



703 North Main Street, Fort Bragg CA 95437  
ph: 707-964-2537 fx: 707-964-2622 www.WCPlan.com

Mendocino County

OCT 15 2020

Planning & Building Services

MEMO

October 14, 2020

Mark Cliser  
Planning and Building Services  
860 North Bush Street  
Ukiah, CA 95482

RE: CDP\_2018-0011  
Owner: Williamstown Friendly Village  
Applicant: Brian Temple  
Site: 9350 North Highway 1  
Mendocino, CA 95460  
APN: 119-340-18

Dear Mr. Cliser:

Thank you for your continued attention to this project.

On October 3, 2019 Wynn Coastal Planning and Biology submitted additional analysis in response to Coastal Commission staff commentary regarding Environmentally Sensitive Habitat Areas (ESHA) and plant communities in the project area. It was received by the previous planner for the project, Eduardo Hernandez. The staff report for the above project does not mention the 2019 analysis, and it is not included as an addendum to the staff report. Please note that this additional analysis was received and reviewed by county staff.

Let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Tara Jackson".

Tara Jackson  
Planner

Encl: Wynn Coastal Planning & Biology, BACE-Temple; Residence Stabilization/Bishop Pines letter  
CC: Brian Temple, applicant; file



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## SUBMITTAL

October 3, 2019

Eduardo Hernandez  
Planning and Building Services  
860 North Bush Street  
Ukiah, CA 95482

RE: CDP\_2018-0011: Requested Analysis

Owner: Williamstown Friendly Village

Site: 9350 North Highway 1  
Mendocino, CA 95460  
APN: 119-340-18-00

Dear Mr. Hernandez,

Thank you for your attention to this project.

On December 18<sup>th</sup>, 2018 Wynn Coastal Planning and Biology engaged in a joint site visit with the county and Coastal Commission staff in which the above project and was reviewed. During this visit Coastal Commission staff members questioned the accuracy of the ESHA determination from the Biological Scoping Survey. In a January 4, 2019 e-mail to Robert Dostalek, commission staff reiterated the need for additional information regarding potential natural resource implications.

Enclosed, please find Wynn Coastal Planning and Biology's response to Coastal Commission Staff commentary regarding ESHA extent and potential impacts.

Please note that this letter is intended to address the biological implications of the stabilization development and that additional analysis regarding geotechnical impacts will be addressed by Brunsing Associates in a separate submittal.

Sincerely,

A handwritten signature in blue ink that reads "Tara Jackson".

Tara Jackson  
Assistant Planner

End: Wynn Coastal Biology, BACE-Temple; Residence Stabilization/Bishop Pines letter  
CC: Williamstown Friendly Village; file



703 North Main Street, Fort Bragg CA 95437  
ph: 707-964-2537 fx: 707-964-2622 www.WCPlan.com

September 30, 2019

Eduardo Hernandez  
Mendocino County Planning  
860 North Bush Street  
Ukiah CA 95482

RE: Temple Residence Stabilization / Bishop Pines  
CDP\_2018-0011  
9350 North Highway 1  
Mendocino, CA, 95460  
APN 119-340-18-00

Dear Eduardo Hernandez,

In June of 2017 Wynn Coastal Planning & Biology published a Biological Scoping Survey to address the potential for special status natural resources at 9350 North Highway 1, Mendocino, CA, for an emergency residence stabilization project associated with an ocean bluff landslide directly adjacent to a residential structure. On December 18, 2018, I participated in a site visit with Mendocino County Planning and California Coastal Commission staff. Destiny Preston, Coastal Program Analyst at California Coastal Commission, subsequently submitted email commentary, dated January 4, 2019, and a request for additional information regarding Bishop pine forest (*Pinus muricata* Forest Alliance).

My biological scoping survey included mapping of a small area vegetated with wind stunted Bishop pine (*Pinus muricata*) trees along the bluff edge. I did not regard these trees as constituting a Bishop pine forest because there was a mix of native and non-native conifers and Eucalyptus to the north of the project site. In addition, this small cluster of trees are smaller than the minimum mapping size of ¼ acre for forest stands used by CDFW. A separate area that was clearly Bishop pine forest was present to the south of the project area, but was more than 100 feet from the area with potential for impact due to the residence stabilization activities proposed.

Ms. Preston's comments refer to previous permits (CDP/CDB #22-2010 and CDP #4/2009/CDV 1-2009). Supporting documentation from these permit applications include biological reports, a report of compliance, and a restoration and management plan for Bishop pine forest in the area of the subject parcel's residential structure. I was not aware of the project history prior to my 2017 site visit when I viewed what I interpreted as fragmented mixed conifer habitat. After reviewing the 2009-2010 reports I can see that the small stand of Bishop pines north of the residence was at that time connected to the larger stand of Bishop pines to the south. As approved by the 2009-10 CDPs, a portion of this Bishop pine forest was removed for the construction of the residence, and later, another portion was lost due to the landslide resulting in the further fragmented habitat I viewed seven years after the reports referenced by Ms. Preston.

If considered in the context of the relatively intact forest that existed before the construction of the house and the landslide, then my initial finding, that Bishop pine forest does not occur within 100ft of the emergency bluff stabilization, needs to be revised. In addition, if landscaping with native plants around the residence was part of restoration required by special conditions of a previous CDP, then these areas might also be interpreted as ESHA forest within 100ft of the project, rather than as landscaping.

On August 13, 2019, I revisited the site with my new knowledge of the previous site conditions. In my opinion, determination of whether ESHA occurs within 100ft of the residence stabilization activities depends upon which conditions are considered "baseline": a) those existing in 2010, before the construction of the southern

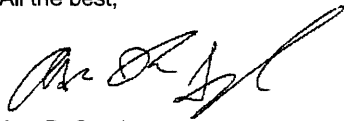
residence and before the landslide (Figures 1 - 3), or b) the conditions that existed in 2017 at the time of the emergency CDP application and my site visit describing the current conditions at that time.

Regardless, my observations are that no impact to native habitat has occurred due to the residence stabilization activities. Construction workers approached the north western corner of the residence where stabilization was conducted by bringing equipment under the bridge attaching the two portions of the residence. Equipment was staged only within the existing landscaped curtilage around the residence. Residence stabilization structure was placed only within the existing footprint of the residence. The deck on the western side of the residence was removed, foundation piers and concrete grade beam were installed in that location, and then the deck was replaced, resulting in the same residential footprint as existed before the slide and stabilization efforts.

I have attached several photos that demonstrate that native vegetation around the residence was not impacted by the project. **Figure 4** is an aerial photograph of the site in 2013; after the residence construction was complete, but before the landslide. **Figure 5** is an aerial photograph of the same location on 7/2/2018, after the landslide and emergency CDP approval, and during residence stabilization activities. The landslide threatening the residence can be seen to the northwest of the residence and the northern portion of the deck has been removed to access locations to drill new foundation piers. **Figures 6 – 8** are photographs taken on August 13, 2019, and show the condition of the site now that the residence stabilization is complete and the deck has been replaced. These photos show that the native trees beyond the landscaped curtilage of the residence are still present and show no signs of having been impacted by the project.

In my professional opinion, no impact to native habitat, whether ESHA or not, has occurred, and therefore no compensatory mitigation is necessary.

All the best,

A handwritten signature in black ink, appearing to read 'Asa B. Spade', written in a cursive style.

Asa B. Spade  
Senior Biologist



EXHIBIT "B"

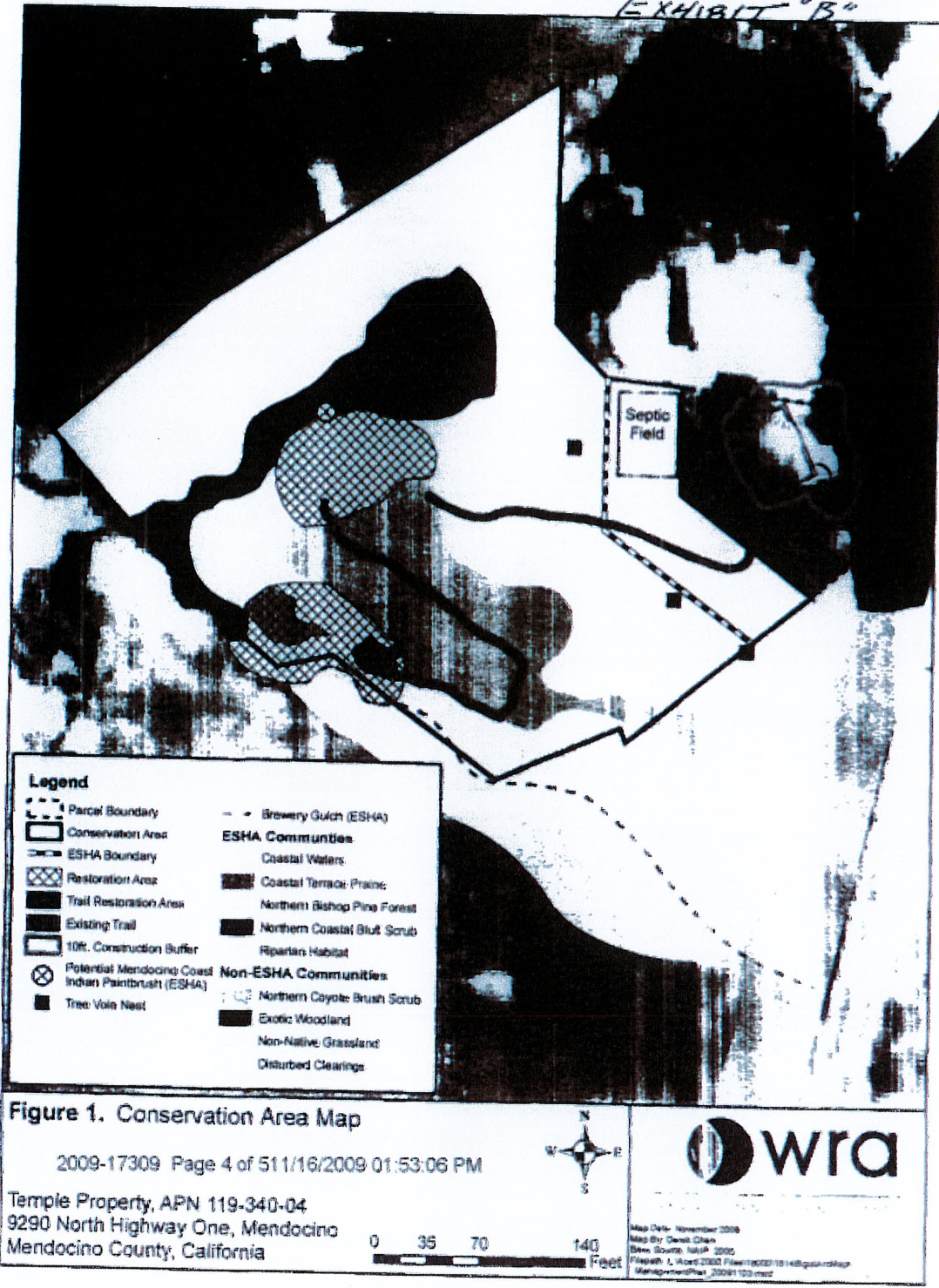


Figure 2. Conservation Area Map, as illustrated in Exhibit B in Restrictive Covenants, Document #2009-07309, Mendocino County Official Records, recorded November 16, 2009.



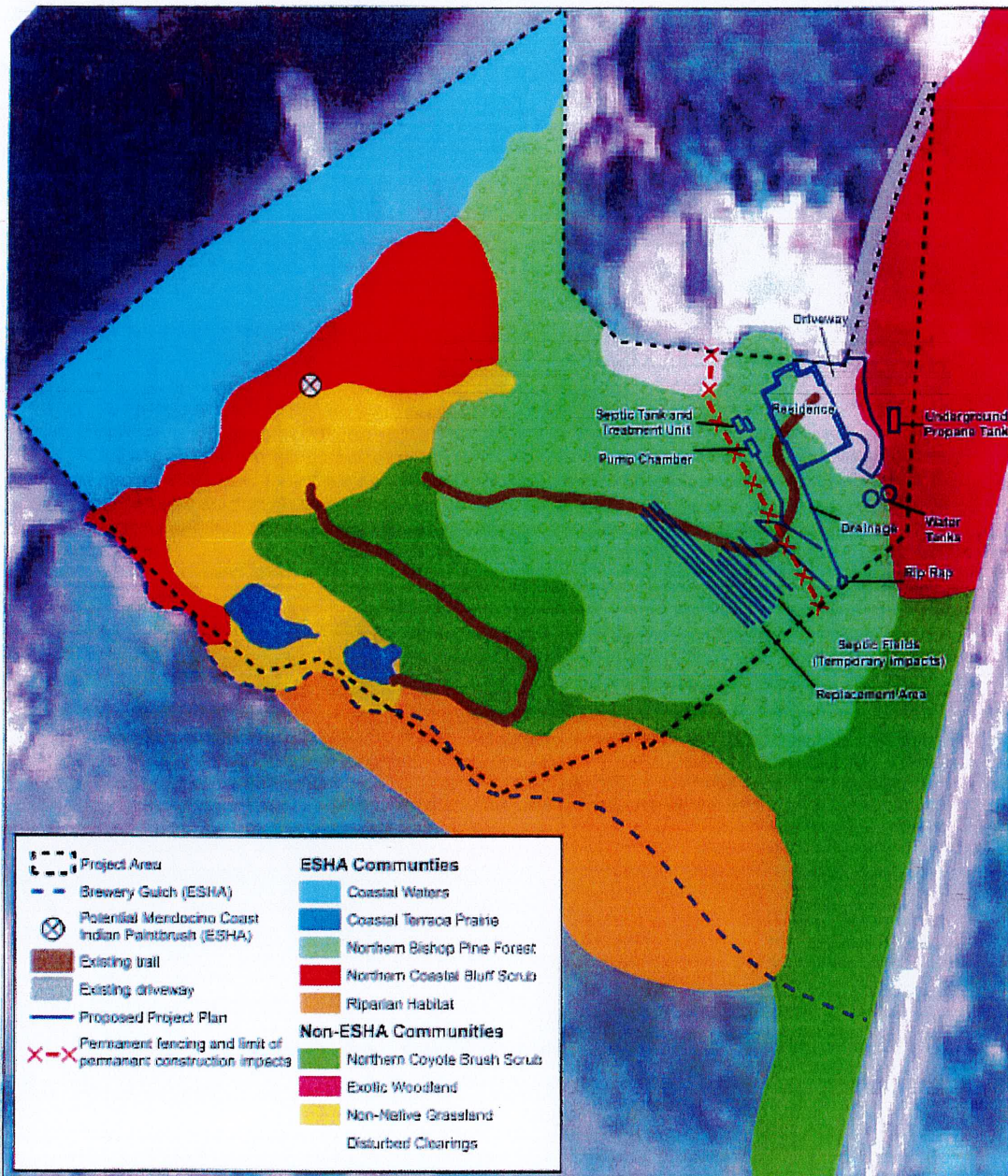
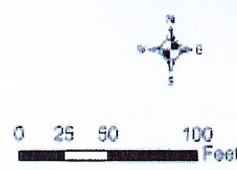


Figure 2. Proposed Project ESHA Map

Temple Property, APN 119-340-04  
 9290 North Highway One, Mendocino  
 Mendocino County, California



**wra**  
 ENVIRONMENTAL CONSULTANTS

Date: November 2008  
 Image Source: MAPS 2008  
 Map by: Melissa Trachtenberg  
 Project: L15000 2008 File: 0001151008\_01.mxd  
 2008/11/20/15:00

Figure 1. WRA's Figure 2 from their Bio Compliance Report, dated 2008.12 (fig dated 11.2008) [illustrates the ESHAs prior to development of the residence]

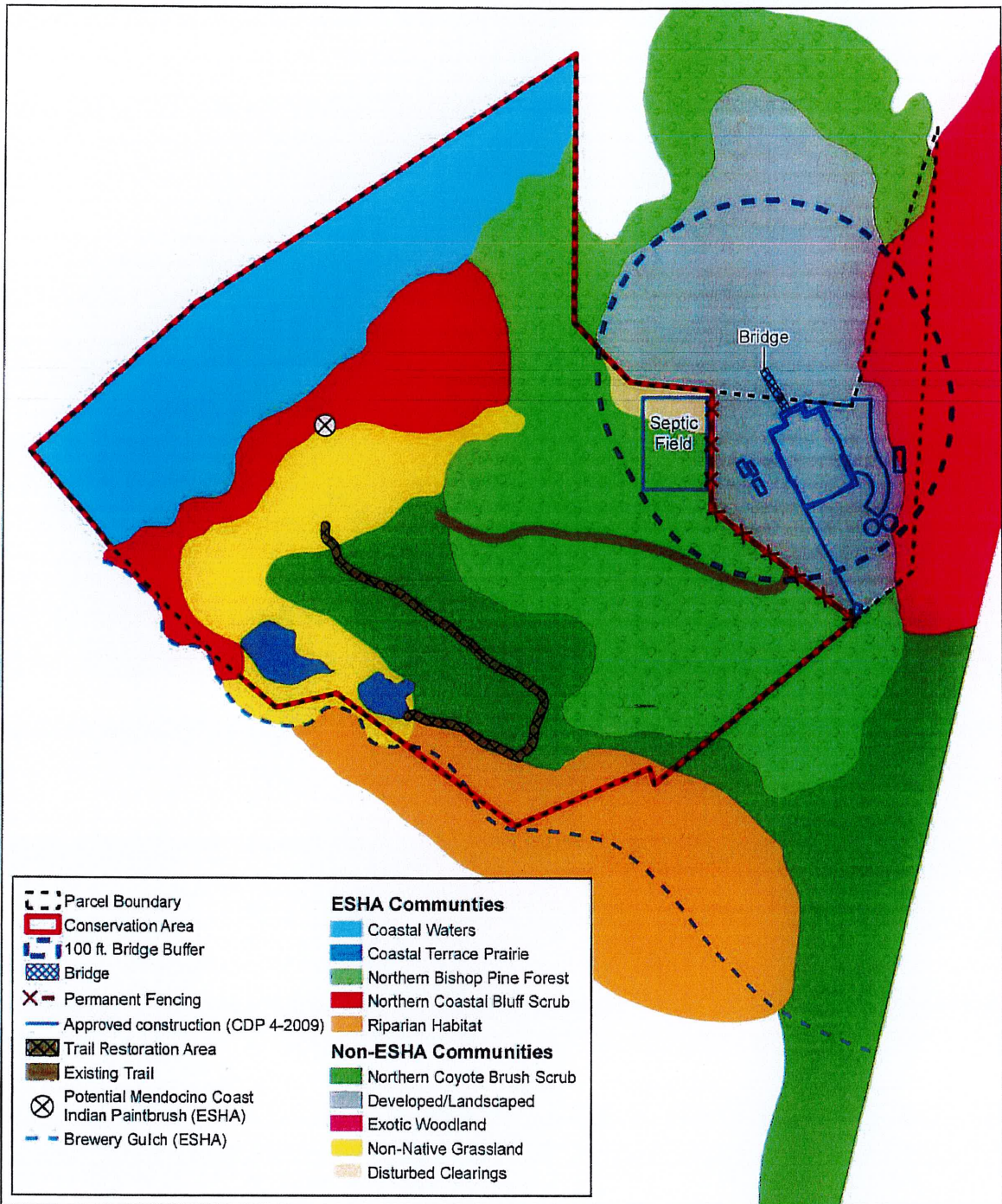




Imagery Date: 8/17/2013

*Figure 4. Google Earth aerial photo taken in 2013.*





**Figure A1. Proposed Bridge Impact Assessment**

Temple Property, APN 119-340-04  
 & APN 119-340-05  
 9290 North Highway One, Mendocino  
 Mendocino County, California



0 35 70 140  
 Feet



Map Date: October 2010  
 Map By: Michael Rochelle

Path: L:\Acad 2000 Files\18000\18148\gis\ArcMap\Bridge\_Impact.mxd

Figure 3. WRA's Fig A1 from their Addendum addressing the Bridge Addition, dated October 2010 [illustrates the developed/landscaped area as result of the southern residence]





*Figure 5. Google Earth aerial photo taken 7/2/2018. The slide can be seen to the northwest of the residence. This photo was taken during the residence stabilization process, the deck and lawn have been replaced, as reflected in the photos of the site below.*





*Figure 6. Looking north past the northwest corner of the residence. Native vegetation can be seen directly adjacent to the northern side of the residence. Leafless branches of the fir trees at the lower middle of the photo show where vegetation is absent due to the landslide.*



*Figure 7. Looking south from the lawn area to the west of the northern portion of the residence. Native bishop pine trees planted in this area remain. The Bishop pine trees in the background are a portion of the stand reported in the supporting documents for the 2009 and 2010 CDP applications.*





*Figure 8. Looking southwest toward Chapman Point from the lawn adjacent to the northern portion of the residence. Wind stunted Bishop pine trees growing from the bluff slope can be seen just beyond the shrubs and fence surrounding the lawn.*