

Exhibit A

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DRAFT RESOLUTION

**Before the Housing and Community Development Chief of Planning
in and for the County of Monterey, State of California**

In the matter of the application of:

SCUDDER PETER H & KAREN A TRS (PLN240367)

RESOLUTION NO. 25--

Resolution by the County of Monterey HCD Chief of Planning:

- 1) Finding the project qualifies for a Class 33 Categorical Exemption pursuant to Section 15333 of the CEQA Guidelines and that there are no exceptions pursuant to Section 15300.2; and
- 2) Approving a Restoration Permit to clear Code Enforcement violation (24CE00521) to allow restoration of approximately 12,000 square feet of Environmentally Sensitive Habitat Areas.

[PLN240367, Scudder Peter H & Karen A Trs, 531 Paradise Rd, Salinas, North County Land Use Plan (APN: 129-091-082-000)]

The Scudder Peter H & Karen A Trs application (PLN240367) came on for an administrative hearing before the County of Monterey Chief of Planning on March 5, 2025. Having considered all the written and documentary evidence, the administrative record, the staff report, written testimony, and other evidence presented, the Chief of Planning finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies, is feasible, and does not have the potential to endanger the public health, safety and welfare.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - 1982 Monterey County General Plan;
 - North County Land Use Plan (North County LUP);
 - Monterey County Coastal Implementation Plan, Part 1, Zoning Ordinance (Title 20); and
 - Monterey County Coastal Implementation Plan, Part 2, Regulations for Development in the North County Land Use Plan Area (North County CIP).No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
b) Existing Condition. The subject parcel is approximately 11.76 acres and is located along Paradise Rd in Salinas. The northern portion of the lot contains environmentally sensitive plants including Hooker’s manzanita, Pajaro manzanita, and brittle leaf manzanita. The

Applicant/Owner removed approximately 12,000 square feet of environmentally sensitive habitat area (ESHA) to create two 450-500 foot long, 30-foot wide fire breaks. These areas were cleared by removing the sensitive manzanita species; no grading was conducted. Since the manzanita roots were left intact, the plants have already started resprouting. The southern portion of the property is developed with a single-family dwelling and detached accessory structures.

- c) Project Scope. The project consists of restoring an unpermitted vegetation removal that impacted environmentally sensitive habitat to its pre-violation condition. As previously mentioned, the manzanita root balls are still intact, and the Project Biologist has confirmed that the manzanita plants have started growing back on their own. The Project Biologist recommended monitoring to ensure the success criteria have been met and periodically removing any invasive species that may be introduced. The prepared Restoration Plan (Attachment 2) includes a three-year monitoring program that includes annual monitoring reports prepared by the Project Biologist. These reports shall be submitted to HCD-Planning for review and approval. At the end of the third year, the Project Biologist shall prepare and submit a Final Monitoring Report detailing the results of the annual monitoring and establish whether the success criteria detailed in the Restoration Plan have been met. If the success criteria are not met, the project biologist shall recommend appropriate measures and timing to bring the project into compliance. See Condition No. 4.
- d) Allowed Use. The property is located at 531 Paradise Rd, Salinas (Assessor's Parcel Number APN: 129-091-082-000), within the North County Land Use Plan. The parcel is zoned Low Density Residential, 2.5 acres per unit in the coastal zone, or "LDR/2.5 (CZ)." The property is currently developed with a single family dwelling and detached accessory structures. The granting of this Restoration Permit would restore impacted environmentally sensitive habitat to its pre-violation condition. In accordance with Title 20 section 20.90.130, the Director of Planning is authorized to take actions deemed necessary or expedient to enforce and secure compliance with the provisions of Title 20, including ordering restoration of a site to its pre-violation state.
- e) Lot Legality. The subject property (11.76 acres) underwent a lot line adjustment in 1992. This adjustment was approved by the County under permit number LL 90092. The property is shown in its current size and configuration as the 11.76 acre lot on the Record of Survey found in Vol 17 of surveys, Page 127, filed on July 28, 1992, with the Monterey County Recorder's office. Therefore, the County recognizes the subject property as a legal lot of record.
- f) Environmentally Sensitive Habitat Area (ESHA). As defined in the North County LUP, chaparral is an evergreen plant community of drought-adapted shrubs usually found on dry slopes and ridges. Chamise, toyon, scrub oak, ceonothus, and manzanita are characteristics species. The ESHA on the subject property is maritime chaparral made up of different manzanita species. The maritime chaparral along the north portion of this property is specified in the North County LUP Chapter 2.3, Policy 2.3.3A.2, as an uncommon, highly localized and

variable plant community that has been reduced in North County. The LUP requires that all chaparral on land exceeding 25 percent slope should be left undisturbed to prevent potential erosion impacts as well as to protect the habitat itself. In accordance with North County CIP section 20.144.040, a biological survey was prepared for this project (County of Monterey Library No. LIB250022). This survey identified three rare and sensitive manzanita species within the area of vegetation removal, the manzanita species combined create a maritime chaparral habitat. Successful implementation of the Restoration Plan will allow restoration of the manzanita habitat to its pre-violation state and ensure its long-term maintenance (North County LUP Policy 2.3.2.4).

- g) Staff reviewed aerial satellite imagery to verify that the project on the subject parcel conforms to the plans, policies, and regulations discussed above.
- h) The application, restoration plan, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed restoration are found in Project File PLN240367.

2. FINDING: SITE SUITABILITY – Following the restoration of the project site, the subject property shall be considered in compliance with all rules and regulations pertaining to zoning uses and any other applicable provisions of the Monterey County Zoning Ordinance Title 21.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication that the site is not suitable for the proposed restoration. Recommended conditions of approval have been incorporated.
 - b) Maritime Chaparral has been impacted by previous unpermitted activities. The following report has been prepared to fully restore the property and address this impact:
 - Restoration Plan (County of Monterey Library No. LIB250022) prepared by Pat Regan, Salinas, CA, January 15, 2025.
 The above-mentioned technical report was prepared by an outside consultant indicate that there are no physical or environmental constraints that would indicate that the site is not suitable for the proposed restoration. County staff has independently reviewed these reports and concurs with their conclusions.
 - c) Staff reviewed aerial satellite imagery to verify that the site is suitable for this use.
 - d) The application, restoration plan, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed restoration are found in Project File PLN240367.

3. FINDING: HEALTH AND SAFETY - The establishment, maintenance, or operation of the Restoration Plan will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed activity or be detrimental or injurious to property and improvements in the neighborhood or to the general

welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning. The respective agency has recommended conditions where appropriate to ensure the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) The site is currently developed with an existing single family dwelling and detached accessory structure. The proposed restoration project will not alter the existing utility connections and does not include any structural development.
 - c) Staff reviewed aerial imagery of the site to verify that the site is suitable for this use.
 - d) The application, restoration plan, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed restoration are found in Project File PLN240367.

- 4. FINDING: VIOLATIONS** - The subject property currently has a code enforcement violation. As a result of this action to restore the property to its pre-violation state, the subject property shall be partially considered in compliance with rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the Monterey County Zoning Ordinance Title 21. Zoning violation abatement costs, if any, will be paid as a condition of approval within 30 days of this action.

- EVIDENCE:**
- a) Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and is aware of violations existing on the subject property.
 - b) This Restoration Plan has been reviewed and approved by the HCD Chief of Planning. The project consists of restoring approximately 12,000 square feet of removed sensitive manzanita species. The species are regrowing on their own and therefore no replanting is recommended by the Project Biologist. However, subsequent monitoring efforts were recommended and have been applied as Condition No. 4. Implementation of the prepared Restoration Plan will fully abate the existing Code Enforcement Case No. 24CE00521.
 - c) Staff reviewed aerial imagery of the site and researched County records to assess the violations on the subject property and how proposed activities would address them.
 - d) The application, restoration plan, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed restoration are found in Project File PLN240367.

- 5. FINDING: CEQA (Exempt)** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines section 15333 categorically exempts small habitat restoration projects less than 5 acres in size that restore and enhance protected plant species, provided the restoration does not result in significant impacts on protected species or their habitat, and there are no hazardous materials at or around the project site that need to be disturbed.

- b) The proposed project includes the restoration of less than 5 acres of maritime chaparral habitat (protected plant species). As conditioned and designed, the proposed restoration project does not pose any significant impacts to endangered, rare, or threatened species, or their habitat. No hazardous materials are known to exist at, or around, the project site and no earth movement is proposed that could disturb such materials. The project will restore the chaparral habitat to its pre-violation state and has the potential to enhance the habitat value. Therefore, the project meets the Class 33 Categorical Exemption requirements.
- c) None of the exceptions under CEQA Guidelines section 15300.2 apply to this project. Restoration of the project site to its pre-violation condition would not contribute to any potentially significant cumulative impact and will restore previously disturbed sensitive habitat. There are no unusual circumstances affecting the property or the proposed project which would create the reasonable possibility implementation would have a significant effect on the property. The restoration project would not damage any scenic resources and any new biological resources, the site is not known to be included on a list compiled pursuant to Section 65962.5, and there are no identified historical resources on the property which would be impacted by the execution of the project.
- d) See Finding Nos. 1 and 2 and supporting evidence.
- e) Staff did not identify any potential adverse impacts staff review of the development application.
- f) The application, restoration plan, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed restoration are found in Project File PLN240367.

6. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.147.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - c) The subject property is not described as an area where the Local Coastal Program requires visual or physical public access (Figure 4, Public Access and Recreation, in the Moss Landing Community Plan, and Figure 6, Shoreline Access/Trails, in the North County Land Use Plan).
 - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN240367.

7. FINDING: APPEALABILITY - The decision on this project may be appealed to the Planning Commission.

- EVIDENCE:**
- a) Planning Commission. Title 20 section 21.80.040(A) states that the Planning Commission is the Appeal Authority to consider appeals from

the discretionary decisions of the Director of Planning made pursuant to this Title. The decision of the Planning Commission shall be final and may not be appealed.

- b) California Coastal Commission. Pursuant to Title 20 section 20.86.080, the project is not appealable to the California Coastal Commission because the subject property is not located within 100 feet of a wetland or stream, 300 feet within a coastal bluff, or between the sea and first public road, and the project does not involve a condition use or constitute a major public works project.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the HCD Chief of Planning does hereby:

- 1) Find that the project qualifies for a Class 33 Categorical Exemption pursuant to CEQA Guidelines Section 15333; and
- 2) Approve a Restoration Permit to clear Code Enforcement violation (24CE00521) to allow restoration of an unpermitted fire break that impacted environmentally sensitive habitat.

PASSED AND ADOPTED this 5th day of March 2025.

Melanie Beretti, AICP
HCD Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE.

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE DATE.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

County of Monterey HCD Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN240367

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Restoration Permit (PLN240367) allows restorations of an unpermitted fire break that impacted environmentally sensitive habitat. The property is located at 531 Paradise Rd, Salinas (Assessor's Parcel Number 129-091-082-000), North County Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Restoration Permit (Resolution Number _____) was approved by the Chief of Planning for Assessor's Parcel Number 129-091-082-000 on March 5, 2025. The permit was granted subject to 4 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PDSP001 - MONITORING PLAN

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The Applicant/Owner shall enter into an agreement with a qualified biologist to ensure that all restoration goals and objectives, maintenance, and recommendations of LIB250022 are adhered to. The first annual monitoring even will occur at the end of the first growing season following plan installation with annual monitoring visits conducted for two additional years. An Annual Monitoring Report will be submitted to the permitting agencies each following monitoring year. Monitoring Reports will present the findings of the annual field surveys relative to the performance standards in the monitoring plan. At the end of the three -year monitoring period, the Project Biologist will prepare a report that describes the results of the monitoring, initial and ongoing maintenance activities, evaluates the results of the qualitative sampling, and provides recommendations for on-going management of the area. The success criteria are as follows: 20% manzanita cover by the end of year 1, 40% manzanita cover by the end of year 2 and 90% manzanita cover by th end f year 3. If during the monitoring period installed native plants do not survive, the Project Biologist shall document such occurrence and replace the species appropriately within the next rainy season. If success criteria are met, the monitoring and maintenance period will be concluded, and ongoing maintenance recommendations are encouraged. If success criteria are not met, the Project biologist will contact HCD-Planning and recommend appropriate measures to the Applicant/Owner. The Applicant/Owner shall adhere to additional remediation measures.
(HCD-Planning)

Compliance or Monitoring Action to be Performed: Within 90 days after the issuance of this Restoration Permit, the Owner/Applicant shall submit to HCD-Planning a copy of a signed contract between the Owner/Applicant and a qualified biologist (Project Biologist) indicating that the Project Biologist will provide on-going monitoring and maintenance for three years.

At the end of the first growing season following plant installation, the Project Biologist shall prepare and submit the 1st year Monitoring Report to HCD-Planning for review and approval. This report shall include evidence of monitoring/site visits by the Project Biologist and detail the qualitative and quantitative data that has been collected to track the progress of the restoration efforts. The Applicant/Owner shall adhere to any maintenance recommendations/remediation of the 1st year Monitoring Report.

The 2 year report shall be submitted one year after the 1st report, the Project Biologist shall prepare and submit the 2nd year Monitoring Report to HCD-Planning for review and approval. The Applicant/Owner shall adhere to any maintenance recommendations/remediation of the 2nd year Monitoring Report.

The Project Biologist shall prepare and submit a Final Monitoring Report to HCD-Planning for review and approval 3 years. This Final Report shall detail the results of the annual monitoring, determines the health and vigor of installed plants, and describes the regeneration of invasive species, initial and ongoing maintenance activities, as well as the remediation activities which may need to occur. The Final Report shall establish whether the success criteria detailed in LIB250022 have been met.

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Sheryl Fox Attorney
Anthony Lombardo & Associates
144 W. Gabilan Street
Salinas, CA 93901

January 15, 2025

RE: Scudder Administrative Citation Case # 24CEOO521

Violation

Grading on slopes greater than 25%

Grading affecting sensitive habitat/removal of and damage to Maritime chaparral.

Sheryl,

Thank you for meeting and showing me around the Scudder property on October 28. As discussed on site, Monterey County has red-tagged Mr. Scudder for several violations. My purpose for visiting the site and walking it with you was to assess the veracity or extent of the accusation that he graded a roadway through the upper area of his property that is primarily vegetated with central maritime chaparral. It is my understanding that Mr. Scudder contracted with Mike Bleck of Bleck Fire prevention to clear a fire break through the upper slopes of his property utilizing a masticator to chip and shred plant material in a swath through the dense vegetation. Mastication is a tool being used in increasing frequency to temporarily clear overgrown shrublands and forest understory, thus reducing flammable fuel “ladders” and creating gaps in the vegetative cover. One of its primary advantages is that it reduces fuel loads while maintaining healthy, fully intact root systems. This mastication project left a linear gap through the vegetation that was intended to serve as a fuel break, though it looks from the aerial image like a graded road.

As the violation citation describes, Maritime chaparral is an uncommon, highly localized, and variable plant community. Invariably it is dominated by one or more species of manzanita or Ceanothus. Specifically, here in Monterey County it is called Central maritime chaparral and is further defined and named by the specific dominant plant species, typically the primary manzanita species. On the Scudder property we are looking at Pajaro manzanita chaparral. This plant community is dominated by *Arctostaphylos pajaroensis* with Chamise (*Adenostoma fasciculatum*), brittle leaf manzanita (*Arctostaphylos crustacea* ssp. *crustacea*), Hooker’s manzanita (*Arctostaphylos hookeri* ssp. *hookeri*), Coyote brush (*Baccharis pilularis*), Monterey ceanothus (*Ceanothus rigidus*), pitcher sage (*Lepechinia calycina*), Sticky monkeyflower (*Diplacus aurantiacus*), California coffee berry (*Frangula californica*), Toyon (*Heteromeles arbutifolia*), Deerweed (*Acmispon glaber*), Silver bush lupine (*Lupinus chamissonis*), Black sage (*Salvia mellifera*) and the ever present poison oak (*Toxicodendron diversilobum*). Several groups of Coast Live oaks (*Quercus agrifolia* var. *agrifolia*) near the bottom of the slope are signs of the advance and slow transition to oak woodland.

The three manzanita species on site are evenly distributed, each dominating in different locations based on slope. The upper part of the property is primarily Hooker’s manzanita on the old sandstone

ridge, whereas Pajaro manzanita mixes in there and becomes dominant in the midlevel and gives way to more of the brittle leaf manzanita near the bottom. The Hooker's and Pajaro manzanita are considered rare and while neither is protected by the US or California Endangered species act, they are given the highest rating of rarity other than state or federal listing, by the California Rare Plant Inventory. The Monterey ceanothus (*Ceanothus rigidus*) is also considered rare by the Inventory, but not to the level of automatic protection under the California Native Plant Act. Several plants which *could* be in this plant community but were not seen during my visit¹, are covered by one or the other ESA's including two federally listed ones; Monterey Spineflower (*Chorizanthe pungens* var. *pungens*) is federally listed as threatened, and Yadon's rein orchid (*Piperia yadonii*) is listed as endangered. Eastwoods goldenbush (*Ericameria fasciculata*) is another rare species that could occur on site and would have still been in flower. I did not find any on site.

Interestingly, despite the invasion of Blue Gum Eucalyptus trees along the west side of the property, the remainder was surprisingly "clean" with few nonnative species in the "fire break." This is significant because it means there has been little disturbance or introduction of nonnative seed from tires or grading. North Monterey County maritime chaparral stands are notoriously easily invaded by Pampas grass and ice plant and Genista. This site will heal quicker because of not having those species already present in the soil.



¹ October is the wrong time of year to locate these species in flower. And an additional early summer flowering survey would be necessary to confirm presence or absence.

Regarding the specific Violations cited – Grading on a slope greater than 25% and grading affecting sensitive habitat/removal of and damage to Maritime chaparral, I walked every section of the cleared areas that are plainly visible in the aerial on page 2, and while I saw cut branches and the tops of root crowns in the “firebreak” I did not see evidence of root balls being removed from the ground and I did not see piles of sand or soil resulting from grading and moving. There was no grade change between the “firebreak” and the dense shrubbery on either side of it. It appears that the work that was done cut off top growth at the ground level and root systems were left intact in the ground. While technically it was “removal” of maritime chaparral, it was a disturbance that the species in maritime chaparral positively respond to quickly and assertively. This plant community is adapted to a long sporadic fire regime and when burned responds in two different ways depending on the species. Some plants like the brittle leaf manzanita and Chamise, coffeeberry, Toyon and Pitcher sage will rapidly send up new shoots from a thick burl or root mass that has stored energy in the root system for just such an occurrence. Others, like Hooker’s manzanita and Pajaro manzanita and sticky monkeyflower and smaller annuals like the Monterey spineflower respond by germinating hundreds or thousands of seeds that have been laying in dormancy in the leaf litter for years or decades waiting for exposure to the light.

The cutting down of these plants without removing the root systems was physically something like fire. The removal of the canopy cover and exposure of the root crowns has already begun the sprouting of new shoots from a broad range of the species on site. The recent rains and upcoming storms will yield a carpet of new seedlings from Shrubs, perennials, and annuals in early 2025. If left alone this “firebreak” would fill back in with a



healthy mix of maritime chaparral species over several years and the firebreak could be unrecognizable in as little as 5 years. There is one caveat, while the exposure of the seed bank of the Hooker’s and the Pajaro manzanita will likely cause some sporadic

germination, these two species are best stimulated by the heat and smoke of brush fire to soften the seed coat and stimulate germination. It is likely that the areas where the Hookers and Pajaro manzanita plants were cut to the ground will become dominated by other shrubs including the brittle leaf manzanita and toyon and pitcher sage until such a time as any seedlings that do sprout can compete for light and space in the plant mix. These two species are abundant along both sides of the cleared “firebreak” so there will be no significant reduction of their coverage on the site, but their survival technique in absence of fire will not be as abundant and widespread at those species that quickly respond by crown sprouting. The Brittle leaf manzanita is already crown sprouting in the firebreak in many locations like the photo at left here.

To reiterate my observations: the site where the vegetation was cut down is highly sensitive, rare Pajaro manzanita chaparral. The work that was done to cut down the various shrubs to create the network of fire breaks on the property does not appear to have included grading or soil movement. Many plants that were cut down have already started to crown sprout and begin the recovery of the Maritime chaparral plant community in these cut down areas. No doubt, more plants will sprout from seed in the next 3-6 months after sufficient rain has fallen. Far from damaging or harming the Pajaro manzanita chaparral, the cut down is a benefit that will invigorate the plant community and stimulate new growth and diversity of species in the overall canopy cover. As stated previously, this site if left alone and unmanipulated for the next 3-5 years will restore itself to a complete canopy cover of native plant species. It bears watching and monitoring through the year, but I do not think that a restoration plan consisting of seeding or planting new plants will be as effective in restoring the vegetative cover as leaving things alone will do.

To ensure the successful revegetation of the cleared firebreaks, the site should be monitored on a quarterly basis for a minimum of three years. A Monterey County Approved Biologist/Botanist should visit in February, May, August, and November of each year to inspect the fire break, take photos from established photo points, and take notes on species diversity, growth rate and canopy cover. At the end of each calendar year, the Biologist will prepare and submit a report to the Monterey County Housing and Community Development Planning Services department. This report will summarize the year’s monitoring visits and include an estimate of the overall vegetative cover, including percentage that is native, within 8 different locations chosen for the reference photos, an estimate of overall growth through the year and recommendations for remedial activities such as weed maintenance, and the potential need for additional planting. If at the end of year one, there does not appear to be enough new crown sprouting or seedlings in one or more of the monitored reference areas, the Biologist *may* recommend the planting and or seeding of several of the native species found on site during the December/January period of year 2.

Success criteria for year 1 will be a 20% total vegetative cover in the areas that were masticated and a minimum 90% native species within that cover. Success criteria for year 2 will be 40% vegetative cover of the areas that were masticated and 90% of the total cover being native species. Success criteria for year 3 will be 70% total vegetative cover in the areas that were masticated with a minimum of 90% native species cover. If Success criteria for year 3 is met, the site will be considered successfully restored and no further monitoring shall be necessary.

If success criteria are not met after year one the biologist will recommend remedial actions to increase the cover of native species and/or reduce the cover of nonnative species. One remedial measure would be to carefully remove any weeds that have established in the open areas of the firebreak pathway and a second would be to take cuttings of the 2 rare manzanita species (*Arctostaphylos hookeri* ssp. *hookeri* and *Arctostaphylos pajaroensis*) between late November and mid-January and grow them out in a nursery into 1-gallon containers and plant them on site in gaps between existing plants in the following November. If necessary, the quantity needed for the whole of the firebreak pathway would be 75 plants of each manzanita species. They should be planted with no less than 10' clearance between them and existing plants or other newly planted plants. The Hookers manzanita is primarily found in the upper reaches of the slope and would be best planted in that area. The Pajaro manzanita is more widespread on the whole slope and can be planted randomly as the Biologist sees fit.

I have every confidence that this site is clean enough (weed free) and maintains seed and root systems of all the native plants on site sufficient to grow back in

Please feel free to call or email if you have any questions.

Pat Regan

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