

February 6, 2012

John Thompson  
Thompson Holdings, LLC  
PO Box 1925  
Horsham, PA 19044

Dear Mr. Thompson,

The purpose of this letter is to inform you of the results of the biological resources site visit for the Paraiso Springs Road widening project, located in the Town of Soledad, Monterey County, California (Figure 1). The area assessed is an approximately 1.2-mile stretch of Paraiso Springs Road ("Study Area") east of the Paraiso Springs Resort gate and west of Clark Road. The WRA site visit took place on January 24, 2012. The proposed project ("Project") entails widening of the existing road by approximately 1 - 2 feet on one or both sides, where feasible, in areas where the road is currently less than 18 feet wide.

Based on the site visit and review of background literature and databases, the Study Area is unlikely to support special status plant or wildlife species, and no potentially jurisdictional wetlands or waters were observed within or immediately adjacent to the Project footprint. Nesting birds may be impacted if vegetation removal or tree-trimming are incorporated into final Project plans. Most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918. Under this legislation, destroying active nests, eggs, and young is illegal.

Based on these findings, the following biological resources survey may be necessary for project approval:

- A qualified biologist should conduct breeding bird surveys (for vegetation removal activities to take place between February 1 and August 31) within 14 days of vegetation removal.

The following sections describe the methods and results of the site visit in more detail.

## **Methods**



Prior to the site visit, background literature was reviewed to determine potential presence of sensitive vegetation types, aquatic communities, and special status plant and wildlife species. Resources reviewed include aerial photography, the California Department of Fish and Game's (CDFG) California Natural Diversity Database (CNDDB), the National Wetland Inventory (NWI; USFWS 2012), the California Native Plant Society (CNPS) Online Database (2012), USFWS species list for Monterey County, and species habitat requirements as noted in available literature.

On January 24, 2012, a WRA biologist traversed the Study Area on foot to evaluate the potential presence of sensitive vegetation communities and aquatic features, and evaluate on-site habitat to determine the potential for occurrence of special status plant and wildlife species. Observed plant communities, aquatic features and plant and wildlife species were noted. Site conditions were noted as they relate to habitat requirements of special status plant and wildlife species known to occur in the vicinity as determined by the background literature research.

## Results

### Vegetation and Aquatic Communities

The Study Area is a paved county road bordered by vineyards to the east and ruderal grassland, sage scrub and oak woodland communities to the west. Where road widening is proposed, existing unpaved road shoulders generally consist of disturbed soils which appear to have been graded to be level with the paved road. These areas of disturbed road shoulders were unvegetated or support ruderal grassland communities. No sensitive vegetation communities were observed within the Project footprint. Additionally, no aquatic communities were observed within or adjacent to the Project footprint. In the western portion of the road, roadside “gutters” appear to carry water from the upslope (north) road edge to culverts that carry water under the road to the downslope (south) side. These gutters do not display any established indicators of hydrology, nor do they flow to navigable waters, and they would therefore not be considered jurisdictional by the Army Corps of Engineers or the Regional Water Quality Control Board.

	
<p>Photograph of road shoulders in the western Project Area. Road widening may extend 1 - 2 feet into road shoulders in certain areas.</p>	<p>Photograph of road shoulders in the eastern Project Area. Road shoulders throughout the project area are largely disturbed, support non-native plant communities, and contain many small mammal burrows.</p>

### Special Status Plant Species

Of the 21 special status plant species known to occur in the vicinity of the Study Area, none were determined to have the potential to occur in the Study Area. Most of the species found in the review of background literature occur in habitats not found in the Study Area. Habitat suitability for grassland-associated species in the Study Area is reduced due to regular disturbance of road shoulders from vehicle traffic and road maintenance. The Study Area is dominated by weedy species common to disturbed roadsides.

### Special Status Wildlife Species

Of the 16 special status wildlife species known to occur in the vicinity of the Study Area, none were determined to have the potential to occur in the Study Area. Useful habitat for most wildlife

species is not present within the Study Area and special status wildlife species are unlikely to occur there. The Project footprint consists of a paved road and existing, disturbed road shoulders with limited vegetative cover in some areas. No aquatic habitat suitable for special status fish, amphibian, or aquatic-associated reptile, avian or invertebrate species is present within or adjacent to the Study Area. Due to the disturbed nature of the road and road shoulders, no host plants for special status butterflies are anticipated to occur.

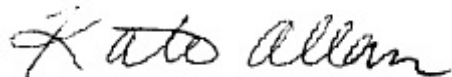
Small mammal burrows were frequently observed adjacent to the road shoulders in disturbed berms and hillside road cuts. Burrows were mainly observed outside the existing road shoulders (and thus Project footprint). These burrows were largely vole and mouse burrows, with some pocket gopher burrows and very few that had large enough openings to potentially be California ground squirrel burrows. None were large enough to be San Joaquin kit fox or American badger burrows. Although California tiger salamander (CTS; *Ambystoma californiense*) has been documented to occur within 8 miles of the Study Area (CDFG 2012) and is known to use burrows as estivation habitat during the non-breeding season, the vast majority of onsite burrows are not considered suitable for this species. Mouse and vole burrows do not generally extend deep into the ground where temperature and humidity are suitable for use as estivation habitat by CTS. Additionally, no suitable aquatic breeding habitat for CTS occurs within the typical dispersal distance (0.7 mile) between estivation and aquatic breeding habitat (USFWS 2005). The only potential aquatic breeding sites that appear on aerial photographs within 0.7 mile include an unvegetated, plastic-lined agricultural pond south of the Study Area and an artificial pond which collects pool-cleaning waste within the Paraiso Springs Resort property to the southwest of the Study Area. The agricultural pond is considered unsuitable as it lacks vegetation on which CTS can lay eggs, and the resort pond is considered unsuitable due to low pH levels. Furthermore, several protocol-level CTS surveys conducted in 2009 and 2010 produced negative results (Mori 2010). Therefore, it is unlikely that CTS occupy upland habitat in the Study Area.

### **Summary and Recommendations**

Based on the results of the site visit, the Study Area does not support potential jurisdictional wetlands and is unlikely to support special status plant and wildlife species. If vegetation is removed during the avian breeding season (February 1 through August 31), it is recommended that a qualified biologist conduct nesting bird surveys within 14 days of vegetation removal to prevent impacts to breeding birds.

Please feel free to contact me with any questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Kate Allan".

Kate Allan  
Wildlife Biologist  
WRA, Inc.

## References

- California Department of Fish and Game. 2012. Natural Diversity Database, Wildlife and Habitat Data Analysis Branch. Sacramento.
- California Native Plant Society. 2012. Electronic Inventory of Rare and Endangered Vascular Plants of California. California Native Plant Society, Sacramento, California.
- Mori, BM. 2010. Paraiso Springs California Tiger Salamander 2010 Spring Survey Results. Prepared for John Thompson, Paraiso Resort LLC.
- [USFWS] United States Fish and Wildlife Service. 2012. Quadrangle Species Lists, Sacramento Fish and Wildlife Service.
- USFWS. 2005. Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Central Population; Final Rule. Federal Register Vol. 70, No. 162. 4938 -49458.