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LW 10-23-96

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

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Commission Action:

TH 11a

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 3-96-64

APPLICANT: JIM GILBERT AGENT: David Wald

PROJECT LOCATION: 130 1/2 and 132 1/2 Dunecrest Avenue, Del Monte Beach Tract #1, City of Monterey, APN's 011-466-014, -015 and -017

PROJECT DESCRIPTION: Construct two, two-story, single-family dwellings with attached garages, decks, driveways and grading; and a lot line adjustment between three existing lots resulting in lot sizes of 5,400 sq. ft., 6,095 sq. ft. and 5,784 sq. ft.

	Lot A	Lot B	Lot C
Lot area:	5400 sq. ft.	6095 sq. ft.	5784 sq. ft.
Building coverage:	Existing	3880 sq. ft.	3880 sq. ft.
Pavement coverage:	Existing	1605 sq. ft.	1605 sq. ft.
Landscape coverage:	Existing	5952 sq. ft.	5952 sq. ft.
Parking spaces:	Existing	4 spaces	4 spaces
Ht abv fin grade:	Existing	25 feet	25 feet

Zoning: Residential - Low Density, 2 to 8 units/acre
Project density: 8 units/acre

LOCAL APPROVALS RECEIVED: Lot Line Adjustment, Use Permit (to allow access across one of the lots), Architectural Review Committee and City Council approvals. CEQA - Categorically exempt.

SUBSTANTIVE FILE DOCUMENTS:
- o Botanical/Biological Report and Native Dune Habitat Restoration Plan by Patti Kreiberg, 7/23/96.
- o Geotechnical Soils - Foundation Report for the Gilbert Project by Grice Engineering, Inc., 7/96.
- o 3-96-34 Archer.
- o 3-96-74 Offenberg.

STAFF RECOMMENDATION:

The staff recommends that the Commission approve the proposed coastal development permit application, subject to the conditions below.

Summary of Issues and Conditions

Issues	Coastal Act Requirements	Analysis	Necessary Conditions
Environmentally Sensitive Habitat Area	Protection of environmentally sensitive habitat areas (ESHA's) (Coastal Act Section 30240(a)).	* Parcels are in the Monterey Bay dunes; undeveloped portions represent environmentally sensitive habitat. * Parcels contain native oak trees which are considered a feature of the ESHA. * Each new lot will contain a buildable site, not disruptive to the ESHA.	* Special Condition 1 requires a deed restriction to implement the Native Plant Restoration Plan and a monitoring program for 5 years. * Special Condition 2 requires final plans to protect existing oak trees with a 12" diameter or greater and final landscape plans consistent with the approved Restoration Plan. * Special Condition 3 requires review of any additional development.
Visual Resources	Protection of views in scenic areas (Coastal Act Sections 30251 & 30240(b)).	* Existing oak trees providing screening for proposed residences. * Project sites are near existing SFD's and several blocks from public beach. * Proposed SFD's are consistent with neighborhood character.	* Special Condition 2 requires final revised site plan to retain existing oak trees with a 12" or greater diameter.
LCP	Commission action cannot prejudice options available to City in preparing an LCP (Coastal Act Section 30604).	* No certified LCP in this area.	* Special Conditions 1-3 ensure project is consistent with Chapter 3 of the Coastal Act & will not prejudice the ability of the City to complete their LCP consistent with Coastal Act policies.

I. Approval with Conditions.

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the local government's Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions. See Exhibit A.

III. Special Conditions.

1. Deed Restriction. PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide:

A. For measures to implement the approved Native Plant Restoration Plan prepared for the subject property.

B. For a monitoring program as set forth in the approved Restoration Plan; provided that, following construction, annual monitoring reports shall be submitted to the Executive Director and the City of Monterey for review and approval for a period of five years.

2. Final Project Plans. PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit the following for the Executive Director's review and approval:

A. Final project plans including site plans, floor plans, elevations and grading plans. The final site plans shall be revised to retain all oak trees with a 12-inch or greater diameter. The submittal shall include evidence of review and approval by the City of Monterey.

B. Final landscaping plans. The landscape plan shall be prepared in coordination with the approved Plant Restoration Plan. The landscape area outside of the Restoration Areas shall include native plantings to the greatest extent feasible. All plant materials shall be installed prior to occupancy unless otherwise specified by the project Restoration Plan. All plant materials shall be maintained in good condition. Evidence of review by the project botanist shall accompany the submittal.

Within 30 days of completion of the landscape installation, the permittee shall submit a letter from the project botanist indicating plant installation has taken place in accord with the approved landscape plan.

C. Plans for temporary exclusionary fences to protect sensitive areas from disturbance during construction. Vehicle parking, storage or disposal of materials, shall not be allowed within the exclusionary fences. Fences shall be installed prior to the start of construction and shall remain in place and in good condition until construction is completed.

The exact placement of the fences shall be identified on site by the project botanist. Evidence of inspection of the installed construction fence location by the project's botanist shall be submitted to the Executive Director prior to commencement of construction. Fences shall be 4 feet high and secured by metal T-posts, spaced 8 to 10 feet apart. Either field fence, snow-drift fence, or comparable barrier shall be used.

3. Future Additions. Unless waived by the Executive Director, an amendment to this permit or a separate coastal development permit shall be required for any additions to the permitted development.

IV. Findings and Declarations.

The Commission hereby finds and declares:

1. PROJECT AND LOCAL AREA DESCRIPTION

The proposed development consists of the construction of two, two-story, single-family dwellings with attached garages, decks, driveways and grading; and a lot line adjustment between three existing lots resulting in lot sizes of 5,400 sq. ft., 6,095 sq. ft. and 5,784 sq. ft. (See Exhibits 3-7.)

The subject building sites are located at 130 1/2 and 132 1/2 Dunecrest Avenue, Del Monte Beach Tract #1, in the City of Monterey. The Del Monte Beach Tract #1 subdivision is almost fully developed. It comprises about 25 acres. The proposed project consists of infill within this existing residential subdivision. (See Exhibit 2.)

Downcoast (west) of this residential subdivision is Del Monte Beach Tract #2. This tract is likewise subdivided into small 40 x 90 foot residential lots. However, in contrast to Tract #1, it is characterized by a substantial number of undeveloped "paper streets" and an approximately 7 1/2 acre block of open dunes partly preserved through purchase of lots as public open space. The undeveloped balance of this antiquated subdivision is currently under study by the City. Unlike Tract #2, there are few vacant lots in Tract #1, all utilities and streets are in place, and there is no potential for alternative development patterns (except on a very limited basis such as that proposed by this project). To the west of these subdivisions is the abandoned Monterey Water Pollution Control District facilities on the Naval Postgraduate School property. The City's Del Monte (public) Beach Park lies seaward of these subdivisions. See Exhibit 2, attached, for illustration.

2. ENVIRONMENTALLY SENSITIVE HABITAT

Section 30107.5 of the Coastal Act defines an environmentally sensitive area as follows:

> "Environmentally sensitive area" means any area in which plant or animal life or their habitats are 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 activities and developments.

Section 30240 of the Coastal Act states:

> (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
>
> (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 such areas, and shall be compatible with the continuance of such habitat areas.

Section 30250 of the Coastal Act states:

> (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accomodate it or, where such areas are not able to accomodate it, in other areas with adequate public services and where it will not have a significant adverse effect, either individually or cumulatively, on coastal resources...

a. Dune Habitat Ecosystem: The applicant's site is located in the Monterey Bay dunes (also known as the Seaside dune system). All substantial undeveloped areas within this strand of high dunes represent environmentally sensitive habitat, in various stages of disruption or recovery. Because the dune habitat ecosystem is a rapidly diminishing resource and is so easily disturbed, it is an acknowledged environmentally sensitive area. To properly recover and preserve viable dune habitat requires large contiguous tracts of dune for the establishment of a diverse native dune habitat.

The dunes beginning at the Salinas River and reaching to the Monterey Harbor cross several governmental jurisdictions: Monterey County, the City of Marina, California State Parks, U.S. Army (former Fort Ord), City of Sand City, City of Seaside, the City of Monterey and the U.S. Naval Postgraduate School. The Coastal Zone boundary through this region primarily follows Highway 1 which in part comprises the first public road paralleling the sea. The remnant high dunes inland of Highway 1 have suffered severe excavation impacts and are frequently already developed; those along the shoreline are largely undeveloped. The issue of coastal dune development throughout the region is a significant issue. Del Monte Beach lies near the southern end of the dune field, in the City of Monterey.

b. Applicants' Site Characteristics: The subject parcels are some of the extremely scarce remaining vacant lots within the almost completely-developed Del Monte Beach Tract #1. Nonetheless, because the sites are comprised of a remnant fragment of dune surface, and are close by the environmentally sensitive dune habitat documented in Tract No. 2, a botanic survey was requested. A Botanical/Biological Report and Native Dune Habitat Restoration Plan was prepared by Patti Kreiberg on July 23, 1996. The report is attached as Exhibit B.

The project Botanical Report states that there are no listed species or species of concern found on the property. There are four plants of mock heather at 130 1/2 Dunecrest which represent ideal habitat for the black legless lizard; however, the plants are small and isolated from other good native vegetative cover. The report states that the plants revealed no lizards and no evidence of habitation by lizards or even a possible food source. At 130 1/2 Dunecrest there is a significant area covered by pink sand verbena, an important resource for site restoration by providing a substantial seed source. Most of the property is covered by iceplant. The botanical report continues stating that the coast live oaks on the property are important ...

> The coast live oaks on the property are important because of their presence in this rear-dune community. Although not considered significant, (DBH is less than 4.5") these oaks are providing visual screening and have the characteristic scrubby habitat peculiar to this coastal rear dune environment. There are at least 40 trunks or stems associated with these trees. While the number of oaks is difficult to determine because of their short stature, spreading, multi-stemmed trunks, at least three of them will probably be removed in the construction of the house at 132 1/2 Dunecrest. Diameter of some of the major trunks at ground level is 12 to 18 inches. Impact on the oaks is addressed in the restoration plan. The oaks at 130 1/2 are not likely to be impacted by construction beyond minor pruning.

The following paragraph is an excerpt from the Botanical Report which states the goals of the Native Dune Restoration Plan:

> The primary goal of restoring a native plant community is to develop a naturally viable, reproducing plant population free of excessive human input. The restoration of dune habitat on this site achieves many goals. Restoration will provide low water use and low maintenance appropriate native plants in appropriate locations. Proper use of plants will provide visual screening from Roberts Ave. and the Del Monte Ave. intersection. Adequate plant coverage and protection will maintain back slope stability. Annual and perennial plants and shrubs with colorful and dramatic flowers provide aesthetic beauty. Exotic weed removal and improvement of native plant and animal habitat will also be benefits of a successful project.

c. Conclusion: Because existing development has isolated these lots, they are only indirectly connected to the Monterey Bay dune ecosystem. Nonetheless, the native oak trees which anchor the steep back slope of the dunes represent an environmentally sensitive habitat feature. These oak trees play a special environmental role by anchoring the back face of these massive dunes, thereby providing stability to this rear dune ecosystem as well as visual screening; therefore, they can be considered environmentally sensitive habitat within the meaning of Coastal Act Section 30107.5 and 30240.

The project is designed to occupy the least steep portions of the property. The house site at 130 1/2 Dunecrest is located just at the edge of the foliage from the scrub oaks according to the vegetation schematic submitted for the Botanical Report. The oaks at 130 1/2 are not likely to be impacted by construction beyond minor pruning.

The plans submitted for the house at 132 1/2 Dunecrest together with the information in the Botanical Report indicate that the house construction will probably necessitate removal of much of the oak tree stand present on the site. The oak trees in this location are considered environmentally sensitive habitat. It is appropriate to require a revised site plan to protect the native oak trees with a 12-inch or greater diameter. Pruning and/or removal of oak trees with a less than 12-inch diameter to accommodate the proposed dwelling would be allowed. These two measures will help to protect the integrity of the native oak habitat while also providing some stability for the rear dunes and visual screening.

The Restoration Plan submitted with the application did not contain a longer term monitoring program. Given our experience in this area, an appropriate monitoring schedule would be for weekly inspections during the first month after landscape installation and annual inspections thereafter for a period of five years. As conditioned by this permit and consistent with previous coastal permit approvals in this area, a monitoring program for five years is required.

Temporary exclusionary fences to protect the native oak trees and dune ecosystem areas during construction are a necessary mitigation measure and are required to assure protection of this environmentally sensitive habitat area. Experience has shown that exclusionary fencing helps to assure that workpeople and materials stay outside sensitive natural habitat areas.

To ensure that the objectives of the Botanical Report and Restoration Plan are achieved over the long term, it is necessary that the applicant record a deed restriction to implement the Restoration Plan. Future owners of the property would thus have the same obligation for protecting, maintaining and perpetuating the native vegetation on the site. Only by the recordation of a deed restriction, can future property owners be adequately noticed regarding the constraints and obligations associated with these sites. This is consistent with previous Coastal Commission approvals and is necessary to ensure the long term protection of this habitat consistent with Coastal Act Section 30240.

As conditioned, to require implementation of the recommendations of the Botanical Report and Restoration Plan, revised residential development plans to preserve the larger coast live oak trees (12" diameter or greater) which stabilize the back slope of the dunes, recordation of a deed restriction to protect this habitat feature; identification of temporary exclusionary fencing to assure no disturbance of the existing native plant habitat areas; and separate permit or amendment for additions, the proposed development can be found consistent with Section 30240 of the Coastal Act.

3. PUBLIC ACCESS AND RECREATION

The applicant's sites lie between the first public road and the sea. They are separated from the City beach by several blocks of urban development in Del Monte Beach, Tract #1.

Section 30604(c) of the Coastal Act requires that the Commission make specific findings of consistency of such development with the public access and recreation policies of the Coastal Act. Section 30001.5 of the Coastal Act states in part, that one of the basic goals of the state for the coastal zone is to:

> (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

Section 30211 of the Coastal Act states:

> Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30210 of the Coastal Act states:

> In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30221 of the Coastal Act states:

> Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and forseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222 of the Coastal Act gives priority to visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over private residential, general industrial, or general commercial development; and Section 30223 reserves upland areas necessary to support coastal recreational uses where feasible.

In this case, there is no evidence of existing public use on the property. Public access and recreational needs are accommodated by the City's public beach, accessible via sidewalks from the Monterey Peninsula Recreational Trail. There is no apparent need or demand for recreational development on these sites.

Accordingly, residential development of these parcels will not conflict with any of the above-cited Coastal Act sections. Therefore, the proposal is consistent with the Coastal Act's public access and recreation policies.

4. SCENIC RESOURCES

Section 30251 of the Coastal Act states:

> The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The subject parcel is located in Del Monte Beach Tract #1, almost fully developed with one and two-story residences on small, 3600 sq. ft. parcels. See Exhibit 2 for development pattern.

As viewed from the Monterey Peninsula Recreational Trail, the proposed residences will appear as yet other two-story homes in a long row of similar structures. While located on the crest of the dune formation, the project will have no impact on public views of Monterey Bay. The residences have been approved by the City's architectural review process, and are designed for compatibility with the character of the neighborhood.

The existing oak thickets provide partial landscape screening of the proposed development sites. Special Condition No. 2.A of this permit requires all of the larger trees on the property to be retained, which may entail revision of the residential development plans. This measure is important not only for protection of environmentally sensitive habitat features, but also to maximize the screening effect relative to the Recreation Trail. As conditioned accordingly, the project will conform with Coastal Act Section 30251.

5. LCP/CEQA

The Monterey City Local Coastal Program has been segmented. Of the five segments the Cannery Row and Skyline Land Use Plans have been certified by the Commission and adopted by the City. The Del Monte Beach and Roberts Lake/Laguna Grande segments were previously reviewed and approved with modifications by the Commission but were not adopted by the City.

The (non-certified) Del Monte Beach Land Use Plan (LUP) identified this neighborhood as an area that would be maintained in its existing residential configuration. The Commission accepted this land use designation without comment. There are no changed conditions or circumstances that would alter this determination.

The site, located on a former dune, is part of an already-developed neighborhood and can be readily distinguished from the de facto open space dune environment in the adjacent Del Monte Beach Tract #2. While Coastal Act Section 30240 applies to these sites, the project is conditioned so that no significant disruption of environmentally sensitive habitat will result. Special conditions are attached to this permit to mitigate impacts to environmentally sensitive dune ecosystem areas. The City determined that the proposed project is categorically exempt from CEQA requirements; the project as conditioned will not create any significant adverse environmental impacts within the meaning of the California Environmental Quality Act.

Accordingly, the proposed development as conditioned is consistent with the policies contained in Chapter 3 of the Coastal Act, and will not prejudice the ability of the City to prepare and implement their Local Coastal Program.

EXHIBITS

A. Standard Conditions.
B. Botanical/Biological Report and Native Dune Habitat Restoration Plan by Patti Kreiberg, July 23, 1996.
1. Location Map.
2. Del Monte Beach LUP Map.
3. Tentative Map.
4. Site Plan - 130 1/2 Dunecrest.
5. Elevations - 130 1/2 Dunecrest.
6. Site Plan - 132 1/2 Dunecrest.
7. Elevations - 132 1/2 Dunecrest.

EXHIBIT-A

RECOMMENDED CONDITIONS

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.

6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXHIBIT NO. A

APPLICATION NO. 3-96-64

Standard Conditions

California Coastal Commission

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Botanical / Biological Report
and
Native Dune Habitat Restoration Plan

for properties at 130 1/2 Dunecrest Avenue
and 132 1/2 Dunecrest Avenue Monterey, CA

Prepared for Jim Gilbert
132 Dunecrest Avenue Monterey, CA

at the request of David Wald
P.O. Box 3333 Monterey, CA

July 23, 1996

Summary: This report and restoration plan is intended to address concerns and conditions of various groups and agencies in the permitting of constructon projects on two (formerly three) lots in the City of Monterey, California. The report evaluates existing vegetative and biological conditions, proposes measures to mitigate disturbance from construction, provides timeline and implementation schedules and monitoring criteria for evaluating restoration success. The restoration plan also considers maintaining slope stability, exotic vegetation removal and improvement of habitat for native plant and animal species.

Prepared by:

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EXHIBIT NO. B
APPLICATION NO. 3-96-64
Botanical Report and Restoration Plan
1/10
California Coastal Commission

Botanical and Biological elements

A botanical and biological report was requested for the properties at 130 1/2 and 132 1/ 2 Dunecrest Avenue, Monterey California pursuant to the permitting process for construction of single family residences. Assessor parcel numbers of the lots at these addresses are: 11-466-14, 11-466-15 and 11-466-17.

On July 5, 1996 a survey was made of the existing vegetation located on the property. Native plant species present on the property are listed in Table 1. There are no listed species or species of concern found on the property. There are four plants of mock heather, *Ericameria ericoides* at 130 1/2 Dunecrest. This species represents ideal habitat for the black legless lizard, *Anniella pulchra nigra*, and these plants are located on a site normally considered a suitable location for the lizard. However, the plants are small and isolated from other good native vegetation cover. The largest plant of mock heather is approximately 24" x 30" x 12" high. The smallest plant is 8" x 8" x 12 " high. A thorough examination of the litter layer under all four plants revealed no lizards and no evidence of habitation by lizards or even a possible food source. While this location might have provided habitat for the black legless lizard under pristine circumstances, there is no evidence of lizards on the site today.

There is a significant (approximately 880 square feet) area covered by pink sand verbena *Abronia umbellata* at 130 1/2 Dunecrest Avenue. These plants represent an important resource for the site restoration by providing a substantial seed source for local native material. Other native plants on the site should provide a core of resource material (either seed or cuttings) for the successful implementation of the restoration plan.

Most of the property is covered by iceplant, *Carpobrotus sp.* These plants will be eradicated as part of the restoration plan. Under the heavy canopy of oaks ice plant is dying already. This die off may be caused by the deep shade which occurs under the trees.

The coast live oaks on the property are important because of their presence in this rear-dune community. Although not considered significant, (DBH is < 4.5") these oaks are providing visual screening and have the characteristic scrubby habit peculiar to this coastal rear dune environment. There are at least 40 trunks or stems associated with these trees. While the number of oaks is difficult to determine because of their short stature, spreading, multi-stemmed trunks, at least three of them will probably be removed in the construction of the house at 132 1/2 Dunecrest. Diameter of some of the major trunks at ground level is 12 to 18 inches. Impact on the oaks is addressed in the restoration plan. The oaks at 130 1/2 are not likely to be impacted by construction beyond minor pruning.

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Table 1: List of plant species found at 130 1/2 and 132 1/2 Dunecrest Avenue

botanical name non - native species *	common name	130 1/2	132 1/2
Abronia umbellata	pink sand verbena	X	
* *Acacia* sp.	acacia	X	
**Alyssum alyssoides*	sweet alyssum	X	X
Ambrosia chamissonis	beach bur	X	
* *Bromus diandrus*	ripgut brome	X	X
Camissonia cheiranthifolia	beach primrose	X	X
Carex sp.	dune sedge		X
* *Carpobrotus* sp.	iceplant	X	X
Ericameria ericoides	mock heather	X	
**Geranium* sp.	geranium	X	
Heteromeles arbutifolia	toyon	X	
Marah fabaceus	wild cucumber	X	X
**Malva* sp.	cheeseweed	X	X
Phacelia ramossissima	coast phacelia		X
Polygonum paronychia	beach knotweed	X	
Pteridium aquilinum	bracken fern		X
Quercus agrifolia	coast live oak	X	X
Rhamnus californica	coffeeberry	X	
**Sonchus* sp.	sow thistle	X	X

Mitigation measures

Certain mitigation measures are proposed to lessen the impact of construction and to restore native plant habitat to the site. Complete discussion of the mitigation measures is contained in the body of the restoration plan. A list of mitigation measures follows:

1. collect native plant seed and cuttings
2. spray existing ice plant with solution of glyphosate and surfactant (Roundup$_R$, a product of Monsanto Co. is recommended)
3. protect steep back slope from:
   a)construction debris
   b) foot traffic, (construction, landscaping or ice plant eradication personnel)
4. plant native plants and native plant seeds:
   a) away from construction areas (Phase 1)
   b) near house when construction is complete (Phase 2)
5. irrigate only when necessary (refer to timeline and text of plan)
6. monitor:
   a) monthly during construction
   b) annually after construction for a three year period

Timeline

Timeline constraints must take into consideration both the progress of construction, and the seasonal requirements of native plants and their corresponding growing cycles. The following timeline is based on the possibility of starting plant salvage and propagation as soon as possible. Doing so in a timely fashion, will allow the project to proceed as soon as practical under construction constraints. Neglecting to follow the plants natural readiness for seed collection or propagation may delay plant propagation and dune restoration by as much as a year's time. The

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timeline proposed assumes optimal progression of seed collection as well as construction progress.The proposed timeline for restoration and plant propagation is outlined below. :

Table 2 Timeline of Implementation

July/Aug: collect seed of : pink sand verbena, coast phacelia, beach primrose, beach knotweed, beach bur, dune sedge
collect cuttings of: mock heather, beach knotweed, beach bur
collect divisions of dune sedge.
Begin spraying ice plant with Roundup $_R$.
August: collect berries of coffeeeberry
September: collect cuttings of coffeeberry and coast phacelia anytime after bloom
Begin scouting for scrub oak acorns in oak trees.
October: begin collecting acorns before birds and rodents harvest
November: scatter seed of pink sand verbena on bare sand areas.
Begin planting native plants as soil moisture levels rise with natural rainfall
Plant first (phase 1) in restoration areas away from construction.
Plant half of acorns collected in Oct. in Phase 1 restoration area
December, January and February additional planting to take place near buildings as necessary to coordinate with construction progress (Phase 2)
February 15: LAST DATE to plant without requiring additional irrigation
After exterior construction is complete Phase 2 planting may take place near the houses

Monitoring

Monitoring is important to catch minor difficulties as quickly as possible. Timely correction prevents small problems from becoming expensive or difficult to remedy. The proposed monitoring schedule during construction is once a month. After construction, annual monitoring in late spring is desirable. Monitoring protocols are discussed in the body of the restoration plan. Monitoring should be done by a qualified person experienced in native dune communities.

Native Dune Restoration Plan

Goals

The primary goal of restoring a native plant community is to develop a naturally viable, reproducing plant population free of excessive human input. The restoration of dune habitat on this site achieves many goals. Restoration will provide low water use and low maintenance appropriate native plants in appropriate locations. Proper use of plants will provide visual screening from Roberts Ave. and the Del Monte Ave. intersection. Adequate plant coverage and protection will maintain back slope stability. Annual and perennial plants and shrubs with colorful and dramatic flowers provide aesthetic beauty. Exotic weed removal and improvement of native plant and animal habitat will also be benefits of a successful project.

Implementation

Iceplant eradication and slope stability

A qualified CPA (certified pesticide applicator) or landscape contractor should be hired to spray ice plant using Roundup$_R$ with a suitable surfactant. Only ice plant must be sprayed. It is necessary to find a competent contractor who will avoid drift or spray of Roundup$_R$ reaching any existing native plants on the property. Existing natives are a valuable resource already in place.

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The careless application of Roundup$_R$ will eliminate this valuable resource. Ice plant eradication will be crucial to the success of the restoration. Ice plant is known to aggressively outcompete native vegetation. The spraying of iceplant will make the reintroduction of native plants easier and more economical.

There is concern over removing the iceplant as it covers a significant section of the steep back slope of the property. There should be no physical removal of the iceplant rather, native plants should be installed through the decomposing ice plant layer.

The steepness of the back slope is a concern because of the nature of the soft sand under the ice plant layer. The most important hazard to slope stability will come from foot "traffic" on this back slope. Everyone with a reason to be on the slope must work very carefully to avoid exposing open, movable sand. Many measures need to be considered to preserve the stability of the slope. The building contractor must be very careful to not cause a situation which will require frequent travel across or down the sandy slope The building contractor should be instructed to not walk on, store or drop building materials or excess debris down slope. Any activity which makes it necessary to walk on the slope should be limited as much as possible. The contractor spraying ice plant should make the absolute minimum number of trips across the slope. The activity of installing plant material likewise should be as minimal as possible.

Seed

Collecting seed and cuttings before any ground disturbance or clearing takes place will achieve the maximum benefit from existing native plant resources. The seed which will be gathered before construction begins should be scattered before the first rains in any location where there is bare sand and which will not be further disturbed by construction. It is not a good idea to scatter seed over decomposing iceplant, as there is no seed to soil contact, and the seed in this situation is most likely wasted. There may be good reason, however, to create "holes" in the dead iceplant to plant seed in the resulting bare sand areas. Seed use should be maximized by concentrating on spreading it on the uphill portions of the site. Subsequent seed produced will be distributed by gravity.

Rainfall and installation of plants

As soil moisture begins to build from natural rainfall and dead ice plant decomposes (see Oct/ Nov timeline) the plants propagated from seed or cuttings taken from the site can be installed. Install plants through the decomposing iceplant. Leaving the dead iceplant in place helps to ensure the stability of the slope through winter rains. The decomposing ice plant will provide an organic mulch layer which will benefit the soil, help to keep weeds out and provide an impact surface to lessen the driving force of raindrops. Ice plant may also release moisture to the soil as it decomposes.

Phased installation and buffer zones

Installation of plants should be in 2 phases. Phase 1 installation of plants on the lower part of the property (away from any construction activity) can take place on a calendar / seasonal basis. Planting native plants in conjunction with winter rains gives the best chance for success. It is not wise however, to plant near construction areas during the process of construction. The areas immediately around the construction zones should be planted when exterior construction is complete - Phase 2. This second planting may need to be irrigated during the first season of growth. A six to eight foot buffer zone around the foundation of the house should be adequate to prevent damage to plantings. Also, no plants should be planted under exterior deck areas until decks are completed.

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Oaks

The house construction at 132 1/2 will probably necessitate removal of much of the oak tree stand present on the site. These trees may be cut to remain if possible. They will stump sprout if it is not necessary to remove them completely. The screening nature of these trees will be affected and it would be a good idea to replace this greenery. Acorns from these oaks should be searched for starting in September and into October. Some years individual oak trees will produce few or no acorns. If no acorns are found on these trees this year, it would be a good idea to look at other native oak trees in the neighborhood for the possible collection of acorns. At least three trees should be grown to replace those which will be removed during construction. If a number of acorns are collected, they can be planted where future trees are desired unless the area occurs in the buffer zone. About half of any acorns collected should be reserved and sprouted under controlled conditions. These sprouted acorns would be used in Phase 2 planting near the house. Small oak trees planted with protection have a good chance of succeeding, but oaks planted from acorns, if they survive natural predators, make the best long-lived trees.

Alternative to Oaks

In case acorns are not available from trees in the neighborhood, coffeeberry plants or toyon may be installed. There are plants on the property which can be used for cutting material. Seed of the toyon can be collected in December or January. As evidenced by a very old coffeeberry on an adjacent lot, this plant succeeds very well here, and will provide good cover and screening as well as wildlife food source and habitat.

Other native species

Most of the species proposed for use in the restoration plan are found on the site. Some plants not currently on the property will be introduced as part of a natural dune community, or to augment the community on site in response to special circumstances. The coast form of California poppy is a well known and dramatic element in the sand dune community. It is a prolific seeder and will continue on a site year after year. Coast buckwheat and seacliff buckwheat are also prolific seeders and provide dramatic summer bloom.

The deep shade under the oak trees makes it necessary to plant very shade tolerant species. Two possibilities are *Salvia spathacea* hummingbird sage and *Fragaria vesca* woodland strawberry. Although neither are typical sand dune community elements, both species perform well in deep shade and both will tolerate sandy soils. Other choices for shady areas, such as under decks, are Douglas Iris and sandmat manzanita. These two species are also treasured for their horticultural value.

Irrigation

Planting with naturally occurring rain is the most desirable course of action. Irrigation is not necessary when planting in late fall and winter unless rains fail. To avoid the necessity of artificial irrigation, plants should be installed no later than February 15th. However, construction may delay planting near the building sites (Phase 2 planting). The later Phase 2 planting takes place, the higher the risk of not having enough natural rainfall to establish plants. In this case, irrigation would be necessary during the first full season of growth. Irrigation would only be needed until rain occurs or the plants become established. Any necessary irrigation should avoid flooding or movement of sand. A late phase 2 planting and subsequent irrigation would also make it advisable to monitor monthly after construction until fall rains begin.

Monitoring

Monitoring of the site should take place monthly during construction. As noted above, a late phase 2 planting would require artificail irrigation and concurrent monitoring after construction until fall rains begin. This level of monitoring should be frequent enough to catch any minor difficulties and call for quick correction before problems become difficult or expensive to correct.

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The monitor should be aware of and be checking for: regrowth of ice plant or troublesome weeds, lack of rainfall or other conditions causing stress or low planting success, damage to plantings or construction procedures which may hazard the slope or plantings, insect or rodent damage which need to be controlled, or any other natural or man made condition causing a low success rate. Immediate remedial measures shoud be identified and implemented. Monitoring should be done by a person qualified to evaluate the conditon of a developing native dune community. A short report should be delivered to the owner upon completion of the monthly inspection with remedial measures recommended, or evaluation of interim success noted.

After construction, annual monitoring should take place in April or May to determine the viability, reproduction and health of the plant community developing on the site. Monitoring provides a means of evaluating the relative success of the project and identifying maintenance requirements. Percent coverage by native plants and native plant density are expected to increase. Species diversity is not expected to increase, because only plants which are planted are expected to remain. However, the elimination of ice plant may allow dormant seeds in the seed bank to germinate over time. Weeds must be controlled. If weeds are controlled with Roundup$_R$, extreme care needs to be exercised because of the hazard to non targeted species. Ice plant regrowth is less of a threat than ice plant seedlings. Ice plant seedlings, if seen at an early stage, may be successfully pulled without harming the native plants, or damaging the slope.

Other species of weeds may be more problematic in this location. Ripgut brome may be the most severe infestation to counter. Pulling very young grass seedlings, or the judicious and careful use of Roundup$_R$ may be effective in controlling weeds and weedy grasses. Photographic records of the site should be made at the time of annual monitoring. Photographs should be taken from the houses as well as from street below (Roberts Avenue). Annual monitoring reports should be submitted to the owner in June of each year suggesting any remedial action to be followed before the fall rainy season, or measuring the level of success of the restoration.

Success Criteria

Certain criteria should be met in order to measure the relative success of the project. If the following criteria are not achieved, appropriate remedial action should be taken. Such action may include replanting certain plants or plant species. These criteria should be the basis for the annual report submitted to the owner in June of every year.

Annual monitoring criteria: (and successful results)

percent coverage by native species:
- Year one: 10%
- Year two: 25%
- Year three: 40 %

native plant density: average ofone plant per four square feet
health of plants: normal
condition of growth : vigorous for young plants, normal growth for mature plants
evidence of reproduction: yes - young plants of short lived species present
flowers / seed of long-lived perennials evident
exotic species (weeds): not present
erosion: not apparent

If any of these criteria are not being met, remedial action needs to be discussed and planned so the long term success of the project is assured. The goals of the project; to develop a viable, reproducing native plant community may be met very economically if monitoring is effective.

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Table 3: Native Species to be used in Restoration Phase 1 planting

botanical name	common name	sizes	#'s for 130 1/2	#'s for 132 1/2	min. spacing
Abronia umbellata	pink sand verbena	rp	20	30	3' oc
Ambrosia chamissonis	beach bur	ss	20	20	3' oc
Arctostaphylos pumila	sandmat manzanita	gal	0	0	
Camissonia cheiranthifolia	beach primrose	ss	0	30	2' oc
Carex sp.	dune sedge	ss	0	15	18" oc
Ericameria ericoides	mock heather	ss	20	45	2' oc
Eriogonum latifolium	coast buckwheat	ss	30	45	2' oc
Eriogonum parvifolium	seacliff buckwheat	ss	30	60	2' oc
Eschscholzia californica	California coastal poppy	rp	20	34	2' oc
Fragaria vesca	woodland strawberry	ss	250	0	2' oc
Heteromeles arbutifolia	toyon	gal	0	5	10' oc
Iris douglasiana	Douglas iris	gal	0	0	
Phacelia ramossissima	coast phacelia	ss	10	12	2' oc
Polygonum paronychia	beach knotweed	ss	20	45	2' oc
Rhamnus californica	coffeeberry	gal	0	10	6' oc
Quercus agrifolia	coast live oak	tb	0	4	12'oc
Salvia spathacea	hummingbird sage	tb	40	0	2' oc

sizes abbreviations refer to the following:
rp = rose pot
ss = super stubby
gal= gallon can
tb =tree band
Phase 1 and Phase 2 restoration areas are indicated on the site plans which follow Table 4.

Table 4: Native Species to be used in Restoration Phase 2 planting

botanical name	common name	sizes	#'s for 130 1/2	#'s for 132 1/2	min. spacing
Abronia umbellata	pink sand verbena	rp	10	25	3' oc
Ambrosia chamissonis	beach bur	ss	5	15	3' oc
Arctostaphylos pumila	sandmat manzanita	gal	0	18	3' oc
Camissonia cheiranthifolia	beach primrose	ss	20	15	2'oc
Carex sp.	dune sedge	ss	0	0	
Ericameria ericoides	mock heather	ss	15	20	2' oc
Eriogonum latifolium	coast buckwheat	ss	10	25	2' oc
Eriogonum parvifolium	seacliff buckwheat	ss	10	45	2' oc
Eschscholzia californica	California coastal poppy	rp	20	47	2' oc
Fragaria vesca	woodland strawberry	ss	80	0	2' oc
Heteromeles arbutifolia	toyon	gal	0	2	10' oc
Iris douglasiana	Douglas iris	gal	0	10	2' oc
Phacelia ramossissima	coast phacelia	ss	0	0	
Polygonum paronychia	beach knotweed	ss	20	20	2' oc
Rhamnus californica	coffeeberry	gal	0	8	6' oc
Quercus agrifolia	coast live oak	tb	0	3	12' oc
Salvia spathacea	hummingbird sage	tb	10	0	2' oc

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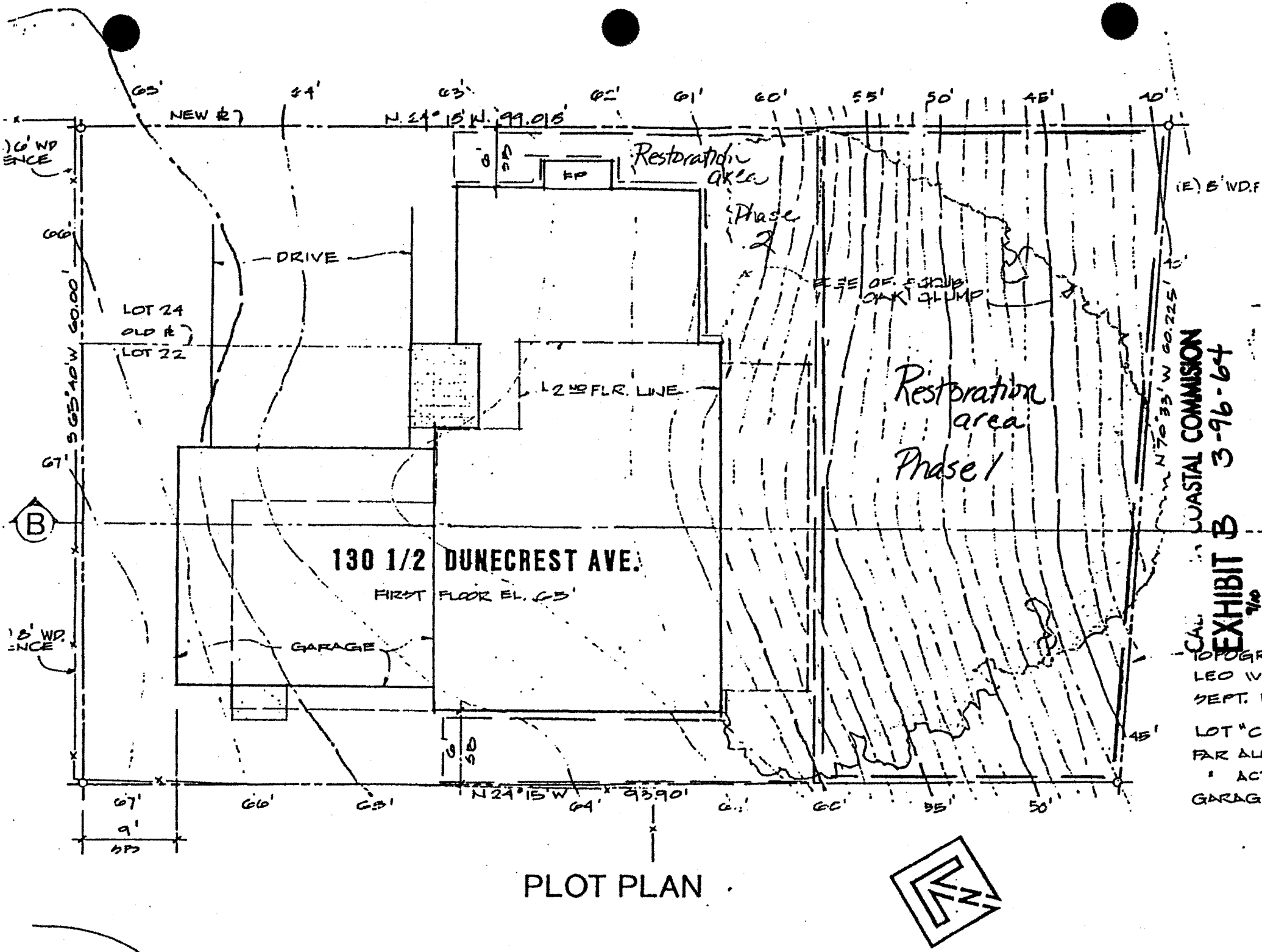

PLOT PLAN

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EXHIBIT B
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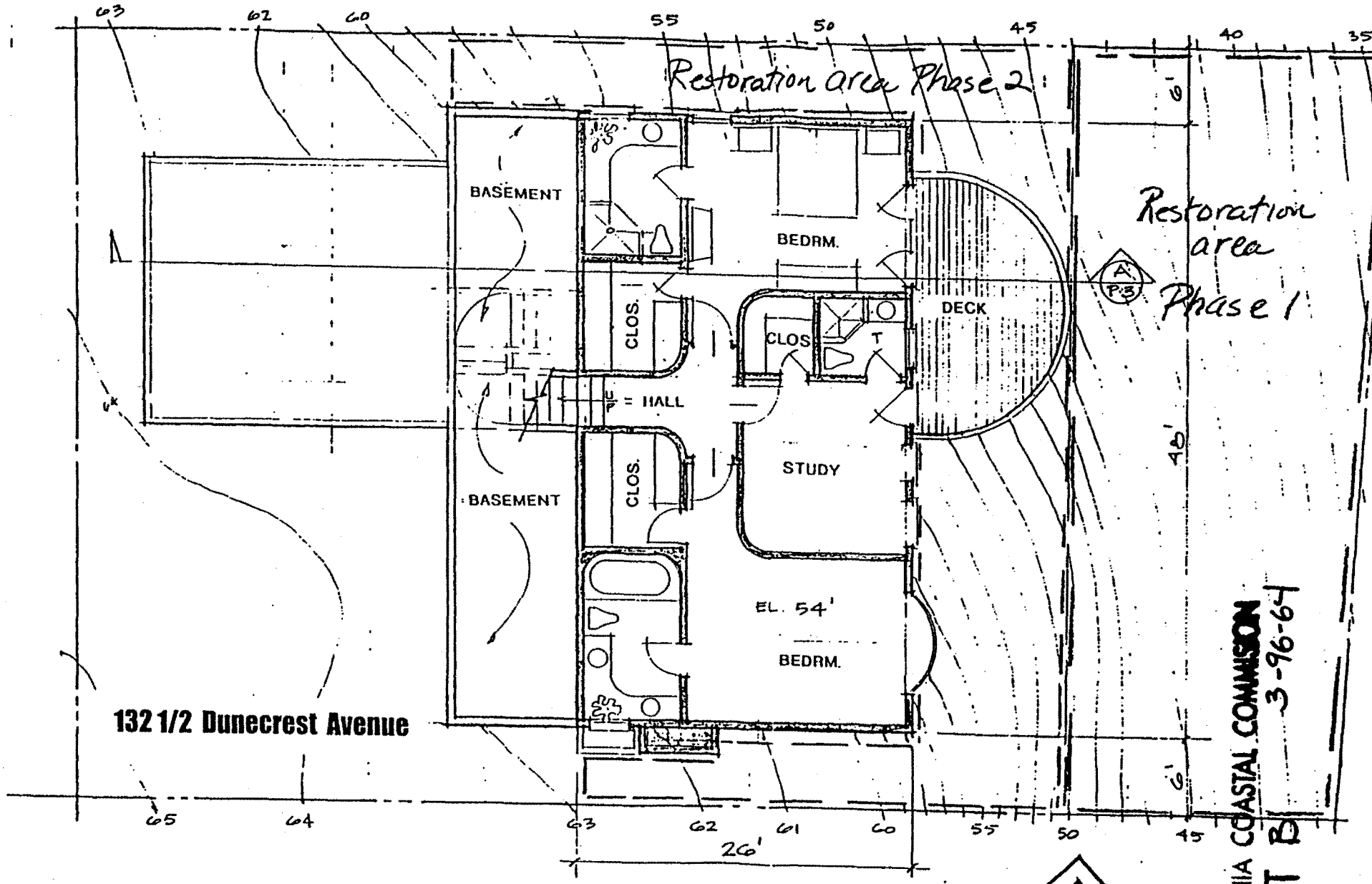

LOWER LEVEL PLAN

1/8" = 1'

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3-96-64
10/10

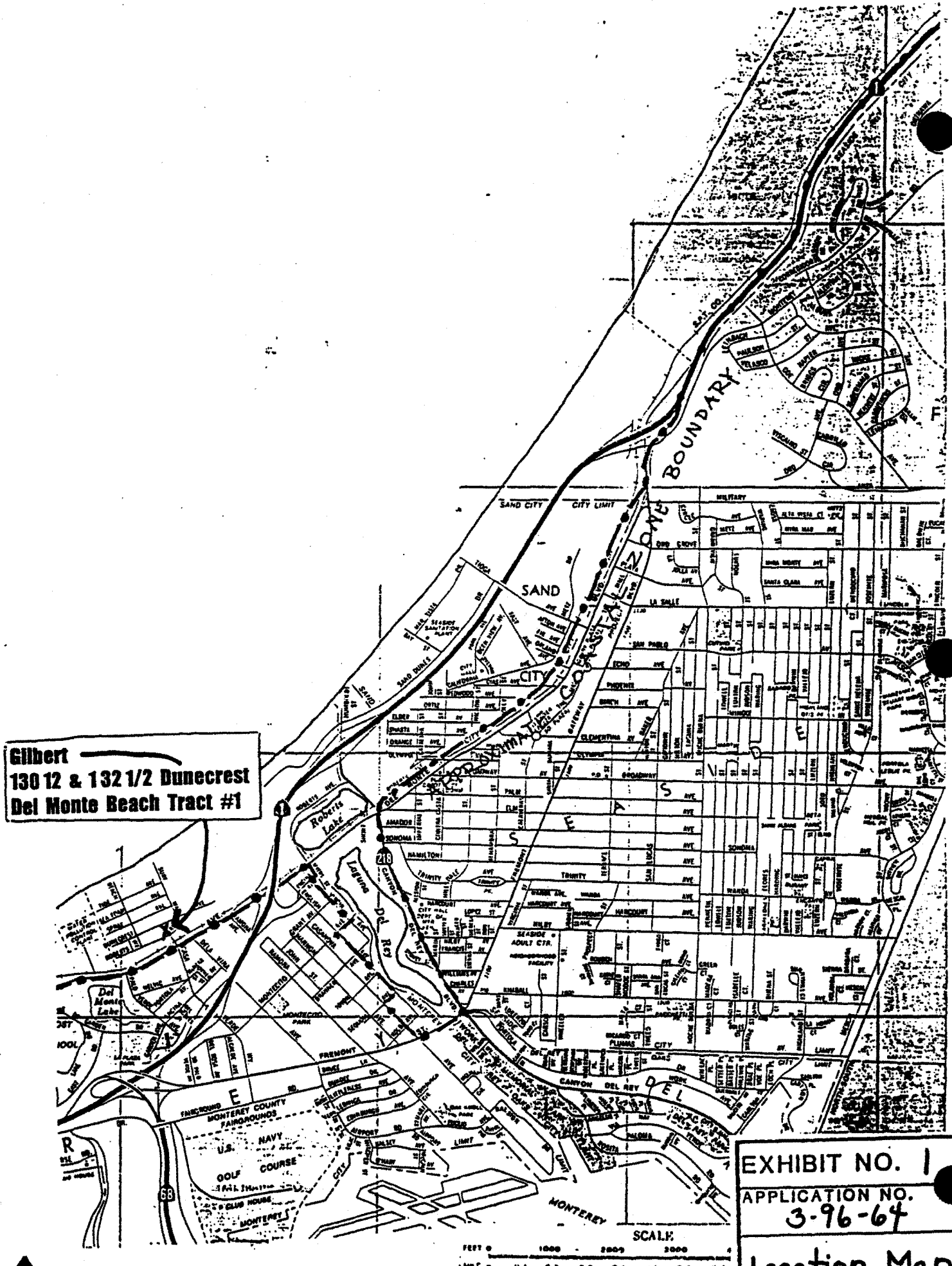


EXHIBIT NO. 1

APPLICATION NO. 3-96-64

Location Map

California Coastal Commission

N

SEASIDE - SAND CITY

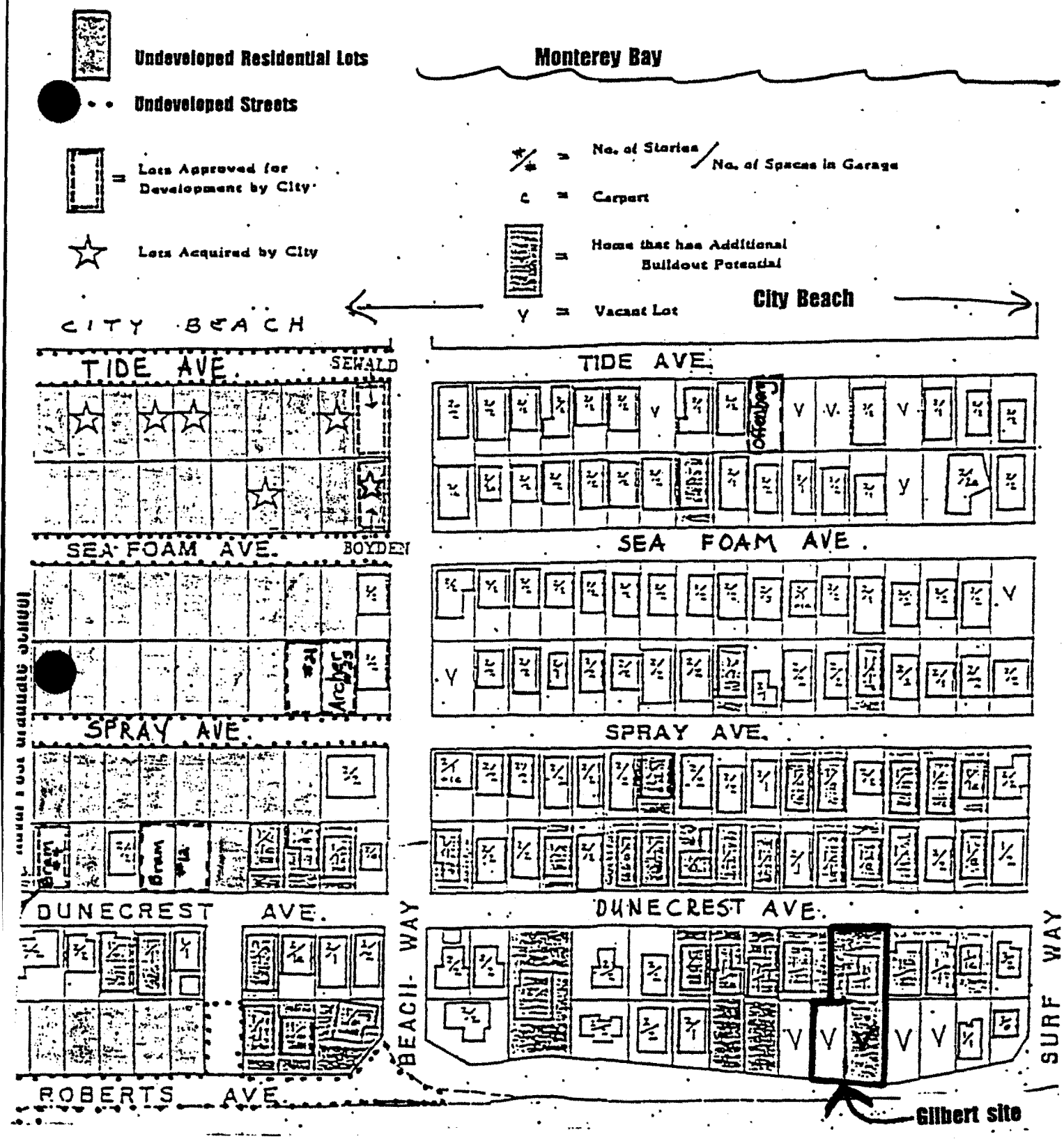
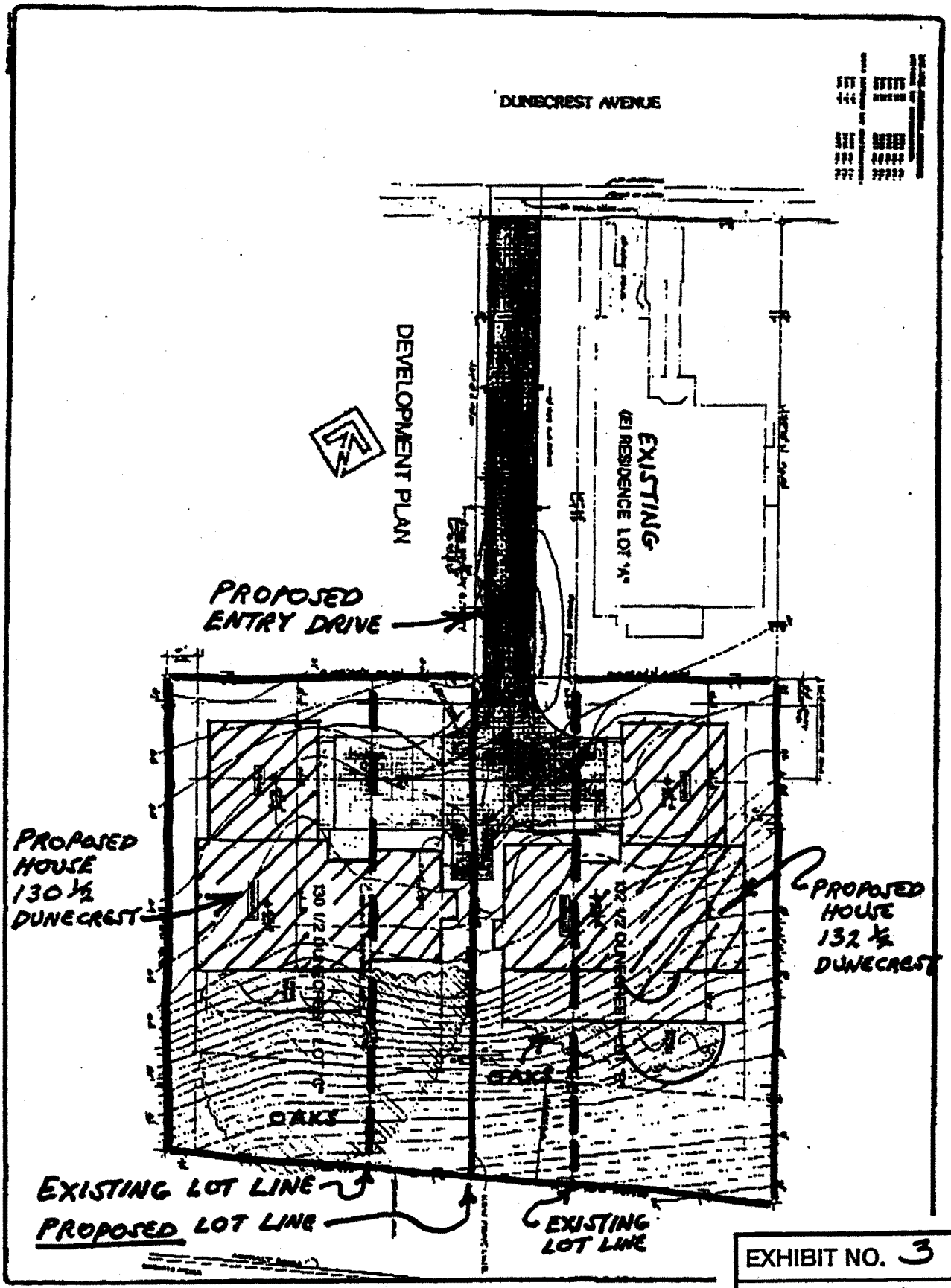


Exhibit 2
3-96-64 Gilbert
Del Monte Beach LUP Map



DP-1

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EXHIBIT NO. 3

APPLICATION NO. 3-96-64

Tentative Map

Resubdivision

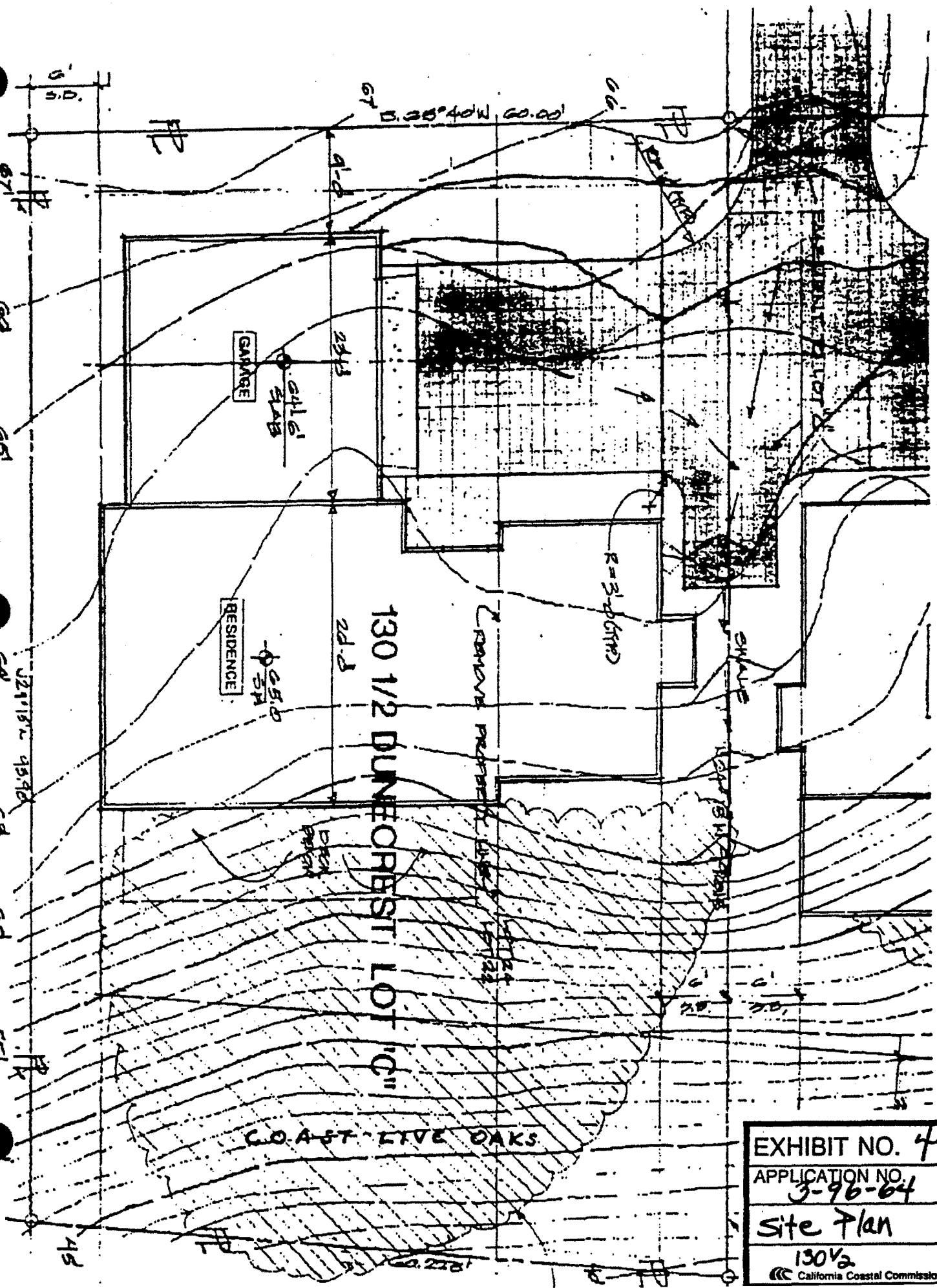


EXHIBIT NO. 4
APPLICATION NO. 3-96-64
Site Plan
130½
California Coastal Commission

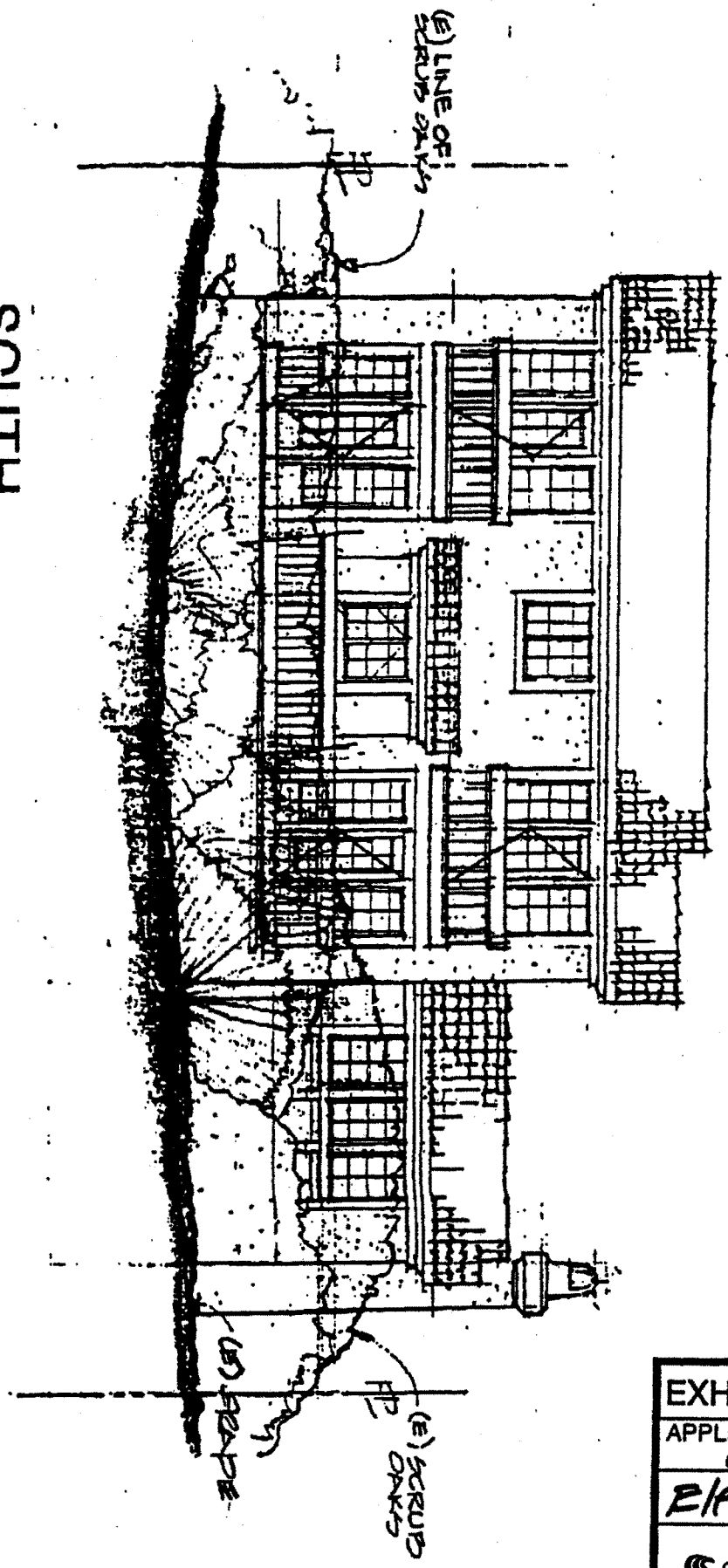


EXHIBIT NO. 5A
APPLICATION NO. 3-96-64
Elevation - S
130½
California Coastal Commission

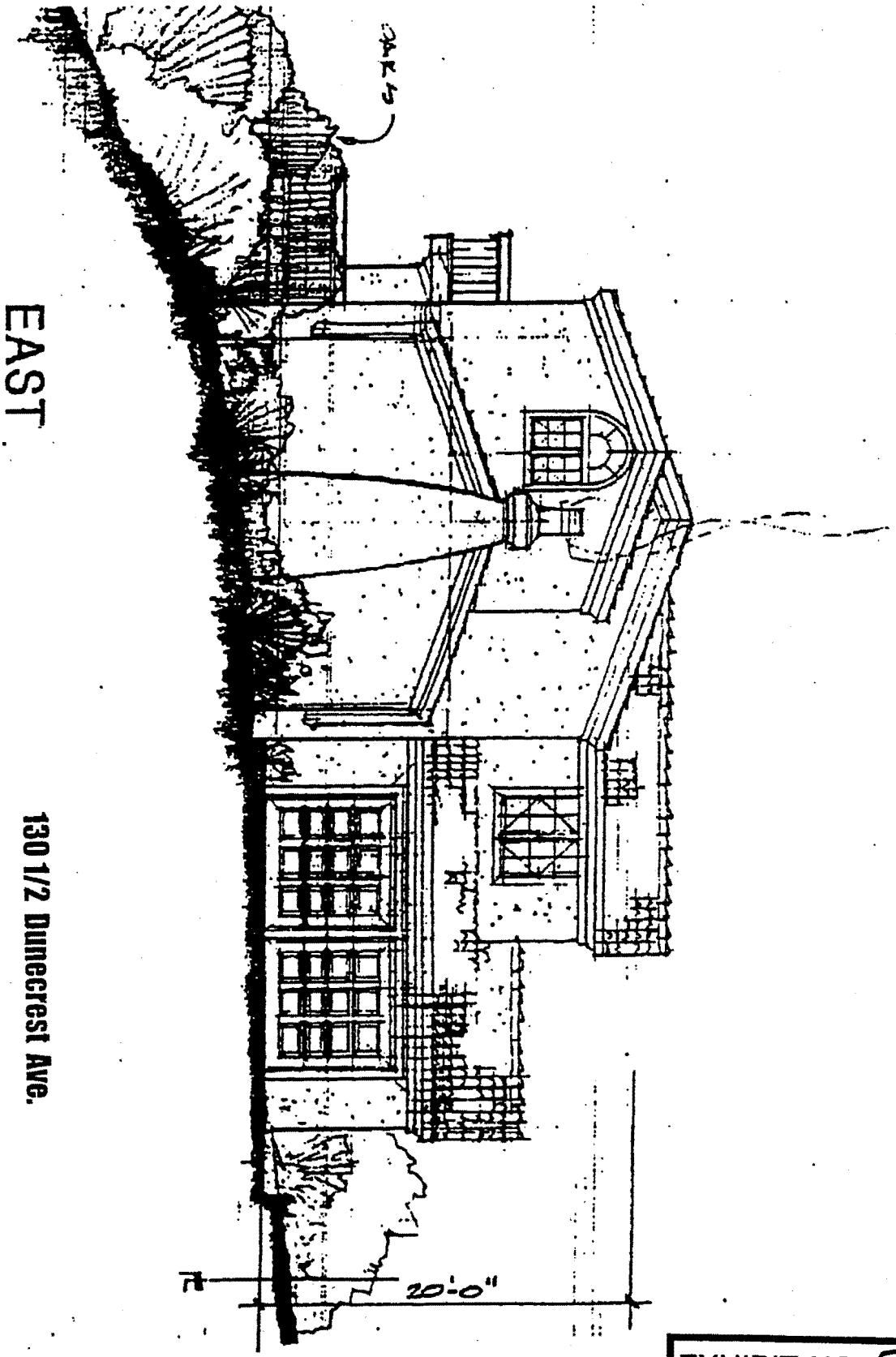
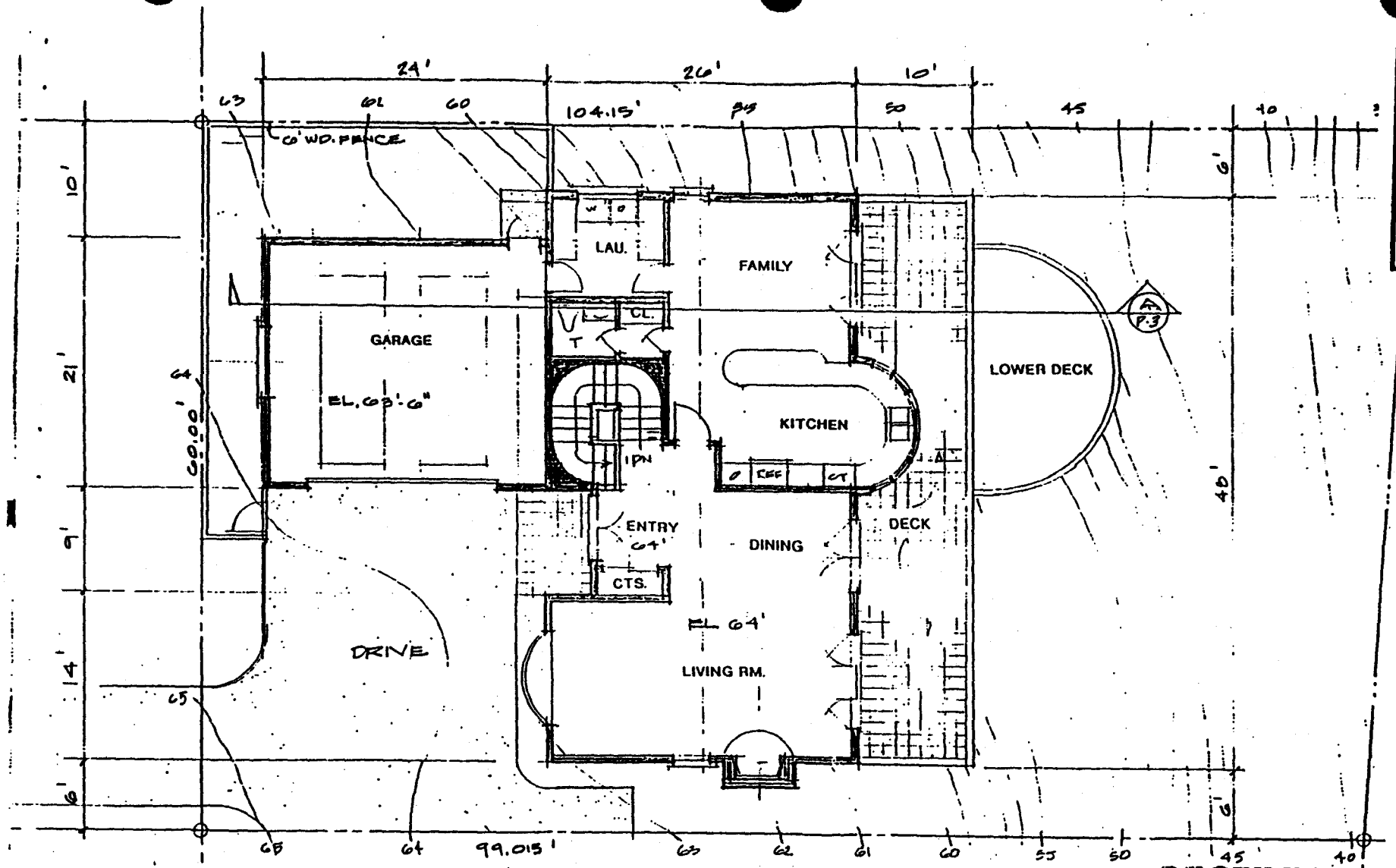


EXHIBIT NO. 5B
APPLICATION NO. 3-96-64
Elevation - E
130 1/2
California Coastal Commission



UPPER LEVEL PLAN

1/8"=1'-0"

132 1/2 Dunecrest Ave.

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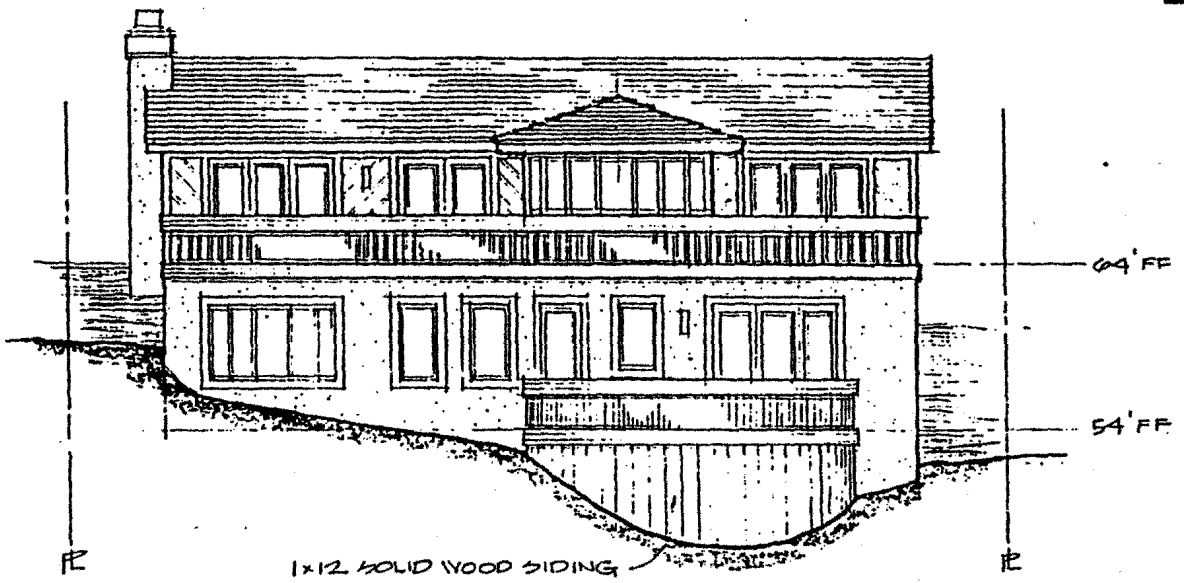
EXHIBIT NO. 6
APPLICATION NO. 3-96-67
Site Plan
132 1/2

GILBERT

P-

EXHIBIT NO. 7
APPLICATION NO. 5-96-024
Elevation -S
132½



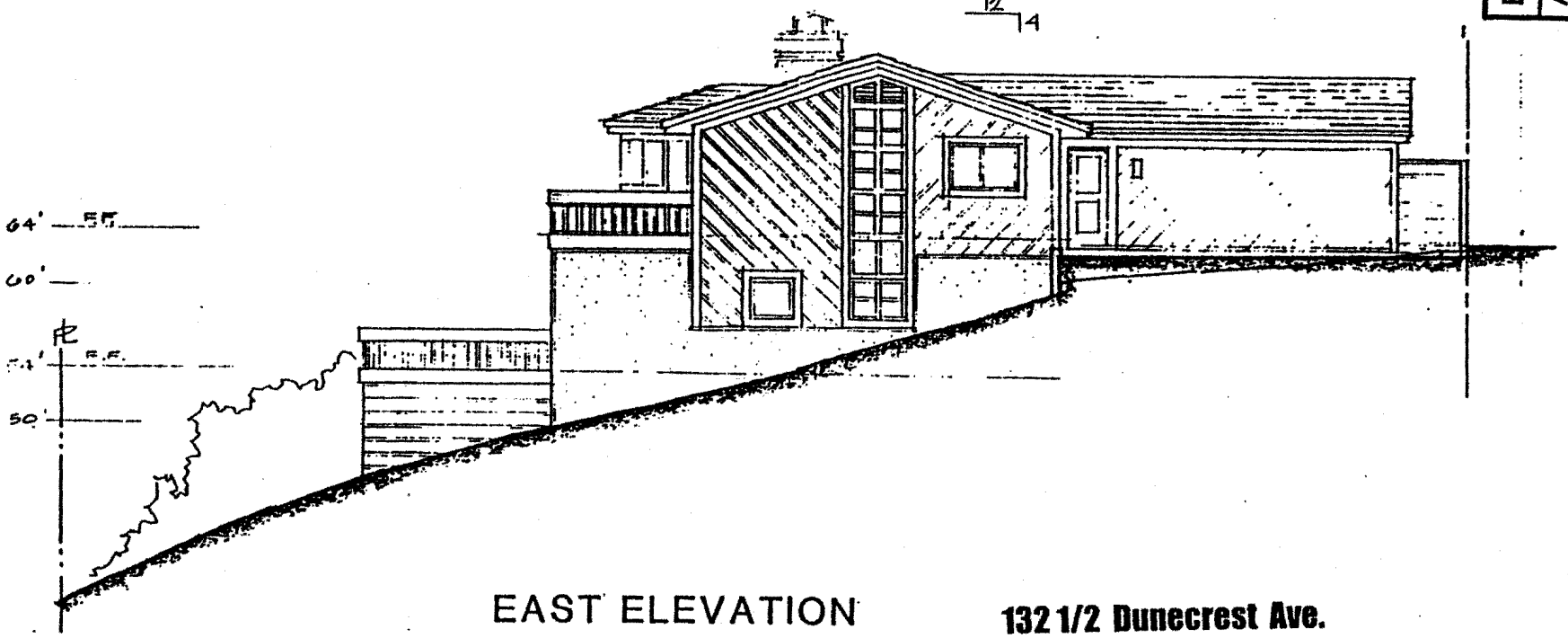
SOUTH ELEVATION

132 1/2 Dunecrest Ave.

GILBERT

P-5

EXHIBIT NO. 7B
APPLICATION NO. 5-98-64
Elevation - E
132 ½



EAST ELEVATION

1/8" = 1'-0"

132 1/2 Dunecrest Ave.

GILBERT

P-1