SOL ECOLOGY

P.O. Box 5214
Petaluma, CA 94955
(707) 241-7718
www.solecology.com

November 9, 2022

Jered Lawson
Pie Ranch
2080 Cabrillo Hwy
Pescadero, CA 94060

RE: Second Addendum to the 2016 Biological Impact Form and March 2019 Addendum Prepared by Coast Range Biological, LLC. for the Pie Ranch (APN 089-230-210), Pescadero, California

Dear Mr. Lawson,

This addendum letter serves to provide a second addendum and biological update on site conditions on the Pie Ranch property in Pescadero, California (project site; APN 089-230-210) following the CZU Lightening Complex Fire in the September 2020. This report also includes an analysis of potential impacts associated with planned site improvements and recommendations for avoidance and minimization measures to mitigate for any potential impacts to sensitive communities and/or special status species which may be present.

Background and Methods

The initial 2016 Biological Impact Form and subsequent March 2019 addendum were prepared for activities on the property requiring a coastal development permit (CDP) in accordance with the San Mateo County mid-coast local coastal plan (LCP). Activities addressed in the reports included: an annual farm dinner in September, monthly open farm day potluck and barn dance, and day vehicle use on Green Oaks Way for farm and educational opportunities. The 2019 Addendum provided further analysis to address the 2017 Pie Ranch Master Plan for building and renovation projects; no formal construction plans had been prepared.

The CZU Lightening Complex Fire in September 2020 altered site conditions. The fire completely burned nearly all of the riparian habitat along Green Oaks Creek, as well as a large portion of the eucalyptus stand located along Green Oaks Way, and many of the Monterey pines on the site. It also destroyed the main residence, a historic structure built in the 1800s along with several outbuildings. In October 2020, plans to rebuild the house were made and Sol Ecology was contracted to perform a follow up site visit post fire to survey the extent of damage to the habitat surrounding the house; extensive damage to the riparian canopy and property was noted. Outbuildings including the main barn remain intact. On September 20, 2022, Sol Ecology

conducted a follow up site visit to document current site conditions and assess potential impacts from the proposed Master Plan based on existing conditions at the time of the 2022 assessment.

Results

Herbaceous growth within the Green Oaks Creek and elsewhere on the property has begun to take hold. Much of the willow riparian habitat surrounding the pond and habitat to the south remains intact. Rebuilding of the main residence is nearly complete. Attachment A, Figure 1 shows the current extent of sensitive communities on the property including Green Oaks Creek and its associated riparian habitat, one tributary on the west side of the property, eucalyptus grove on the south side of the property (which provides documented roost habitat for federal candidate species the monarch butterfly), and a single pond with associated riparian habitat and emergent wetland vegetation (which provides habitat for federal listed California red-legged frog and San Francisco garter snake). Attachment B provides photographs of the site at the time of the 2022 assessment.

The biologist identified some intact riparian woodland vegetation along Green Oaks Creek (primarily below top of bank) west and east of the house consisting of primarily *Alnus rubra* Forest Alliance. This habitat was dominated by red alder and willow, interspersed with a few Douglas fir, coast live oak (*Quercus agrifolia*), *Eucalyptus,* and two palm trees. Much of the understory was dominated by California blackberry (*Rubus ursinus*). Adjacent to the creek much of the willow riparian habitat had not returned and the setback area was dominated by annual grassland habitat. Based on a review of aerial imagery it appears primarily willows were destroyed in this area, whereas larger oaks and ornamental species make up those areas that remain vegetated.

As a consequence of the fire, an updated map is provided to show the limits of riparian vegetation presently and the prescribed 30-foot setback (Attachment A, Figure 1). Much of the house is now outside the riparian setback given the reduction in vegetation from the fire. A small amount of the footprint is within the setback near to where the top of bank has been exposed. Little to no coyote brush scrub remains intact post-fire.

Despite the effects of the fire on vegetation, all of the special status plants and animals identified in the 2019 report may still potentially be present on the property. Regrowth of vegetation and planned habitat restoration will provide suitable habitat for these species in the future. Two species were potentially be affected by the fire – monarch butterfly and San Francisco dusky-footed woodrat. None of the woodrat nests documented in the 2019 report were found during the 2022 site visit; however, suitable habitat remains in areas with intact riparian woodland habitat and/or coyote brush scrub located south of the site. Also, much of the eucalyptus stand that provided habitat for monarch butterfly was burned in the fire and consequently debris was removed from the site. A small number of trees remain along the roadway that may provide overwintering habitat.

All of the potential impacts described in the 2019 report related to the Master Plan building have not changed despite the effects of the fire. However, the riparian setback has been slightly reduced as shown in Figure 1 (Attachment A). Additional avoidance and minimization measures are prescribed below to ensure adequate protection of these fragile habitats during planned build out of the property in addition to the measures prescribed in the 2019 report.

Lastly, two special status species listings have been upgraded since the 2019 report. These include monarch butterfly and northwestern pond turtle. Monarch butterfly is now a federal candidate for listing under the Endangered Species Act (ESA) and Northwestern pond turtle (NWPT) is expected to be listed in January 2023. Monarch butterfly was documented on the property in Monterey pine and Douglas fir along the creek and in eucalyptus trees along the Green Oaks driveway[1]. Much of this habitat was destroyed in the 2020 fire. Additional avoidance measures are prescribed below based on these changed listings to ensure incidental take of both species is completely avoided.

Recommendations

Based on the close proximity of project activities to sensitive habitat and species that may be present in or near to Green Oaks Creek, the following additional AMMs are recommended to ensure adequate protection of these species in addition to their habitats:

AMM BIO-1: All buffer zones (including wetland and riparian, as well as streamline buffer zones) shall be clearly demarcated in the field during construction-related activities using orange construction fencing and/or silt fencing and signage to prevent incidental trespass by construction personnel into these areas. No project activities including staging of materials, loitering, eating, drinking, smoking, refueling, placement of hazardous materials, parking of vehicles, nor any other construction-related activity is permitted in these areas. Further vegetation clearing and/or removal of topsoil in this area is strictly prohibited; mowing may be performed prior to construction for fire control and/or access. Furthermore, placement of spoils will be restricted to areas outside any buffer zones (including any buffer zones established for sensitive species).

AMM BIO-2: Water quality best management practices shall be developed using Best Management Practices to prevent any accidental discharge of materials or equipment into nearby sensitive habitats and buffer zones, particularly during construction activities within the current 30-foot buffer zone. At a minimum, refueling and/or maintenance of equipment or vehicles shall be performed outside any of the delineated setback zones. Adequate spill protection kits shall be placed immediately adjacent to refueling/maintenance locations.

[1] **Error! Main Document Only.**California Department of Fish and Wildlife (CDFW). 2022. California Natural Diversity Database. 2Wildlife and Habitat Data Analysis Branch, Sacramento, CA. Most recently accessed: October 2022.

AMM BIO-3: A worker awareness environmental training program (program) is required to be presented by a qualified biologist to construction personnel prior to the start of construction activities. The program shall include information on the location of sensitive habitats in the vicinity of the Project along with a map showing their respective "no-disturbance" buffer zones. Buffer zones shall be clearly demarcated in the field as stated above and the program shall include a list of restricted activities within these areas as described in AMM BIO-1. The worker environmental training program (program) provided under AMM BIO-3 (2019 report) shall also include information on the known or potential use of the site by any sensitive species, the laws and regulations that protect those resources, the consequences of non-compliance with those laws and regulations, instructions for inspecting equipment each morning prior to activities, and protocols to follow as well as a contact person if protected biological resources are discovered on the project site during activities.

AMM BIO-4: All outdoor lighting shall be downcast and no outdoor lighting within the 30-foot buffer shall be allowed.

AMM BIO-5: Landscaping within buffer zones shall be appropriate to the surrounding habitat including Green Oaks Creek and its associated riparian habitat. The biologist shall review final landscaping plans to ensure the planting plan is appropriate to the existing landscape. Within the current buffer zone, any invasive species listed as moderate or high on the Cal-IPC website https://www.cal-ipc.org/plants/inventory/ that are present shall be removed prior to planting. The presence of non-porous pavement of similar material is prohibited within the 30-foot buffer zone, with the exception of underground water or irrigation lines as needed.

AMM BIO-6: Permanent fencing (including either existing fencing or similar structural deterrent) shall be maintained between the subject property and Green Oaks Creek to prevent humans and pets from trampling vegetation and/or accessing sensitive aquatic habitats where sensitive species may be present.

AMM BIO-7: Pre-construction surveys for CRLF, SFGS, and NWPT shall be performed no less than 48 hours prior to the start of project activities (including construction, vegetation clearing, staging, and/or any other project-related activity). The survey shall be performed by a qualified biologist with familiarity identifying both species. All areas of the project site and adjacent buffer areas (up to 300 feet) shall be searched. If either species is found, work shall be halted, and United States Fish and Wildlife Service (USFWS) contacted. If possible, the animal should be allowed to leave the area on its own. If it does not leave on its own, all work shall remain halted until the USFWS provides authorization for work to resume.

AMM BIO-8: Pre-construction surveys for San Francisco dusky-footed woodrat houses shall be performed no less than 30 days prior to construction. If stick houses are found and avoidance is not feasible, the houses shall be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material shall be placed back on the house and a buffer of 25 feet shall be established for a minimum of 3 weeks to allow young time to mature and leave the nest. Nest material shall be moved to a suitable adjacent area for reuse.

AMM BIO-9: Pre-construction nesting bird and raptor surveys shall be performed on and in all accessible areas adjacent to the project site (up to 300 feet for songbirds and up to 500 feet for raptors) if activities are proposed to occur during the nesting bird season (February 1 to August 31) including any tree removal and/or noise or visual disturbance; areas where prior nests have been found shall be monitored by the biologist to determine status of the nest and whether occupied or not. Surveys shall be performed no less than 10 days prior to the start of activities by a qualified biologist. If an occupied or active nest is found, a no-disturbance buffer shall be established around the nest site in accordance with California Department of Fish and Wildlife (CDFW) guidance on the establishment of nest buffers. Nest buffers shall remain in place until all young have fledged and left the nest or are no longer dependent on parents for feeding, or if the nest fails due to natural causes (e.g., storm event or natural predation).

AMM BIO-10: All outdoor work shall be performed during daylight hours; no work shall be performed within 30 minutes of sunrise or sunset.

AMM BIO-11: Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting) rolled erosion control products, or similar material should not be used. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.

AMM BIO-12: Trenches and holes should be covered and inspected daily for stranded animals. Trenches and holes deeper than one foot should contain escape ramps at a maximum slope of 2:1 to allow trapped animals to escape.

AMM BIO-13. A pre-construction winter roost survey for Monarch butterfly shall be performed in remaining intact stands of eucalyptus, Monterey pine, and/or Douglas fir between November 1 and January 15 to assess the status of roost habitat post fire. If no winter roost is observed, trees may be removed as necessary to prevent future fires on the site.

AMM BIO-14. If monarch butterfly winter roost habitat is observed, a 100-foot no disturbance buffer shall be established around the roost until the end of the roost season; further clearing of any trees deemed occupied by Monarch butterfly shall be done in consultation with the U.S. Fish and Wildlife Service (USFWS) to ensure adequate replacement habitat is established on the site prior to any further tree removal. Replacement habitat shall include native species only such as Monterey pine or Douglas fir; replacement trees shall be planted at a minimum 3:1 mitigation ratio or as directed by USFWS.

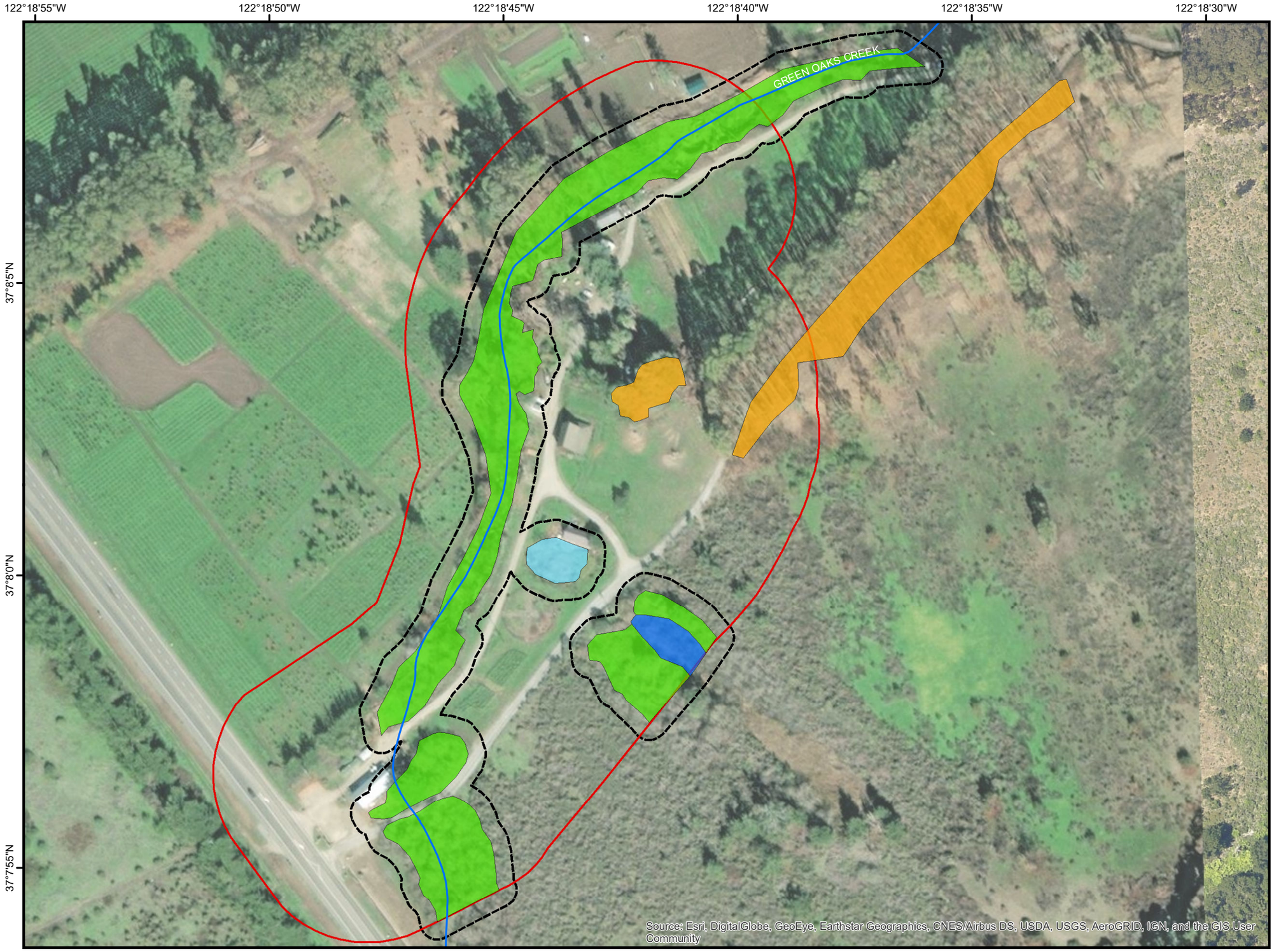
Please do not hesitate to contact me should you have any questions or concerns.

Respectfully,

Dana Riggs, Principal Biologist

Attachments (2): A- Project Figures: Sensitive Communities 2022 and FEMA Flood Hazard Zones Map, CNDDB Plant and Wildlife Occurrences Within 5 Miles
B- Site Photographs

Figure 1. Project Study Area and Sensitive Communities Map



Sensitive Communities

Pie Ranch, San Mateo County, Ca

Sensitive Communities

- Riparian Habitat
- Potential Monarch butterfly Habitat
- Pond
- Marsh

- Streams
- 2022 Project Study Area
- 30' Setback from Riparian Edge

Coordinate System: NAD 1983 UTM Zone 10N
Projection: Universal Transverse Mercator
Datum: North American 1983
Vertical Datum: NAVD88, U.S. Feet

Map created: 10-17-2022
Data: Sol Ecology Inc., San Mateo Co.
Base: ESRI
GIS: AG2102

N

0 50 100 200
Feet

1 inch = 167 feet

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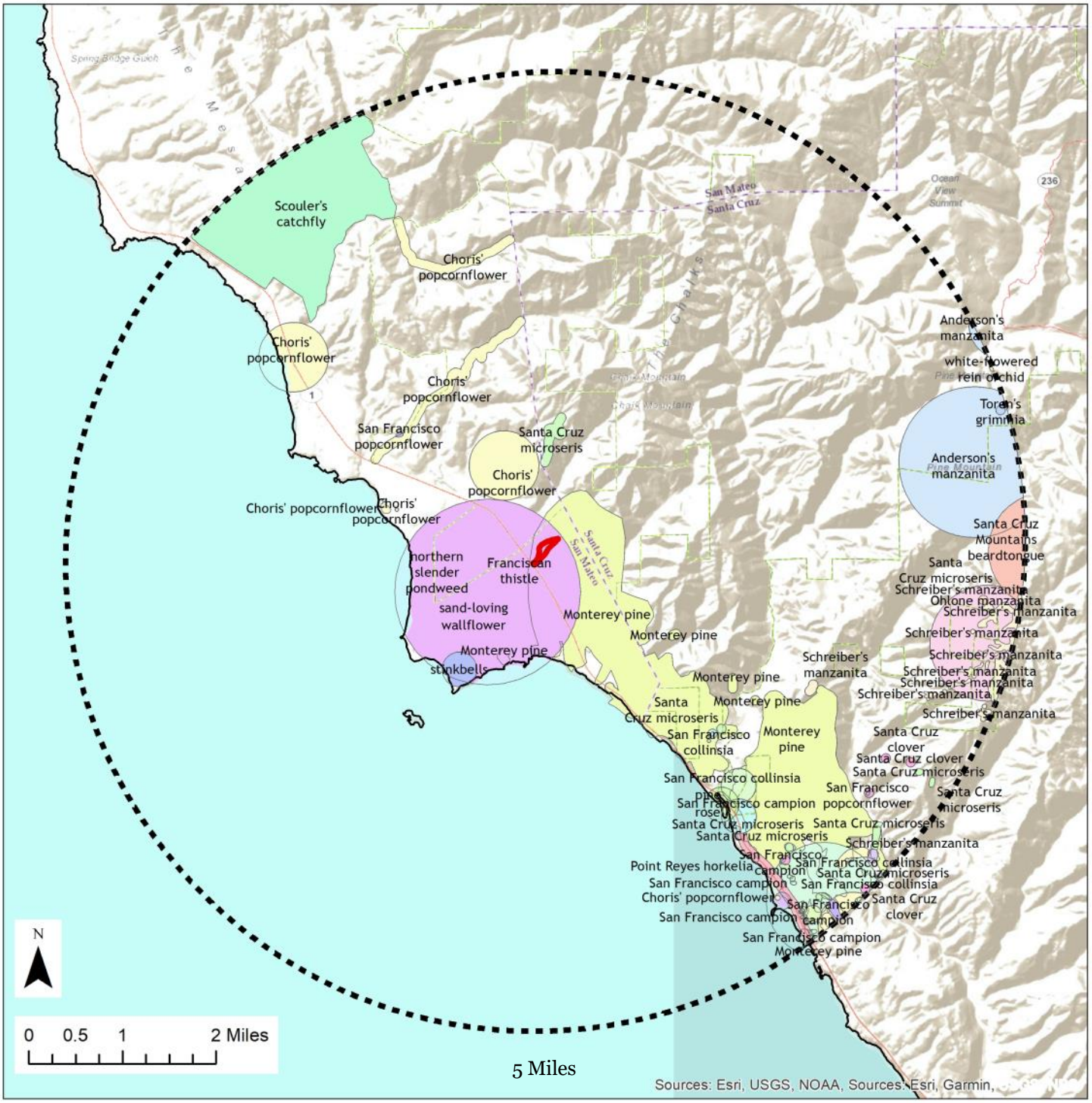
Figure 2: Special Status Plant Species within 5 Miles of the Project Site
2080 Cabrillo Highway, Pescadero, CA (APN 089-230-210)



Project Study Area
5-Mile Buffer
Anderson's manzanita (2)
Blasdale's bent grass (1)
Choris' popcornflower (8)
Franciscan thistle (1)
Kellogg's horkelia (1)
Monterey pine (1)
Ohlone manzanita (1)
Point Reyes horkelia (1)
San Francisco campion (4)
San Francisco collinsia (4)
San Francisco popcornflower (3)
Santa Cruz Mountains beardtongue (1)
Santa Cruz clover (4)
Santa Cruz microseris (9)
Schreiber's manzanita (3)
Scouler's catchfly (1)
Toren's grimmia (1)
bent-flowered fiddleneck (2)
elongate copper moss (1)
fragrant fritillary (1)
marsh microseris (1)
northern slender pondweed (1)
pine rose (1)
sand-loving wallflower (1)
stinkbells (1)
white-flowered rein orchid (1)
white-rayed pentachaeta (1)

Date: 10-11-2022
Data: Sol Ecology Inc., Sonoma Co., CDFW

Base: ESRI
GIS: LM2102

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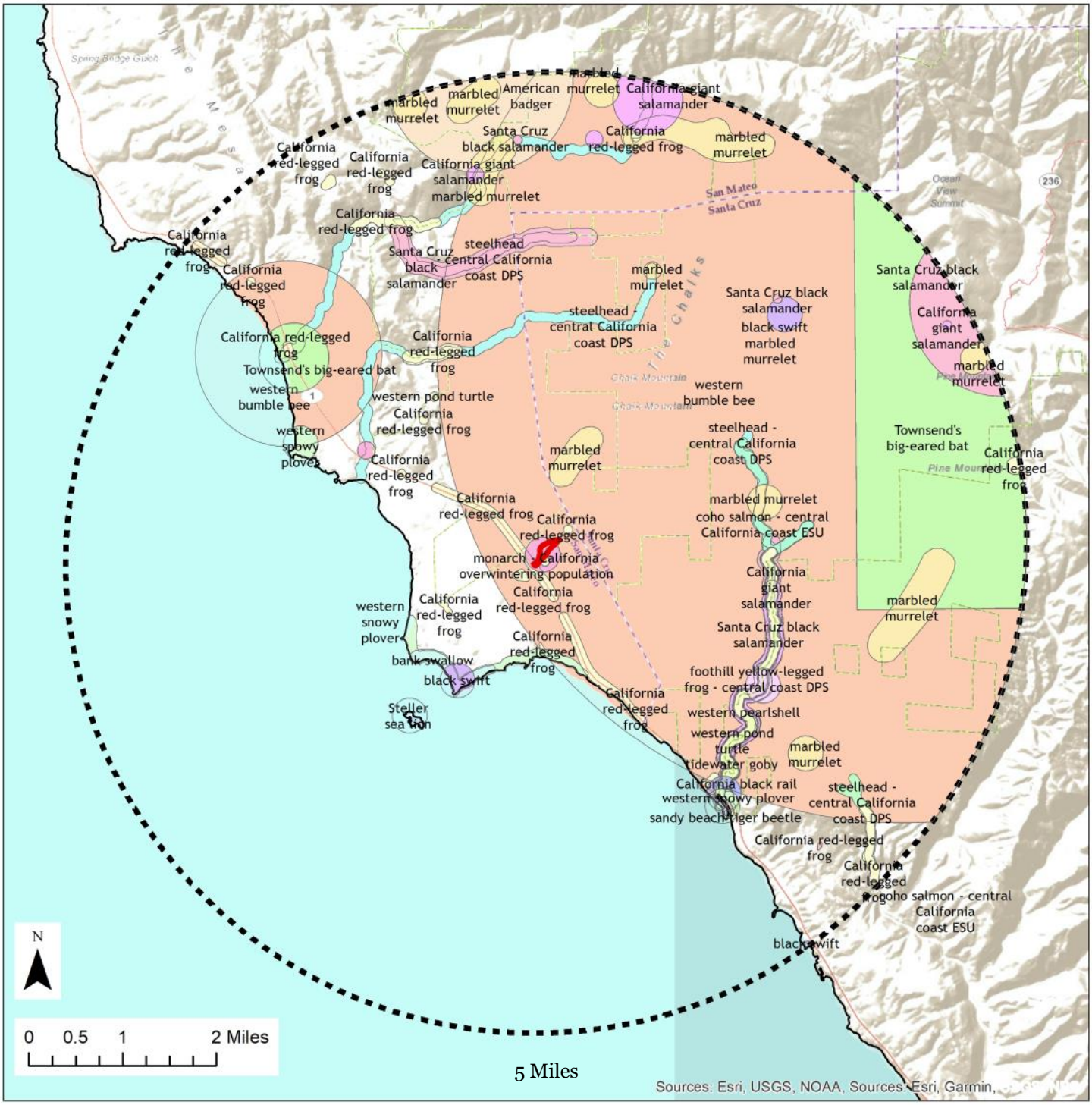
Figure 3: Special Status Plant Species within 5 Miles of the Project Site
2080 Cabrillo Highway, Pescadero, CA (APN 089-230-210)



Project Study Area
5-Mile Buffer
American badger (1)
California black rail (1)
California giant salamander (5)
California red-legged frog (22)
Santa Cruz black salamander (5)
Steller sea lion (1)
Townsend's big-eared bat (2)
bank swallow (1)
black swift (3)
coho salmon - central California coast ESU (2)
foothill yellow-legged frog - central coast DPS (1)
marbled murrelet (12)
monarch - California overwintering population (2)
sandy beach tiger beetle (1)
steelhead - central California coast DPS (4)
tidewater goby (1)
tricolored blackbird (1)
western bumble bee (2)
western pearlshell (1)
western pond turtle (2)
western snowy plover (3)

Date: 10-11-2022
Data: Sol Ecology Inc., Sonoma Co., CDFW
Base: ESRI
GIS: LM2102

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Attachment B. Site Photographs on September 20, 2022

Photo 1. Access road facing west near entrance: intact riparian habitat on the right.

Photo 2. Access road facing east; intact riparian habitat surrounding pond on the right. Monterey pine and eucalyptus behind the barn have recovered post-fire.

Photo 3. Burned riparian habitat and new eucalyptus saplings along Green Oaks Creek behind silt fence.

Photo 4. New herbaceous growth along the burned channel banks of Green Oaks Creek. A few Monterey pine have also survived. Sensitive riparian habitat is demarcated with pass-thru fencing.

Photo 5. Intact riparian vegetation is present within Green Oaks Creek. However, most of the coyote scrub brush habitat within the setback area burned completely.

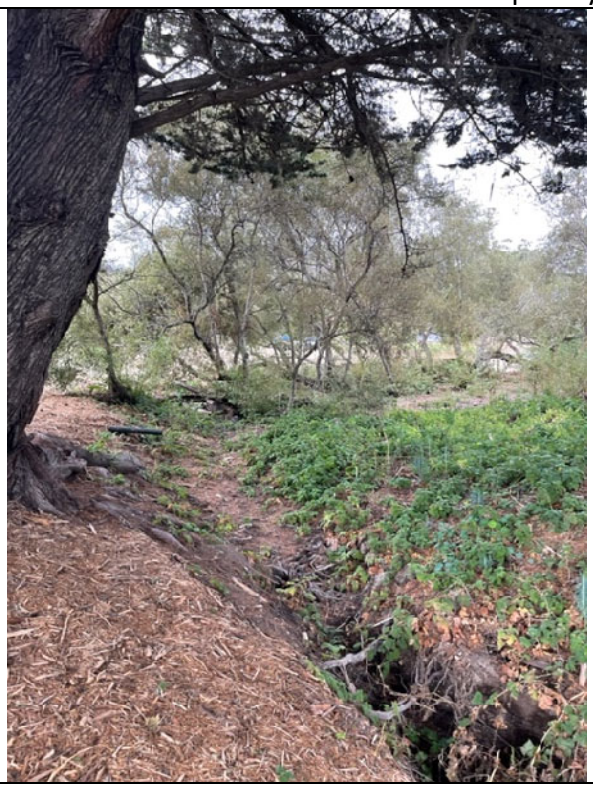

Photo 6. A small tributary on the south side of the property between access roads is exposed due to the fire.

Photo 8. Planned improvement area behind the barn. Intact eucalyptus trees behind this area are documented to provide overwintering habitat for monarch butterly.