhibit A. Constraints Map
 Val Verde Drive Project Site
 Carmel, California

Aerial Photograph Source: ESRI
 Map Preparation Date: December 2, 2025

