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MEMORANDUM

DATE: **November 12, 2021**

TO: Coastal Permit Administrator

FROM: Julia Krog, Assistant Director

SUBJECT: **CDP_2019-0024 Conditions of Approval**

Staff was reviewing the staff report posted online for the November 17, 2021 Coastal Permit Administrator agenda for CDP_2019-0024 and noticed that several of the exhibit pages that include the referenced sections of the submitted environmental documents as they relate to recommended Condition 11 of the permit were missing. Staff has therefore prepared this memorandum to ensure all recommended conditions of approval are available for review by the Coastal Permit Administrator, the Applicant, and the general public.

Attached are the final conditions of approval and associated exhibits.

Attachment:

Recommended Conditions of Approval and Associated Exhibits

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the 10 working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

2. To remain valid, progress towards completion of the project must be continuous. The Applicants have sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.

3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.

4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.

5. The Applicants shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.

6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:

    a. The permit was obtained or extended by fraud.

    b. One or more of the conditions upon which the permit was granted have been violated.

    c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.

    d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.

7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within 100 feet of the discovery, and make notification of the discovery to the Director of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.

9. The contractor performing the work shall provide proof of appropriate disposal of exported material to both the Caltrans Resident Engineer and the County prior to close out of construction.

10. Any disturbed soil after construction shall be scarified and seeded with California native seed mix that is regionally appropriate to the area. Disturbed soil is defined as cut, fill, and/or compaction to existing grade.

11. Project implementation shall be consistent with the recommended mitigations, BMPs, and avoidance and minimization measures outlined in Sections 1.2, 1.3, and 3.2 of the *ESHA Assessment,* June 2019 (Exhibit A), Section 1.2.1 of the *Natural Environment Study*, September 2017 and its *Addendum,* November 28, 2018 (Exhibit B), Sections 4 through 8 of the *Onsite Revegetation Plan* (Exhibit C), and Pages 2-4 of the *Rare Plant Memo/Letter* (Exhibit D) intended to protect ESHA.

1.2 Project Description

Caltrans proposes to make safety improvements and perform rehabilitation in Mendocino County on SR 1 from post mile (PM) 41.8 to PM 42.3. The project proposes to widen the existing lane to 12 feet, widen the existing shoulders in both directions to 4 feet, install edge line and centerline rumble strips, install a Midwest Guardrail System (MGS), improve the superelevation, and remove trees. Work would also involve installing four new culverts, replacing three existing culverts, installing nine new drainage inlets (DIs), removing nine DIs, and extending five culverts. Rock slope protection (RSP) would be placed at the outlets of all culverts, specific measurements of RSP are provided in Section 3.1.

At PM 41.79, the existing 6 foot box culvert would remain at the same location. At PM 41.83, the existing 18 inch culvert would be abandoned, the existing slot drain and DIs would be removed, four new DIs, three new 24 inch culverts and 18 inch culverts would be installed. At PM 41.95, the existing 18 inch culvert would be extended, the existing DI would be removed, and a new DI would be installed. At PM 41.98, the existing 18 inch culvert would be extended, the existing DI would be removed, and a new DI would be installed. At PM 42.02, the existing 24 inch culvert would be replaced and extended, the existing DI would be removed, and a new DI would be installed. At PM 42.11, the existing 18 inch culvert would be replaced and extended, the existing DI would be removed, and a new DI would be installed. At PM 42.26, the existing 18 inch culvert would be replaced and extended, the existing DI would be removed, and a new DI would be installed.

The construction of the new shoulders would involve the excavation of existing material and the placement of a new structural section. The structural section would consist of 1.30 feet of class 2 aggregate base, 0.40 foot of hot mix asphalt (type A), and 0.08 foot of bonded wearing course (BWC-G). This structural section would help seal longitudinal pavement joints and provide a good surface for receiving new striping. A layer of geosynthetic pavement interlayer (GPI) would be used at the pavement joint where the new section meets the existing material.

The new MGS installed from PM 42.11 to PM 42.30 would include both standard sections and 7 foot post segments in narrow roadway locations. Also, a new Omit One Post (MGS) would be installed from PM 41.78 to PM 41.80 to span the inlet and outlet of the 6 foot box culvert on both sides of State Route (SR) 1. The MGS to be installed within the project limit would be treated with a light-brown stain to reduce glare and to blend the MGS into the visual character of the natural landscape.

Erosion has been occurring below the culvert outlet at PM 42.11. To prevent further erosion at this location, which could compromise the highway, the existing downdrain, which is failing, would be removed and replaced with a rock-lined ditch and ¼ ton of rock slope protection (RSP). The existing culvert at this location, which is also failing, would be replaced.

Below many of the existing cutslopes, an inboard ditch carries storm water between culvert inlets. An additional 2 feet of widening beyond the shoulder is included to provide space for this water.

Sixty two (62) trees are to be removed on State Right Of Way and thirteen (13) trees are to be removed within a Temporary Construction Easement (TCE) respectively.

The anticipated traffic control measures are reversing traffic control, moving lane closure, and shoulder closure. One-lane closure is permitted within the project limits. A minimum of 12 feet of paved roadway must be open for use by public traffic. Bicyclists would be accommodated through the work zone. Signage would be used to alert vehicle operators to the possible presence of bicyclists. The estimated maximum delay during one-way reversing traffic control would be 10 minutes. Access to side roads and residences would be maintained at all times.

Construction Equipment

Equipment needed to perform the work includes support vehicles, dump trucks, pickup trucks, hauling trucks, backhoe, trencher, pile driver, drilling rigs/augers, paver, rollers, concrete saw, jackhammer, generators, grinders, compressors, concrete saws, other handheld power tools, and drums to store debris from surface preparation work.

Construction Schedule

It is anticipated that construction would be completed within one year but could be longer depending on the contractor and seasonal work window restrictions defined in permit requirements.

Areas for Contractor Use (Staging Areas)

Areas for Contractor Use have been identified on the north end of the project in existing pullouts on the west and east side of SR 1. Maps showing these areas are shown in Figure 7 of Appendix A.

Clearing and Grubbing

The contractor would remove all vegetation and debris within the right of way (ROW) and within temporary construction easements as specified, except for environmentally sensitive habitat areas (ESHAs) that require preservation. ESHAs would be protected with the use of high visability fencing (HVF). Sixty two (62) trees are to be removed on State right of way

and thirteen (13) trees removed on the Temporary Construction Easement (TCE). Of the 75 trees in total, 45 of the trees are alive (12 Bishop pines, 32 Monterey Pines and 1 Douglas-fir), 15 are dead standing trees (most likely Monterey pines), and 15 are stumps. These trees may be removed for construction access and widening activities. While the Bishop Pine Forest is considered a vulnerable community (G3/S3), the small number of Bishop pines that are mixed in with Monterey pines are likely planted by land owners for privacy and are likely invading disturbed coastal prairie habitat. Therefore, closed-cone pine-cypress plant community is not considered an ESHA for this project.

In compliance with the Migratory Bird Treaty Act, vegetation clearing would be limited to September 1st to February 28th or if vegetation removal is required during the breeding season, a nesting bird survey would be conducted by a qualified biologist within one week of removal. Vegetation that is cleared and grubbed may be collected and processed into duff by grinding or chipping. Duff may be stockpiled until placed on the planned revegetation areas. Alternately, Type D Erosion Control may be used which would be a combination of hydroseeding, straw, and fiber application. Access and staging areas would be cleared as necessary to move and store material and equipment around the project site. Equipment used to clear and grub vegetation would likely include backhoes, chain saws, mowers, chippers, and hand tools.

Grading and Fill

Lanes would be widened to 12 feet, and shoulders would be widened to 4 feet. The construction of the new shoulders would require excavation of material from the east side of the road and placement of a new structural section. The catch slope would most likely be 2:1. Total amount of anticipated cut material is 6766 cubic yards, at a maximum height of 30 feet. Total amount of anticipated fill material is 3462 cubic yards, at a maximum height of 20 feet.

Construction of new shoulders would include excavating existing material and placing a new shoulder structural section that would consist of 0.65 feet of Class 2 Subbase, 0.75 feet of Class 2 Subbase, and 0.45 feet of hot asphalt mix (Type A). Additional items include restriping, installation of edge line and centerline rumble strip, and dike replacement.

Revegetation and Plant Establishment

After all construction materials are removed, the site would be restored to a natural setting by grading, placing erosion control, and replanting. Replanting would be subject to a plant establishment period as defined by permits, which would require Caltrans to adequately water plants, replace unsuitable plants, weed, and control pests.

Right of Way

A temporary construction easement would be required for the proposed build alternative from private landowners for the culvert outlet work. It is anticipated no other temporary or permanent right of way would be required. Right of way fencing that has been undermined within the area of erosion would be reconstructed after construction is complete.

1.3 Project Features, Standard Measures, and Best Management Practices

The following section provides a list of project features, standard practices, and best management practices (BMPs) that are included as part of the project description. These avoidance and minimization measures are prescriptive and sufficiently standardized to be generally applicable, and do not require special tailoring to a project situation. These are generally measures that result from laws, permits, guidelines, and resource management plans that are relevant to the project. They contain refinements in planning policies and implementing actions. These practices predate the project's proposal and apply to all similar projects. For this reason, these measures and practices do not qualify as project mitigation, and the effects of the project are analyzed with these measures in place. Any project-specific measures that would be applied to reduce the effects of project impacts are listed in relevant sections of Chapter 3.

Standard measures relevant to the protection of natural resources deemed applicable to the proposed project include the following:

Water Quality and Storm Water Runoff

WQ-1: Construction site BMPs would follow the latest edition of the Construction Site Best Management Practices Manual (Caltrans 2017b) to control and minimize the impacts of construction-related activities, materials and pollutants on the watershed.

WQ-2: The project would comply with Caltrans Standard Specifications for Water Pollution Control and Job Site Management (Caltrans 2018). Caltrans' Standard Specifications require the contractor to submit a Water Pollution Control Plan for projects with a disturbed soil area (DSA) of less than one acre for review and approval by the resident engineer. The Water Pollution Control Plan would implement storm water and water pollution control training, routine BMP inspections, spill prevention and control, materials and waste management and non-storm water management.

EXHIBIT A
(*ESHA Assessment* Measures)

Wetlands and Other Waters

WW-1: The contractor would be required to place high visibility fencing (HVF) along the boundaries of all riparian, wetland or other environmentally sensitive areas adjacent to the project footprint.

WW-2: Revegetation would take place on-site after construction to address permanent and temporary impacts to other waters of the U.S. and associated riparian areas resulting from the proposed project. All disturbed soil areas would be planted with regionally appropriate native plants. Caltrans would remove non-native and invasive plants within disturbed soil areas as needed during the plant establishment period. Planting ratios would be determined following updated guidance from USACE, NCRWQCB, and County of Mendocino Department of Planning and Building (MDP&BS). A Revegetation Plan would be submitted during the permitting phase of the project to address all project requirements.

WW-3: The construction footprint would be reduced to the maximum extent feasible.

Natural Communities

NC-1: After construction materials are removed, the project area would be revegetated. Replanting would be subject to a plant establishment period as defined by project permits, which would require Caltrans to adequately water plants, replace unsuitable plants, and control pests. Caltrans would implement a program of invasive weed control in all areas of soil disturbance caused by construction to improve habitat for native species in and adjacent to disturbed soil areas within the project limits.

NC-2: The contractor would be required to place temporary HVF along the boundaries of environmentally sensitive areas to avoid impacts to sensitive habitats that occur adjacent to the project footprint.

Animal Species

AS-1: To protect migratory and nongame birds, their occupied nests and eggs, nesting prevention measures would be implemented. Vegetation removal would be restricted to the period outside the bird breeding season (September 1 through February 28), or if vegetation removal is required during the breeding season, a nesting bird survey would be conducted by a qualified biologist within one week of removal. If an active nest were located, the biologist would coordinate with the California Department of Fish and Wildlife (CDFW) to establish appropriate species-specific buffer(s) and any monitoring requirements. The buffer(s) would

be delineated around each active nest, and construction activities would be excluded from these areas until birds have fledged, or the nest is determined to be unoccupied.

AS-2: Pre-construction surveys for active raptor nests would be conducted by a qualified biologist within 15 days prior to the initiation of construction activities. Areas to be surveyed would be limited to those areas subject to increased disturbance because of construction activities (i.e., areas where existing traffic or human activity is greater than or equal to construction-related disturbance need not be surveyed). If any active raptor nests were identified, appropriate conservation measures (as determined by a qualified biologist) would be implemented. These measures may include, but are not limited to, establishing a construction-free buffer zone around the active nest site, biological monitoring of the active nest site, and delaying construction activities near the active nest site until the young have fledged.

- Raptor surveys would be primarily focused on the cliffs below the culvert at PM 42.11, which is the area within the project vicinity that is the most conducive to raptor nesting.

Invasive Species

IS-1: To prevent the spread of invasive plant species in disturbed soil after construction, all disturbed areas would be seeded with native herbaceous species and weed-free mulch would be applied.

IS-2: Construction equipment would be inspected and cleaned to remove invasive species and/or pathogens before being brought to the project site and prior to removal from the project area.

3.2 Avoidance and Minimization Efforts

Measures as described in Section 1.3 *Project Features, Standard Measures, and Best Management Practices* of this report, would be implemented to avoid and minimize impacts to regulated wetlands and other waters in the BSA. In addition, Caltrans would ensure that applicable BMPs are used to stabilize all bare soil areas over both the short term and long term and to minimize adverse effects to water quality, aquatic habitat, and aquatic species. BMPs include treatment controls, soil stabilization practices, and weather-appropriate scheduling. HVF would be used to limit ground disturbance to sensitive areas within the project footprint, and debris containment plans would be implemented to ensure construction debris does not enter adjacent waters. Any debris and sediment would be contained within the project site and disposed off-site. Restoration of the historic channel is written into the project purpose and need.

Soils from the ephemeral drainages and roadside ditches with wetland characteristics that would be impacted by the proposed road widening would be stored and stockpiled as described in Standard Special Provision (SSP) 19-2.03D(2). This measure helps to preserve the seed stock and species diversity of the original sites and will improve the post construction habitat at the improved culvert inlets and roadside ditches.

Revegetation would take place on-site after construction to address temporary impacts to other waters of the U.S. and associated riparian areas resulting from the proposed project. All disturbed soil areas would be planted with regionally appropriate native plants. Caltrans would remove non-native and invasive plants within disturbed soil areas as needed during the plant establishment period. Planting ratios would be determined following updated guidance from USACE, NCRWQCB, and MDP&BS. A Revegetation Plan would be submitted to address all requirements for the project.

EXHIBIT B
(*Natural Environment Study* Measures)

Update to Section 1.2.1 Build Alternative: Project Features, Standard Measures and Best Management Practices

The following section provides a list of project features, standard practices, and best management practices (BMPs) that are included as part of the project description. These avoidance and minimization measures are prescriptive and sufficiently standardized to be generally applicable, and do not require special tailoring to a project situation. These are general measures that result from laws, permits, guidelines, and resource management plans that are relevant to the project. They contain refinements in planning policies and implementing actions. These practices predate the project's proposal and apply to all similar projects. For this reason, these measures and practices do not qualify as project mitigation, and the effects of the project are analyzed with these measures in place. Any project-specific mitigation measures that would be applied to reduce the effects of project impacts are listed in relevant sections of Chapter 4 of the NES (Caltrans 2017).

Standard measures relevant to the protection of natural resources deemed applicable to the proposed project include the following:

EXHIBIT B
(*Natural Environment Study* Measures)

Water Quality and Storm Water Runoff

WQ-1: Construction site BMPs would follow the latest edition of the Construction Site Best Management Practices Manual (Caltrans 2017b) to control and minimize the impacts of construction-related activities, materials and pollutants on the watershed.

WQ-2: The project would comply with Caltrans Standard Specifications for Water Pollution Control and Job Site Management (Caltrans 2015). Caltrans' Standard Specifications require the contractor to submit a Water Pollution Control Plan for projects with a disturbed soil area (DSA) of less than one acre for review and approval by the resident engineer. The Water Pollution Control Plan would implement storm water and water pollution control training, routine BMP inspections, spill prevention and control, materials and waste management and non-storm water management.

Wetlands and Other Waters

WW-1: The contractor would be required to place high visability fencing (HVF) along the boundaries of all riparian, wetland or other environmentally sensitive areas adjacent to the project footprint. After construction is complete, the contractor would be required to remove and dispose of HVF at a nearby recycling facility.

WW-2: Revegetation would take place on-site after construction to address permanent and temporary impacts to other waters of the U.S. and associated riparian areas resulting from the proposed project. All disturbed soil areas would be planted with regionally appropriate native plants. Caltrans would remove non-native and invasive plants within disturbed soil areas as needed during the plant establishment period. Planting ratios would be determined following updated guidance from USACE, NCRWQCB, and County of Mendocino Department of Planning and Building (MDP&BS). A Revegetation Plan would be submitted during the permitting phase of the project to address all project requirements.

WW-3: The construction footprint would be reduced to the maximum extent feasible.

Natural Communities

NC-1: After all construction materials are removed, the project area would be revegetated. Replanting would be subject to a plant establishment period as defined by project permits, which would require Caltrans to adequately water plants, replace unsuitable plants, and control pests.

Caltrans would implement a program of invasive weed control in all areas of soil disturbance caused by construction to improve habitat for native species in and adjacent to disturbed soil areas within the project limits.

NC-2: The contractor would be required to place HVF along the boundaries of riparian, wetland or other environmentally sensitive areas on land to avoid impacts to sensitive habitats that occur adjacent to the project footprint. After construction is complete, the contractor would be required to remove and dispose of HVF at a nearby recycling facility.

Animal Species

AS-1: To protect migratory and nongame birds, their occupied nests and eggs, nesting prevention measures would be implemented. Vegetation removal would be restricted to the period outside of the bird breeding season (September 1 through February 28), or if vegetation removal is required during the breeding season, a nesting bird survey would be conducted within one week of removal by a qualified biologist. If an active nest were located, the biologist would coordinate with the California Department of Fish and Wildlife (CDFW) to establish appropriate species-specific buffer(s) and any monitoring requirements. The buffer would be delineated around each active nest, and construction activities would be excluded from these areas until birds have fledged, or the nest is determined to be unoccupied.

Invasive Species

IS-1: To prevent the spread of invasive plant species in disturbed soil after construction, all disturbed areas would be seeded with native herbaceous species and weed-free mulch would be applied.

IS-2: Construction equipment would be inspected and cleaned to remove invasive species and/or pathogens before being brought to the project site and prior to removal from the project area.

4) Revegetation Goals

The revegetation goals are (1) to restore areas surrounding Waters of the United States impacted by construction utilizing a specific, regionally-appropriate native seed mix developed by Caltrans Landscape Architecture in collaboration with the Revegetation Specialist and (2) to limit new introduction of invasive plant species within the project area which are rated "High" by the California Invasive Plant Council (Cal-IPC). One invasive species currently growing onsite is Himalayan blackberry (*Rubus armeniacus*) and Caltrans will not attempt to eradicate this Cal-IPC high rated species onsite.

5) Summary of Revegetation Activities

a) Erosion Control

Upon completion of construction, in areas where ground disturbance occurs, a specific erosion control seed mix using regionally-appropriate native species will be utilized in bare soil areas. To restore species structure and diversity, this specific seed mix will contain native grasses, herbs, and woody shrubs to restore species structure and diversity. These species are characteristic of coastal bluff habitat. Erosion control measures are specifications managed by Construction and Landscape Architecture and by Maintenance after construction is complete.

b) Plant Species and Quantities

The erosion control seed mix was designed to take the place of planting. No additional container plants are proposed for this project due to minimal impacts and safety concerns. A specific native seed mix will be applied to areas of disturbance. Table 2 below contains species and germination information for the seed mix. Natural vegetation recruitment (volunteers) and resprouting native vegetation is anticipated to support success of the revegetation.

Table 2. Native Seed Mix

Botanical Name	Common Name	Pounds Pure Live Seed Per Acre
Achillea millefolium	common yarrow	0.5
Acmispon americanus	Spanish clover	3
Artemisia douglasiana	California mugwort	1
Baccharis pilularis	coyote brush	1
Bromus carinatus	California brome	17
Danthonia californica	California oatgrass	11
Diplacus aurantiacus	sticky monkeyflower	0.5
Eriophyllum staechadifolium	seaside wooly sunflower	2
Festuca microstachys	small fescue	4
Festuca rubra	red fescue	5

c) Proposed Revegetation Areas

The proposed revegetation areas include Drainage 2 and Drainage 3 at PM 41.83 and 41.84, respectively; Drainage 5 at PM 41.98; and Drainage 8 at PM 42.26 at both the inlets and outlets where disturbance is proposed to occur. These areas will be monitored to assess the establishment of the native seed mix and recruitment of native plants. Monitoring for the presence and abundance of newly introduced invasive species rated "High" by Cal-IPC will also occur.

6) Implementation and Maintenance Schedule

At the end of the construction period, hydroseed will be applied by a qualified contractor. Weeding will be performed by Caltrans staff when necessary during the three-year maintenance and monitoring period. Timing of weeding will take into consideration the blooming period of any newly introduced Cal-IPC rated "High" invasive species that germinate onsite to prevent these plants from producing seeds and spreading.

7) Monitoring Methods, Success Criteria, and Reporting

a) Monitoring Methods and Schedule

i) ***Photo Points:*** Reproducible photo points will be established at the revegetation areas before and after construction. Photo points will visually indicate presence and abundance of newly introduced invasive species, as well as establishment of native plant species, over the three years of monitoring. Photo points may be re-established prior to first year monitoring to account for changes in the landscape due to construction and to provide the best view of revegetation areas. Photos of drainage facilities 2 and 3, 5, and 8 are provided in Appendix B.

ii) ***Presence of Invasive Plant Species:*** At Drainages 2 and 3, 5, and 8, presence of newly introduced invasive plant species rated "High" by Cal-IPC will be monitored and documented. Baseline ocular cover estimates will be obtained prior to construction and subsequent monitoring data will be collected by ocular estimates.

iii) ***Schedule:*** Caltrans will monitor the revegetation areas annually. Invasive species presence will be monitored to assess progress toward fulfilling revegetation goals and identify remedial or adaptive management measures that may be required. Photo monitoring will also occur annually. First year monitoring at this location will take place in the first growing season following completion of construction.

b) Success Criterion

Year 3 Success Criterion

Relative cover of invasive species rated "High" by Cal-IPC will be less than or equal to pre-construction conditions.

c) Revegetation Monitoring Reports

Revegetation monitoring reports will be submitted for Years 1 and 3 to all agencies requiring revegetation monitoring reports. Monitoring reports will be simple in nature and will include a brief summary of monitoring results, discuss whether the revegetation area appears to be on a trajectory towards success of the goals, and will include any proposed remedial measures to ensure success. Monitoring reports will also include photo points. The final monitoring report will discuss whether the success criterion was met and whether remedial actions are needed, or if revegetation is considered complete. Revegetation monitoring data and photos for Year 2 will be saved to the project file and made available upon request.

8) Remedial Measures

If the success criteria are not met, the Revegetation Specialist will assess potential reasons and develop remedial measures or adaptive management strategies to correct issues. Caltrans will coordinate with the permitting agencies that require revegetation and reporting to discuss success criteria issues, propose solutions, and determine the best course of action. Any remedial measures that are implemented will be discussed in monitoring report(s).

EXHIBIT D
(*Rare Plant Memo/Letter* Measures)

Bodega Morning Glory

A few small and isolated patches of Bodega morning glory were found in the Biological Study Area (BSA), one of which is near the southern project limits in the Coastal Scrub habitat on the hillslope to the east of the highway (Enclosure 2: Figure A-9). *Calystegia purpurata*, subspecies *saxicola* is similar in appearance and difficult to distinguish from the more common Pacific false bindweed (*C. p.* ssp. *purpurata*). Bodega morning glory was differentiated from Pacific false bindweed based on leaf and bract characteristics (Enclosure 2: Figure A-10). However, there were many plants in the project area that had characteristics of both subspecies. Based on the overall distribution of both subspecies available in the Calflora Database, it appears that the project vicinity most likely represents an area of integration of the two subspecies and does not solely consist of the rarer subspecies (Caltrans 2018). Bodega morning glory has a California Native Plant Society (CNPS) Rare Plant ranking of 1B.2, or "rare, moderately threatened in California and elsewhere" (California Department of Fish and Wildlife [CDFW] 2021).

Based on an analysis of the proposed activities and the mapped extent of the species shown in the 2017 NES, it appears that the observation nearest the construction activity is within the 100-foot buffer of the edge of the proposed road cut. Analysis of ESHA within the 100-foot buffer is required by Section 20.496.00 of the Mendocino County Coastal Zoning Code.

As provided for in Section 20.496.020(4) of the Mendocino County Coastal Zoning Code, development is permitted within a buffer zone if specific findings can be made. Based on the location and nature of the proposed work, no impacts to the species is anticipated as it is outside and upslope of the construction area. Furthermore, the proposed construction activities would not diminish the functional capacity of the surrounding habitat, the ability of the patch or its grassland habitat to be self-sustaining or maintain a natural species diversity. There is no other feasible location to widen the road without increasing the potential environmental impacts. As mentioned, the patch of *Bodega Morning Glory* is located upslope and well beyond the footprint of construction and is therefore well placed to avoid direct and indirect impacts from construction and ensure its ability to be self-sustaining.

EXHIBIT D
(*Rare Plant Memo/Letter* Measures)

Avoidance and Minimization Measures

Prior to groundbreaking activities, a qualified biologist will complete seasonally appropriate biological surveys to locate the western extent of the patch of *Calystegia* identified in the 2017 NES at the southeastern side of the proposed project (Enclosure 2: Figure A-9). If the patch is shown to be within the 100ft buffer required by Mendocino County Coastal Zoning Code, Temporary High Visibility Fencing (THVF) will be placed along the edge of the patch closest to construction activities to prevent disturbance of the species.

Harlequin Lotus (Hosackia gracilis)

Harlequin lotus (*Hosackia gracilis*) was positively identified in a few isolated patches in the BSA, including a few that were near the project construction limits (Enclosure 2: Figures A-8, A-9). Most observations were in a slightly mesic area in the Perennial Grasslands on Navarro Point Preserve, although some plants were also found in dry, grassland openings in the Coastal Scrub habitat to the east of the highway (Caltrans 2018). Harlequin lotus has a California Native Plant Society (CNPS) Rare Plant ranking of 4.2, or "plants of limited distribution; fairly threatened in California" (CDFW, 2021). Harlequin lotus is considered the host plant for the federally listed Lotus blue butterfly. As discussed in the 2019 ESHA Analysis, the lotus blue butterfly has not been identified in the area since the mid-1980s and no impact to this species is anticipated (Caltrans 2019). The proposed project will not result in permanent or temporary impacts to this taxon as none were found in the proposed right-of-way or where any permanent and temporary construction disturbances will occur.

Avoidance and Minimization Measures

A comparison of the mapped instances of the Harlequin lotus in the 2017 NES and the 100ft buffer line show that most the individuals identified in the 2017 NES are outside of the buffer line. However, an occurrence on the south west side of the project area may be partially within the 100-foot buffer line (Enclosure 2: Figure A-9, Figure 5). Therefore, prior to groundbreaking activities, a qualified biologist will complete seasonally appropriate biological surveys to identify any individual or patches of *Hosackia* within the 100ft buffer at the locations identified in the 2017 NES (Enclosure 2; Figure A-9)(Caltrans 2018). If any individual plants or patches are shown to be within the 100ft buffer required by the Mendocino County Coastal Zoning Code, THVF will be placed along the edge of the patch closest to construction activities to prevent disturbance of the species.