CITY OF CARMEL-BY-THE-SEA

RESPONSES TO QUESTIONS REGARDING THE CITY'S REQUEST FOR PROPOSALS (RFP) FOR A RESIDENT CURATORSHIP FOR THE FLANDERS MANSION

NOTE: Please acknowledge receipt of these questions in your cover letter in your proposal.

Curatorship, Terms and Financing

1. **Question:** Is this [the curatorship] a paid position with a budget or is the City looking for a group to step in and restore the property?

   Answer: The curatorship is not a paid position. There is no City budget for the curatorship. The City is looking for individuals or groups that will repair and update the building's critical systems; historically renovate the building and grounds and then maintain the property for a minimum term of twenty (20) years in exchange for the rent-free use of the property as a single-family residence. While groups are not precluded from submitting a proposal, the Mansion must be used exclusively as a single-family residence. The City may not consider proposals that suggest other alternative uses, such as a multi-family or group home, office, meeting or conference space, or the use of the Mansion for special events.

2. **Question:** What are the terms for the curator? Is it possible for the curator to pass the curatorship to another person(s) i.e.: children, spouse or partner as part of the curator's estate on their demise?

   Answer: As outlined within the RFP, the length of the curatorship is twenty (20) years. In exchange for the curator's financial investment in upgrading, renovating and maintaining the Mansion, the curator and his/her immediate family, defined as the curator's parents, grandparents, children, grandchildren, spouse or partner, will be allowed to live in the Mansion without paying rent to the City. The curator, or his or her heir, will be responsible for maintaining the house and immediate grounds, paying utilities and any applicable taxes and must return the property to the City in good repair and order (normal wear and tear excluded) at the end of the curatorship.

   The City is not allowing a curator to sublet (i.e. to rent or otherwise allow someone other than the curator's immediate family to live within the Mansion). However, while the ability to transfer a curatorship will be contingent on Council approval, the City is open to the possibility of allowing a transfer to the curator's immediate family or estate in case of the curator's demise.

   In the likelihood of this situation occurring, the new curator would be subject to the same terms and conditions of the original lease agreement and require an immediate family member resides within the Mansion. The family member would be required to: (1)

successfully pass a background check and (2) have the financial resources to either continue the upgrades and restoration work and/or maintain the Mansion and grounds if the work has already been completed for the remainder of the curatorship term.

3. **Question:** What does use as a "single family residence" mean? For example, could I have a home office or operate a non-profit within the Mansion if I also live there?

   Answer: According to the City's Municipal Code, a single-family residence contains only one kitchen, designed for or used to house not more than one family – including all domestic employees of the family – and associated facilities for parking, living, sleeping, cooking, and eating. Pursuant to City Municipal Code section 17.08.050, home based businesses are permitted, but are limited by the following restrictions: (1) Are limited to office machines such as telephone and/or computer use; (2) Do not involve deliveries more frequently than once per week; (3) Do not involve parking, use or storage of any commercial vehicles; (4) Do not involve visits by customers, vendors, attendees, sales people or employees of the business; and (5) Are fully contained within one or two rooms in a single-family dwelling and are not located in a garage.

4. **Question:** Is the curator allowed to have pets?

   Answer: Domestic animals, such as dogs or cats, will be allowed. The residential curatorship lease agreement will include provisions to ensure that the curator takes proper measures so that the animal does not damage the Mansion and the surrounding area, including the Mission Trail Nature Preserve.

5. **Question:** What are the insurance requirements for the curator?

   Answer: The curator will, at his/her sole cost and expense, maintain property coverage on any and all of their own furnishings and other personal property placed by them on or in the Premises (Mansion, garage, shed and surrounding grounds). This policy shall include coverage for additional living expenses in the event of an occurrence making the Premises uninhabitable.

   The curator will also maintain, at his/her sole cost and expense, comprehensive personal liability coverage insuring against loss or liability in connection with bodily injury, death, property damage or destruction arising out of the use of the Premises by the Curator or his/her family, agents, contractors, licensees, personal guests or invitees under a policy or policies of insurance having such limits as are reasonable required by the City from time to time. For discussion purposes, the minimum policy limit is $1 million per occurrence and $2 million in the aggregate; however, the limit will be subject to negotiation with the selected curator and such limits may vary over the length of the curatorship term. The comprehensive personal liability coverage shall (a) name the City

as an additional insured on the policy, (b) be considered primary and non-contributory with respect to any other insurance carried by the City, (c) provide at least thirty (30) days prior written notice to the City before cancellation, non-renewal or material change to the policy, and (d) be issued by an insurer of recognized responsibility licensed to issue such policy in the State of California.

All contractors and subcontractors will be required to meet City insurance requirements of Commercial General Liability Insurance including but not limited to premises, personal injuries, bodily injuries, property damage, products, and completed operations, with a combined single limit of not less than $1,000,000 per occurrence and $2,000,000 in the aggregate; Professional Liability Insurance with limits of not less than $1,000,000 per occurrence or claim and $2,000,000 in the aggregate; Automobile Liability Insurance covering all automobiles, including owned, leased, non-owned, and hired automobiles, used in providing services to the curator with a combined single limit of not less than $1,000,000 per occurrence; and Workers' Compensation insurance in accordance with California Labor Code section 3700 and with a minimum of $1,000,000 per occurrence. A builder's risk insurance policy and a construction bond (or escrow account) for a minimum amount of $300,000 will be required for five years and/or until the work to update the building's critical systems is satisfactorily completed.

6. **Question:** Will either Federal or State historic tax credits apply to this project (i.e. will the property be eligible for tax credits to me as an individual)?

   Answer: The City recommends that a prospective curator consult his/her own tax consultant regarding this question as well as the National Park Service, IRS and/or the State Historic Preservation Office. However, it is the City's opinion that the federal rehabilitation tax incentive program would not apply to the Flanders Mansion, as the curator would use the Mansion as his/her single-family residence. According to the National Park Service (https://www.nps.gov/tps/tax-incentives/before-you-apply.htm) there are four factors to consider in determining whether a rehabilitation project would meet the requirements for the federal rehabilitation tax incentive program. One factor specifies, "after rehabilitation, the historic building must be used for an income-producing purpose for at least five years". As no income is being produced, the incentive program would not apply to the curatorship.

7. **Question:**
   a. Under the Duration and Cost section of the RFP there is the following statement: ". . . the curator will also be responsible for any fees, possessory interest taxes, utilities, and building and grounds maintenance costs . . .." I am especially interested in learning more about the general term "fees" and the possessory interest tax referenced in the RFP.

b. Is there a present (annual) estimate of the possessory interest taxes that the curator will be obligated to pay during the curating term (reference, page 12 of the RFP)?
c. Is there a present valuation (of the curator's interest) upon which such taxes would be based?
d. As work is completed on the property, would that valuation of the taxable possessory interest increase?

Answer: The City is not aware of any fees that are applicable to the curatorship. A taxable possessory interest is created when real estate owned by a government agency is leased, rented, or used by a private individual or entity for their own exclusive use. Prospective curators should anticipate that occupancy of the Flanders Mansion will be subject to a possessory interest tax. The valuation of the property for the purpose of calculating this tax will be made by the Monterey County Assessor's office and the City does not have the ability to influence that valuation. The last appraisal (received by the City in 2011) valued the Flanders Mansion in its then current condition at $1,100,000. That appraised value is not determinative of the current value on which the Assessor will base calculation of the possessory interest tax.

Once the Assessor has established a base year value, the taxable value of the possessory interest may be increased up to 2% per year thereafter (Revenue and Taxation Code section 51). Under the provisions of Revenue and Taxation Code sections 70 and following, the possessory interest tax is also subject to increase in the event of "new construction," which is defined to include any major rehabilitation of the property. The way in which the Assessor treats any particular construction activity may be determined in part by whether it can be characterized as repair, replacement, remodeling, rehabilitation, modernization, or renovation.

Guidance provided by the State Board of Equalization indicates that normal maintenance and repair is not considered new construction and does not trigger an increase in the possessory interest tax. Maintenance performed on real property is normal when it is regular, standard, and typical. Installation of new items that replace old items but provide similar function is not typically considered assessable new construction. Painting and roof replacement are examples of maintenance and repair items. Similarly, replacements made as a part of normal maintenance and which do not make the entire improvement substantially equivalent to new don't trigger increases in the possessory interest tax.

The State Board of Equalization considers "remodeling" to be changing the plan, form, or style of a structure by removing a portion and substituting another of like utility. If new square footage or fixtures are not added, the remodeling may not constitute assessable

new construction. However, if a remodeling project is extensive or includes substantial changes to the plumbing system, electrical system, framing or foundation, and changes the effective age of a building by extending its usable life, the remodeling may be considered the "substantial equivalent" of a new structure. In that case, the remodeled portion may be reassessed.

The State Board of Equalization considers "rehabilitation" to be the restoration of a property to satisfactory condition without changing the plan, form, or style of the property. If a rehabilitation project makes a structure substantially equivalent to new, it may qualify as assessable new construction. Whether new construction activity transforms an improvement or a portion thereof into a condition that is substantially equivalent to new is a factual determination to be made on a case-by-case basis.

In the view of the State Board of Equalization, "modernization" means taking corrective measures to bring a property into conformity with changes in style (whether exterior or interior) or additions necessary to meet standards of current demand. For property tax purposes, modernization implies curing functional obsolescence and physical deterioration to the degree that the structure becomes substantially equivalent to new. If the modernization work results in like-new condition, then the modernized portion of the property may be subject to reassessment.

The State Board of Equalization defines "renovation" to be the making of property into like new condition. Work that results in the property being transformed into like new condition could trigger reassessment of the renovated portion of the property.

Inasmuch as each property and construction activity is unique, the City cannot predict how the Assessor will apply any guidance from the State Board of Equalization with regard to work conducted at the Flanders Mansion or assure whether the Assessor will consider any particular work to trigger an increase in the possessory interest tax. The City is working with the County Assessor's Office to provide an estimate of the present taxable possessory interest and the City will update the response to this question when the estimate is available at https://ci.carmel.ca.us/post/request-proposals

8. **Question:** In order to fundraise, would I be allowed to name rooms within the Mansion after my donors?

   Answer: City Policy No. 89-41, "Acceptance of Donations and Gifts to the City", states that "no plaque or other identification may be attached to any gift or donation that is placed in any public building or in the public right of way without specific authorization of the City Council." Although the donation is being made to the prospective curator (rather than directly to the City), since the Mansion is still owned by the City, the placing of plaques or other permanent fixtures to the Mansion would require the approval of the

City Council and would be stipulated within the residential curatorship agreement with the selected curator.

9. **Question:** Will the financial disclosure form be made public? Will my financial statement be held in strict confidentiality or subject to public scrutiny and available pursuant to the California Public Records Act?

   Answer: The City believes that the public interest served by not disclosing financial statements submitted by potential curators outweighs the public interest in disclosing those statements and on the basis of Government Code section 6255(a) does not intend to make the financial statements public, but the City cannot assure that a reviewing court would take the same view. Accordingly, prospective curators should anticipate that if a request to inspect or copy financial statements is made under the California Public Records Act the City may be compelled to publicly disclose the documents.

10. **Question:** Will there be an opportunity for an additional open house and/or for private showings/tours for interested applicants?

    Answer: The interior of the premises was open to all interested parties on Friday, November 9 and on Saturday, November 17, 2018. No other open houses are planned. Access to the exterior and grounds are open to the public at all times.

    Should the City decide to hold another open house, information regarding the date and time will be posted on the City's website.

    The purpose of the open house is to (1) allow prospective curators the opportunity to view the property in order to determine a curator's level of interest in the curatorship and (2) provide sufficient access so that a prospective curator is able to submit a Proposed Restoration Schedule, which will be used as part of the City's evaluation process.

    The City recognizes that the submitted Restoration Schedules are preliminary and that additional access will likely be required by the selected curator in order to refine and finalize a mutually agreed upon Restoration Schedule by the City and the selected curator. The City will provide additional access to the selected curator as part of the residential curatorship agreement/lease negotiation process.

11. **Question:** What is the City's anticipated timeline to select a curator?

    Answer: Please see page 18 in the RFP. Generally, upon receiving the proposals and initially screening for responsiveness, the proposals will be forwarded to an evaluation panel that will independently review each proposal. The timing to complete the review of the proposals is unknown at this time due to the unknown quantity and volume of proposals. It is currently estimated that the evaluation panel will then meet to rank the

proposals, and develop a short-list of most qualified curators to continue in the selection process. This is tentatively scheduled by late January or early February 2019.

Selection steps following the short-listing may include: seeking clarifying information from proposers, interviewing the most qualified curators, and/or presenting the evaluation panel's short-list recommendations to the City Council, tentatively in early March. The remaining selection process will be determined at that time.

It is hoped that the best qualified curator is identified, all terms of a Lease Agreement are successfully negotiated, and the Agreement is approved by the City Council no later than June 2019.

Building Conditions, Assessments, Maintenance and Renovation Requirements

12. **Question:** Can you provide more information about the work that needs to be done, and the expectations of the City as to the level and timeline of renovations?

    Answer: The RFP, starting on page 8, outlines the repairs that must be made to the buildings critical systems. The City expects the required upgrades to the building's critical systems be completed within five (5) years and that a minimum annual investment of $60,000 will be made by the selected curator as outlined within the RFP beginning on page 12. Other supplemental renovations are strongly encouraged and may be made at any time over the twenty (20) year term of the Lease Agreement.

13. **Question:** Is the Mansion serviceable in its present condition?

    Answer: The building itself is considered to be "serviceable" in its present conditions, but certainly, the critical systems have exceeded their useful life and may be unreliable.

    There is some settling of the foundation (see Question #20); but the windows are secure and operable, and there are no known roof leaks at this time. The electrical and heating/ventilation systems are operational, but need to be brought up to current California Building Code and City standards. The plumbing system has limited functionality and also needs to be updated in accordance with the current Building Code.

14. **Question:** The RFP states that the systems need to be updated in compliance with State and local codes before the curator will be allowed to move in. Please clarify if the City will allow the curator to move in and use the existing systems while the upgrades and restoration work is taking place?

    Answer: For a dwelling to be considered "habitable," it needs to be weather tight, have water and sewer service, and the capability of maintaining 68 degrees Fahrenheit. The Mansion is a single family dwelling so theoretically, if it can meet the weather, water,

sewer, and heat tests, then it can be lived in while work is in progress. If water or sewer are disconnected during the upgrade work, the curator would need to vacate until the systems are restored. Prior to moving in, the water should be tested for lead.

15. **Question:** Will the City or the County be the responsible permitting agency? Will the curator be required to pull permits and pay fees?

    Answer: The City of Carmel will be the responsible permitting agency. Yes, the curator will be required to pull permits; however, all City permit fees will be waived for the curator. Depending on the types of restoration, the curator may need to acquire permits or approvals from other agencies, and in those cases, the curator will be required to pay applicable fees directly to those agencies**.**

16. **Question:** May I have a copy of the Architectural Resources Group (ARG) report?

    Answer: A copy of the report has been posted on the City's website at https://ci.carmel.ca.us/post/request-proposals

17. **Question:** The 2009 ARG report estimates the roof at $120,000. I understand that there has been some roof work completed, was that an entire tile removal and new waterproofing and flashing or just a partial re-roof and patch?

    Answer: The recent roofing repairs consisted only of patching a few isolated areas where leaks were encountered.

18. **Question:** Does the City have additional roof tiles stored offsite? If so, approximately how many?

    Answer: No. The firm of Gladden McBean manufactured the roof tiles that were recently used, under the brand of Berkeley Style Clay Roof Tiles.

19. **Question:** What is the source of the cost estimates for the renovation and addition of critical systems as set forth on Page 8 of the RFP?

    Answer: The Architectural Resources Group (ARG) prepared a cost estimate for a renovation of the Mansion in 2009. That estimate is available on-line on the City's website at https://ci.carmel.ca.us/post/request-proposals

    The rough, order-of-magnitude cost estimates included in the Request for Proposals was intended to cover only critical systems (electrical, mechanical, plumbing, structural, etc.) and were provided by City staff with expertise in building construction and facility maintenance; however, these estimates were for provided for general information only and should not be construed as actual cost estimates nor expenditure expectations.

The sprinkler estimate was based on the average price per square foot for fire sprinkler installations within the Monterey Peninsula area.

20. **Question:** It is my understanding that a Cost Estimate (other than the 2009 ARG report) was done several years later that was substantially lower. Is that estimate available?

    Answer: The 2011 appraisal estimated essentially the same repairs and renovations as identified in the ARG report at approximately $800,000.

21. **Question:** There may be a need for significant foundation work in order to mitigate water intrusion issues. Is there an estimate for that work?

    Answer: The need for "significant" foundation work for the majority of the building is not anticipated. The southeast corner of the building has been surveyed for possible movement for over 6 months, and very slight movement (⅛") has been indicated. Interior basement wall(s) in this area of the building also indicate bulging due to possible wet and/or clay soil conditions. It is anticipated that substantial foundation repairs or strengthening of the building will be required, but only in this corner of the mansion.

22. **Question:** The RFP states that the curator will commission a home inspection report and a Preservation Plan. Just to be clear, is it the City's expectation that these reports will be commissioned before or after the curator has been selected?

    Answer: The Home Inspection Report and Preservation Plan will be commissioned and coordinated by the selected curator and will occur after the curator is selected. The selected curator may commission these reports prior to the execution of the residential curatorship lease agreement at the sole risk of the curator. Copies of these draft reports and plans shall be made available to the City for review, and City comments shall be incorporated into the final reports and plans.

23. **Question:**
    a. I noticed fairly new copper water piping. Was that recently replaced from the meter to the interior of the house?
    b. It looks like there is a combination of copper and wood gutters. What is the City's expectation in terms of replacement- wood or copper?

    Answer: a. The City-installed copper piping was limited to only the downstairs restroom (closest to the kitchen) and to the kitchen sink.

    b. The gutters are both copper and wood, and some repairs have been made recently on both materials. The City expects any new/replacement gutters to be replaced in kind (copper or wood), or all may be in copper.

With regard to replacement of the gutters, it depends on whether these are considered a character defining feature of the resource. The City's Historic Resources Board will evaluate proposed modifications to the exterior, but it is likely that there will be some flexibility on the proposed design.

24. **Question:** Did the residents of the Flanders Mansion have a laundry room? If so, where?

    Answer: See page 85 of the following link for a floor plan that identifies a "laundry room": https://ci.carmel.ca.us/sites/main/files/file-attachments/attachment_1_the_flanders_mansion_habs_documentation.pdf

    There are no existing hookups for a washer and dryer. Preliminarily, it appears that the best places to install hookups for laundry facilities would be in the laundry room identified in the floor plan above or down in the basement.

25. **Question:** What is in the outside crawl space by the chimney?

    Answer: There is a crawl space from the side of the house into a box in the living room, adjacent to the fire place. The box in the living room was covered by the City to ensure no one could enter the mansion through the crawl space. The box appears to have been used to store firewood.

26. **Question:** Are there any historic photographs of the interior and/or any other documentation that shows which features, such as crown molding, etc. are original?

    Answer: No. Unfortunately, the City does not have any photographs or other documentation pertaining to the historic interior of the Mansion.

27. **Question:** Is it possible to obtain soft copies of the photographs that were included within the HABS report?

    Answer: Digital black and white copies of the HABS report have been added to the City's website at https://ci.carmel.ca.us/post/request-proposals

28. **Question:**
    a. What amount of modernization of the floor plan (moving interior walls) will be allowed? As an example there is a Bedroom 2, Area 7x11 and Master Dressing that are adjacent to the Master Bedroom Suite that could be incorporated into the master bath or closet to make a much more elaborate suite.

b. What amount of interior modernization will be allowed? For example, may the kitchen be updated or is the City requiring that the Mansion's interior be restored to the 1920s era?

Answer: a. In evaluating projects to historic resources, the City uses criteria outlined in the Secretary of the Interior's Standards for Rehabilitation. Interior modifications are not subject to these historic standards; however, as one of two nationally recognized historic properties owned by the City, the City's preference is for proposals that adhere to the original floor plan to the extent feasible. The City will consider minor floor plan alterations that do not significantly change the layout and the characteristics of the Mansion, such as moving of non-load bearing interior walls on the second floor and the moving of interior walls pertaining to the bedrooms on the first floor. Such alterations will be subject to the approval of the City Community Planning and Building Director and/or Building Official and may also be referred to the City's Historic Resources Board for approval at the discretion of the City Community Planning and Building Director.

Modifications to the exterior of the building and/or grounds are subject to the Secretary of Interior's Standards, and in most instances, will require approval by the City's Historic Resources Board.

b. The City uses the Secretary of the Interior's Standards for Rehabilitation for evaluating modifications to historic resources. The City typically only evaluates exterior modifications for compliance with the Secretary's Standards; however, interior modifications should be sensitive to the context of the building and should protect the Mansion's important historic fabric. That said, the City intends to partner with the curator to allow the curator to make interior renovations that provide for reasonable standards of living, such as having more modern kitchen, bathrooms, and lighting, but the City may not support modernization of a significant portion of the interior.

29. **Question:**
    a. With its [the Mansion's] historical designation, isn't it exempt from interior Fire Sprinklers?
    b. Given the fire sprinkler requirement, is the water supply to the property sufficient to accommodate a fire sprinkler system?

Answer: a. There are no code requirements to install a sprinkler system unless the building is remodeled and the work affects over 50% of the total linear length of all walls (internal and external). A proposed remodel to the Mansion, as conditioned by the City, will not reach this threshold. However, as the Mansion is a valuable City asset, the City is requiring that the prospective curator's Restoration Schedule include the installation of fire sprinklers.

b. The City is currently working on obtaining information regarding the water supply and will provide this information at https://ci.carmel.ca.us/post/request-proposals when it becomes available.

30. **Question:**
    a. Several people have expressed some concern that if the Mansion will be open periodically to the public, there may need to be a seismic up fit to the structure. That is a potential "budget buster." Can you or someone else at the City comment on that?
    b. If the Mansion is open to the public, even one or two times a year, does it need to be retrofitted to meet ADA standards?

Answer: a. Only new construction or reconfigurations within the mansion would need to be designed to meet current Building Code, including seismic provisions. The City does not envision the need to upgrade the entire mansion to meet current seismic loads.

b. Only new construction or reconfigurations within the mansion would need to be designed to meet current Building Code, including ADA provisions. The City does not envision the need to upgrade the entire mansion to meet current accessibility requirements.

31. **Question:**
    a. Another budget related question has been raised regarding the possible necessity to pay construction labor pursuant to the California "Prevailing Wage" Law. It is my understanding that the PW law is only applicable to "public works" paid from City funds or work provided by a private party when such work is under the "direction and supervision" of the City. Clearly the work contemplated is not being paid from City funds.
    b. And direction and supervision in the curator's scenario would presumably be limited to the normal building official's oversight as to code compliance. Correct?

Answer: a. Although California Labor Code section 1720(a)(1) defines "public works" to include construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds, section 1720 goes on to state that "paid for in whole or in part out of public funds" includes not only the payment of money or the equivalent of money by a political subdivision such as a city, but also transfer of an asset of value by the political subdivision for less than fair market price (subsection (b)(3)) or the waiver by the political subdivision of fees, costs, rents, etc. that would normally be required in connection with the public works contract (subsection (b)(4)). Allowing a curator to occupy the premises rent-free is a transfer of possessory rights in the Mansion at less than fair market price and/or a waiver of rent that would

ordinarily be required. For those reasons, potential curators should assume that prevailing wage requirements will apply.

b. The Building Official's oversight will be limited to the issuance of permits and scheduled inspections to ensure compliance with the Building Codes and City Standards. However, other City staff will be monitoring the curator's performance and compliance with the terms of a residential curatorship agreement, including reviewing the documentation regarding the annual minimum financial investment and the progress made toward the completion of the Restoration Schedule within five (5) years.

32. **Question**: Is the City requiring the use of local contractors?

Answer: The City has a preference for the use of local consultants, contractors and subcontractors; however, points are neither awarded nor reduced if non-local contractors are also used. The only requirements for consultants, contractors and subcontractors of the curator include: (1) contractors are licensed by the State of California; (2) contractors either have, or will obtain, a City business license, (3) contractors meet the City's insurance requirements, and (4) contractors provide certified payroll regarding prevailing wages when required.

33. **Question:** Cost of Utilities
    a. Water: What is a reasonable estimate of the monthly expense for a hypothetical family of four?
    b. Electricity: Same question, but factoring in the size of the property.
    c. Gas: Same question.
    d. Trash: Does the City bill residents for this service? Or do residents pay private companies such as Waste Management directly?

Answer: The City does not provide utilities directly to residents and is unable to estimate the cost of these services for the residential use of the Mansion given the variables related to usage patterns. Prospective curators are advised to contact the utility providers directly for estimated operating costs.

a. Cal-Am is the water purveyor for the area. https://amwater.com/caaw/customer-service-billing/billing-payment-info/water-rates/monterey-district
b. Pacific Gas and Electric (PG&E) provides natural gas and electric service. https://www.pge.com/en_US/residential/rate-plans/rate-plan-options/understanding-rate-plans/understanding-rate-plans.page
c. Residents subscribe to trash services directly with the City's franchised hauler, Green Waste Recovery.

http://www.greenwaste.com/sites/default/files/Carmel%20Residential%20Rates%20July%202018%20-%20June2019.pdf

d. Sewer service is provided by the Carmel Area Wastewater District (http://cawd.org). The City currently pays an annual assessment of $767.84.

34. **Question:**
    a. I thought the RFP stated that the curator is responsible for removing ivy from the Mansion. Please clarify if all of the ivy must be removed, including the existing ivy on the Mansion facing the driveway or if the ivy just needs to be maintained?
    b. When did the City remove the existing ivy and why?

Answer: a. The 2009 Architectural Resources Group report included "trim ivy and other plant material off the walls and gutters as needed" as part of the required building exterior work. The City will allow a limited amount of ivy on the facade of the house for decorative purposes.

However, the curator will be responsible for maintaining the ivy and other plant materials so as not to create habitat for rodents and other pests nor allow root intrusion into the exterior walls and foundation.

b. The City hired the firm Town and Country Gardening to maintain the ivy, and the City would expect the curator to continue to maintain the ivy. As much of the ivy on the south side of the Mansion was dying, City staff recently removed the ivy.

35. **Question:**
    a. What level of maintenance of the grounds is required?
    b. Do the grounds also have to be restored and if so, is there a landscape plan or other documentation showing the original landscape design?

Answer: a. The curator shall maintain the grounds in at least at the current conditions or better.

b. There are no known landscaping plans or other documents showing an original landscape design. The City is not requiring the grounds to be restored back to the original condition.

36. **Question:** Regarding landscape maintenance, can a person in the City's maintenance division offer an estimate for basic service that it or a third party is now providing?

Answer: The City hired the firm Town and Country Gardening to provide basic landscape maintenance services for about $300 per month. City staff provides supplemental landscaping maintenance work on an as-needed basis. Costs for ongoing landscape maintenance would be borne by the curator.

37. **Question:**
    a. Is the water meter to the house separate than the water meter to the grounds?
    b. Who pays for the water meter to the grounds?

    Answer: a. Yes. The water meter for the Mansion is outside near the kitchen. There is a separate meter for irrigation into the Lester Rowntree Native Plant Garden.

    b. The City pays, and will continue to pay for the garden water meter. The curator would be responsible for the cost of water service to the Mansion.

38. **Question:** I noticed during my inspection evidence of a landscape irrigation system. Given the water conservation issues in Carmel, how does one reconcile the water usage that will be needed to restore the lawn and other landscape materials?

    Answer: The existing irrigation system and its deficiencies at this time are not considered a critical system for the required renovations. It is anticipated that the selected curator would repair the irrigation system as necessary to maintain the system in at least the same condition, or better. Per City requirements, seventy-five percent (75%) of new or replacement landscaping shall consist of native, drought-tolerant plants. The City is not requiring the lawn to be restored at this time.

39. **Question:** For pest control, perhaps the City is currently handling this service in-house. If so, is there a cost that the person responsible can attribute to that service? If not, what is the City paying for that service?

    Answer: The City hired the firm Ailing House for pest control services on an as-needed basis. There have been times in the past when pest control was needed for both indoors and adjacent to the mansion outdoors**.** Routine monthly service costs about $720 a year; however, costs vary based on the frequency of service and materials used.

40. **Question:** Who is responsible for repairing and maintaining the driveway- the curator or the City?

    Answer: The curator is responsible for maintaining the portion of the driveway on the Flanders property. This includes the roundabout near the mansion and the driveway as it extends to its most northerly extent in the horizontal curve towards Hatton Road.

    The City is responsible for maintaining the portion of the driveway located on City property, which is approximately the first 350 feet of the driveway extending from Hatton Road to the northerly most extent in the horizontal curve.

CITY OF CARMEL-BY-THE-SEA
RESPONSES TO QUESTIONS REGARDING THE CITY'S REQUEST FOR PROPOSALS (RFP) FOR A RESIDENT CURATORSHIP FOR THE FLANDERS MANSION

Property and Mitigation Measures

41. **Question:** What abuts the property on its four sides, how close is it to a main road, and what type of road that might be?

    Answer: The Mansion is located within, and surrounded by, the Mission Trail Nature Preserve (MTNP), which is a City-owned and maintained park with passive recreation (hiking, walking, biking and bird watching). Access into the east side of the MTNP lies with the County of Monterey. The driveway to the property is connected to a residential street, which is about 2 miles from a major highway (US 1).

42. **Question:** Is there a map that shows the trails within the Mission Trail Nature Preserve and the trails proximity to the Mansion?

    Answer: A map of the trails in relation to the Mansion is available at https://ci.carmel.ca.us/sites/main/files/file-attachments/missiontrailnaturepreserve.pdf

43. **Question:**
    a. Will the curator be allowed to place a gate on the driveway?
    b. If so, where?
    c. Does the driveway need to allow public access and if so, could the gate have a code to allow public access when the Preserve is open?
    d. When is the Preserve open/closed?

    Answer: a-c. Figure 4.6.-1 referenced in mitigation measure 4.1-4 (and Question 47) includes a reference to the location of the gate. However, the location and design is subject to the discretion of the City and the Planning Commission (or other board).

    d. While there are parking restrictions along the driveway leading into the Preserve, the Preserve itself does not have opening and closure hours.

44. **Question:**
    a. Will the curator be allowed to install a fence?
    b. Is the City installing a fence prior to the curator's occupancy?

    Answer: The curator can potentially install a fence subject to design review and City approval. The fence height will need to be low enough to still allow a public view of the mansion. The Mitigation Monitoring Program adopted with the EIR provides several guidelines for the potential design and location of a fence. Installation and maintenance of the fence would be the responsibility of the curator.

45. **Question:** Does the City expect that the curator will allow the public to park anywhere on the .83-acre Mansion parcel?

    Answer: No. The City, in consultation with the selected curator, will identify specific areas for public parking.

46. **Question:**
    a. Regarding mitigation measure 4.1-2, where are the "existing scenic vistas"? Reference is made to Figure 4.1.5, which does not appear to be in the RFP package.
    b. Regarding mitigation measure 4.1-3, where are the two (2) public viewing areas?
    c. Do "future exterior changes" include all landscape changes?
    d. Is the preservation of the "existing tree line" intended to preserve curator privacy?

    Answer: a. Per Mitigation Measure 4.1-2, "The area of the scenic easements shall include the adjacent meadow area located south/southwesterly from the Flanders property as well as the two (2) viewing areas identified in Figure 4.1-5, which has been posted on the City's website at https://ci.carmel.ca.us/post/request-proposals

    b. Figure 4.1-5, Proposed Scenic Easements" identifies the public viewing areas.

    c. No, the reference to "future exterior changes" pertains to the existing tree line and preserving scenic vistas for the public viewing areas.

    d. No, the preservation of the tree line is intended to preserve scenic vistas for the viewing public.

47. **Question**:
    a. Regarding mitigation measure 4.1.-4, Fence? Figure 4.1-6?
    b. The fourth bullet point of 4.1-4 references the installation of a gate to be located in accordance with Figure 4.1-6. Please provide Figure 4.1-6.
    c. The fifth bullet point of 4.1-4 states that, "Landscape treatments and screening shall be required for portions of the site abutting the Lester Rowntree Arboretum (see Figure 4.1-6)." It appears that as recently as 2014 there was a long row of Cypress abutting the Arboretum and above the lawn on the east side of the house. That row of Cypress has been cut down. Do you have any background on why those trees were removed?

    Answer: a and b. Figure 4.1-6 has been posted to the City's website at https://ci.carmel.ca.us/post/request-proposals

    c. The long row of hedges on the east side of the Mansion was removed in early 2018. These hedges became overgrown, were half dead, and unsightly. The curator shall

plant suitable landscaped screening per the mitigation measure. Other trees to the south and southeast of the Mansion were also removed over the past year because these trees were either dead or invasive. Invasive trees, ivy, and plant removals will continue throughout the Mission Trails Nature Preserve in the coming years.

48. **Question:**
    a. Mitigation Measure 4.6-1 states that the City will create "additional public parking" as depicted in "Figure 4.6-2." Please provide Figure 4.6-2.
    b. The word "additional" suggests that some amount of public parking already exists. Where is that parking located?

    Answer: a. Figure 4.6-2 has been posted to the City's website at https://ci.carmel.ca.us/post/request-proposals

    b. Parking currently is only provided along the sides of the driveway and by the roundabout portion of the driveway at the front of the Mansion.

49. **Question:** Regarding mitigation measure 4.2-1, where would I find Appendix A? In the HABS Documentation?

    Answer: The appendices relating to the Biological Assessment referenced in mitigation measure 4.2-1 has been posted to the City's website at https://ci.carmel.ca.us/post/request-proposals

50. **Question:** Regarding mitigation measure 4.2-4, what if pest control finds a family of Monterey Dusky-Footed Woodrats inside the Flanders Mansion? Contact CDFG (CA Dept. of Fish & Game)?

    Answer: The curator would contact the City's representative and/or consultant biologist for advice.

51. **Question**: Regarding mitigation measure 4.3-2, hasn't this already been done by PAST Consultants?

    Answer: Yes. The HABS report was prepared by PAST Consultants and was accepted by the City's Historic Resources Board.

52. **Question:** Regarding mitigation measure 4.3-3, if buried cultural resources are discovered, would the Stop Work Order prevent moving forward with the work on the house itself?

Answer: Maybe. A cultural resource finding would temporarily stop the project, or at least the component of the project that includes excavation or outdoor work. The work stoppage would not likely apply to interior work.

If cultural resources are discovered, a qualified archaeologist must be retained to assess the significance of the find and, if necessary, to develop appropriate treatment measures in consultation with the State Historic Preservation Office.

53. **Question:**
    a. Would the City revise the site aerial in the HABS report to reflect the site configuration/boundaries after the carve out of the portion of the larger site (~ 1.6 acres) to be used for public parking?
    b. Will a map of the .83 site in question by provided?
    c. Will a map showing existing vegetation on the .83-acre parcel be provided?

Answer: a. The HABS report can potentially be modified to address changing circumstances. However, any modification would have to be reviewed by the City's Historic Resources Board for approval.

b. The HABS report specifically included the parcel boundary that existed when Flanders Mansion was submitted to the National Register of Historic Places in 1989. As noted above in answer a, the HABS can be modified to address changing circumstances. A map of the .83 site will be an exhibit to a residential curatorship lease agreement.

C. The HABS includes a landscape diagram of existing conditions in January 2014. As noted above, the HABS report can potentially be modified to address changing circumstance, subject to approval by the City's Historic Resources Board. A map or other documentation that illustrates existing vegetation conditions will be included as an exhibit to the residential curatorship lease agreement.

54. **Question:** The RFP does not reference the provisions of the City's Baseline Biological Assessment ("BBA") dated January 20, 2016, as it relates to the curator's maintenance requirement regarding the Flanders Mansion parcel (page 9 of RFP), and rehabilitation, renovation and maintenance of Mansion grounds. (RFP pg. 12). Will this be remedied at some point in an addendum to the RFP?

Answer: The City is not issuing an addendum to the RFP to reference provisions of the Baseline Biological Assessment. The City will provide a copy of the Baseline Biological Assessment to the curator and work with the curator to define the areas that will be under the curator's care and the standards for rehabilitation, renovation and maintenance of the Mansion grounds and include these standards within the residential curatorship lease agreement.

55. **Question**:
    a. Will a Preservation Plan for the landscaping be required and will it be required to take into account the situation of the parcel as it exists today (i.e. now), subject to modification as called for in the BBA, as opposed what is set forth in the HABS attached to the RFP, or take into account other historical evidence regarding the landscaping?
    b. Will that landscaping plan then be subject to approval by the HRB?
    c. Will the Restoration Plan have to be reviewed by the State of California Historic Resources Board?
    d. What standards will need to be met in the Preservation Plan regarding the requirements for restoration and maintenance of the landscaping of the .83 acre Flanders site?
    e. Will the Restoration Plan be required to take into account installation of fencing, rehabilitation (including, potentially, trimming or removal of trees and bushes), and maintenance of the Lester Rowntree Native Plant Garden and access by equipment and workers involved in such projects?
    f. Over what period of time will the curator be required to install the restored landscaping of the .83-acre site?

Answer: a. The Preservation Plan is required to contain a detailed history of the Mansion; a discussion of its historical significance; a comprehensive list of the features of the building and grounds that contribute to its historical significance; a detailed description of the current condition of the building and grounds and its integrity relative to the National Register criteria; a discussion of the Secretary of the Interior's Standards for the Treatment of Historic Properties; and specific standards and recommendations for the care and treatment of the Flanders Mansion building and grounds. Flanders Mansion is listed on the National Register due to its architecture and thus landscaping is not likely to be part of the Preservation Plan. The City is not requiring a curator to restore the grounds to the original condition. However, the City will require a landscape plan be prepared by the selected curator and reviewed by the Forest and Beach Commission.

b. As long as the landscaping plan does not change the hardscape features, such as the stone work planters and circular driveway, then the landscape plan does not need to be approved by the HRB.

c. Neither the Restoration Plan or the Preservation Plan will be reviewed by the State.

d. The Preservation Plan is required to meet the Secretary of Interior's Standards for the Treatment of Historic Properties.

e. Neither the Restoration Plan or the Preservation Plan will be required to take into account rehabilitation and maintenance of the Lester Rowntree Native Plant Garden and

access to equipment and workers as the purpose of these plans is to outline the work and treatments that will occur within the Mansion itself. The requirements regarding maintenance of the grounds and access to the Garden and Preserve by the City and volunteer groups will be included within the residential curatorship lease agreement.

f. There is no City requirement to restore the landscaping. However, the curator will be responsible for maintaining the grounds in a standard acceptable to the City (which will be defined within the residential curatorship lease agreement) for twenty (20) years. The City will still be required to maintain the Garden and the Preserve during the curatorship.

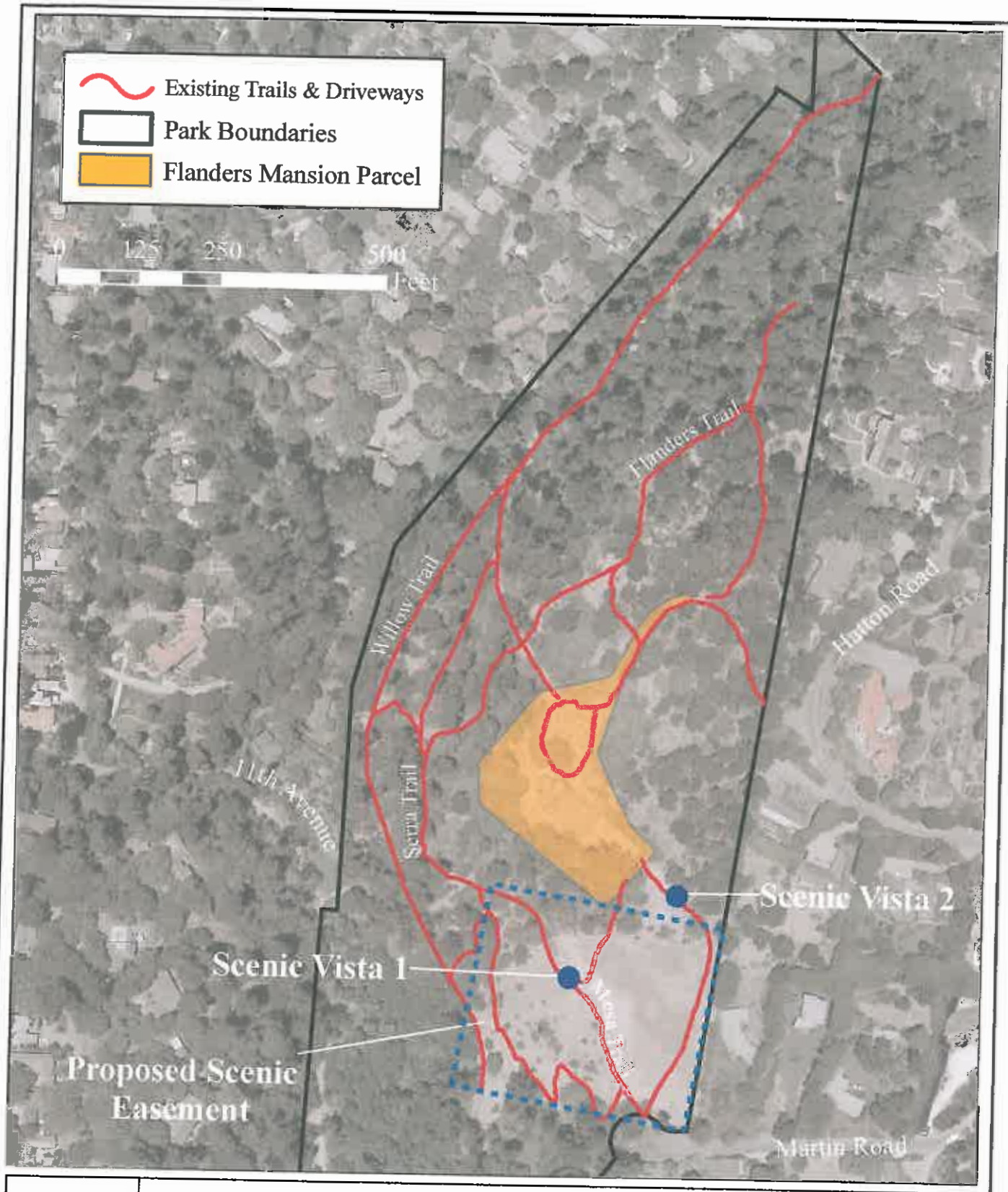
56. **Question:** The CDP incorporates "Mitigation Measures", including relating to "public parking". The RFP points out that the public parking "mitigation measure" (4.6-1) will require the City to "...develop a parking plan to provide at least 3 parking spaces along the existing driveway within Mission Trail Nature Preserve..." "...prior to the lease and occupancy of the Flanders Mansion." The RFP does not point out that any such parking plan will have to be the subject of a Coastal Development Permit, issued by the City Planning Commission (after environmental review) and subject to review by the California Coastal Commission, as any such parking area would be within an Environmentally Sensitive Habitat Area. The RFP does not point out that there have been no recent studies of current or projected public parking demands on the Flanders Mansion parcel, which would seem to be necessary if development of a "parking plan" to provide for loss of public parking places on the Flanders Mansion parcel, required by the Mitigation Measures, is to be realistic. The RFP does not state whether or not a handicapped parking space will be required. Will these matters be pointed out at some point in an addendum to the RFP?

    Answer: The purpose of the RFP is to solicit proposals from individuals interested in entering into a residential curatorship lease agreement with the City for the long-term use of the Mansion as a single-family residence. The comments raised pertain to the requirements of the City to provide public parking prior to the occupancy of the Mansion by a curator. While these comments illustrate that there are mitigation measures that will take time for the City to implement, the City does not believe these comments warrant a need to issue an addendum to the RFP.

57. **Question:** The CDP does not address the question of applicability of the Americans with Disabilities Act (ADA) which may be occasioned by modifications of Mission Trail Nature Preserve (including the Flanders Mansion and parcel).
    a. Are provisions of the ADA applicable to the curatorship terms and to the modifications to the Mission Trail Nature Preserve occasioned by its terms (i.e. changes in locations of trails, installation of new trails and access)?

b. Will new paths, which will be required if the curatorship goes into effect, require the issuance of a CDP because of their placement in the ESHA?

Answer: These questions pertain to the implementation of mitigation measures by the City and the process for the issuance of a Coastal Development Permit. The City is continuing to researching these questions and the information will be posted to the City's website at https://ci.carmel.ca.us/post/request-proposals

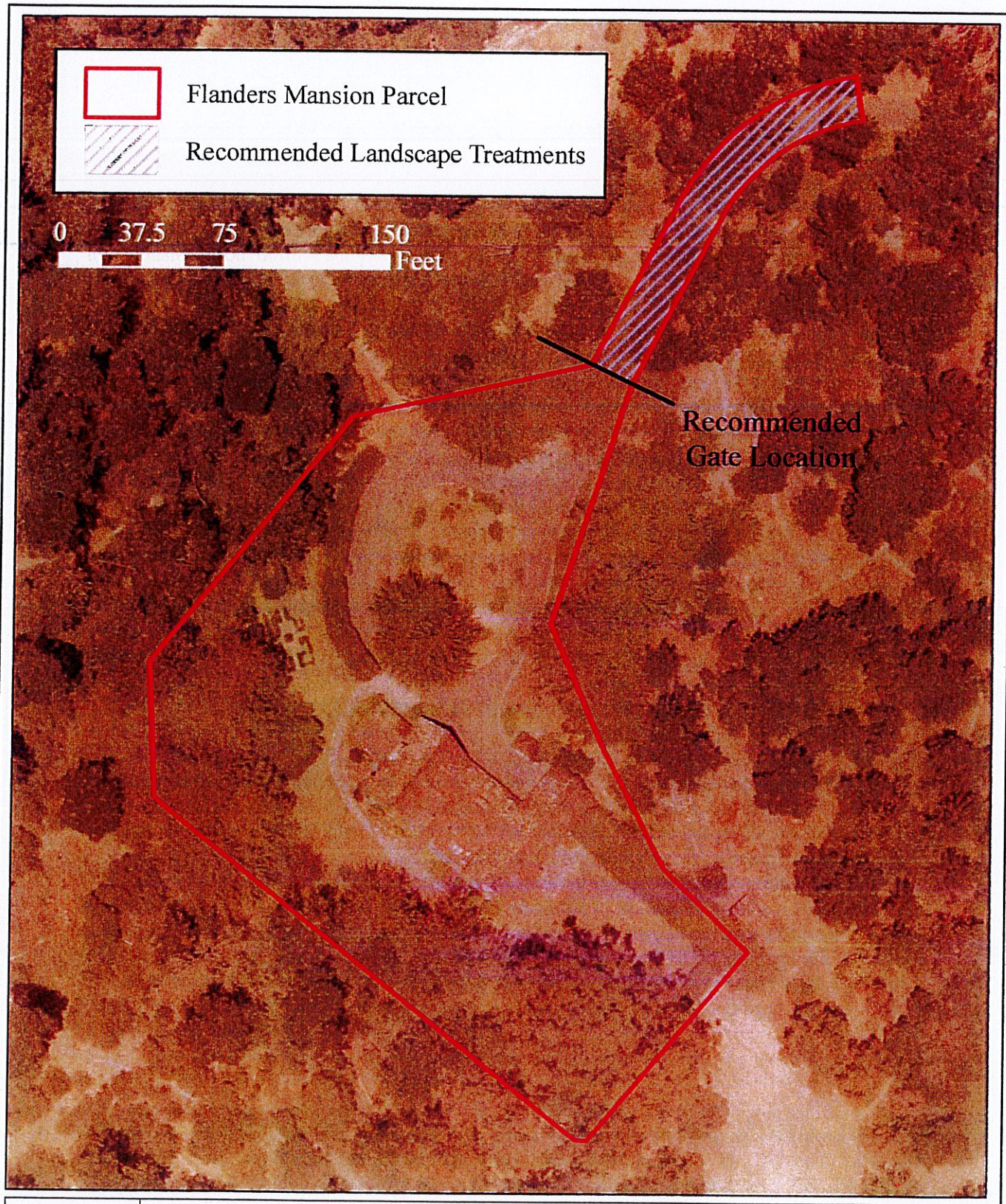


N

Proposed Scenic Easement

Figure 4.1-5

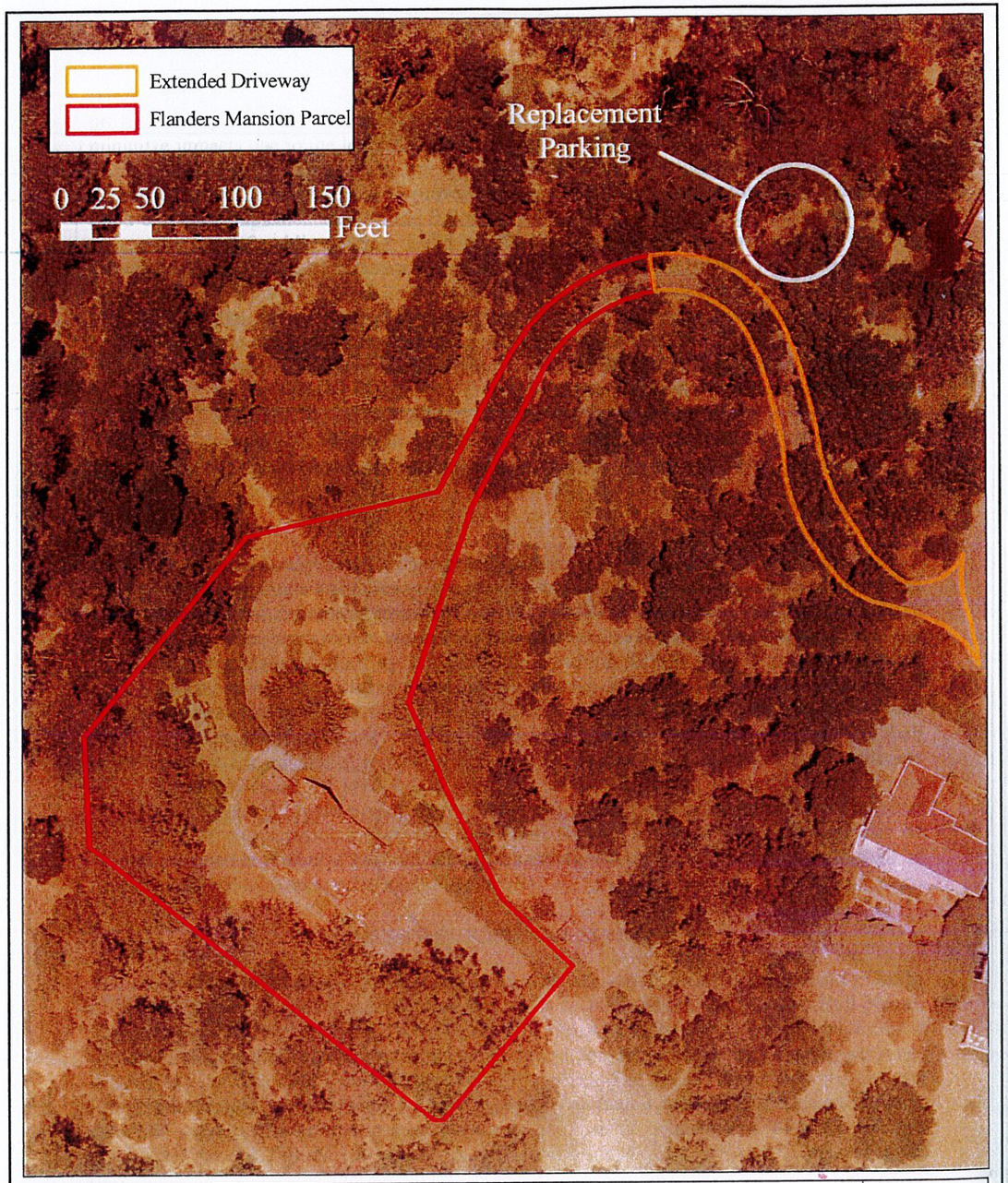
DENISE DUFFY & ASSOCIATES, INC.



N

Mitigation Measure 4.1-4 Limitations

Figure
4.1-6



N	Replacement Parking	Figure 4.6-2

DENISE DUFFY & ASSOCIATES, INC.

APPENDIX C

2005 Biological Assessment

Biological Assessment of the Flanders Mansion Property

Prepared for:

City of Carmel-by-the-Sea
Community Planning Department
P.O. Box Drawer G
Carmel-by-the-Sea, CA 93921

Prepared by:

Denise Duffy & Associates, Inc.
947 Cass Street, Suite 5
Monterey, CA 93940

February 8, 2005

DD&A
Denise Duffy & Associates, Inc.
PLANNING AND ENVIRONMENTAL CONSULTING

OVERVIEW

Denise Duffy & Associates, Inc. (DD&A) has been contracted by the City of Carmel-by-the-Sea to provide environmental services for the Flanders Mansion property (see Figures 1-3). This Biological Assessment updates and expands the description of on-site resources at the Flanders Mansion property, identifies any sensitive or special-status habitats, plants, or animals potentially present within project boundaries and documents and evaluate Environmentally Sensitive Habitat Areas within and immediately adjacent to the Flanders property. An Environmental Impact Report (EIR) is being prepared pursuant to the California Environmental Quality Act (CEQA) for the potential sale of the Flanders Mansion property in the City of Carmel-by-the-Sea. The 1.25-acre property (Parcel "B" on Figure 3) contains a historic building known locally as the Flanders Mansion, which is listed on the National Register of Historic Places and is also located within a greater Preserve area known as the Mission Trails Nature Preserve (Figure 2). The Preserve itself is designated as Environmentally Sensitive Habitat Area (ESHA) in the Local Coastal Program (LCP) and the property is zoned as Improved Parkland (P-2). The purpose of the sale of the property is to generate funds for needed City capital improvements involving a number of municipal facilities.

Any potential impacts associated with the sale of the property will be entirely dependent upon the proposed use of the site. The zoning designation for the site is P-2, which is for parkland properties that are not in their full natural state and which have been improved with buildings, recreational facilities or other artificial interventions. The potential future uses that are allowed in the P-2 zone include park and recreation uses, residential uses, parking, municipal facilities, nonprofit uses, conference facilities, visitor serving (motel use), day care facilities and other similar uses. The sale of the Flanders Mansion property (a.k.a. "Parcel B" as shown on Figure 3) and potential future uses may result in significant impacts in a number of areas, primarily historic, land use, natural resource (biology), and aesthetic issues, as identified in the associated EIR.

LOCATION

The project is located in Monterey County, California and is within the boundaries of the City of Carmel-by-the-Sea. The site (APN# 010-061-005) is accessible by Martin Road and is within the Mission Trails Nature Preserve (see Figures 1 & 2). The project being evaluated is the sale of "Parcel B", as shown on Figure 3.

LAND USE

Surrounding land uses at the Flanders Mansion property include the Mission Trails Nature Preserve, the Lester Rountree Memorial Arboretum (immediately east of the site), and a single-family residential neighborhood. As mentioned, the zoning designation for the Flanders Mansion site is P-2 (see Overview for details). In the past, the Flanders Mansion building has been occupied as a residence and as the office of a nonprofit organization. At present the boundary between the larger park and the Flanders property is unfenced and park users (including pets) can freely pass across both parkland areas.

HABITAT DESIGNATION (ESHA)

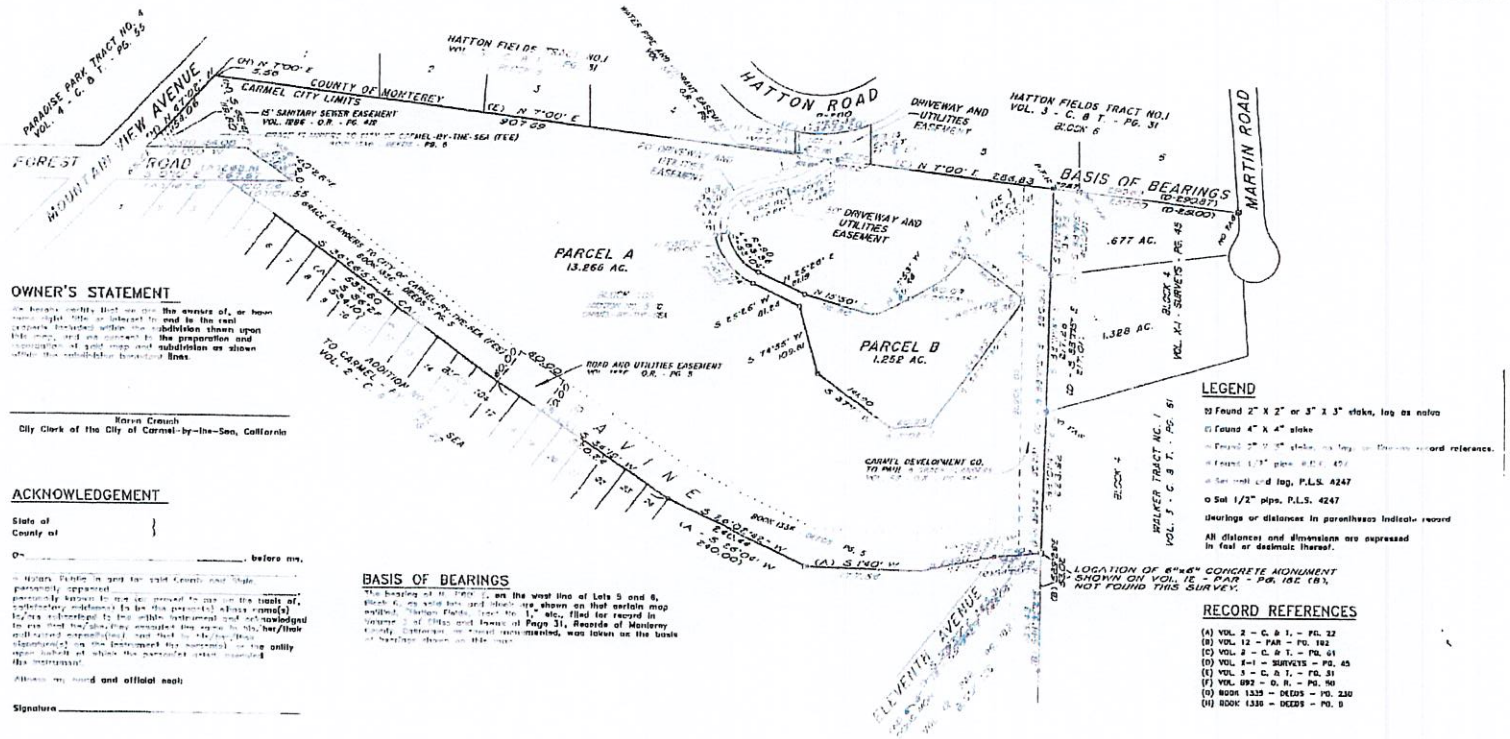
The Mission Trails Nature Preserve is designated as an Environmentally Sensitive Habitat Area (ESHA) in the Local Coastal Plan (LCP) for the City-of-Carmel-by-the-Sea. For a detailed and thorough explanation of the specific ESHA designations within the greater Mission Trails Nature Preserve, please refer to the 1995 report prepared by Jones & Stokes Associates, Inc titled: *Final Results of the Environmentally*

N

Project Vicinity

Figure 1

DENISE DUFFY & ASSOCIATES, INC.



Site Plan (Parcel B)

Figure 2

N	Mission Trail Nature Preserve Aerial Photo	Figure 3

DENISE DUFFY & ASSOCIATES, INC.

Sensitive Habitat Area Study Conducted for the City of Carmel-by-the-Sea. This DD&A Biological Assessment concurs wholly with the ESHA-designations identified within the 1995 JSA report immediately *adjacent* to the Flanders Mansion parcel, but also serves to update and expand the description of on-site resources, and identify any sensitive or special-status habitats, plants, or animals potentially present within project boundaries.

Please note that the 1995 JSA ESHA report identifies all Monterey Pine Forest on inland granitic bedrock and/or oldest dune formation within the Mission Trail Nature Preserve as ESHA, *except for portions contained within the Flanders Mansion Property,* due to the habitat value they provide for the Monterey dusky-footed woodrat *(Neotoma fuscipes luciana)* and other local wildlife species. However, in this Biological Assessment, Monterey Pine forest and/or forest edge within the Flanders Mansion Property (particularly the western boundary) *is considered ESHA* (albeit disturbed), as this habitat may potentially be utilized by a variety of special-status species, and is known to support an active Monterey dusky-footed woodrat nest (see Wildlife section below).

The ESHA determined by JSA immediately *adjacent* to the Flanders Mansion property (within the surrounding Parcel A and/or the adjacent two lots on Figure 3) was designated as such because of the presence of special-status plant and animal species (including the dusky footed woodrat, Hickman's onion, etc.) and/or the presence of potentially sensitive and/or regulated habitats (jurisdictional wetlands, riparian habitat, and native Monterey Pines growing on semi-rare soil types). For areas within the coastal zone, the definition of ESHA is found in §30107.5 of the Public Resources Code. The Coastal Act (§30240) protects ESHA's from degradation by development. Sub-section (b) of §30240 states the policy for areas adjacent to ESHA's:

"(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of the habitat area."

The project may result in biological impacts due to increased use, changes to access and/or onsite resources, removal of native trees and vegetation, and changes to drainage on the property.

REGULATORY BACKGROUND

The U.S. Army Corps of Engineers (ACOE) is responsible for the issuance of permits for the placement of dredged or fill material into waters of the U.S. pursuant to Section 404 of the Clean Water Act (33 USC 1344). Waters are areas that are currently used or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; tributaries and impoundments to such waters; all interstate waters including interstate wetlands; and territorial seas. Based on the U.S. Supreme Court decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers (2001), and guidance from the US. Army Corps of Engineers and U.S. Environmental Protection Agency (2001), the federal government no longer asserts jurisdiction over isolated waters and wetlands under Section 404 of the Clean Water Act based on the "migratory bird rule."

Under the ACOE and U.S. Environmental Protection Agency regulations, wetlands are defined as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." In non-tidal waters, the lateral extent of ACOE jurisdiction is determined by the ordinary high water mark, which is defined as the "...line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas." (33 CFR 328[e]).

Section 9 of the federal Endangered Species Act prohibits the take of listed fish and wildlife species without special exemption. "Take" is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, collecting, or attempting to engage in such actions. Harm is further defined to include significant habitat modification or degradation that results in the death or injury to listed species by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering. Projects that would result in the take of a federally listed or proposed species require consultation with USFWS or NOAA Fisheries. Consultations are conducted under Sections 7 or 10 of FESA depending on the involvement of the government. Section 7 requires federal agencies to make a finding on all federal actions, including the approval by an agency of a public or private action, such as funding by the Federal Highways Administration (FHWA), or the potential to jeopardize the continued existence of any listed or proposed species impacted by the action. Section 10 is conducted when there is no federal involvement in a project except compliance with FESA. Under Section 7, the Service and NMFS are authorized to issue Incidental Take Permits for the take of a listed species that results from, but is not the purpose of, carrying out an otherwise lawful activity conducted by the federal agency. Depending on the type and extent of impact, one of three consultation methods is employed. First, if FHWA determines that no "take" will occur, it can notify the USFWS and/or NOAA Fisheries with a "no adverse effect determination". Second, "informal consultation" involves submission of a letter to USFWS and/or NOAA Fisheries indicating that the project is "not likely to adversely affect" a listed species. If the agency agrees, they will issue a concurrence letter to FHWA. The third type of consultation is "formal consultation". Formal consultation is conducted between FHWA and USFWS and/or NMFS when a "take" of a listed species will likely occur. The agency will issue a biological opinion letter that identifies the limits of acceptable "take" of the species and requires strict adherence to any specific conditions therein.

Under the California Fish and Game Code, activities resulting in the diversion or obstruction of the natural flow of a stream, or substantially change its bed, channel, or bank, or utilize any materials (including vegetation) from the streambed, require that the project applicant enter into a Streambed Alteration Agreement with CDFG.

The CDFG administers several laws and programs designed to protect fish and wildlife resources, including the California Endangered Species Act of 1984 (CESA- Fish and Game Code Section 2050). CESA regulates the listing and take of state endangered and threatened species. Under Section 2081 of CESA, CDFG may authorize the take of an endangered and/or threatened species, or candidate species by a permit or Memorandum of Understanding for scientific, educational or management purposes.

CDFG administers other state laws designed to protect wildlife and plants. Under Section 3511 of the Fish and Game Code, CDFG designates species that are afforded "fully protected" status. Under this protection, designated species can only be taken or possessed with a permit. Section 3503 of the Fish and Game Code protects all birds-of-prey, their eggs, and their nests. CDFG also manages the California Native Plant Protection Act of 1977 (Fish and Game Code Section 1900, *et. seq.*), which was enacted to identify, designate, and protect rare plants. In accordance with CDFG guidelines, California Native Plant Society (CNPS) 1B list plants are considered "rare" under the Act, and are evaluated in CEQA reports.

The CDFG maintains a list of animal "species of special concern," most of which are species whose breeding populations in California may face extirpation if current trends continue. Although these species have no legal status, the CDFG recommends considering these species during the analysis of proposed projects to protect declining populations and avoid the need to list them as endangered in the future.

PROJECT APPROACH AND METHODOLOGY

David Keegan, Associate Environmental Scientist of Denise Duffy & Associates, Inc., conducted reconnaissance-level wildlife and sensitive habitat surveys on December 21, January 27, and January 31, 2005. Josh Harwayne, Associate Environmental Scientist of Denise Duffy & Associates, Inc. conducted a botanical survey and wetland evaluation of the project site on January 31, 2005. This survey was dedicated to ground-checking past biological studies (including GIS mapping of habitats) and reports of

special-status species occurrences and distribution immediately adjacent to project boundaries, as well as walking throughout the site to identify any sensitive botanical resources and/or appropriate habitat for these species not previously identified. Please note that these surveys focused almost entirely on Parcel B (Figure 3). In addition, David Keegan and Josh Harwayne investigated portions of Parcel A that are within 50-100 feet of Parcel B, and "ground-proofed" JSA ESHA-designations nearest to Parcel B (Monterey Forest on oldest-dune soils immediately north of the site and reported Hickman's onion and dusky-footed woodrat occurrences immediately south of the site).

The project site was traversed by meandering transects. Transect density (the number of passes through an area) varied with the biologists ability to observe all portions of the project site and to identify all species potentially present within a given habitat. Incidental observations of plant and wildlife species during our habitat assessments, along with known occurrences in the vicinity from previous studies (JSA 1995) are presented in this report and in Appendices A-C.

SPECIAL-STATUS SPECIES

Special-status species are those plants and animals that have been formally Listed or Proposed as Endangered or Threatened, or are Candidates for such listing under the federal ESA or the CESA. Listed and Proposed species are afforded protection under these acts. Plants on the California Native Plant Society (CNPS) Lists 1A, 1B, and 2 are also treated as special-status species, as well as CDFG species of special concern. Species of special concern are those that could face extirpation in California if current trends continue. Although they have no special legal status, these species are given management consideration whenever possible. Impacts to these species may be considered significant according to the California Environmental Quality Act (CEQA).

If there is the potential for a direct "incidental take" of a federally listed species in Appendix A during any future proposed construction (or deconstruction) activities, Section 10(a) permit (USFWS) for non-federally funded projects (or without a federal "nexus") and Section 7 for projects with federal funding (or with a federal "nexus"), will be needed to authorize the "incidental take" of that species during the construction phase of the project. Indirect impacts resulting in adverse impacts to a species or the degradation of critical habitat is also considered a "take," and therefore requires the aforementioned permits. Impacts are also considered substantial if they result in a "take" of any raptor or nesting habitat of raptors, as protected under the federal Migratory Bird Treaty Act of 1918 (as amended). A Memorandum of Understanding (MOU) with the CDFG is required to "take" any state Listed species (or its habitat) in Appendix A.

BOTANY

In order to determine which special-status plant species have potential to occur within and adjacent to the Flanders Mansion property, special-status plant species occurrence records by USGS quadrangle from the California Natural Diversity Data Base (CNDDB), and County and USGS quadrangle occurrence records in the California Native Plant Society's (CNPS) *Inventory of Rare and Endangered Vascular Plants of California* (Skinner and Pavlik 1994), were reviewed. The Monterey 7.5' quad was included in this review. In addition, all available published and unpublished biological reports specific to the project site were reviewed. Also reviewed were habitat and distribution information in local and state floras (Howitt and Howell 1964, 1973; Munz and Keck 1973; Hickman 1993; Matthews 1997). Current status information for species listed as Threatened or Endangered under the federal ESA, and federal Proposed and Candidate species, was obtained from USFWS (2005). Current status information was obtained from CDFG (2004) for State of California listed species, and from Skinner and Pavlik (1994) for CNPS-listed species, including species on CNPS Lists 1 and 2 that are legally protected under CEQA. Appendix A lists the plant species reported by the CNDDB as potentially present in the project vicinity (within 1 mile), along with their status and a brief habitat description.

All individual plants occurring within the study area were identified to species or the lowest intraspecific taxon necessary to determine its status using keys and descriptions in Hickman (1993) and Matthews

(1997). Scientific nomenclature for plants in this report follows Hickman (1993); common names follow Mathews (1997) and Hickman (1993). Please note that site reviews conducted for the preparation of this report were done outside of the blooming period for some plants present within project boundaries, however, previous reports of the site were reviewed, and basic habitat features were assessed for the potential to support any special-status species.

The generalized vegetation classification schemes for California described by Holland (1986) and Sawyer and Keeler-Wolf (1995) were consulted in classifying the vegetation of the study area. The final classification and characterization of the vegetation of the study area is based on field observations and a review of pre-existing biological documentation of the project site (JSA 1995). A list of identifiable species observed during site visits for the preparation of this BA is presented in Appendix B.

Special-Status Plant Species

Habitats within the study area were characterized in the field and assessed for potential project related impacts to special-status plants, and for potential occurrences of protected species. A floristic inventory of identifiable species within project boundaries was conducted, and any previous reports of special-status plant observations were ground checked for current presence. The entire site was evaluated by "meandering" transects.

WILDLIFE

A focused review of literature and data sources was conducted in order to determine which special-status wildlife species have the potential to occur within the project study area. The California Natural Diversity Database (CNDDB) records (RareFind Report 2005) were reviewed in order to identify known occurrences of special-status wildlife species and habitats in the study area region. A CNDDB report was generated for the Monterey 7.5 degree quad. In addition, all available published and unpublished biological reports specific to the project site were reviewed (JSA 1995). Current agency status information was obtained from USFWS (2005) for species listed as Threatened or Endangered, as well as Proposed and Candidate species for listing, under the federal Endangered Species Act; and from CDFG (2005) for species listed as Threatened or Endangered by the state of California under the California Endangered Species Act, or listed as "species of special concern" by CDFG. In addition, the following literature and data sources are present in the DD&A library and are consistently reviewed: CDFG reports on special-status wildlife (Remsen 1978; Williams 1986; Jennings and Hayes 1994; Thelander 1994); California Wildlife Habitat Relationships Program (CWHRP) species-habitat models (Zeiner et al. 1988; Zeiner et al. 1990a; Zeiner et al. 1990b; Pisani 2000); as well as general wildlife references (Stebbins 2003, Sibley 2003). From the above sources, a list of special-status wildlife species with the potential to occur in the project area was generated (Appendix A). A list of wildlife heard or observed during site visits for the preparation of this BA is presented in Appendix C.

Special-Status Wildlife Species

Habitats within the study area were characterized in the field and assessed for potential project related impacts to special-status wildlife and wildlife habitats, and for potential occurrences of protected species.

SENSITIVE HABITS/WETLANDS

The study area was surveyed for sensitive habitats. Sensitive habitats include riparian corridors, wetlands, and habitats for legally protected species including CDFG species of special concern, areas of high biological diversity, areas providing important wildlife habitat, and unusual or regionally restricted habitat types. Habitat types considered sensitive include those listed on the CNDDB working list of high priority and rare natural communities habitats (i.e., those habitats that are Rare or Endangered within the borders of California) (Holland 1986), and those that are critical habitat in accordance with the Endangered Species

Act. Characterization of the project site included a general site evaluation for the presence of jurisdictional wetlands and other waters of the United States (waters). Under Section 404 of the Clean Water Act, the Army Corps of Engineers has jurisdiction over wetlands and other waters of the U.S. Wetlands are defined as areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of vegetation typically adapted to life in saturated soil conditions. The jurisdiction of the Corps includes the area below the Ordinary High Water (OHW) mark on each bank.

RESULTS/DESCRIPTION OF BIOLOGICAL RESOURCES

As previously mentioned, this report frequently references (and in some respects tiers off of) the 1995 JSA report titled: *Final Results of the Environmentally Sensitive Habitat Area Study Conducted for the City of Carmel-by-the-Sea.*

General Site Characteristics: The Flanders Mansion property currently supports a mix of native, non-native, and horticultural species, enveloped within the larger Mission Trails Nature Preserve (as described by the 1995 JSA report). The majority of the vegetation immediately bordering the Mansion structure consists of remnant and recently planted horticultural species, including non-native and invasive species, such as English Ivy *(Hedera helix)* and Periwinkle *(Vinca major)*. Outside of these planted areas, the property consists of mowed lawn (landscaping and ruderal vegetation) transitioning into Monterey Pine forest to the north and northwest (the border of which represents the northwestern property boundary), the Lester Roundtree Memorial Arboretum (also within historic Monterey Pine Forest, but located offsite) to the east, a cypress hedge-row creating a visual separation from an open mesic-meadow (off-site) immediately south of the property, and remnant Monterey Pine forest outside of these areas to the north, east, and west (Figure 4 a-c).

Habitat types within the Flanders Mansion Property (Parcel B) can be divided into one of two general habitat types: Planted Areas/Lawn and Monterey Pine Forest Edge.

Planted Areas/Lawn

As stated above, the majority of the property consists of the maintained lawn and gardens of the Flanders Mansion (Figure 4). Planted portions of the property support a mixed mosaic of horticultural shrubs, perennials, and annuals, intermixed with non-native/invasive species, including (but not limited to); Mexican sage *(Salvia leucantha)*, yellow bush daisy *(Euryops hybrid)*, chaparral honeysuckle *(Lonicera subspicata)*, unidentified elm *(Ulmas* sp.*)*, and Periwinkle *(Vinca major)*.

The lawn of the Flanders Mansion is subject to frequent mowing and heavy disturbance, and is dominated by a mixture of non-native/invasive ruderal species such as English plantain *(Plantago lanceolata)*, cut-leaved plantain *(Plantago coronopus)*, and crabgrass (*Digitaria sanguinalis)*.

Please note that the property boundary between the Flanders property and the Lester Rountree Arboretum is dominated by a mix of native and planted species. Toyon and coast live oak dominate the canopy of the Arboretum in this zone and intersect with planted non-native species including Leptospermum and lemonade berry *(Rhus integrifolia)*. The understory of this transition zone supports a mixture of native shrubs such as currant *(Ribes* sp.*)* and non-native/invasive species such as Himalyan blackberry *(Rubus discolor)*. In addition, the Flanders property supports a variety of planted succulents (not identified) along this property boundary.

Monterey Pine Forest/Edge:

At the interface between the maintained lawn portion of the Flanders property and the Monterey Pine Forest Edge along the western boundary of the site, several large Coastal redwoods *(Sequoia sempervirens)* occur which were likely planted many years ago, but as these are remnant, they are included in the

Front of Flanders Mansion

North Side of Flanders Mansion

View of Northern Boundary

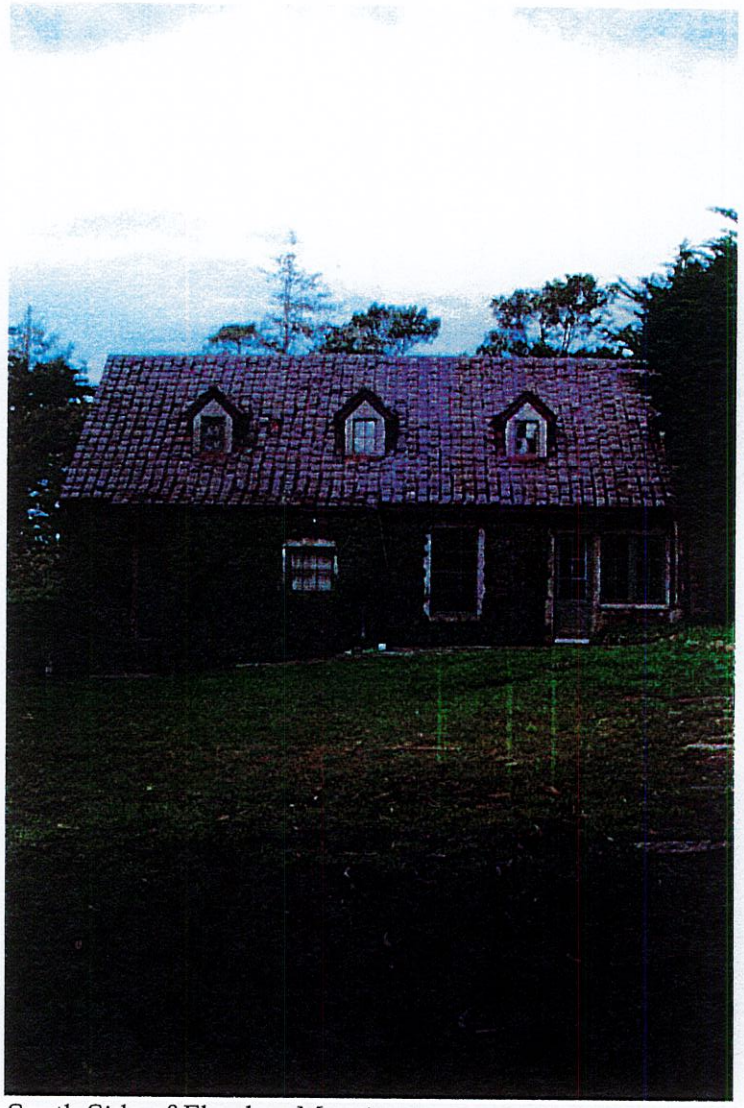
View of Southern Boundary

N

Representative Site Photos

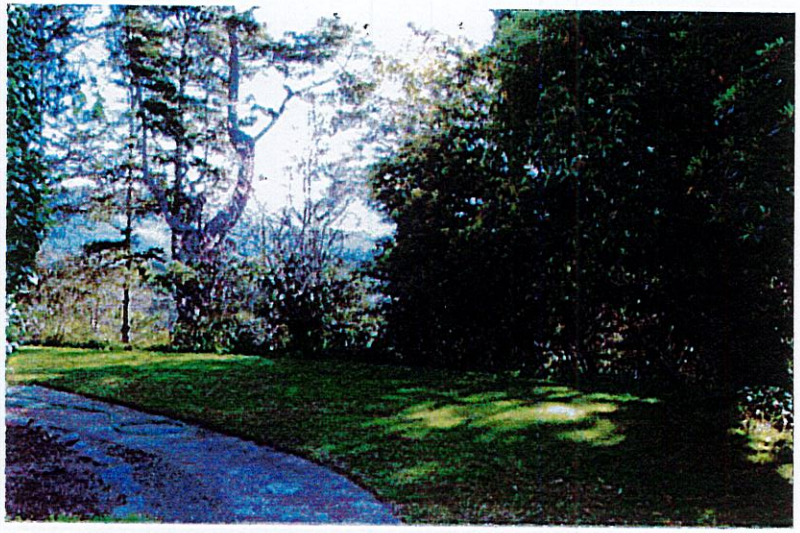
Figure 4A

DENISE DUFFY & ASSOCIATES, INC.



South Side of Flanders Mansion

View From Lester Rountree Aboretum



Backyard transition to "Monterey Pine Forest Edge"

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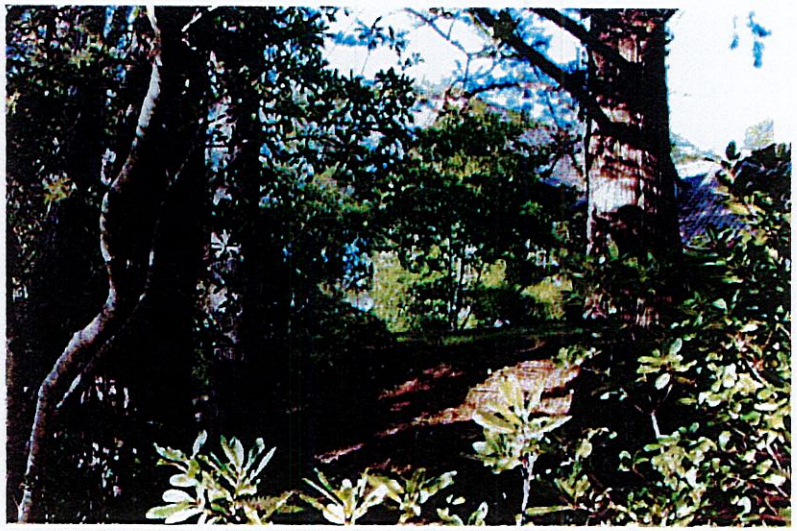
Representative Site Photos

Figure 4B

DENISE DUFFY & ASSOCIATES, INC.

Monterey Pine Forest Edge (Backyard)



View of Mansion from Monterey Pine Forest Edge

Woodrat nest within Monterey Pine Forest Edge (western boundary)

N

Representative Site Photos

Figure 4C

DENISE DUFFY & ASSOCIATES, INC.

"Monterey Pine Forest/Edge" generalized habitat type. As mentioned above, Monterey Pine Forest/Edge represents the western and northern boundaries of the Flanders Mansion property (Figures 4 a-c). Monterey Pine forest supports a variety of plant species, but onsite conditions range between areas in which the Monterey Pine crown cover is relatively dense, and the ground cover consists entirely of Periwinkle, to areas where the canopy is less dense, and the understory is better developed, dominated by non-native/invasive species such as French broom *(Genista monspessulana)* and panic veldt grass *(Erharta erecta)*. Directly behind the Flanders Mansion, the Oak Woodland Forest/Edge is typical of the periwinkle ground-cover described above, while southwestern portions of the property support the more complex understory (including broom and veldt grass).

Botany

The CNDDB reports a population of Hickmans's onion *(Allium hickmanii)* in the mesic-meadow parcel (lots) immediately south of the Flanders Mansion property (Figures 3 and 4). No other CNDDB reports of special-status species exist for the areas *immediately adjacent to* the Flanders property (please note that several special-status species have been planted in the Lester Rountree Arboretum and are present), and no reports of special-status species occurrence *within* the Flanders property are on record. While DD&A biologists did not observe any special-status species within the study site, our site visits were not conducted during the flowering period of a number of the species presented in Appendix A (see species-specific likelihood of occurrence), and a Spring-time survey is therefore recommended to eliminate their potential presence within the site. Aside from the few exceptions noted in Appendix A (for which Spring surveys are specifically suggested), one species was considered potentially present within the Flanders property (all others are eliminated for the species-specific reasons presented in Appendix A):

Hickman's Onion

Hickman's onion is a California Native Plant Society (CNPS) List 1B species, which are afforded planning consideration under CEQA. Hickman's onion is typically associated with closed-cone coniferous forests, maritime chaparral, coastal scrub, and valley and foothill grassland habitats. As previously mentioned, Hickman's onion is known to occur in the mesic-meadow adjacent to the Flanders property, as first reported by JSA biologists in 1995.

Species potential presence within project boundaries:

During the DD&A site assessments, DD&A confirmed the data listed on the CNDDB for Hickman's onion in the mesic field adjacent to the Flanders parcel and mapped by the 1995 JSA report. Please note the onion population was determined to be in the approximate location originally described (JSA 1995), but some shift in the size and location of this population has occurred, as is typical over time. Please note that while it was not possible to identify the onion observed in the adjacent mesic-meadow to species (based on the lack of an inflorescence), the location of this population is consistent with the occurrence in the CNDDB, and it is assumed that these are in fact Hickman's onion. Unlike the mesic meadow, however, no portion of the actual Flanders property ("Parcel B" on Figure 3) was observed to support any onion (which was readily apparent in the mesic-meadow although not identifiable to species), and it is highly unlikely that this species occurs within the parcel being evaluated. Even so, spring-time surveys proposed for currently unidentifiable species presented in Appendix A would inevitably encounter Hickman's onion if present.

Sensitive Habitats

Based on a review of the 1995 JSA report, and the DD&A site assessments, only one sensitive habitat is currently supported by the Flanders Mansion property (as identified in the 1995 JSA report); Monterey Pine Forest on inland Granitic Soils (described above as "Monterey Pine Forest/Edge"). The demarcation between the planted areas/lawn portion of the Flanders Mansion property and the "Monterey Pine Forest/Edge" is quite clear, with little or no transition between the two habitat "types" (the lawn extends directly to the forest edge, see Figure 4 a-c). Monterey Pine forest is relatively common within the

Mission Trails Nature Preserve and the greater City of Carmel-by-the-Sea, but is increasingly rare when compared to the historic distribution of this habitat type for a variety of reasons (loss to development, disease, and genetic contamination.). Please note that the Monterey pine forest present within and along the northern and western boundaries of the property have been substantially degraded, but are still proposed as ESHA by this Biological Assessment. Monterey Pine forest is known to support a variety of common and special-status plant and animal species which are, in turn, being affected by the loss and conversion of this habitat type. As a result, Monterey Pine forest is currently listed as a "high priority or rare" habitat type by the California Natural Diversity Database (managed by the California Department of Fish and Game). In addition, one active Monterey dusky-footed woodrat nest was observed very near (or beyond) the western property boundary of the Flanders Mansion parcel.

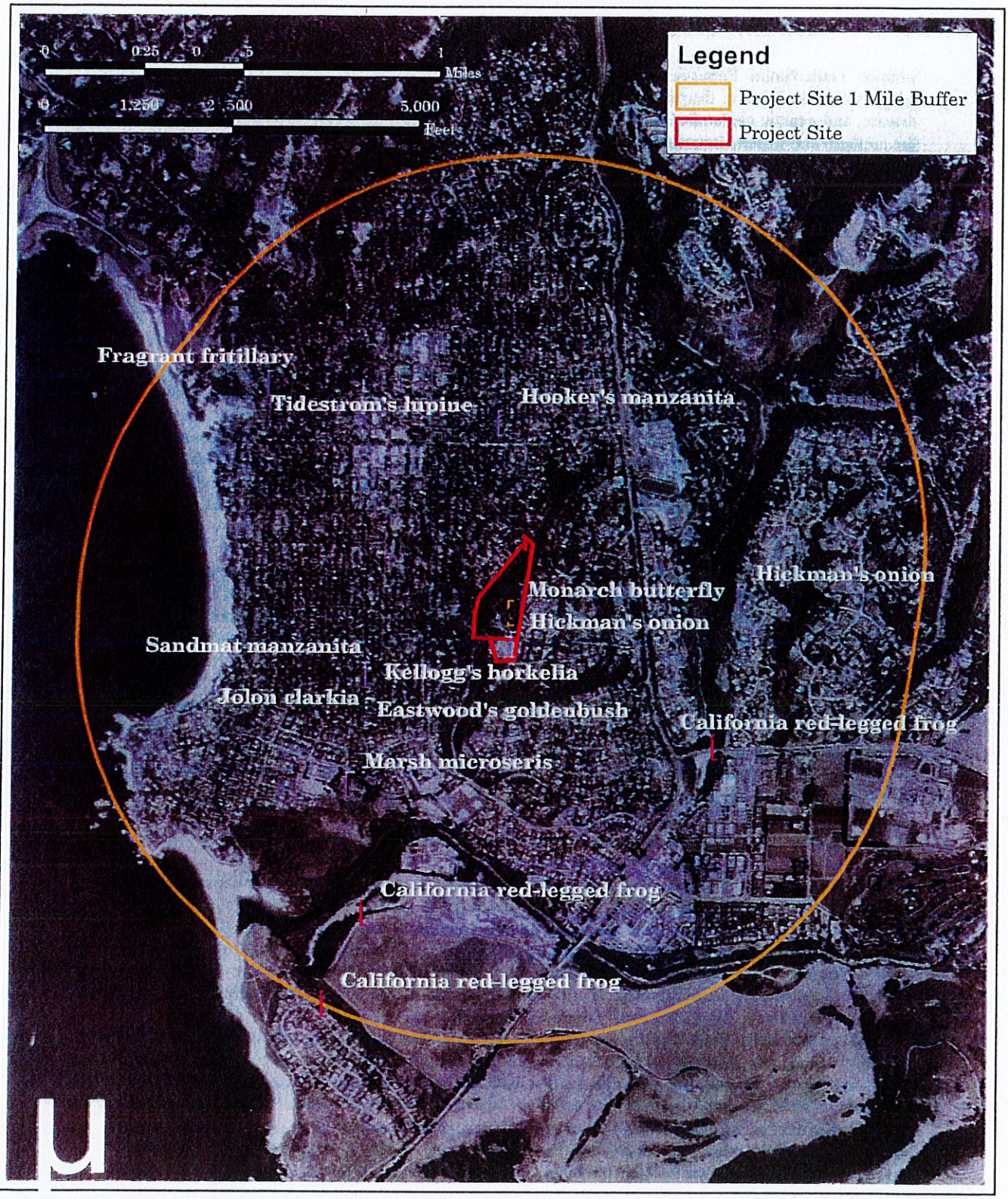
Wildlife

The CNDDB reports a possible overwintering population of Monarch butterflies *(Danaus plexippus)* reported by Dr. Walter Sakai (Ph.D. lepidopterist) in the adjacent Lester Rountree Memorial Arboretum in 1989 (as shown on Figure 5). In addition to the CNDDB report for this site, the 1995 JSA report states that a Monterey dusky-footed woodrat nest was observed in Monterey Pine forest edge *immediately adjacent to* (southeast of) the Flanders Mansion property (outside of "Parcel B"). Finally, while the Flanders Mansion property does not support an abundance of Monterey Pine forest, it is essentially surrounded this habitat type, and therefore provides some limited habitat value for a variety of bat and raptor species.

Monarch Butterfly

Monarch butterflies *(Danaus plexippus)* are listed by the CDFG as a "species of special concern", and therefore require consideration for construction related impacts. Monarch butterflies are the only known insect in the world which makes an annual, back-and-forth, long-distance migration. Each fall the monarchs fly west and south to the same overwintering sites, and frequently to the same trees. In California, the butterflies cluster in these sites from approximately October to February. In the spring they depart, flying north and east to search for milkweed plants on which the females lay their eggs. The migrating butterflies die soon after they lay eggs, which will become the first generation of spring butterflies. Three or four short-lived generations arrive before fall, producing millions of monarchs throughout North America. In the fall, the butterflies that emerge as the last generation of the season become the new migrants who will make the journey to the overwintering habitats. Unfortunately, these overwintering habitats are profoundly endangered by land development, logging, and poor land management. Because so much monarch habitat in California and Mexico has been (and is continuing to be) destroyed or degraded, they are now afforded some protection as a CDFG "species of concern."

A dwindling number of groves along the California coast have the characteristics necessary to support overwintering butterflies. Overwintering habitat characteristics include species composition and protection from wind and storms within the grove. Climatic conditions that scientists call the "microclimate" describes the specific temperatures, wind velocity, sunlight, and humidity inside the grove. Overwintering groves generally have more stable temperatures, i.e., less variation between day and night temperatures than one would find in exposed areas. Overwintering groves also have less direct sunlight, less wind, and more moisture in the air than groves where the butterflies choose not to cluster. The forest serves to insulate the butterflies from freezing temperatures and to protect them from prolonged exposure to direct sunlight. Monarchs generally overwinter in stands of eucalyptus or Monterey pine. Selected groves are often in a canyon or drainage where butterflies have a source of water. Other clues to look for in the topography when assessing an area for potential monarch occurrence include: groves in the lee of the prevailing winter wind, dense stands of trees providing protection from gusty storm winds, presence of dense lower ground vegetation, and edge vegetation. Edge vegetation may be low bushes around the border of a grove, or smaller trees or tree shoots which prevent wind from sweeping through tree trunks.



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CNDDB Occurrences Within 1 Mile of Project Site

Figure 5

Species potential presence within project boundaries:

As previously mentioned, the CNDDB reports a "potential" overwintering population of Monarch butterflies utilizing a Monterey Pine "grove" in the adjacent Lester Rountree Memorial Arboretum observed 1989 (reported by lepidopterist Dr. Walter Sakai). No subsequent observations of this species are on record. While the DD&A site assessments were conducted rather late in the Monarch overwintering season (which varies from season to season but typically "peaks" in December), no Monarch butterflies were observed within the Flanders property despite repeated visits to the site, or at the actual reported site of occurrence in the adjacent (offsite) Lester Rountree Arboretum. Despite the rather degraded nature of the site (including ground clearing), it is possible that limited numbers of Monarchs continue to utilize on-site habitat at the Arboretum (as their site fidelity is well documented in appropriate habitat), but this is unsubstantiated at this time. Given this possibility, it is recommended that a lepidopterist or qualified biologist establish the presence or absence of this species in the adjacent Arboretum, and any potential associated use of the Flanders property [i.e. nectaring source, water source] during the next overwintering season (2005-2006), if limb or vegetation removal is to occur in the vicinity of this reported occurrence. To address this issue, please see the "Potential Impacts Evaluation and Avoidance/Mitigation Recommendations" below.

Monterey dusky-footed woodrat

The Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*) is a federal species of concern and CDFG species of special concern. This is a subspecies of the dusky-footed woodrat *(Neotoma fuscipes)*, which is common to oak woodlands throughout California. This species is frequently found in forest habitats with moderate canopy cover and a moderate to dense understory; however, they may also be found in chaparral communities. Relatively large nests are constructed of grass, leaves, sticks, and feathers and are built in protected spots, such as rocky outcrops, oak woodland, or dense brambles of blackberry *(Rubus ursinus)* and/or poison oak *(Toxicodendron diversilobum),* often in riparian areas. Typical food sources for this species include: leaves, flowers, nuts, berries, and truffles. This species may be a significant food source for small- to medium-sized predators. Populations of this species are thought to be limited by the availability of nest material. Within suitable habitat, nests are often found in close proximity to each other.

Species potential presence within project boundaries:

This species is known to occur within Monterey pine forest habitat in the greater Mission Trails Nature Preserve (1995 JSA), and DD&A biologists observed one active woodrat nest very near the western property boundary of the Flanders property (described as "Monterey Pine Forest Edge" above). Given the difficulty of assessing exact property lines in the field using a parcel map, it is unclear if the woodrat nest observed was within or immediately adjacent to the Flanders property. However, for this reason, it is assumed that woodrats can and do utilize the northern and western-most portions of the property. Any potential project impacts to these portions of the property, determined by DD&A to be ESHA based on the criteria established in the 1995 JSA report, will require compliance with a variety of policies and ordinances (Coastal Act, Mission Trails Nature Preserve Master Plan, CEQA, City of Carmel-by-the-Sea Forest Management Plan).

Bats

Bat species with the potential to occur in Monterey County which may potentially utilize the habitat within and/or adjacent to the Flanders Mansion property as either maternity roosts, migratory roosts or foraging roosts may include the protected species listed in Appendix A. Bats are typically cryptic and elusive species that can utilize a variety of natural and man-made features as roosts (trees, snags, bridges, attics, etc.), and often associated with edge areas (ecotones) between open foraging grounds and wooded or riparian habitat. For species-specific life history narratives of each type of bat potentially present within and adjacent to the Flanders property (particularly the Monterey Pine forest portion), please refer to Appendix A.

Species potential presence within project boundaries:

Several locally occurring bat species (Townsend's big-eared bat, pallid bat, and western mastiff bat) are designated by CDFG as species of special concern, and are considered potentially present within and/or adjacent to the Flanders Mansion property. Given the mixed availability of meadow, riparian, and wooded habitat (pine, eucalyptus, oak, redwood) in the greater Mission Trails Nature Preserve, including several old snags north of the site, it is likely that bats are present, or occasionally present, in the Monterey Pine Forest portions of the Flanders property.

Raptors

Raptors and their nests (including hawks, eagles, falcons, kestrels, and owls) are protected under the Migratory Bird Treaty Act of 1918 and CDFG Code Sections 3503 and 3503.5. All active nests are protected from take by CDFG Code Sections 3503 and 3503.5. Potential nesting trees appropriate for many avian species occur within 90 meters (300 feet) of the Area of Potential Impact (API). Potential nesting habitat for a variety of common avian species (disturbance tolerant) is also present within and immediately adjacent to the Flanders Mansion parcel.

Most raptors are breeding residents throughout most of the wooded portions of the state. Raptors can be found from sea level to above 2700 meters (9000 feet). In general, stands of forested habitat (i.e. coast live oak, riparian forest, etc.) intermixed with open grasslands are the most frequently utilized habitats for these species. However, nesting may also occur in isolated stands of trees adjacent to foraging habitat. Most species nest in tree crotches three to 23 meters (10 to 80 feet), but usually six to 15 meters (20 to 50 feet), above ground. Breeding occurs between March and August, with peak activity may through July. Prey for these species include small birds (especially young during the nesting season), small mammals, and some reptiles and amphibians. Many raptor species hunt in open woodland and habitat edges, and often in agricultural fields. For species specific information on the types of raptors potentially present within and adjacent to the Flanders property, please refer to Appendix A.

Species potential presence within project boundaries:
Several raptors were observed flying over or immediately adjacent to the Flanders Mansion property during the DD&A site evaluations. One red-tail hawk *(Buteo jamaicansis)* was observed to repeatedly roost in a mature Monterey Pine snag located offsite and to the north of the Flanders property, but no active nests were detected (site assessments were conducted either very early in the nesting season, of before initiation of the nesting season for several raptor species) within or adjacent to the property. Given the availability of nesting sites in the vicinity of the Flanders property (and to a lesser degree along the western border of the site), and a habitat mosaic capable of supporting an abundance of prey species (including woodrats), it is likely that raptors are present (both nesting and foraging) in the vicinity of the Flanders property. Please note that while no nests were observed, any future project at the Flanders property will need to avoid potential impacts to nesting raptors within 300-500 feet of the property (see below).

POTENTIAL IMPACTS EVALUATION AND MITIGATION/AVOIDANCE RECOMMENDATIONS:

Any potential impacts associated with the sale of the property will be entirely dependent upon the proposed use of the site (*which is currently unknown). As previously noted, the zoning designation for the site is P-2, which is for parkland properties that are not in their full natural state and which have been improved with buildings, recreational facilities or other artificial interventions. The potential future uses that are allowed in the P-2 zone include park and recreation uses, residential uses, parking, municipal facilities, nonprofit uses, conference facilities, visitor serving (motel use), day care facilities and other similar uses.

Botany

As described above, the project site currently supports two generalized habitat types: lawn/gardens and Monterey Pine Forest/Edge. The actual sale of the Flanders property does not represent any impact to the botanical resources at the site, but future uses of the site (P-2 zoning) may impact these resources. The Monterey Pine Forest/Edge portions of the project site are considered ESHA (based partially on the 1995

JSA determination), and therefore require special consideration (see below), but the majority of the site is not considered ESHA. Below are some recommendations that may reduce potential impacts to the non-ESHA portions of the Flanders property (impacts to ESHA cannot be mitigated):

- Monterey Pine Forest/Edge habitat within and adjacent to the Flanders Mansion property is ESHA, and any potential impacts to this habitat type musty comply with CEQA, the Mission Trail Nature Preserve Master Plan, the City of Carmel-by-the-Sea Forest Management Plan, and the Coastal Act. The degree to which applicability of these laws/ordinances/policies will apply to any future activity at the Flanders Mansion property site is dependent on the proposed use of the property, and the actual impacts associated with this future use.

- Spring-time floristic surveys of the project site are required to determine the presence/absence of those plant species identified in Appendix A as having either an "unlikely" or "medium" likelihood of occurrence. In the event that any special-status plant species is identified within project boundaries, these individuals/populations will require special planning consideration under CEQA, with avoidance being the preferable option to mitigation. If it is determined that impacts to these individuals/populations are unavoidable, mitigation may be required (as determined by the lead agency).

- Following any proposed construction or development, disturbed areas in proximity to ESHA should be revegetated using appropriate native species and erosion control grass seed, in consultation with a qualified botanist (this type of mitigation may be included within the conditions of a Coastal Development Permit for any future project as needed).

- In any future on-site work, protective fencing should be placed so as to keep construction vehicles and personnel from impacting any vegetation adjacent to the project site (i.e. Lester Rountree Arboretum to the east, mesic-meadow to the south, pine forest to the west).

- Any trees or vegetation within the API not planned for removal should be provided appropriate protection from impacts of construction activity. This includes fencing off shrubby vegetation and protective wood barriers for trees.

Sensitive Habitats

As suggested within the 1995 JSA report for the Mission Trails Nature Preserve, onsite and adjacent Monterey Pine Forest on is considered ESHA. For areas within the coastal zone, the definition of ESHA is found in §30107.5 of the Public Resources Code, defined as: "any area in which plant or animal life or their habitats or either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activity and developments." The Coastal Act (§30240) protects ESHA's from any significant disruption of habitat values (i.e. degradation by development). As such, the Monterey Pine Forest/Edge portions of the Flanders property (clearly demarcated by the interface with the lawn/gardens portions of the Flanders property) cannot be substantially degraded by any potential use of the site, to be determined by a Coastal Commission hearing and regulated by the Coastal Act. Furthermore, sub-section (b) of §30240 states the policy for areas adjacent to ESHA's: "(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of the habitat area."

As such, no impacts to onsite and/or adjacent ESHA may occur as a result of any future project at the Flanders Mansion (i.e. tree trimming or removal, changes to the vegetation, hydrologic impacts from the addition of impermeable surfaces, etc.), unless specifically authorized by the Coastal Commission.

- Monterey Pine Forest/Edge habitat within and adjacent to the Flanders Mansion property is ESHA, and any potential impacts to this habitat type musty comply with CEQA, the Mission Trail Nature Preserve Master Plan, the City of Carmel-by-the-Sea Forest Management Plan, and the

Coastal Act. The degree to which applicability of these laws/ordinances/policies will apply to any future activity at the Flanders Mansion property site is dependent on the proposed use of the property, and the actual impacts associated with this future use. Impacts to ESHA cannot be mitigated.

- In addition to the Botany recommendations above, in the event that grading and/or vegetation removal activities occur along the ESHA interface in the northern and western portions of the property, erosion control measures should be implemented to assure that disturbed areas do not erode (potentially impacting off-site resources). These erosion control measures could be presented as a component of a larger Mitigation Monitoring and Restoration Plan, specific to any future project to be implemented.

- In the event that construction or development activities will occur near onsite ESHA, appropriate analysis will be required to ensure no impacts to offsite resources (and will require authorization by the City, through a Coastal Development Permit).

- Any changes in the current property use that has the potential to introduce increased hydrology (runoff) or excess nutrients via irrigation and fertilization of the site should be restricted, and must be consistent with the policies in the General Plan/LCP. A qualified biologist should review and approve the landscaping plan of the parcel under its new use to ensure the adjacent sensitive habitats are not adversely impacted by onsite landscaping management.

Wildlife

As stated above, several special-status wildlife species are potentially present within and adjacent to the Flanders Mansion property (Monterey dusky-footed woodrat, Monarch butterfly, and a variety of raptor and bat species presented in Appendix A). No impacts to these species are associated with the sale of the Flanders Property, but any future project at the site should attempt to avoid impacts to these species, or mitigate any unavoidable impacts to these species. The following suggestions may be applicable to these future projects.

- Monarch butterfly: Before any vegetation planting and/or removal is authorized in the immediate vicinity of the Lester Rountree Arboretum (eastern portion of the site), it is recommended that a lepidopterist or qualified biologist determine the presence/absence of an overwintering population of Monarch butterflies at the place of occurrence reported to the CNDDB. Monarch overwintering site utilization can be lost due to minor shifts in the microclimatic conditions within and adjacent to the roost location(s).

- Monterey dusky-footed woodrat: As the sticknest observed behind the Flanders property is within an ESHA, and ESHA cannot typically be impacted by development (as determined by the Coastal Commission), this area is not likely to be directly impacted by any future projects at the site (after the sale of the property). However, if future impacts are deemed acceptable, woodrats will require additional consideration. It is thought that woodrat populations are limited by the amount of nest building materials (generally sticks and understory vegetation) available to them within appropriate habitat. If the area supporting the known woodrat nest is to be cleared, and the nest cannot be avoided, it is recommended that all vegetation surrounding the nest be removed first, leaving the nest in tact temporarily. Next begin to disassemble the stick-nest by hand, watching for any woodrats that may escape into nearby vegetation. When it is believed that all woodrats have exited the nest, move any remaining nest materials into the nearest vegetation within appropriate habitat, and simply leave the materials onsite. Past studies have demonstrated that woodrats will often utilize these materials to initiate one or more new nests offsite (Dr. David Johnston presentation at the Western Section of the Wildlife Society Annual Meeting 2005).

- Nesting raptors (and other avian species): Given the availability of appropriate nesting habitat for several types of raptors (Appendix A) within and adjacent to the Flanders property, any future project may potentially impact these species. Pre-construction surveys should be conducted for nesting avian species (including raptors), if any construction (or demolition) is to be initiated after mid-March (March 15 to August 1). If nesting raptors (or any other nesting birds) are identified during pre-construction surveys, an appropriate buffer should be imposed within which no construction activities or disturbance should take place (generally 300 feet in all directions for "raptors", other avian species have specific requirements typically recommended by USFWS or CDFG). A qualified biological monitor shall be on-site during work re-initiation in the vicinity of the nest to ensure that the buffer is adequate and that the nest is not stressed abandoned. No work may proceed in the vicinity of an active nest until such time as all young are fledged, or until after August 1st (when young are assumed fledged). Work may only proceed prior to August 1st if a wildlife biologist conducts periodic nest checks and confirms that the nest is no longer active (i.e. the young have fledged) and work re-initiation has been specifically authorized by the appropriate regulatory agency (USFWS and/or CDFG depending on status of the species).

  Alternatively, all trees and vegetation to be impacted in the course of project construction (or demolition) could be removed during the non-breeding season (August 1 to mid-March) to avoid disturbance of active nests (please note that such removal must comply with all related regulations, policies, and ordinances, including the Coastal Act and the City of Carmel-by-the-Sea Forest Management Plan). Provided that no potential nesting habitat remains, no additional mitigation would be required.

- Bats: In the event that tree limbing and/or removal is authorized for any future project (after sale of the property), bat surveys should be conducted by a qualified biologist to assess the potential for the actual impact area to support the bat species presented in Appendix A. If it is determined that potential bat habitat may be negatively impacted, surveys of the impact area should be conducted by a bat specialist in an effort to determine the type and frequency of habitat utilization (foraging, day-roost, maternity roosts). Mitigation for bat habitat loss is typically species specific, and often includes the placement of alternative habitat such as bat boxes.

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APPENDIX A. Special-status species reported to occur in the vicinity of the project site (Sources: USFWS County list, CNDDB, personal knowledge of Monterey County).

Species	Status (USFWS/ CDFG/ CNPS)	General Habitat	Potential Occurrence within Project Vicinity
MAMMALS			
Antrozous pallidus Pallid bat	--/CSC	A wide variety of habitat are utilized, including grasslands, shrublands, woodlands, and forest from sea level up through mixed conifer forests. Most common in open, dry habitats with rocky areas for roosting.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB. Sign of this species was not observed during the site assessments.
Corynorhinus townsendii townsendii Townsend's western big-eared bat	FSC/ CSC	Humid coastal regions of northern and central California. Roost in limestone caves, lava tubes, mines, buildings, etc.	**Low.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB. Sign of this species was not observed during the site assessments.
Enhydra lutris nereis southern sea-otter	FT/	Found in nearshore marine habitats environments of California from Ano Nuevo to Point Sal. Often associated with giant kelp and bull kelp, these opportunistic foragers eat mainly abalones, sea urchins, crabs, and clams.	**Not Present.** No permanent water source on-site.
Eumops perotis californicus western mastiff-bat	FSC/ CSC	Many open habitats including conifer and deciduous woodlands, coastal scrub, grassland, and chaparral. Roost in crevices in cliff faces, high buildings, trees, and tunnels.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB. Sign of this species was not observed during the site assessments.
Myotis evotis long-eared myotis bat	FSC/--	Found in brush, woodland, and forest habitats. Nursery colonies in buildings, crevices, spaces under bark, and snags; caves are used primarily as night roosts.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no

			reported occurrences of this species in the CNDDB. Sign of this species was not observed during the site assessments.
Myotis thysanodes Fringed myotis	FSC/--	Associated with redwood forests in coastal and utilizes redwood hollows. Roosts in caves, mines, and buildings. Potential maternity roost habitat occurs in oak tree cavities (both mature and medium aged coast live oak).	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB. Sign of this species was not observed during the site assessments.
Myotis volans Long-legged myotis	FSC/--	Primarily a coniferous forest species but also occur in riparian and desert habitats. Roosts under bridges, in caves and mines, and in buildings. Also known to roost under bark (exfoliating) on dead limbs and snags of oaks and pines.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB. Sign of this species was not observed during the site assessments.
Neotoma fuscipes luciana Monterey dusky-footed woodrat	FSC/ CSC	Forest habitats of moderate canopy with moderate to dense understory. Also occurs in chaparral habitats.	**High.** This species is known to occur within the Mission Trail Nature Preserve, and an active nest was observed directly behind the Flanders Mansion (on the edge of the parcel).
Vulpes macrotis mutica San Joaquin Kit fox	FE/ ST	Open, level areas with loose-textured soils supporting scattered, shrubby vegetation with little human disturbance. Live in annual grasslands or grassy open stages dominated by scattered brush, shrubs, and scrub.	**Not Present.** No habitat.
BIRDS			
Accipiter cooperii Cooper's hawk	--/ CSC	Resident throughout most of the wooded portion of the state. Dense stands of live oak, riparian deciduous, or other forest habitats near water used most frequently. Seldom found in areas without dense tree stands, or patchy woodland habitats.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Accipiter striatus	--/ CSC	Uses dense stands in close	**Medium.**

sharp-shinned hawk		proximity to open areas. Roosts in intermediate to high-canopy forest. Nests in dense, even-aged, single-layered forest canopy. Winters in woodlands.	Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Agelaius tricolor tricolored blackbird	--/ CSC	Nest in colonies in dense riparian vegetation, along rivers, lagoons, lakes, and ponds. Forages over grassland or aquatic habitats.	**Unlikely.** No permanent water source on-site, and no riparian vegetation.
Aquila chrysaetos golden eagle	--/CSC	Use rolling foot-hills, mountain terrain, wide arid plateaus deeply cut by streams and canyons, open mountain slopes, cliffs, and rocky outcrops. Nest in secluded cliffs with overhanging ledges as well as large trees.	**Unlikely.** This species is not likely to nest in the vicinity of the project site, and any potential foraging habitat will be unaffected by the sale of the property.
Athene cunicularia hypugea western burrowing owl	FSC/ CSC	Burrows are protected. Require open grassland habitats with low-growing vegetation and abandoned burrows. Prefers these areas assoc. with some raised perches.	**Unlikely.** Very limited habitat availability and no reported occurrences of this species in the vicinity of the heavily utilized Mission Trail Nature Preserve.
Brachyramphus marmoratus marbled murrelet	FT/	Occur year-round in marine subtidal and pelagic habitats from the Oregon border to Point Sal. Partial to coastlines with stands of mature redwood and Douglas-fir. Requires dense mature forests of redwood and/or Douglas-fir for breeding and nesting.	**Not Present.** No permanent water source on-site. No appropriate "old-growth" habitat to support nesting.
Circus cyaneus Northern harrier	--/ CSC	Generally found in flat open areas with tall, dense grasses, shrubs, and edges for cover and breeding. Use tall grasses in wetlands or at wetland borders for nesting.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Charadrius alexandrinus nivosus western snowy plover	FT/ CSC	Sandy beaches on marine and estuarine shores, also salt pond levees and the shores of large alkali lakes. Requires sandy, gravelly or friable soil substrate for nesting.	**Not Present.** No permanent water source on-site.
Coccyzus americanus occidentalis Western yellow-billed cuckoo	FC/SE	Inhabits extensive deciduous riparian thickets or forests with dense, low-level or understory foliage, slow-moving watercourses, backwaters, or	**Unlikely.** This species is not likely to nest in the vicinity of the project site.

		seeps. Willow almost always a dominant component of the vegetation.	
Cypseloides niger black swift	--/ CSC	Regularly nests in moist crevice or cave on sea cliffs above the surf, or on cliffs behind, or adjacent to, waterfalls in deep canyons. Forages widely over many habitats.	**Unlikely.** This species is not likely to nest in the vicinity of the project site.
Eremophila alpestris actia California horned lark	--/ CSC	Frequents grasslands and other open habitats with low, sparse vegetation	**Unlikely.** Limited habitat availability and no reported occurrences of this species in the vicinity of the heavily utilized Mission Trail Nature Preserve.
Gymnogyps californianus California condor	FE/	Rugged mountain ranges surrounding the southern San Joaquin Valley, including the coast Ranges from Santa Clara Co. south to Los Angeles Co., the Transverse Ranges, Tehachapi Mts., and Southern Sierra Vevada. Forages over wide areas of open rangeleands, roosts on cliffs and in large trees and snags. Nests in caves crevices, behind rock slabs, or on large ledges on high sandstone cliffs.	**Not Present.** This species is well studied and consistently monitored within Monterey County. Condors do not occur in the immediate vicinity of the project site.
Haliaeetus leucocephalus bald eagle	FT/	Require large bodies of water, or free flowing rivers with abundant fish, and adjacent snags or other perches. Perches high in large, stoutly limbed trees, on snags or broken-topped trees, or on rocks near water.	**Not Present.** No permanent water source on-site.
Pelecanus occidentalis brown pelican	FE/	Estuarine, marine subtidal, and marine pelagic waters along the coast. Usually rests on water or inaccessible rocks, but also uses mudflats, sandy beaches, wharfs, and jetties.	**Not Present.** No permanent water source on-site.
Rallus longirostris obsoletus California clapper rail	FE/SE	Saltwater and brackish marshes supporting dense vegetation.	**Not Present.** No permanent water source on-site.
Sterna antillarum browni California least tern	FE/ SE	Sea beaches, bays; large rivers, bars.	**Not Present.** No permanent water source on-site.
REPTILES AND AMPHIBIANS			
Ambystoma californiense California tiger salamander	FC/ CSC	Annual grassland and grassy understory of valley-foothill hardwood habitats in central and northern California. Need	**Unlikely.** The project site is >1Km from the nearest known breeding

		underground refuges and vernal pools or other seasonal water sources.	location of CTS, and does not support appropriate breeding or upland habitat for this species.
Ambystoma macrodactylum croceum Santa Cruz long-toed salamander	--/ CSC	Preferred habitats include ponderosa pine, montane hardwood-conifer, mixed conifer, montane riparian, red fir and wet meadows. This is an isolated subspecies which occurs in a small number of localities in Santa Cruz and Monterey Counties. Adults spend the majority of the time in underground burrows and beneath objects. Larvae prefer shallow water with clumps of vegetation.	**Unlikely.** The project site is several miles from the nearest known breeding location of CTS, and does not support appropriate breeding or upland habitat for this species.
Clemmys marmorata marmorata northwestern pond turtle	--/ CSC	Ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Requires basking sites and suitable upland habitat for egg-laying.	**Low.** Appropriate habitat for this species is not present within project boundaries, but a creek located north and west of the project site may support this species.
Clemmys marmorata pallida southwestern pond turtle	--/ CSC	Inhabits permanent or nearly permanent bodies of water in many habitat types. Requires basking sites such as partially submerged logs, vegetation mats, or open mud banks.	**Low.** Appropriate habitat for this species is not present within project boundaries, but a creek located north and west of the project site may support this species.
Phrynosoma coronatum frontale California horned lizard	--/ CSC	Associated with open patches of sandy soils in washes, chaparral, scrub, and grasslands.	**Medium.** Marginally species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB, and it is not anticipated within the Flanders property.
Rana drayonii California red-legged frog	FT/ CSC	Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent riparian vegetation. During late summer or fall adults are known to utilize a variety of upland habitats with leaf litter or mammal burrows.	**Unlikely.** Appropriate breeding habitat for this species is not present in the project vicinity (flashiness of nearby creek represents poor breeding habitat). This species is generally

			closely associated with breeding locations.
FISH			
Eucyclogobius newberryi tidewater goby	FE/ CSC	Brackish water habitats, found in shallow lagoons and lower stream reaches.	**Not Present.** No permanent water source on-site.
Gila elegans Bonytail chub	FE/	Swift channels of large, turbid rivers.	**Not Present.** No permanent water source on-site.
Oncorhynchus mykiss Steelhead-Central California Coast.	FT/ CSC	Coastal perennial and near perennial streams, with suitable spawning and rearing habitat and no major barriers.	**Not Present.** No permanent water source on-site.
INVERTEBRATES			
Branchinecta conservatio Conservancy fairy shrimp	FE/	Require ephemeral pools with no flow.	**Not present.**
Branchinecta longiantenna longhorn fairy shrimp	FE/ none	Require ephemeral pools with no flow.	**Not present.**
Branchinecta lynchi vernal pool fairy shrimp	FT/ --	Require ephemeral pools with no flow.	**Not present.**
Danaus plexippus Monarch butterfly	--/--	Overwinters in coastal California using colonial roosts generally found in Eucalyptus, pine and acacia trees. Overwintering habitat for this species within the Coastal Zone represents ESHA. Local ordinances often protect this species as well.	**High.** A possible overwintering population of Monarchs were observed in the Lester Rountree Arboretum reported in 1989 (Walter Sakai, Ph.D) . No occurrences have been reported since, and none were observed, but marginally appropriate habitat is present.
Euphilotes enoptes smithi Smith's blue butterfly	FE/--	Most commonly associated with coastal dunes and coastal sage scrub plant communities in Monterey and Santa Cruz Counties. Plant hosts are Erigonum latifolium and E. Parvifolium.	**Unlikely.** No buckwheat (obligate host plant) present within Flanders Mansion property.
PLANTS			
Allium hickmanii Hickman's onion	FSC/ 1B	Closed cone coniferous forests, chaparral, coastal prairie, coastal scrub, valley-foothill grasslands.	**Not Present.** This species is present in the adjacent mesic-meadow, but is not present within project boundaries.
Arctostaphylos hookeri ssp. *hookeri* Hooker's manzanita	FSC/ 1B	Closed-cone coniferous forest	**Not Present.**

Arctostaphylos pumila sandmat manzanita	FSC/ 1B	Closed-cone coniferous forests, chaparral, coastal dunes, coastal scrub/ sandy.	**Not Present.**
Astragalus tener var. *titi* coastal dunes milk-vetch	FE/SE	Coastal bluff scrub (sandy), coastal dunes, coastal prairie (mesic); elevation 1-50 meters. Annual herb, blooms March-May.	**Not Present.** No appropriate habitat within project boundaries.
Chlorogalum purpureum var. *purpeum* purple amole	FT/ 1B	Cismontane woodlands, valley foothill grasslands.	**Not Present.** No appropriate habitat within project boundaries.
Chorizanthe pungens var. pungens Monterey spineflower	FT/ 1B	Chaparral (maritime), cismontane woodland, coastal dunes, coastal scrub, valley and foothill grassland/ sandy; elevation 3-450 meters. Annual herb, blooms April-June.	**Not Present.** No appropriate habitat within project boundaries.
Chorizanthe robusta var. robusta robust spineflower	FE/ 1B	Cismontane woodland (openings), coastal dunes, coastal scrub/ sandy or gravelly; elevation 3-300 meters. Annual herb, blooms April-September.	**Not Present.** No appropriate habitat within project boundaries.
Clarkia jalonensis Lewis' clarkia	--/ 1B	Broad-leaved upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub; elevation 30-160 meters. Annual herb, blooms May-July	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential presence of this species.
Collinsia multicolor San Francisco collinsia	--/ 1B	Closed cone coniferous forest, coastal scrub/ sometimes serpentinite; elevation 30-250. Annual herb, blooms March-May.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Cupressus goveniana ssp. *goveniana* gowen cypress	FT/ 1B	Closed cone coniferous forest, chaparral (maritime); elevation 30-300 meters. Tree (evergreen).	**Not Present.** This species is present in the adjacent Arboretum, but not within the Flanders

			property.
Cupressus macrocarpa Monterey cypress	FSC/ 1B	Closed cone coniferous forest. Tree (Evergreen).	**Present.**
Delphinium hutchinsoniae Hutchinsons' larkspur	FSC/ 1B	Broadleafed upland forest, chaparral, coastal scrub, coastal prairie; elevation 0-400 meters. Perennial herb, blooms March-June.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Ericameria fasciculata Eastwood's goldenbush	--/ 1B	Closed cone coniferous forest, chaparral (maritime), coastal dunes, coastal scrub/sandy, openings; elevation 30-275 meters. Shurb (evergreen(, blooms July-October.	**Not present.**
Erysimum menziesii ssp. *menziesii* Menzie's wallflower	FE/ SE/ 1B	Coastal dunes.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Erysimum menziesii ssp. *yadonii* Yadon's wallflower	FE/ SE/ 1B	Coastal dunes; elevation 0-35 meters. Perennial herb, blooms March-June.	**Not Present.** No appropriate habitat within project boundaries.
Frittilaria liliacea fragrant fritillaria	FSC/ 1B	Coastal prairie, coastal scrub, valley and foothill grassland in heavy clay soil, often serpentinite; elevation 3-410 meters. Perennial herb (bulbiferous), blooms February-April.	**Not Present.**
Gilia tenuiflora ssp. *arenaria* sand gilia	FE/ ST	Chaparral (maritime), cismontane woodland, coastal dunes, coastal scrub/ sandy, openings; elevation 0-45 meters. Annual herb, blooms April-June.	**Not Present.** No appropriate habitat within project boundaries.
Holocarpha macradenia Santa Cruz tarplant	FSC/ 1B	Coastal prairies, valley foothill grasslands/ often clay.	**Not Present.** No appropriate habitat within project boundaries.
Horkelia cuneata ssp. *sericea* Kellogg's horkelia	FSC/ 1B	Closed cone coniferous forests, chaparral, (maritime), coastal scrubs/ sandy or gravelly,	**Unlikely.** Although unlikely based on habitat

		openings; elevation 10-200 meters. Perennial herb, blooms April-September.	present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Lasthenia conjugens Contra Costa goldfields	FE/ 1B	Valley-foothill grasslands (mesic), vernal pools.	**Not Present.** No appropriate habitat within project boundaries.
Layia carnosa beach layia	FE/ SE/ 1B	Coastal dunes., coastal scrub (sandy; elevation 0-60 meters. Annual herb, blooms March-July.	**Not Present.** No appropriate habitat within project boundaries.
Layia jonesii Jones's layia	FSC/ 1B	Chenopod scrub, valley foothill grasslands/ clay or serpentinite.	**Not Present.** No appropriate habitat within project boundaries.
Lembertia congdonii San Joaquin wollythreads	FE/ 1B	Chenopod scrub, valley and foothill grasslnd (sandy); elevation 60-800 meters. Annual herb, blooms February-May	**Not Present.** No appropriate habitat within project boundaries.
Lupinus tidestromii Tidestrom's lupine	FE/SE	Coastal dunes; elevation 0-100 meters. Perennial herb (rhizomatous), blooms April-June.	**Not Present.** No appropriate habitat within project boundaries.
Malacothamnus palmeri var. *involucratus* Carmel Valley bush mallow	FSC/ 1B	Chaparral, cismontane woodland, coastal scrub; elevation 30-1100 meters. Shrub (deciduous), blooms May-October.	**Not Present.**
Microseris paludosa Marsh microseris	--/1B	Closed cone coniferous forest, cismontane woodland, coastal scrub, valley and foothill grassland; elevation 5-300 meters. Perennial herb, blooms April-June.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Pinus radiata Monterey pine	FSC/ 1B	Closed cone coniferous forest, cismontane woodland; elevation 25-185 meters. Tree (evergreen)	**Present.**
Piperia yadonii Yadon's rein orchid	FE/ 1B	Coastal bluff scrub, closed cone coniferous forests, chaparral/ sandy; elevation 10-415 meters Perennial herb, blooms May-August.	**Medium.** Marginally appropriate habitat is present on-site, but this species was not identifiable at the time of the survey. Spring surveys are

			required to eliminate the potential presence of this species.
Potentilla hickmanii Hickman's cinqufoil	FE/ SE/ 1B	Coastal bluff scrub, closed cone coniferous forests, meadows(vernally mesic), marshes and swamps (freshwater). Perennial herb, blooms April-August.	**Medium.** Marginally appropriate habitat is present on-site, but this species was not identifiable at the time of the survey. Spring surveys are required to eliminate the potential presence of this species.
Rosa pinetorum Pine rose	FSC/ 1B	Closed-cone coniferous forest.	**Not Present.**
Sidalcea malachroides maple-leaved checkerbloom	FSC/ 1B	Broad-leafed upland forest, coastal prairie, coastal scrub, north coast coniferous forest, often in disturbed areas; elevation 2-700 meters. Perennial herb, blooms April-August.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Trifolium polyodon Pacific Grove clover	FSC/ 1B	Broad-leafed upland forest, cismontane woodland, coastal prairie, endangered margins; elevation 105-610 meters. Annual herb, blooms April-October.	**Medium.** Although relatively unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Trifolium trichocalyx Monterey clover	--/ 1B	Closed-cone coniferous forest (sandy openings, burned areas); elevation 30-240 meters Annual herb, blooms April-June.	**Medium.** Marginally appropriate habitat is present on-site, but this species was not identifiable at the time of the survey. Spring surveys are required to eliminate the potential presence of this species.

- **Not Present.** No suitable habitat is present for a species. This category is generally reserved for species that appear in CNDDB reports generated for quads bordering a project site (several miles away), but have an incredibly low likelihood of utilizing the project site (for example, sea otters).

- **Unlikely:** The project area and/or immediate vicinity do not provide suitable habitat for a particular species or the species was not identified during surveys of the project site or the project area is outside of the species range.

- **Low Potential:** Project area and/or immediate vicinity provides only limited habitat for a particular species. The known range for a particular species may be outside of the project area.

- **Medium Potential:** The project area and/or immediate vicinity provide suitable habitat for a particular species, though there are no known sightings in the area.

- **High potential:** The project area and/or immediate vicinity provide ideal habitat conditions for a particular species and/or the species is known to occur in the area.

Key to Status Codes

CSC	CDFG Species of concern
FSC	Federal Species of Concern (As of 1/2001, List no longer maintained by USFWS)
CFP	CDFG Fully Protected Animal
SE	State Endangered
ST	State Threatened
FE	Federal Endangered
FT	Federal Threatened
PT	Officially proposed as Threatened
PX	Proposed as critical habitat essential to species recovery
C	Candidate to be Proposed
1B	CNPS 1B List, Endangered, Threatened or Rare in California

Appendix B. Plant species identified within the Flanders Mansion Property during the site assessments.

Family/Class	*Scientific Name*	*Common Name*	*Native?*
	Dicotyledoneae		
AMARANTHACEAE	*Rhus integrifolia*	Lemonadeberry	Yes
ANACARDIACEAE	*Toxicodendron diversilobum*	Poison oak	Yes
APOCYNACEAE	*Vinca major*	Periwinkle	No
ARALIACEAE	*Hedera helix*	English ivy	No
CAPRIFOLIACEAE	*Lonicera subspicata*	Chaparral honeysuckle	Yes
CUPRESSACEAE	*Cupressus macrocarpa*	Monterey cypress	Yes
FABACEAE	*Acacia sp.*	Acacia	No
	Genista monspessulana	French broom	No
	Lotus corniculatus	Bird's foot trefoil	No
FAGACEAE	*Quercus agrifolia*	Coast live oak	Yes
LAMIACEAE	*Stachys bullata*	Hedge nettle	Yes
	Umbellifera californica	California bay	Yes
MYRTACEAE	*Eucalyptus globulus*	Blue gum	No
	Callistemon sp.	Bottlebrush	No
OXALIDACEAE	*Oxalis pes-caprae*	Bermuda buttercup	No
PINACEAE	*Pinus radiata*	Monterey pine	Yes
PLANTAGINACEAE	*Plantago coronopus*	Cut-leaved plantain	No
	Plantago lanceolata	English Plantain	No
PORTULACACEAE	*Claytonia perfoliata*	Miner's lettuce	Yes
RHAMNUSACEAE	*Rhamnus californica*	California coffeeberry	Yes
ROSACEAE	*Rubus discolor*	Himalayan Blackberry	No
TAXODIACEAE	*Sequoia sempervirens*	Coast redwood	Yes
	Monocotyledoneae		
POACEAE	*Digitaria sanguinalis*	Crabgrass	No
	Ehrharta erecta	Panic veldt grass	No

Appendix C. Wildlife species observed within the Flanders Mansion Property during the site assessments:

Common Name	Scientific Name
Mammals	
Black-tailed deer	*Odocoileus hemionus*
Birds	
Scrub jay	*Aphelocoma coerulescens*
Red-tailed hawk	*Buteo jamaicensis*
California quail	*Callipepla californica*
Anna's hummingbird	*Calypte anna*
American crow	*Corvus brachyrhynchos*
Acorn woodpecker	*Malanerpes formicivorus*
Chestnut-backed chickadee	*Parus rufescens*
California towhee	*Pipilo crissalis*
Amphibians	
Pacific chorus frog	*Pseudacris regilla*

APPENDIX D

2008 Biological Assessment Update

Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

MEMORANDUM

Date: October 27, 2008

To: Elizabeth Guzman, Denise Duffy & Associates Associate Planner

From: Matt Johnson, Denise Duffy & Associates Associate Biologist

Subject: **Flanders Mansion Project – 2005 Biological Assessment Update and Review**

BIOLOGICAL ASSESSMENT REVIEW APPROACH AND METHODOLOGY

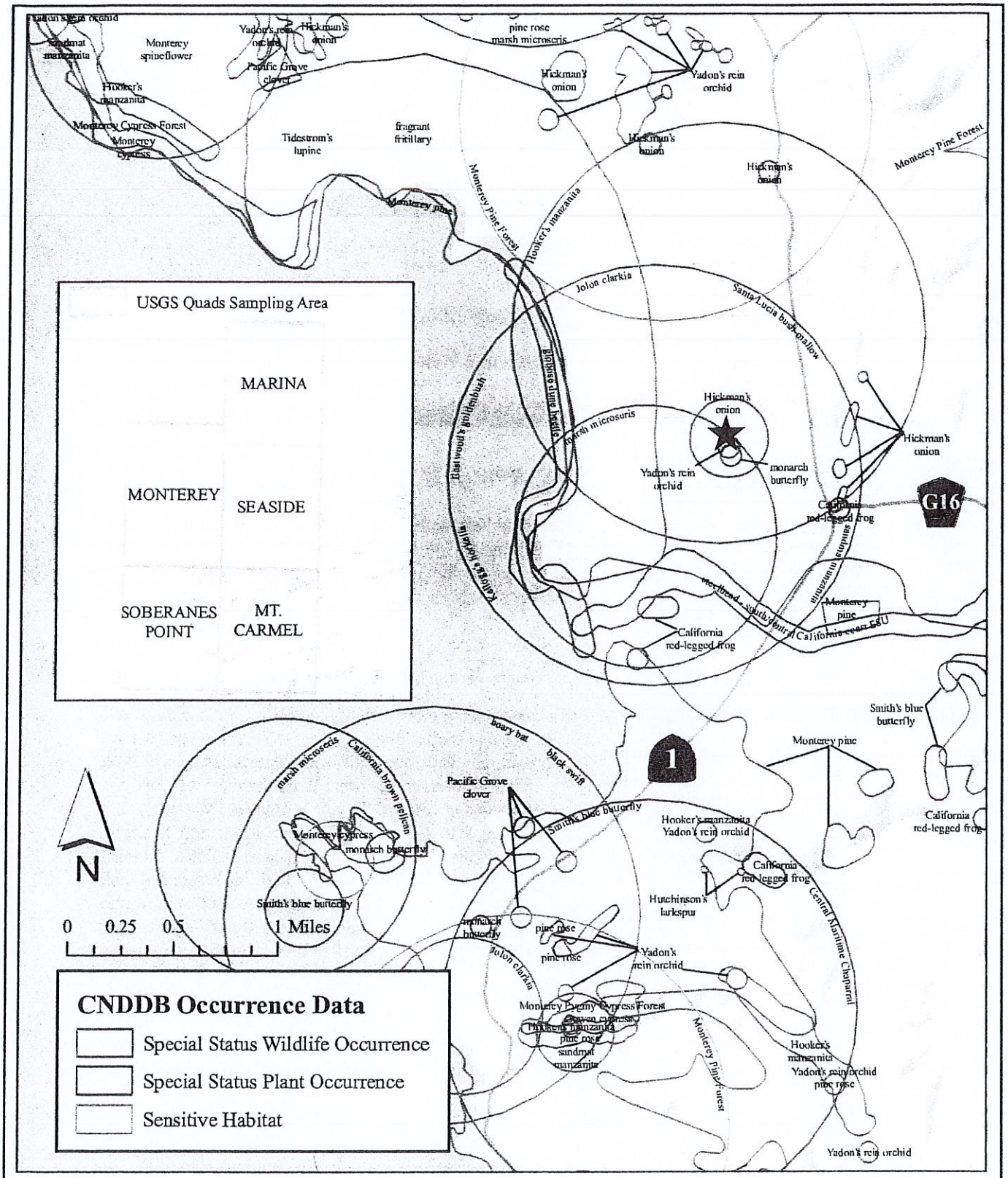
Matt Johnson, Associate Environmental Scientist, conducted reconnaissance-level plant, wildlife and sensitive habitat surveys at the Flanders Mansion site (Monterey, California) on September 18, 2008. This survey was conducted to update the original Biological Assessment (BA), *Biological Assessment of the Flanders Mansion Property*, prepared for the site by Denise Duffy and Associates (DD&A) in 2005.

BOTANY

In order to determine which special status plant species have the potential to occur within and adjacent to the Flanders Mansion property, special status plant species occurrence records by United States Geological Survey (USGS) quadrangle from the California Natural Diversity Data Base (CNDDB) were reviewed (Figure 1). All records were updated from the 2005 BA and the area examined was expanded from a one-mile project site buffer to include the Monterey 7.5' quad along with the surrounding quads (Seaside, Mt. Carmel, Soberanes Point and Marina). Current agency status information was obtained from United States Fish and Wildlife Service (USFWS 2008) for species listed as Threatened or Endangered, as well as Proposed and Candidate species for listing, under the federal Endangered Species Act; and from California Department offish and (CDFG 2008) for species listed as Threatened or Endangered by the state of California under the California Endangered Species Act, or listed as "species of special concern" by CDFG. List 1 and 2 species from the California Native Plant Society (CNPS) were also consulted as they are given management consideration when possible under the California Environmental Quality Act (CEQA). Appendix A lists plant species reported by the CNDDB as potentially present in the project vicinity (within the identified quads), along with their status, a brief habitat description and description of their likelihood to occur within the project site.

WILDLIFE

The CNDDB records (CDFG 2008) were reviewed in order to identify known occurrences of special status wildlife species and habitats in the study area. A CNDDB report was generated for the Monterey 7.5' quad as well as the surrounding quads (Seaside, Mt. Carmel, Soberanes Point and Marina), expanded from the one-mile buffer presented in the original 2005 BA. In addition,



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2008 CNDDB Occurrence Data

Figure 1

all available published and unpublished biological reports specific to the project site were reviewed (JSA 1995, DD&A 2005). Current agency status information was obtained from USFWS (2008) for species listed as Threatened or Endangered, as well as Proposed and Candidate species for listing, under the federal Endangered Species Act; and from CDFG (2008) for species listed as Threatened or Endangered by the state of California under the California Endangered Species Act, or listed as "species of special concern" by CDFG. Appendix A lists wildlife species reported by the CNDDB as potentially present in the project vicinity (within the identified quads), along with their status, a brief habitat description and description of their likelihood to occur within the project site.

RESULTS/DESCRIPTION OF BIOLOGICAL RESOURCES

General Site Characteristics: The Flanders Mansion property currently supports a mix of native, non-native, and horticultural species, enveloped within the larger Mission Trails Nature Preserve. The majority of the vegetation immediately bordering the Mansion structure consists of remnant and recently planted horticultural species, including non-native and invasive species, such as English Ivy *(Hedera helix)* and Periwinkle *(Vinca major)*. Outside of these planted areas, the property consists of mowed lawn (landscaping and ruderal vegetation) transitioning into Monterey Pine forest to the north and northwest (the border of which represents the northwestern property boundary), the Lester Rountree Memorial Arboretum (also within historic Monterey Pine Forest, but located offsite) to the east, a cypress hedge-row creating a visual separation from an open mesic-meadow (off-site) immediately south of the property, and remnant Monterey Pine forest outside of these areas to the north, east, and west. The general site characteristics have not changed substantially between the publishing date of the 2005 BA authored by DD&A and this updated letter report.

Habitat types within the Flanders Mansion Property can be divided into one of two general habitat types: Planted Areas/Lawn and Monterey Pine Forest Edge.

Planted Areas/Lawn

As stated above, the majority of the property consists of the maintained lawn and gardens of the Flanders Mansion (Figure 4). Planted portions of the property support a mixed mosaic of horticultural shrubs, perennials, and annuals, intermixed with non-native/invasive species, including (but not limited to); Mexican sage *(Salvia leucantha)*, yellow bush daisy *(Euryops hybrid)*, chaparral honeysuckle *(Lonicera subspicata)*, unidentified elm *(Ulmas* sp.*)*, and Periwinkle *(Vinca major)*.

The lawn of the Flanders Mansion is subject to frequent mowing and heavy disturbance, and is dominated by a mixture of non-native/invasive ruderal species such as English plantain *(Plantago lanceolata)*, cut-leaved plantain *(Plantago coronopus)*, and crabgrass (*Digitaria sanguinalis)*.

The property boundary between the Flanders property and the Lester Rountree Arboretum is dominated by a mix of native and planted species. Toyon (*Heteromeles arbutifolia*) and coast live oak (*Quercus agrifolia*) dominate the canopy of the Arboretum in this zone and intersect with planted non-native species including Australian tea tree (*Leptospermum laevigatum*) and lemonade berry *(Rhus integrifolia)*. The understory of this transition zone supports a mixture of native shrubs such as currant *(Ribes* sp.*)* and non-native/invasive species such as Himalyan blackberry *(Rubus discolor)*. In addition, the Flanders property supports a variety of planted succulents (not identified) along this property boundary.

Monterey Pine Forest/Edge:

At the interface between the maintained lawn portion of the Flanders property and the Monterey Pine Forest Edge along the western boundary of the site, several large Coastal redwoods *(Sequoia sempervirens)* occur which were likely planted many years ago, but as these are remnant they are included in the "Monterey Pine Forest/Edge" generalized habitat type. As mentioned above, Monterey Pine Forest/Edge represents the western and northern boundaries of the Flanders Mansion property. Monterey Pine forest supports a variety of plant species, but onsite conditions range between areas in which the Monterey Pine crown cover is relatively dense, and the ground cover consists entirely of Periwinkle, to areas where the canopy is less dense, and the understory is better developed. These areas are dominated by non-native/invasive species such as French broom *(Genista monspessulana)* and panic veldt grass *(Erharta erecta)*. Directly behind the Flanders Mansion, the Oak Woodland Forest/Edge understory is dominated by periwinkle as described above, while southwestern portions of the property support the more complex understory (including broom and veldt grass).

The two major habitat types observed and documented above have not changed substantially between the publishing date of the 2005 BA and this updated letter report.

Special Status Plant Species

The 2005 DD&A BA reports the CNDDB occurrence of Hickmans's onion *(Allium hickmanii)* in the mesic-meadow parcel immediately south of the Flanders Mansion property as the only known CNDDB occurrence of a special status species in the immediate vicinity of the Flanders Mansion property. An updated search of the CNDDB reports one new occurrence of special status plant species, Yadon's rein orchid (*Piperia yadonii*) within the Flanders Mansion property or the immediate vicinity. 13 additional plant species were reported within the expanded search area; little sur manzanita (*Arctostaphylos edmunsii*), Monterey manzanita (*Arctostaphylos montereyensis*), Pajaro manzanita (*Arctostaphylos pajaroensis)*, Congdon's tarplant (*Centromadia parryi ssp. congdonii*), seaside bird's-beak (*Cordylanthus rigidus ssp. littoralis*), pinnacle buckwheat (*Eriogonum nortonii*), coast wallflower (*Erysimum ammophilum*), Santa Lucia bush-mallow (*Malacothamnus palmeri*), Carmel Valley malacothrix (*Malacothrix saxatilis var. arachnoidea*), hooked popcorn flower (*Plagiobothrys uncinatus*), Santa Cruz microseris (*Stebbinsoseris decipiens*), California screw-moss (*Tortula californica*) and Santa Cruz clover (*Trifolium buckwestiorum*). These 13 new species, along with the original species list presented in the 2005 BA, are presented with their likelihood to occur on the project site in Appendix A of this updated letter report. While DD&A biologists did not observe any special status species within the study site, our site visits were not conducted during the flowering period of a number of the species presented in Appendix A, and a Spring-time survey is therefore recommended to eliminate their potential presence within the site. Please note that several special status plant species were historically planted in the Lester Rountree Arboretum and persist within Arboretum boundaries.

<u>Yadon's rein orchid</u>

Yadon's rein orchid is a CNPS List 1B species, which are afforded planning consideration under CEQA. Yadon's rein orchid is typically associated with closed-cone coniferous forests,

chaparral/sandy and coastal bluff scrub habitats within the elevation range of 10 to 415 meters. This species is a perennial herb that typically blooms from May to August.

Species potential presence within project boundaries:

The updated CNDDB search reported an occurrence of Yadon's rein orchid along Hatton Road adjacent to the Flanders Mansion property. The occurrence was reported in July of 2005 by a Yadon's rein orchid field survey form. Further research into this occurrence revealed that the occurrence was located within the Lester Rountree Arboreteum.

Sensitive Habitats

The 2005 DD&A BA reports one sensitive habitat within the boundaries of Flanders Mansion property and the immediate vicinity; Monterey Pine Forest. Site visits confirm the boundary for this sensitive habitat is generally the same (branches/trees have grown and increased the interface between forest and lawn habitat types) as described in the 1995 and 2005 BA's.

Special Status Wildlife Species

The 2005 DD&A BA presented CNDDB occurrences of monarch butterfly and Monterey dusky-footed woodrat within the Flanders Mansion property or in the immediate vicinity of the site. The report also acknowledges that Monterey pine forest, which surrounds the Flanders Mansion property, provides some limited habitat value for a variety of bat and raptor species. An updated search of the CNDDB does not report any new occurrences of special status wildlife species within the Flanders Mansion property or in the immediate vicinity of the site. However, eight additional special status wildlife species were reported within the expanded search area; hoary bat (*Lasiurus cinereus*), Salinas harvest mouse (*Reithrodontomys megalotis distichlis*), American badger (*Taxidea taxus*), ferruginous hawk (*Buteo regalis*), Ashy storm-petrel (*Oceanodroma homochroa*), black legless lizard (*Anniella pulchra nigra*), globose dune beetle (*Coelus globosus*) and California linderiella fairy shrimp (*Linderiella occidentalis*). These eight new species, along with the species presented in the original 2005 BA, are presented with their likelihood to occur on the project site in Appendix A of this updated letter report.. DD&A biologists did observe several dusky-footed woodrat nests while on-site in the immediate vicinity of the Flanders Mansion property.

POTENTIAL IMPACTS EVALUATION AND MITIGATION/AVOIDANCE RECOMMENDATIONS:

Special Status Plant Species

As described above, the project site currently supports two generalized habitat types: lawn/gardens and Monterey Pine Forest/Edge. The actual sale of the Flanders property does not represent any impact to the botanical resources at the site, but future uses of the site (P-2 zoning) may impact these resources. One additional special status plant species was found within the Flanders Mansion or within the immediate vicinity during the preparation of this updated letter report. However this occurrence of Yadon's rein orchid was located within the Lester Rountree Arboretum and would not be disturbed during any future projects associated with the Flanders Mansion property. As a result of the preceding information this updated letter report finds that the mitigation techniques included in the 2005 DD&A BA are applicable and sufficient.

Sensitive Habitats

As suggested within the 2005 DD&A report for the Mission Trails Nature Preserve, and within the LCP for the City of Carmel-by-the-Sea, onsite and adjacent Monterey Pine Forest is considered ESHA. For areas within the coastal zone, the definition of ESHA is found in §30107.5 of the Public Resources Code, defined as: "any area in which plant or animal life or their habitats or either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activity and developments." The Coastal Act (§30240) protects ESHA's from any significant disruption of habitat values (i.e. degradation by development). As such, the Monterey Pine Forest/Edge portions of the Flanders property (clearly demarcated by the interface with the lawn/gardens portions of the Flanders property) cannot be substantially degraded by any potential use of the site, to be determined by a Coastal Commission hearing and regulated by the Coastal Act. Furthermore, sub-section (b) of §30240 states the policy for areas adjacent to ESHA's: "(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of the habitat area."

This updated letter report agrees with the 2005 BA that the Flanders Mansion property should be included in the ESHA designation because of the utilization of this habitat by several special status species (Monterey dusky footed woodrats, bats, raptors, etc.). As such, no impacts to onsite and/or adjacent ESHA may occur as a result of any future project at the Flanders Mansion (i.e. tree trimming or removal, changes to the vegetation, hydrologic impacts from the addition impermeable surfaces, etc.), unless specifically authorized by the Coastal Commission. No additional sensitive habitats were observed or reported within the Flanders Mansion property or the immediate vicinity during the preparation of this updated letter report, therefore, the mitigation and avoidance techniques included in the 2005 DD&A BA are applicable and sufficient.

Special Status Wildlife Species

As stated above, several special status wildlife species are potentially present within and adjacent to the Flanders Mansion property; Monterey dusky-footed woodrat (Monterey pine forest), Monarch butterfly (Lester Rountree Arboretum), and a variety of raptor and bat species (Monterey pine forest) presented in Appendix A. No impacts to these species are associated with the sale of the Flanders Property, but any future project at the site should avoid or mitigate impacts to these species. No additional special status wildlife species were observed or reported within the Flanders Mansion or in the immediate vicinity of the site during the preparation of this updated letter report, therefore, the mitigation techniques included in the 2005 DD&A BA are applicable and sufficient.

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U.S. Geological Survey. Monterey, Seaside, Marina, Mt. Carmel and Soberanes Point quadrangles. 7.5 minute topographic map.

APPENDIX A. Special status species reported to occur within and in the vicinity of the project site (Sources: USFWS County list, CNDDB, personal knowledge of Monterey County).

Species	Status (USFWS/ CDFG/ CNPS)	General Habitat	Potential Occurrence within Project Vicinity
MAMMALS			
Antrozous pallidus Pallid bat	-- / CSC	A wide variety of habitat are utilized, including grasslands, shrublands, woodlands, and forest from sea level up through mixed conifer forests. Most common in open, dry habitats with rocky areas for roosting.	**Medium.** Species-appropriate habitat is present in the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Corynorhinus townsendii townsendii Townsend's western big-eared bat	-- / CSC	Humid coastal regions of northern and central California. Roost in limestone caves, lava tubes, mines, buildings, etc.	**Low.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Enhydra lutris nereis southern sea-otter	FT / --	Found in nearshore marine habitats environments of California from Ano Nuevo to Point Sal. Often associated with giant kelp and bull kelp, these opportunistic foragers eat mainly abalones, sea urchins, crabs, and clams.	**Not Present.** No permanent water source on-site.
Eumops perotis californicus western mastiff-bat	-- / CSC	Many open habitats including conifer and deciduous woodlands, coastal scrub, grassland, and chaparral. Roost in crevices in cliff faces, high buildings, trees, and tunnels.	**Medium.** Species-appropriate habitat is present in the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Lasiurus cinereus hoary bat	-- / CSC	Prefers open habitats or habitat mosaics with access to trees for cover and open areas or edge for feeding. Generally roost in dense foliage of trees.	**Medium.** Species-appropriate habitat is present in the vicinity of the project site. There are two CNDDB

			occurrences within 2.5 miles of the project site.
Myotis evotis long-eared myotis bat	-- / CSC	Found in brush, woodland, and forest habitats. Nursery colonies in buildings, crevices, spaces under bark, and snags; caves are used primarily as night roosts.	**Medium.** Species-appropriate habitat is present in the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Myotis thysanodes Fringed myotis	-- / CSC	Associated with redwood forests in coastal and utilizes redwood hollows. Roosts in caves, mines, and buildings. Potential maternity roost habitat occurs in oak tree cavities (both mature and medium aged coast live oak).	**Medium.** Species-appropriate habitat is present in the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Myotis volans Long-legged myotis	-- / CSC	Primarily a coniferous forest species but also occur in riparian and desert habitats. Roosts under bridges, in caves and mines, and in buildings. Also known to roost under bark (exfoliating) on dead limbs and snags of oaks and pines.	**Medium.** Species-appropriate habitat is present in the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Neotoma fuscipes luciana Monterey dusky-footed woodrat	-- / CSC	Forest habitats of moderate canopy with moderate to dense understory. Also occurs in chaparral habitats.	**Present** This species is known to occur within the Mission Trail Nature Preserve, and an active nest was observed directly behind the Flanders Mansion (on the edge of the parcel).
Reithrodontomys megalotis distichlis Salinas harvest mouse	-- / CSC	Known only to occur from the Monterey Bay region. Occurs in fresh and brackish water wetlands and probably in the adjacent uplands around the mouth of the Salinas River.	**Not Present** Suitable habitat does not exist on the project site.
Taxidea taxus American badger	-- / CSC	dry, open grasslands, fields, and pastures	**Not Present.** Suitable habitat does

			not exist on the project site. No dens observed.
Vulpes macrotis mutica San Joaquin Kit fox	FE / ST	Open, level areas with loose-textured soils supporting scattered, shrubby vegetation with little human disturbance. Live in annual grasslands or grassy open stages dominated by scattered brush, shrubs, and scrub.	**Not Present.** Suitable habitat does not exist on the project site.
		BIRDS	
Accipiter cooperii Cooper's hawk	-- / CSC	Resident throughout most of the wooded portion of the state. Dense stands of live oak, riparian deciduous, or other forest habitats near water used most frequently. Seldom found in areas without dense tree stands, or patchy woodland habitats.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Accipiter striatus sharp-shinned hawk	-- / CSC	Uses dense stands in close proximity to open areas. Roosts in intermediate to high-canopy forest. Nests in dense, even-aged, single-layered forest canopy. Winters in woodlands.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Agelaius tricolor tricolored blackbird	-- / CSC	Nest in colonies in dense riparian vegetation, along rivers, lagoons, lakes, and ponds. Forages over grassland or aquatic habitats.	**Unlikely.** No permanent water source on-site, and no riparian vegetation.
Aquila chrysaetos golden eagle	-- /CSC	Use rolling foot-hills, mountain terrain, wide arid plateaus deeply cut by streams and canyons, open mountain slopes, cliffs, and rocky outcrops. Nest in secluded cliffs with overhanging ledges as well as large trees.	**Unlikely.** This species is not likely to nest in the vicinity of the project site, and any potential foraging habitat will be unaffected by the sale of the property.
Athene cunicularia hypugea western burrowing owl	-- / CSC	Burrows are protected. Require open grassland habitats with low-growing vegetation and abandoned burrows. Prefers these areas	**Not Present.** Very limited habitat availability and no reported occurrences of this species in the

		assoc. with some raised perches.	vicinity of the heavily utilized Mission Trail Nature Preserve.
Brachyramphus marmoratus marbled murrelet	FT / --	Occur year-round in marine subtidal and pelagic habitats from the Oregon border to Point Sal. Partial to coastlines with stands of mature redwood and Douglas-fir. Requires dense mature forests of redwood and/or Douglas-fir for breeding and nesting.	**Not Present.** No permanent water source on-site. No appropriate "old-growth" habitat to support nesting.
Buteo regalis ferruginous hawk	-- / CSC	Found in plains and prairies.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site. The closest CNDDB occurrence is approximately 12 miles north of the project site.
Circus cyaneus Northern harrier	--/ CSC	Generally found in flat open areas with tall, dense grasses, shrubs, and edges for cover and breeding. Use tall grasses in wetlands or at wetland borders for nesting.	**Medium.** Species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB.
Charadrius alexandrinus nivosus western snowy plover	FT / SE	Sandy beaches on marine and estuarine shores, also salt pond levees and the shores of large alkali lakes. Requires sandy, gravelly or friable soil substrate for nesting.	**Not Present.** No permanent water source on-site.
Coccyzus americanus occidentalis Western yellow-billed cuckoo	FC / SE	Inhabits extensive deciduous riparian thickets or forests with dense, low-level or understory foliage, slow-moving watercourses, backwaters, or seeps. Willow almost always a dominant component of the vegetation.	**Not Present.** This species is not likely to nest in the vicinity of the project site.
Cypseloides niger black swift	--/ CSC	Regularly nests in moist crevice or cave on sea cliffs	**Unlikely.** This species is not

		above the surf, or on cliffs behind, or adjacent to, waterfalls in deep canyons. Forages widely over many habitats.	likely to nest in the vicinity of the project site.
Eremophila alpestris actia California horned lark	-- / CSC	Frequents grasslands and other open habitats with low, sparse vegetation	**Unlikely.** Limited habitat availability and no reported occurrences of this species in the vicinity of the heavily utilized Mission Trail Nature Preserve.
Gymnogyps californianus California condor	FE / SE	Rugged mountain ranges surrounding the southern San Joaquin Valley, including the coast Ranges from Santa Clara Co. south to Los Angeles Co., the Transverse Ranges, Tehachapi Mts., and Southern Sierra Vevada. Forages over wide areas of open rangeleands, roosts on cliffs and in large trees and snags. Nests in caves crevices, behind rock slabs, or on large ledges on high sandstone cliffs.	**Not Present.** This species is well studied and consistently monitored within Monterey County. Condors do not occur in the immediate vicinity of the project site.
Haliaeetus leucocephalus bald eagle	FT / SE	Require large bodies of water, or free flowing rivers with abundant fish, and adjacent snags or other perches. Perches high in large, stoutly limbed trees, on snags or broken-topped trees, or on rocks near water.	**Not Present.** No permanent water source on-site.
Oceanodroma homochroa Ashy storm-petrel	-- / CSC	Tied to land only to nest, otherwise remains over open sea. Nests in natural cavities, sea caves, or rock crevices on offshore islands and prominent peninsulas of the mainland.	**Not Present.** This species is not likely to nest in the vicinity of the project site. Suitable habitat does not exist on the project site.
Pelecanus occidentalis brown pelican	FE / SE	Estuarine, marine subtidal, and marine pelagic waters along the coast. Usually rests on water or inaccessible rocks, but also uses mudflats,	**Not Present.** No permanent water source on-site.

		sandy beaches, wharfs, and jetties.	
Rallus longirostris obsoletus California clapper rail	FE / SE	Saltwater and brackish marshes supporting dense vegetation.	**Not Present.** No permanent water source on-site.
Sterna antillarum browni California least tern	FE / SE	Sea beaches, bays; large rivers, bars.	**Not Present.** No permanent water source on-site.
		REPTILES AND AMPHIBIANS	
Ambystoma californiense California tiger salamander	FT / CSC	Annual grassland and grassy understory of valley-foothill hardwood habitats in central and northern California. Need underground refuges and vernal pools or other seasonal water sources.	**Unlikely.** The project site is 0.6 miles from the nearest known breeding location of CTS, and does not support appropriate breeding or upland habitat for this species.
Ambystoma macrodactylum croceum Santa Cruz long-toed salamander	FE / SE	Preferred habitats include ponderosa pine, montane hardwood-conifer, mixed conifer, montane riparian, red fir and wet meadows. This is an isolated subspecies which occurs in a small number of localities in Santa Cruz and Monterey Counties. Adults spend the majority of the time in underground burrows and beneath objects. Larvae prefer shallow water with clumps of vegetation.	**Not Present.** The project site is greater than 20 miles from the nearest known breeding location of SCLTS, and does not support appropriate breeding or upland habitat for this species.
Anniella pulchra nigra Black legless lizard	-- / CSC	Requires moist, warm habitats with loose soil for burrowing and prostrate plant cover, often forages in leaf litter at plant bases; may be found on beaches, sandy washes, and in woodland, chaparral, and riparian areas.	**Unlikely.** Soils on the project site are not ideal for this species.
Clemmys marmorata pallida southwestern pond turtle	--/ CSC	Inhabits permanent or nearly permanent bodies of water in many habitat types. Requires basking sites such as partially submerged logs, vegetation mats, or open mud banks.	**Low.** Appropriate habitat for this species is not present within project boundaries, but a creek located north and west of the project site may

			support this species.
Phrynosoma coronatum frontale California horned lizard	-- / CSC	Associated with open patches of sandy soils in washes, chaparral, scrub, and grasslands.	**Low.** Marginally species-appropriate habitat is present is the vicinity of the project site, but there are no reported occurrences of this species in the CNDDB, and it is not anticipated within the Flanders property.
Rana drayonii California red-legged frog	FT / CSC	Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent riparian vegetation. During late summer or fall adults are known to utilize a variety of upland habitats with leaf litter or mammal burrows.	**Unlikely.** Appropriate breeding habitat for this species is not present in the project vicinity (flashiness of nearby creek represents poor breeding habitat). This species is generally closely associated with breeding locations.
		FISH	
Eucyclogobius newberryi tidewater goby	FE / CSC	Brackish water habitats, found in shallow lagoons and lower stream reaches.	**Not Present.** No permanent water source on-site.
Gila elegans Bonytail chub	FE / SE	Swift channels of large, turbid rivers.	**Not Present.** No permanent water source on-site.
Oncorhynchus mykiss Steelhead-Central California Coast.	FT / CSC	Coastal perennial and near perennial streams, with suitable spawning and rearing habitat and no major barriers.	**Not Present.** No permanent water source on-site.
		INVERTEBRATES	
Branchinecta conservatio Conservancy fairy shrimp	FE / --	Require ephemeral pools with no flow.	**Not present.**
Branchinecta longiantenna longhorn fairy shrimp	FE / --	Require ephemeral pools with no flow.	**Not present.**
Branchinecta lynchi vernal pool fairy shrimp	FT / --	Require ephemeral pools with no flow.	**Not present.**
Coelus globosus Globose dune beetle	-- / --	Coastal dunes. These beetles are primarily subterranean, tunneling through sand underneath dune vegetation.	**Not Present.** Requires dune habitat which is not present within the

			project site or immediate vicinity.
Danaus plexippus Monarch butterfly	-- / --	Overwinters in coastal California using colonial roosts generally found in Eucalyptus, pine and acacia trees. Overwintering habitat for this species within the Coastal Zone represents ESHA. Local ordinances often protect this species as well.	**High.** A possible overwintering population of Monarchs was observed in the Lester Rountree Arboretum reported in 1989 (Walter Sakai, Ph.D). No occurrences have been reported since, and none were observed, but marginally appropriate habitat is present.
Euphilotes enoptes smithi Smith's blue butterfly	FE / --	Most commonly associated with coastal dunes and coastal sage scrub plant communities in Monterey and Santa Cruz Counties. Plant hosts are Erigonum latifolium and E. Parvifolium.	**Unlikely.** No buckwheat (obligate host plant) present within Flanders Mansion property.
Linderiella occidentalis California linderiella fairy shrimp	-- / --	Ephemeral ponds with no flow. Generally associated with hardpans.	**Not Present.** No permanent water source on-site.
		PLANTS	
Allium hickmanii Hickman's onion	--/ --/ 1B	Closed cone coniferous forests, chaparral, coastal prairie, coastal scrub, valley-foothill grasslands.	**Not Present.** This species is present in the adjacent mesic-meadow, but is not present within project boundaries.
Arctostaphylos edmundsii Little Sur manzanita	-- / -- / 1B	Coastal bluff scrub, chaparral, sandy; elevation 30-105 meters Shrub. Blooms Nov-April.	**Not Present.** Large perennial not observed during site visits.
Arctostaphylos hookeri ssp. *hookeri* Hooker's manzanita	-- / -- / 1B	Closed-cone coniferous forest	**Not Present.** Large perennial not observed during site visits.

Arctostaphylos montereyensis Monterey mazanita	-- / -- / 1B	Chaparral, cismontane wilderness, coastal scrub/ sandy.	**Not Present.** Large perennial not observed during site visits.
Arctostaphylos pajaroensis Pajaro manzanita	-- / -- / 1B	Chaparral/ sandy.	**Not Present.** Large perennial not observed during site visits.
Arctostaphylos pumila sandmat manzanita	-- / -- / 1B	Closed-cone coniferous forests, chaparral, coastal dunes, coastal scrub/ sandy.	**Not Present.** Large perennial not observed during site visits.
Astragalus tener var. *titi* coastal dunes milk-vetch	FE / SE / 1B	Coastal bluff scrub (sandy), coastal dunes, coastal prairie (mesic); elevation 1-50 meters. Annual herb, blooms March-May.	**Not Present.** No appropriate habitat within project boundaries.
Centromadia parryi ssp. *congdonii* Congdon's tarplant	-- / -- / 1B	Valley and foothill grassland (alkaline); elevation 1-230 meters. Annual herb, blooms June-November	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential presence of this species.
Chlorogalum purpureum var. *purpeum* purple amole	FT / -- / 1B	Cismontane woodlands, valley foothill grasslands.	**Not Present.** No appropriate habitat within project boundaries.
Chorizanthe pungens var. pungens Monterey spineflower	FT / -- / 1B	Chaparral (maritime), cismontane woodland, coastal dunes, coastal scrub, valley and foothill grassland/ sandy; elevation 3-450 meters. Annual herb, blooms April-June.	**Not Present.** No appropriate habitat within project boundaries.
Chorizanthe robusta var. robusta robust spineflower	FE / -- / 1B	Cismontane woodland (openings), coastal dunes, coastal scrub/ sandy or gravelly; elevation 3-300 meters.	**Not Present.** No appropriate habitat within project boundaries.

		Annual herb, blooms April-September.	
Clarkia jalonensis Lewis' clarkia	-- / -- / 1B	Broad-leaved upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub; elevation 30-160 meters. Annual herb, blooms May-July	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential presence of this species.
Collinsia multicolor San Francisco collinsia	-- / -- / 1B	Closed cone coniferous forest, coastal scrub/ sometimes serpentinite; elevation 30-250. Annual herb, blooms March-May.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Cordylanthus rigidus ssp. littoralis seaside bird's-beak	-- / SE / 1B	Closed-cone coniferous forests, chaparral, cismontane woodlands, coastal dunes, coastal scrub/ sandy, often disturbed sites; elevation 0-215 meters. Annual herb (hemiparasitic), blooms May-October	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential presence of this species.
Cupressus goveniana ssp. *goveniana* gowen cypress	FT / -- / 1B	Closed cone coniferous forest, chaparral (maritime); elevation 30-300 meters. Tree (evergreen).	**Not Present.** This species is present in the adjacent Arboretum, but not within the Flanders property.
Cupressus macrocarpa Monterey cypress	-- / -- / 1B	Closed cone coniferous forest. Tree (Evergreen).	**Present.**
Delphinium hutchinsoniae Hutchinsons' larkspur	-- / -- / 1B	Broadleafed upland forest, chaparral, coastal scrub, coastal prairie; elevation 0-400 meters. Perennial herb, blooms March-June.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is

			required to completely eliminate the potential presence of this species.
Ericameria fasciculata Eastwood's goldenbush	-- / -- / 1B	Closed cone coniferous forest, chaparral (maritime), coastal dunes, coastal scrub/sandy, openings; elevation 30-275 meters. Shrub (evergreen(, blooms July-October.	**Not present.**
Eriogonum nortonii pinnacle buckwheat	-- / -- / 1B	Chaparral, valley and foothill grassland/ sandy, often on recent burns; elevation 300-975 meters. Annual herb, blooms May-June.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential presence of this species.
Erysimum ammophilum coast wallflower	-- / -- / 1B	Chaparral (maritime), coastal dunes, coastal scrub/ sandy, openings; elevation 0-60 meters. Perennial herb, blooms February-June.	**Not Present.** No appropriate habitat within project boundaries.
Erysimum menziesii ssp. *menziesii* Menzie's wallflower	FE / SE / 1B	Coastal dunes.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Erysimum menziesii ssp. *yadonii* Yadon's wallflower	FE / SE / 1B	Coastal dunes; elevation 0-35 meters. Perennial herb, blooms March-June.	**Not Present.** No appropriate habitat within project boundaries.
Frittilaria liliacea fragrant fritillaria	-- / -- / 1B	Coastal prairie, coastal scrub, valley and foothill grassland in heavy clay soil, often serpentinite; elevation 3-410 meters. Perennial herb (bulbiferous), blooms	**Not Present.** No appropriate habitat within project boundaries.

		February-April.	
Gilia tenuiflora ssp. *arenaria* sand gilia	FE / ST / 1B	Chaparral (maritime), cismontane woodland, coastal dunes, coastal scrub/ sandy, openings; elevation 0-45 meters. Annual herb, blooms April-June.	**Not Present.** No appropriate habitat within project boundaries.
Holocarpha macradenia Santa Cruz tarplant	-- / -- / 1B	Coastal prairies, valley foothill grasslands/ often clay.	**Not Present.** No appropriate habitat within project boundaries.
Horkelia cuneata ssp. *sericea* Kellogg's horkelia	-- / -- / 1B	Closed cone coniferous forests, chaparral, (maritime), coastal scrubs/ sandy or gravelly, openings; elevation 10-200 meters. Perennial herb, blooms April-September.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Lasthenia conjugens Contra Costa goldfields	FE / -- / 1B	Valley-foothill grasslands (mesic), vernal pools.	**Not Present.** No appropriate habitat within project boundaries.
Layia carnosa beach layia	FE / SE / 1B	Coastal dunes., coastal scrub (sandy; elevation 0-60 meters. Annual herb, blooms March-July.	**Not Present.** No appropriate habitat within project boundaries.
Layia jonesii Jones's layia	FSC/ 1B	Chenopod scrub, valley foothill grasslands/ clay or serpentinite.	**Not Present.** No appropriate habitat within project boundaries.
Lembertia congdonii San Joaquin wollythreads	FE / -- / 1B	Chenopod scrub, valley and foothill grasslnd (sandy); elevation 60-800 meters. Annual herb, blooms February-May	**Not Present.** No appropriate habitat within project boundaries.
Lupinus tidestromii Tidestrom's lupine	FE / SE / 1B	Coastal dunes; elevation 0-100 meters. Perennial herb (rhizomatous), blooms April-June.	**Not Present.** No appropriate habitat within project boundaries.
Malacothamnus palmeri var. involucratus Carmel Valley bush-mallow	-- / -- / 1B	Chaparral, cismontane woodland, coastal scrub; elevation 30-1100 meters. Shrub (deciduous), blooms May-October.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a

			Spring survey would be required to completely eliminate the potential presence of this species.
Malacothamnus palmeri var. palmeri Santa Lucia bush-mallow	-- / -- / 1B	Chaparral.	**Not Present.** No appropriate habitat within project boundaries.
Malacothrix saxatilis var. arachnoidea Carmel Valley macothrix	-- / -- / 1B	Chaparral (rocky); elevation 25-335 meters. Perennial herb (rhizomatous), blooms March-December.	**Not Present.** No appropriate habitat within project boundaries.
Microseris paludosa Marsh microseris	-- / -- /1B	Closed cone coniferous forest, cismontane woodland, coastal scrub, valley and foothill grassland; elevation 5-300 meters. Perennial herb, blooms April-June.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Pinus radiata Monterey pine	-- / -- / 1B	Closed cone coniferous forest, cismontane woodland; elevation 25-185 meters. Tree (evergreen)	**Present.**
Plagiobothrys uncinatus Hooked popcorn flower	-- / -- / 1B	Chaparral, Cismontane woodlands, Valley-foothill grasslands.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential presence of this species.
Piperia yadonii Yadon's rein orchid	FE / -- / 1B	Coastal bluff scrub, closed cone coniferous forests, chaparral/ sandy; elevation 10-415 meters Perennial herb, blooms May-August.	**Medium.** Marginally appropriate habitat is present on-site, but this species was not identifiable at the time of the survey. Spring surveys are

			required to eliminate the potential presence of this species.
Potentilla hickmanii Hickman's cinqufoil	FE / SE / 1B	Coastal bluff scrub, closed cone coniferous forests, meadows(vernally mesic), marshes and swamps (freshwater). Perennial herb, blooms April-August.	**Medium.** Marginally appropriate habitat is present on-site, but this species was not identifiable at the time of the survey. Spring surveys are required to eliminate the potential presence of this species.
Rosa pinetorum Pine rose	-- / -- / 1B	Closed-cone coniferous forest.	**Not Present.**
Sidalcea malachroides maple-leaved checkerbloom	-- /--/ 1B	Broad-leafed upland forest, coastal prairie, coastal scrub, north coast coniferous forest, often in disturbed areas; elevation 2-700 meters. Perennial herb, blooms April-August.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Stebbinsoseris decipiens Santa Cruz microseris	-- / -- / 1B	Broad-leafed upland forest, close cone coniferous forests, chaparral, coastal prairies, coastal scrub/ open areas; elevation 10-500 meters. Annual herb, blooms April-May.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential presence of this species.
Tortula californica California screw-moss	-- / -- / 1B	Valley and foothill grassland, Chenopod scrub, sandy soil; elevation 10-1460.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential

			presence of this species.
Trifolium buckwestriorum Santa Cruz clover	-- / -- / 1B	Broad-leafed upland forest, cismontane woodland, coastal prairie, endangered margins; elevation 105-610 meters. Annual herb, blooms April-October.	**Unlikely.** Although unlikely based on habitat present at the Flanders Mansion, a Spring survey would be required to completely eliminate the potential presence of this species.
Trifolium polyodon Pacific Grove clover	-- / -- / 1B	Broad-leafed upland forest, cismontane woodland, coastal prairie, endangered margins; elevation 105-610 meters. Annual herb, blooms April-September.	**Medium.** Although relatively unlikely based on habitat present at the Flanders Mansion, a Spring survey is required to completely eliminate the potential presence of this species.
Trifolium trichocalyx Monterey clover	-- / -- / 1B	Closed-cone coniferous forest (sandy openings, burned areas); elevation 30-240 meters Annual herb, blooms April-June.	**Medium.** Marginally appropriate habitat is present on-site, but this species was not identifiable at the time of the survey. Spring surveys are required to eliminate the potential presence of this species.

STATUS DEFINITIONS

Federal

FE = listed as Endangered under the federal Endangered Species Act
FT = listed as Threatened under the federal Endangered Species Act
-- = no listing

State

SE = listed as Endangered under the California Endangered Species Act
ST = listed as Threatened under the California Endangered Species Act
SR = listed as Rare under the California Endangered Species Act
CSC = California Department of Fish and Game Species of Concern
CFP = California Fully Protected Animal
-- = no listing

California Native Plant Society

1B = List 1B species; rare, threatened or endangered in California and elsewhere
-- = no listing

POTENTIAL TO OCCUR

Present = known occurrence of species within the site; presence of suitable habitat conditions; or observed during field surveys.
High = known occurrence of species in the vicinity from the CNDDB or other documentation; presence of suitable habitat conditions.
Moderate = known occurrence of species in the vicinity from the CNDDB or other documentation; presence of marginal habitat conditions within the site.
Low = species known to occur in the vicinity from the CNDDB or other documentation; lack of suitable habitat or poor quality.
Unlikely = species not known to occur in the vicinity from the CNDDB or other documentation, no suitable habitat is present within the site; species was not observed during surveys.
Not Present = No suitable habitat is present for this species. This category is generally reserved for species that appear in CNDDB reports generated for quads bordering a project site (several miles away), but have an incredibly low likelihood of utilizing the project site.