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April 11, 2013

Subject: Paraiso Springs Resort –Monterey County PLN 040183

Dear John,

On Monday March 25, 2013, I conducted a supplementary biological survey of the Paraiso Springs Resort property to evaluate the potential for occurrence of the following 5 animal species and 5 plant species as well as to generally view the property for any other biological changes that may have occurred since my last survey

The animals include the Burrowing Owl, the California Condor, the Coast Horned Lizard, the Golden Eagle and the Silvery Legless Lizard. Plant species include Chaparral Ragwort, Hickman's Checker Bloom, San Francisco Collinsia, Santa Cruz Mountains Pussypaws and Santa Lucia Dwarf Rush.

1.0 INTRODUCTION:

It was determined through recent review by John Ford of the Monterey County Planning Department and their Environmental Impact Consultant EMC Planning that these 10 species were either not rated as sensitive species worthy of review under CEQA guidelines, or documented close enough to the project site at the time of the original 2005 Rana Creek Biological assessment and the 2008 Rana Creek Biological Addendum and now that they are, they need to be included in the overall evaluation of potential impacts from the Paraiso Resort project

2.0 BACKROUND RESEARCH:

Previous to visiting the project site I reviewed all 10 species occurrence records in Monterey and San Benito Counties and prepared a table outlining habitat needs and typical conditions that these species are likely to be found in. Based on habitat present and the early end to the rainy season and early bloom of most flowering plants it was an appropriate time to be able to accurately identify all of the plants on the list were they to actually exist on the property.

I conducted the survey on foot walking transect lines back and forth over 100% of the areas that will be impacted by the development and focusing on site conditions including aspect and slope and vegetative cover. Based on known habitat requirements for the 10 species on the supplementary list I spent most of the time in areas of the property where these species would most likely occur. This was most efficient for searching for both plant and animal species. Having surveyed the site extensively in the

past and knowing where water features and topography changes were I feel confident that my surveys were well focused and thorough. The following is a brief discussion that firstly identifies habitat conditions that are suitable for these species, whether these conditions exist on the property and then a discussion of my survey results.

3.0 ANIMAL SPECIES SURVEYS:

3.1 Burrowing Owl (*Athene Cunicularia Hypugaea*)

California Species of Special Concern. Burrowing Owl habitat can be found in annual and perennial grasslands, deserts, and scrublands characterized by low-growing vegetation (Zarn 1974). Suitable owl habitat may also include trees and shrubs if the canopy covers less than 30 percent of the ground surface. Burrows are the essential component of Burrowing Owl habitat: both natural and artificial burrows provide protection, shelter, and nests for Burrowing Owls (Henny and Blus 1981). Burrowing Owls typically use burrows made by fossorial mammals, such as ground squirrels or badgers, but also may use man-made structures, such as cement culverts; cement, asphalt, or wood debris piles; or openings beneath cement or asphalt pavement.

Paraiso Springs resort has a number of potential Burrowing Owl habitat areas where ground squirrel burrows are apparent on south facing slopes along main access paths and roads adjacent to the existing buildings. Burrows were observed at a distance and then up close to determine if any evidence of Burrowing Owl utilization was present (i.e., feathers, whitewash, pellets, insect remains, tracks) ; None was found and no Burrowing Owls were observed on the property.

3.2 California Condor (*Gymnogyps Californianus*)

State and Federal ESA Endangered. Usual habitat is mountainous country at low and moderate elevations, especially rocky and brushy areas with cliffs available for nest sites, with foraging habitat encompassing grasslands, oak savannas, mountain plateaus, ridges, and canyons (AOU 1983). Condors often roost in snags or tall open-branched trees near important foraging grounds (Matthews and Moseley 1990). California Condors are documented well to the east in the Pinnacles National Park region.

No documented sightings or nesting has been noted for the Paraiso Springs area. While suitable habitat is present for foraging , no California Condors were seen on the Paraiso Springs property on March 25, 2013 or any of the previous survey days in 2003, 2005 and 2008.

3.3 Coast Horned Lizard (*Phrynosoma Blainvillii*)

California Species of Special Concern. Inhabits open areas of sandy soil and low vegetation in valleys, foothills and semiarid mountains from sea level to 8,000 ft. (2,438 m) in elevation. It can be found in

grasslands, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil. It is often found in lowlands along sandy washes with scattered shrubs and along dirt roads, and frequently found near ant hills.

Suitable habitat for Coast Horned Lizard exists along some trails and dirt roads on the property where ant hills and sparse vegetation occur together. The best potential habitat are in areas beyond the development zone in the Diablan sage scrub north of the main development. The Coast Horned Lizard is never abundant where found and due to its protective coloration and form is difficult to locate even in ideal habitat. The Coast Horned Lizards are difficult to detect except by serendipity and while they may be present on site it is a possibility that may not actually be determined even with the most careful of surveys. While the Coast Horned Lizard may freeze in place and blend into its surroundings or scurry away when frightened it is somewhat able to avoid human contact on its own and I am unaware of any standard protocol for detecting and translocating these lizards in this kind of circumstance. No Coast Horned Lizards were found on the property during the survey.

3.4 Golden Eagle (*Aquila Chrysaetos)*

Fully Protected Species in California. "....may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species". Golden Eagles inhabit a variety of habitats including forests, canyons, shrub lands, grasslands, and oak woodlands. Nests are constructed on platforms on steep cliffs or in large trees.

Paraiso Springs Resort does contain suitable habitat for foraging and nesting Golden Eagles. However no Golden Eagles have been noted on the property during previous surveys or by onsite staff. No Golden Eagles or Golden Eagle nests were seen during this recent survey, or at any time during 2003, 2005 or 2008 surveys.

3.5 Silvery Legless Lizard (*Anniella Pulchra Pulchra)*

California Species of Special Concern. It occurs in moist, warm, loose soil with plant cover. Moisture is essential. It occurs in sparsely vegetated areas of beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. Leaf litter under trees and bushes in sunny areas and dunes stabilized with bush lupine and mock heather often indicate suitable habitat. It often can be found under surface objects such as rocks, boards, driftwood, and logs. Essentially crepuscular animals, they are active only in early morning and late evening year round, coming up the to the ground surface for only a short time before returning underground during the day. While the Silvery Legless Lizard is very widespread, it is rarely abundant in inland areas and only occasionally located accidentally when digging in gardens or activities like fence construction.

Paraiso Springs Resort does have some very marginal habitat for Silvery Legless Lizards, primarily in areas outside of the development zone. Like the Coast Horned Lizard the Silvery Legless Lizards are difficult to detect except by serendipity and while they may be present on site it is a possibility that may not actually be determined even with the most careful of surveys.

Legless Lizards can be potentially detected by use of cover boards to "draw" them out of hiding and providing a temporary safe place to move to after early morning foraging. A cover board can be a large sheet of plywood that is laid flat on the ground in areas of moist sandy soil where Legless Lizards are known or confidently assumed to be present. After the lizards come to the surface to forage for insects under large shrubs or in the leaf litter of trees, they look for a cool shaded place to hide as the sun comes up and will frequently take the cover board as an easy option. The boards are placed in the afternoon and lifted for inspection the following morning.
This method is commonly used where Legless Lizards are known to be present or abundant like dune habitat along the coast. In a location such as Paraiso Springs, it would be difficult to say where the most likely location for placing these cover boards would be, much less whether any would be found . The only area that I could see the slightest chance of the Silvery Legless Lizard occurring on the Paraiso Springs property is in the sandy soil along the terrace of the drainage channel that is fed by the actual springs runoff which is outside of the development zone and were the lizards to occur here they would be very unlikely to venture out into more open dry conditions.
No Silvery Legless Lizards were seen during any surveys on the property .

4.0 PLANT SPECIES SURVEYS:

4.1 Chaparral Ragwort (*Senecio Aphanactis)*

California Rare Plant Rank 2.2 (formerly List 2): Plants rare, threatened, or endangered in California, but more common elsewhere.
Chaparral Ragwort is a small annual plant that occurs in drying alkaline flats in chaparral, cismontane woodland and coastal scrub primarily in Southern California. It blooms from January to April. Its closest documentation in Monterey County is in the Jamul quadrant in the most southern part of Monterey County.
No suitable habitat for Chaparral Ragwort was found on the property and no plants were seen.

4.2 Hickman's Checkerbloom (*Sidalcea Hickmanii* ssp. *Hickmanii)*

California Rare Plant rank 1B.3: Rare, threatened, or endangered in California and elsewhere. Not very endangered in California.
A perennial plant found in openings in Chaparral from 1100 to 3930 feet in the Santa Lucia Range of Monterey County. It blooms from May to July. A single specimen was documented in Pine Canyon in the Reliz Canyon quadrant south of Paraiso Springs in 1962. All other documented findings are at higher elevations than the Paraiso Springs Resort further West and South.
No suitable habitat for Hickman's Checkerbloom was found on the property. No plants of Hickman's Checkerbloom were found during any surveys.

4.3 San Francisco Collinsia (*Collinsia Multicolor)*

California Rare Plant Rank 1B.2: Rare, threatened, or endangered in California and elsewhere. Fairly endangered in California.
San Francisco Collinsia is an annual plant that occurs, as the name implies primarily in the San Francisco peninsula region but also in Santa Cruz and Monterey Counties. It blooms from March to May. It is found in moist, shady, north facing areas of closed-cone coniferous forest and coastal scrub. It is typically found in coastal conditions on the western slopes of the Santa Lucia and Santa Cruz mountain ranges. No suitable habitat exists on the Paraiso Springs property for Collinsia Multicolor and no plants were found during any surveys.

4.4 Santa Cruz Mountains Pussypaws (*Calyptridium Parryi var. hesseae)*

California Rare Plant rank 1B.1 Rare, threatened, or endangered in California and elsewhere 1: seriously endangered in California.
Santa Cruz Pussypaws is an annual plant that blooms from May to August. It is found in sandy soils in chaparral, oak woodland, coniferous forest from 1965 feet to3440 feet in southwestern San Francisco Bay Area, primarily in the Santa Cruz mountains. A single Monterey County population at 5050 foot elevation on Chews Ridge has been documented multiple times.
The entire development zone of the Paraiso Springs resort is well below the lowest known elevation of any documented occurrence of this plant. No Santa Cruz Pussypaws was found in any surveys of the property.

4.5 Santa Lucia Dwarf Rush (*Juncus Luciensis*)

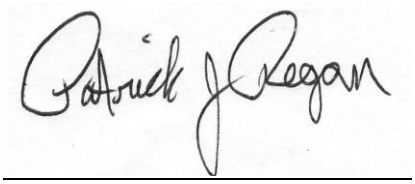
California Rare Plant Rank 1B.2: Rare, threatened, or endangered in California and elsewhere. Fairly endangered in California.
Santa Lucia Dwarf Rush is found at mid to high elevations in the Cascade and Sierra ranges in Northern California and higher peaks and valleys of the Outer Coast Ranges in central California. Well documented populations exist in south Central Monterey County near the Indians Road and Memorial Park Campground and near Jolon. This rare annual blooms from April to July in wet soils of seeps, vernal pools , streamside's and meadows.
No suitable habitat was found on the Paraiso Springs property and no Santa Lucia Dwarf Rush was found during any surveys.

5.0 SURVEY CONCLUSIONS:

It is my opinion that Paraiso Springs Resort does not support any of the plant species on this revised list and that further surveys are not warranted at this time.
No evidence was found that the Burrowing Owl, the California Condor, or the Golden Eagle currently utilize the property for nesting or foraging or have done so in the recent past and no additional surveys for these species are warranted at this time.

No Coast Horned Lizard or Silvery Legless Lizard was found during this or any previous surveys. Based on my above assessments and discussion of these two species, it would seem unlikely that either of these two species would occur in the proposed development zones of the project site. But given the somewhat unpredictable, sporadic occurrence of these species throughout the region and much of Coastal, Central and Southern California, further surveys may be futile and no specific mitigation should be necessary other than to require that if individuals of either species are found during the first groundbreaking activities of grubbing, clearing and topsoil grading they should be relocated a safe distance away from the construction zone.. It is likely that even if both species occur on the property potential impacts from this project would be less than significant.
Additionally, during this most recent survey no new CEQA relevant animal or plant species were observed on the property that was not documented in the 2005 Rana Creek Initial Assessment and the 2008 Rana Creek Biological Addendum.

Pat Regan

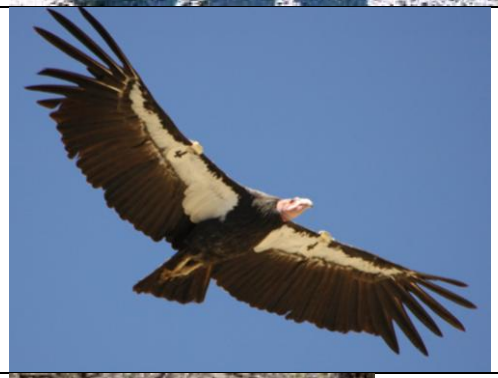


References

California Native Plant Society (CNPS). 2013. Inventory of Rare and Endangered Plants (online edition, v7-13mar). California Native Plant Society. Sacramento, CA. Accessed on Sat, Apr. 6, 2013 from http://www.cnps.org/inventory

Jepson Flora Project (eds.) [2013] *Jepson eFlora*, http://ucjeps.berkeley.edu/IJM.html [accessed on April 4, 2013]

Data provided by the participants of the Consortium of California Herbaria ucjeps.berkeley.edu/consortium/; Sat Apr 6 09:44:27 2013).

Common name *Scientific name*	**Status**	**Habitat**	**Potential to occur on site**	**photo**	**Found on site?**
Burrowing owl *Athene cunicularia hypugaea*	California Species of special concern	Burrowing Owl nesting habitat consists of open areas with mammal burrows. They use a wide variety of arid and semi-arid environments, with well-drained, level to gently sloping areas characterized by sparse vegetation and bare ground.	good		no
California Condor *Gymnogyps californianus*	State and Federal ESA Endangered	Usual habitat is mountainous country at low and moderate elevations, especially rocky and brushy areas with cliffs available for nest sites, with foraging habitat encompassing grasslands, oak savannas, mountain plateaus, ridges, and canyons (AOU 1983). Condors often roost in snags or tall open-branched trees near important foraging grounds (Matthews and Moseley 1990).	low		no
Coast horned lizard *Phrynosoma blainvillii*	California Species of special concern	Inhabits open areas of sandy soil and low vegetation in valleys, foothills and semiarid mountains from sea level to 8,000 ft. (2,438 m) in elevation. Found in grasslands, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil. Often found in lowlands along sandy washes with scattered shrubs and along dirt roads, and frequently found near ant hills.	good		no

Golden Eagle *Aquila chrysaetos*	Fully protected species in California. "....may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected" species	Golden eagles inhabit a variety of habitats including forests, canyons, shrub lands, grasslands, and oak woodlands. Nests are constructed on platforms on steep cliffs or in large trees	fair		no
Silvery legless lizard *Anniella pulchra pulchra*	California Species of special concern	Occurs in moist warm loose soil with plant cover. Moisture is essential. Occurs in sparsely vegetated areas of beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. Leaf litter under trees and bushes in sunny areas and dunes stabilized with bush lupine and mock heather often indicate suitable habitat. Often can be found under surface objects such as rocks, boards, driftwood, and logs. Can also be found by gently raking leaf litter under bushes and trees. Sometimes found in suburban gardens in Southern California.	fair		no
Chaparral ragwort *Senecio aphanactis*	CA Rare Plant Rank: 2.02: Rare, threatened, or endangered in California, but more common elsewhere. Fairly endangered in California	Drying alkaline flats Chaparral •Cismontane woodland •Coastal scrub sometimes alkaline. Sea level to 1700 feet. Annual, blooms January to April	low		no

Hickman's checkerbloom *Sidalcea hickmanii* ssp. *hickmanii*	CA Rare Plant Rank: 1B.3 Rare, threatened, or endangered in CA and elsewhere	Openings in Chaparral;1100 to 3930 feet Outer South Coast Ranges (Santa Lucia Range, Monterey Co.). Perennial, Blooms May to July.	low		no
San Francisco collinsia *Collinsia multicolor*	CA Rare Plant Rank: 1B.2: Rare, threatened, or endangered in California and elsewhere. Fairly endangered in California	UNCOMMON. Coastal slopes Moist, ± shady scrub, forests Closed-cone coniferous forest (CCFrs) •Coastal scrub (CoScr)/sometimes serpentinite Sea level to 1000 feet Annual. Blooms March to May	low		no
Santa Cruz Mountains pussypaws *Calyptridium parryi var. hesseae*	CA Rare Plant Rank: 1B.1 Rare, threatened, or endangered in California and elsewhere 1: seriously endangered in California	UNCOMMON. Chaparral, oak woodland Sandy soils in chaparral, oak woodland, conifer forest; 1965 feet to 3440 feet, SW San Francisco Bay Area. Annual. Blooms May to August	low	No photo available	no

Juncus luciensis	CA Rare Plant Rank: 1B.2 Rare, threatened, or endangered in California and elsewhere .2: Fairly endangered in California	Uncommon. Wet, sandy soils of seeps, meadows, vernal pools, streams and roadsides from 980 - 6230 feet. Annual. Blooms April to July			

Paraiso Springs Resort Site is 1000-1400 foot elevation