

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FAX (707) 826-8960



F10a

**A-1-MEN-01-051-A2
(TAN)**

FEBRUARY 11, 2022

Exhibits

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Plans

Exhibit 3 – Areas Restricted as Open Space under CDP 1-89-028-A4

Exhibit 4 – Visual Details

Exhibit 5 – Geotechnical Recommendations (excerpt)

Exhibit 6 – Botanical Report (excerpt)

Exhibit 7 – Subdivision Map Showing Access Easements to Subject Lot

Exhibit 8 – Staff Report for 1-89-028 (Belinda Point Subdivision permit)

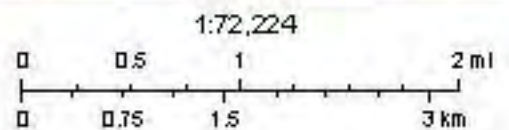
Exhibit 9 – Building Envelope Delineation Requirements

Vicinity Map



12/30/2021, 8:29:55 AM

- | | |
|-----------------------|---------------------|
| Coastal Zone Boundary | Public Roads |
| County Boundary | Highways |
| Parcels | Communities |
| Private Roads | Incorporated Cities |



Source: Esri, Intel, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



TAN RESIDENCE

NEW CONSTRUCTION - SINGLE FAMILY HOME

PHASE 1.5 - PRICING

PRO. SOURCE	IN
SHEET	
COVER	

TAN RESIDENCE
PROJECT #: 20-TAN-241
PHASE 1.5 - PRICING SET

17230 Ocean Drive
Fort Bragg, CA 95437
TAX PARCEL #: 0173301000
NOT FOR CONSTRUCTION RELEASE

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 2
Project Plans
(pg. 1 of 11)

7079 LINDSAY, 1992

THE JOURNAL OF THE

BIDDER DESIGN PROJECT NOTES

THE JOURNAL OF THE

GENERAL SITE PLAN NOTES:

SEE LISTING PAGE 200 FOR COMPLETE LIST OF ADVERTISERS.

EROSION CONTROL NOTES

TRANS SP IMPROVED FOR 2014

SOILS NOTES

"I think the most important thing is to make sure you're not just reacting to the situation, but that you're taking control of it. That's the key to success in any business."

LEGEND:

[illegible]

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 2
Project Plans
(pg. 2 of 11)



KEY NOTES

- 1 PROPOSED BUILDING ENVELOPE (125' x 80')
- 2 PROPOSED RESIDENCE
- 3 ORIGINAL BUILDING ENVELOPE (100' x 100')
- 4 UNDERGROUND PROPANE TANK
- 5 UNDERGROUND WATER STORAGE TANK
- 6 UTILITY SHED
- 7 UNDERGROUND UTILITIES
- 8 PROPOSED 14' WIDE DRIVEWAY W/ GUEST PARKING
- 9 EXISTING DRIVEWAY EASEMENT
- 10 NOT USED
- 11 NOT USED
- 12 ENDANGERED PLANT & SETBACK
- 13 VEGETATION CHANGE & SETBACK
- 14 EXISTING WELL & SETBACK
- 15 SEPTIC SYSTEM
- 16 SEPTIC REPLACEMENT
- 17 DEAD TREE REMOVED
- 18 LIVE TREE REMOVED
- 19 AREA OF NATIVE VEGETATION
- 20 SEPTIC TANK AND PUMP TANK

SITE PLAN
SCALE: 1" = 50'



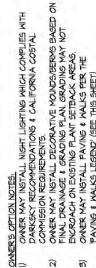
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[illegible]

SITE PLAN



- EXISTING SITE FEATURES WERE COMPILED FROM VARIOUS SOURCES AND HAVE NOT BEEN FIELD VERIFIED OR LOCATED BY A CURRENT SITE SURVEY. SOURCES INCLUDE: HISTORIC ATOCAD FILES CREATED BY LEGACY CONSULTANTS, HISTORIC PROPERTY BOUNDARY & EASEMENT PDF FILES CREATED BY LEGACY CONSULTANTS, AND GOOGLE EARTH IMAGES. CIRCA 2020



CHANGE, OPTION NOTED.

- OWNER'S OPTION NOTES:**
- 1) OWNER MAY INSTALL NIGHT LIGHTING WHICH COMPLIES WITH DARKSKY RECOMMENDATIONS & CALIFORNIA COSTAL COMMISSION REQUIREMENTS.
- 2) OWNER MAY INSTALL DECORATIVE FOUNTAINS BASED ON FINAL DRAINAGE & GRADING PLAN. GRADINGS MAY NOT ENLARGE ON EXISTING PLANT SETBACK AREAS.
- 3) OWNER MAY INSTALL PAVING & WALKS PER THE PAVING & WALKS LEGEND (SEE THIS SHEET)

PLANT USE

[illegible]

Planting Notes:
This list includes plants that may be used on site for infill planting, erosion control, and ornamental use, and to restore areas disturbed by construction.

FEDERAL COMMUNICATIONS COMMISSION

Adopted Findings for Application A-1-Men-O-C51-A-1

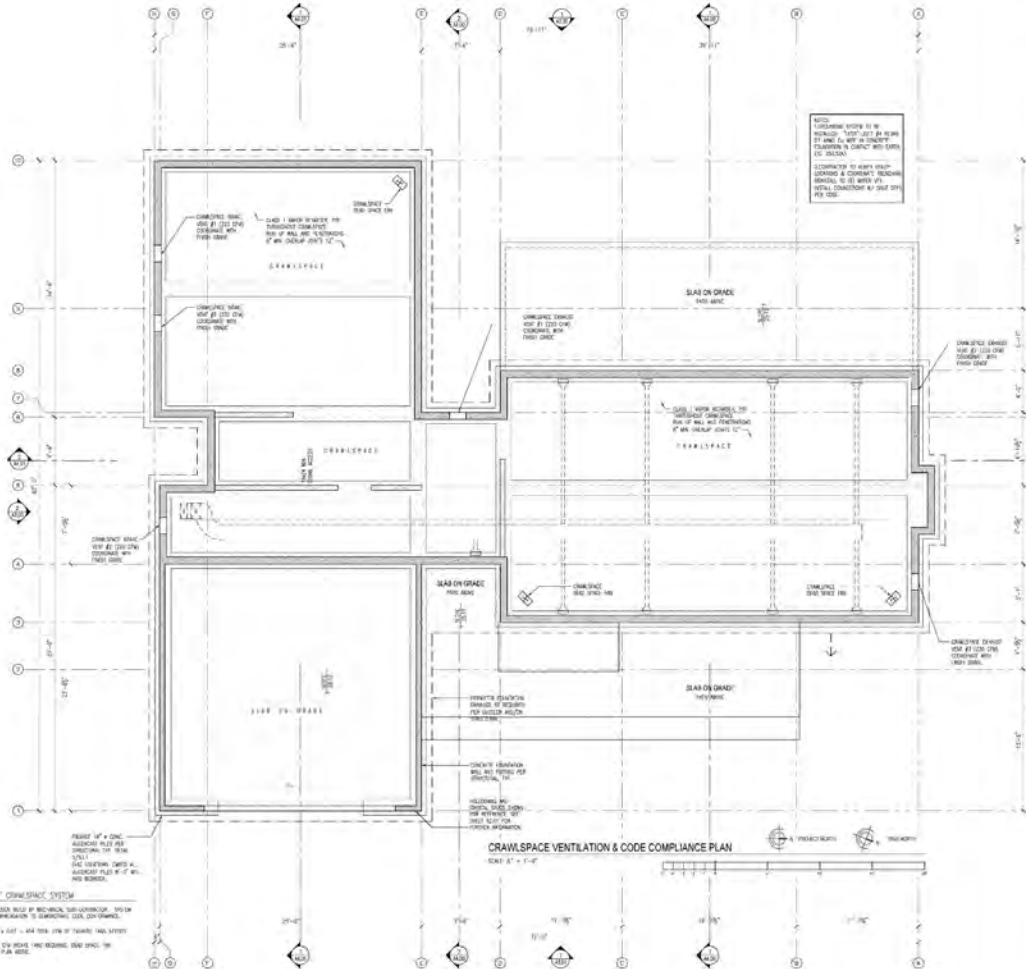
On site vegetation shall be maintained to the maximum extent possible during construction and any disturbed areas shall be replanted with native vegetation of local stock to ensure species correlation.

moderately positive response.

Endnotes:

¹ No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Plant Council, or by the State of California will be employed or allowed to naturalize or persist at the site of the proposed demolition. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.

² Residents containing any anticoagulant compounds, including but not limited to, Rodenticides.

[illegible]

Stillwater

7711 3RD AVENUE
DARTMOUTH, NH 05741
TEL: (203) 243-0760
FAX: (203) 243-0560

© Copyright

Shirley Dufresne

1. ATTACHED PLEASE FIND ALSO WITH
THISFORM FROM THOMSON (MILWAUKEE)

2. INCLUDING MEMBERS OF 12-1999
THOMSON (MILWAUKEE) (MILWAUKEE)
FOR THE 14. CONSTRUCTION OF THE
TO BE ATTACHED TO THE PROJECT (MILWAUKEE)
(MILWAUKEE)

3. CONSTRUCTION OF THE PROJECT (MILWAUKEE)
THOMSON (MILWAUKEE) TO 12-1999 AND
NO FURTHER WITH THOMSON (MILWAUKEE)
THOMSON (MILWAUKEE) (MILWAUKEE)

17230 Ocean Drive
Fort Bragg, CA 95437
TAX PARCEL # 0173301000
NOT FOR CONSTRUCTION RELEASE

TAN RESIDENCE
PROJECT #: 20-TAN-241
PHASE 1.5 - PRICING SET

DOCUMENT RELEASE	
DATE	DESCRIPTION
11/08/21	PHASE 1.5 - PHOTOCOPY

PHIL. 10400000 00

RESIDENCE
CRAWLSPACE
VENTILATION &
CODE COMPLIANCE
PLAN

A2.00

GENERAL PLAN

CONSTRUCTION NOTES

1. SEE NOTES 1001-1005

2. SEE NOTES 1006-1008

3. SEE NOTES 1009-1011

4. SEE NOTES 1012-1014

5. SEE NOTES 1015-1017

6. SEE NOTES 1018-1020

7. SEE NOTES 1021-1023

8. SEE NOTES 1024-1026

9. SEE NOTES 1027-1029

10. SEE NOTES 1030-1032

11. SEE NOTES 1033-1035

12. SEE NOTES 1036-1038

13. SEE NOTES 1039-1041

14. SEE NOTES 1042-1044

15. SEE NOTES 1045-1047

16. SEE NOTES 1048-1050

17. SEE NOTES 1051-1053

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20. SEE NOTES 1060-1062

21. SEE NOTES 1063-1065

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23. SEE NOTES 1069-1071

24. SEE NOTES 1072-1074

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31. SEE NOTES 1093-1095

32. SEE NOTES 1096-1098

33. SEE NOTES 1099-1101

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36. SEE NOTES 1108-1110

37. SEE NOTES 1111-1113

38. SEE NOTES 1114-1116

39. SEE NOTES 1117-1119

40. SEE NOTES 1120-1122

41. SEE NOTES 1123-1125

42. SEE NOTES 1126-1128

43. SEE NOTES 1129-1131

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50. SEE NOTES 1150-1152

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59. SEE NOTES 1177-1179

60. SEE NOTES 1180-1182

61. SEE NOTES 1183-1185

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65. SEE NOTES 1195-1197

66. SEE NOTES 1198-1200

67. SEE NOTES 1201-1203

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131. SEE NOTES 1393-1395

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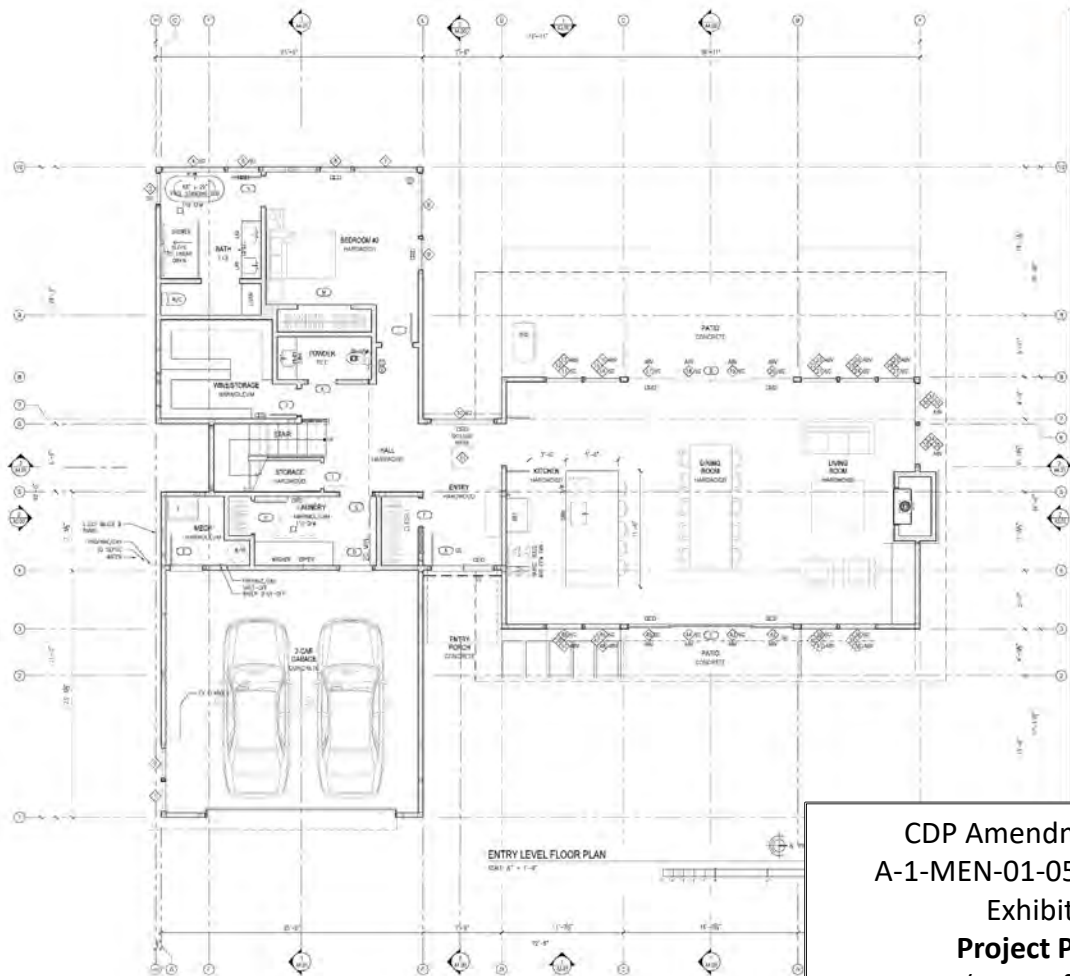
195. SEE NOTES 1585-1587

196. SEE NOTES 1588-1590

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198. SEE NOTES 1594-1596

199. SEE NOTES 1597-1599



Stillwater

7701 28th Avenue
Suite 100
St. Paul, MN 55121
Tel: (612) 341-1941
Fax: (612) 341-1941
E-Mail: info@stg.com

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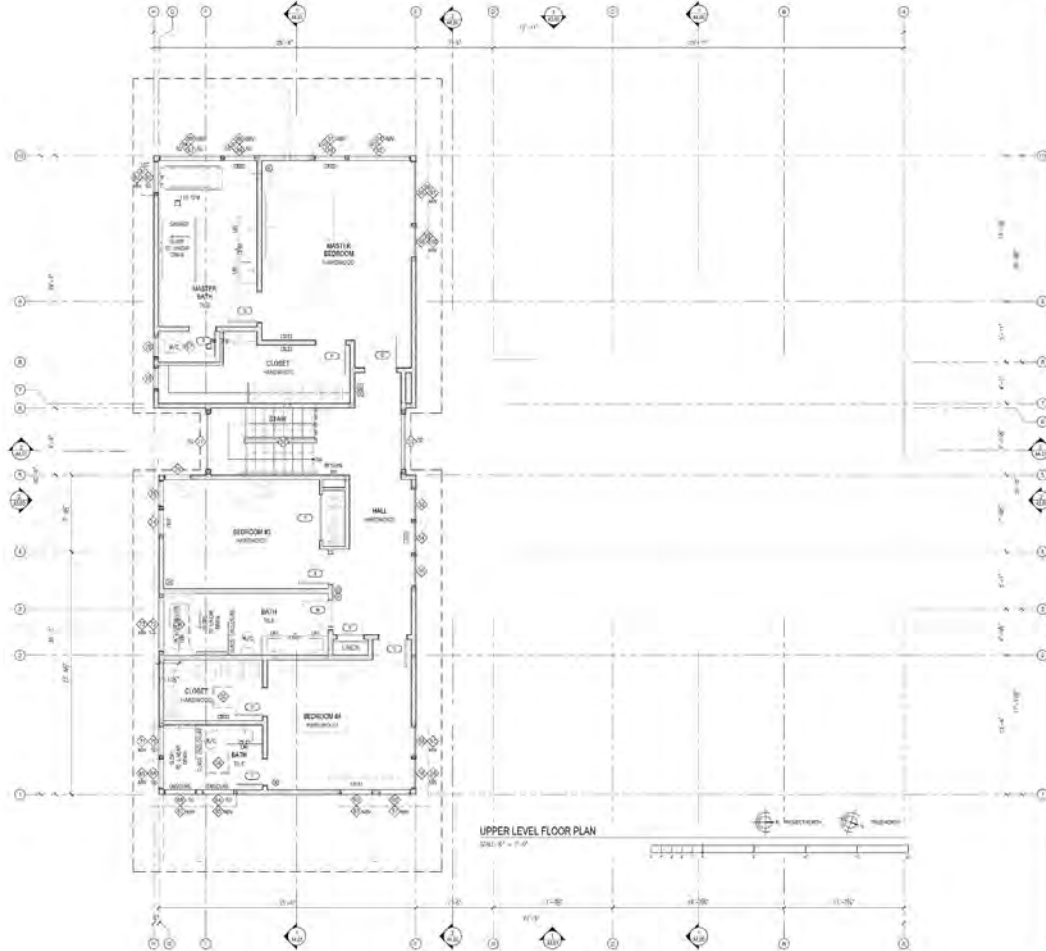
17230 Ocean Drive
Fort Bragg, CA 95437
TAX PARCEL # 0173301000
NOT FOR CONSTRUCTION RELEASE

TAN RESIDENCE
PROJECT #: 20-TAN-241
PHASE 1.5 - PRICING SET

ECONOMIC RELEASE
 DATE 10-20-2010
 TIME 10:53 PM

ment No
51-A2 (T
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Plans
11)

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 2
Project Plans
(pg. 4 of 11)

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TAN RESIDENCE

PROJECT #: 20-TAN-241

UPPER LEVEL FLOOR PLAN

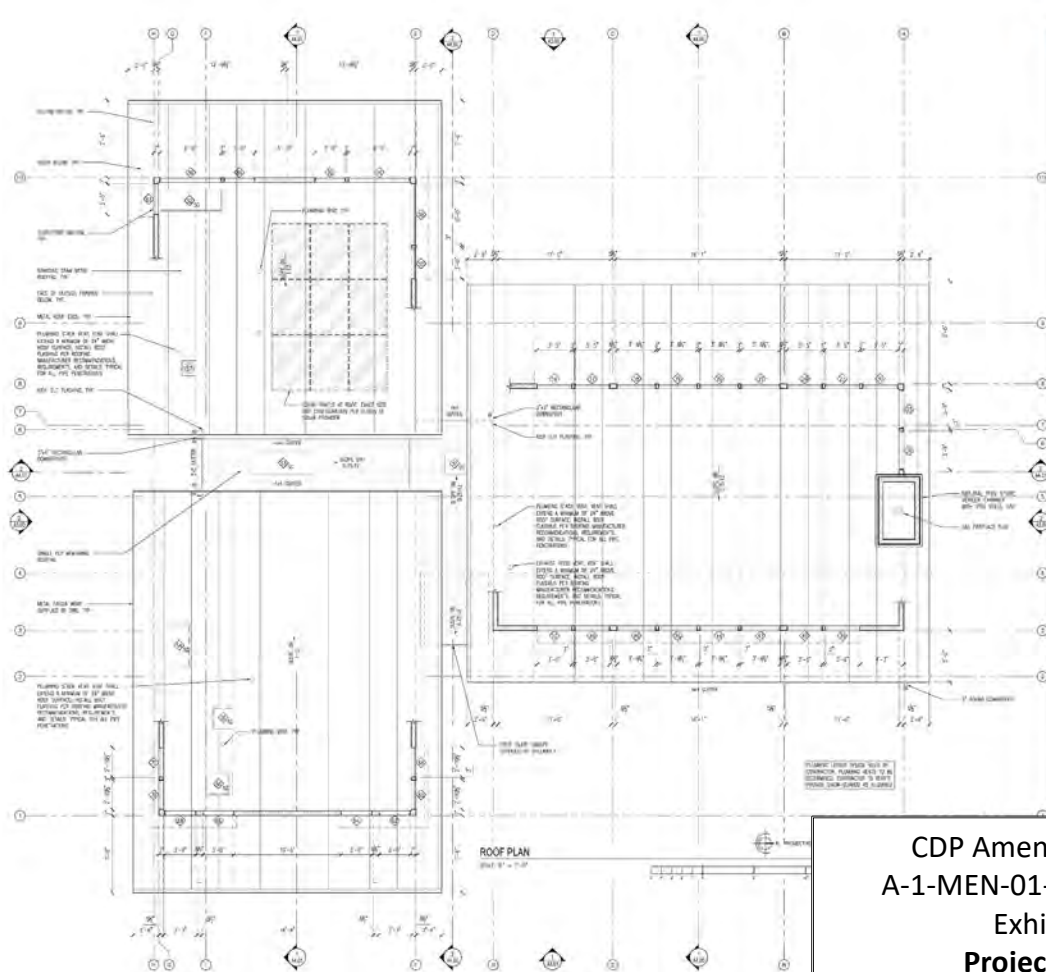
PHASE 15 - PRICING SET

TAX PARCEL #: 0173301000

NOT FOR CONSTRUCTION RELEASE

A2.22

A2.22



Shiloh Valley
 2215 10th Street
 Fort Bragg, CA 95437
 (707) 468-1100
 FAX: (707) 468-1102
 E-mail: shiloh@shilohvalley.com

Shiloh Valley

Shiloh Valley is a community of 10,000 people, located in the heart of the San Francisco Bay Area. We are a diverse and vibrant community, with a rich history and a bright future. We are committed to providing a high quality of life for all our residents, and we are proud to be a part of the Shiloh Valley community.

17230 Ocean Drive
 Fort Bragg, CA 95437

TAN RESIDENCE
 PROJECT # 20-TAN-241

TAX PARCEL # 0173301000
 NOT FOR CONSTRUCTION RELEASE

PHASE 1.5-PRICING SET

DEVELOPER RELEASED
 DATE: 1/1/2010
 PROJECT: 20-TAN-241
 SHEET: 20-TAN-241-01

17230 Ocean Drive
 Fort Bragg, CA 95437

MAX HEIGHT 26'-0"

SOUTH FLAVATION:	199.1 SF
EAST FLAVATION:	443.4 SF
NORTH ELEVATION:	283.8 SF
WEST ELEVATION:	596.1 SF
SKYLIGHTS:	40.9 SF
CEILING:	1563.3 SF

ENTRY LEVEL:	1883.8 \$F
UPPER LEVEL:	1388.7 \$F
TOTAL INTERIOR:	3272.5

IMPERVIOUS SURFACE (NOT INCLUDING DRIVES):

BUILDING FOOTPRINT:	2608.6 SF
FRONT PATIO	445 SF
REAR PATIO	489 SF
TOTAL IMPERVIOUS:	3542 SF

SEE COVER SHEET AND CO.

See COVER SHEET A230.

[illegible][illegible]

0-1000

0-1" 24-36" 1'-0"

SCALE: 1/2" = 1'-0"

100

1995

[illegible]

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DATE	DESCRIPTION
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TAN RESIDENCE

PROJECT #: 20-TAN-241

17230 Ocean Drive
Fort Bragg, CA 95437
TAX PARCEL #: 0173301000
NOT FOR CONSTRUCTION RELEASE

A3.05

24

24

17230 Ocean Dr., Fort Bragg, CA 92657 - APN 017-330-10
California Coastal Commission Application #: A-17-051-A1

• **Fluorizing**
 1-800-368-5888
 ext. 2000-2007
daily.azcentral.com
 1-800-368-5888
 ext. 2000-2007

[illegible]

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 2
Project Plans
(pg. 10 of 11)



1) EXISTING 6TH FIELDS WERE COMPILED FROM VARIOUS SOURCES AND HAVE NOT BEEN FIELD VERIFIED OR LOCATED BY A CURRENT 6TH SURVEY SOURCE. INCLUDE HISTORIC AERIAL PHOTOS CREATED BY LEGACY CONSULTANT, PROPERTY BOUNDARY & EASEMENT PDF FILES CREATED BY LEGACY CONSULTANTS, AND 6000'x6000' EARTH IMAGES (EIA) 2010.

OWNER'S OPTION NOTES:

- 1) OWNER MAY INSTALL NIGHT LIGHTING WHICH COMPLIES WITH DARKSKY RECOMMENDATIONS & CALIFORNIA COSTAL COMMISSION REQUIREMENTS.
- 2) OWNER MAY INSTALL DECORATIVE MONUMENTS BASED ON FINAL DRAINAGE & GRADING PLAN. GRADING MAY NOT ENOUGH ON EXISTING FLAT SETBACK AREAS.
- 3) OWNER MAY INSTALL PAVING & MALKS PER THE PAVING & MALKS LEGEND (SEE THIS SHEET)

[illegible]

Planting Notes:
This list includes plants that may be used on site for infill planting, erosion control, and ornamental use, and to restore areas disturbed by construction.

FEDERAL COMMUNICATIONS COMMISSION

Selected Findings for Application A-Mer-O-CO-A:
Native tree species shall be from local stock.
On site vegetation shall be maintained to the maximum extent possible during construction, and any disturbed areas shall be replanted with native vegetation of local stock following project completion.

Landscaping Restrictions:

A. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or by the State of California shall be employed or allowed to naturalize or persist at the site of the proposed demolition. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.

B. Herbicides containing any anticoagulant compounds, including but not limited to,

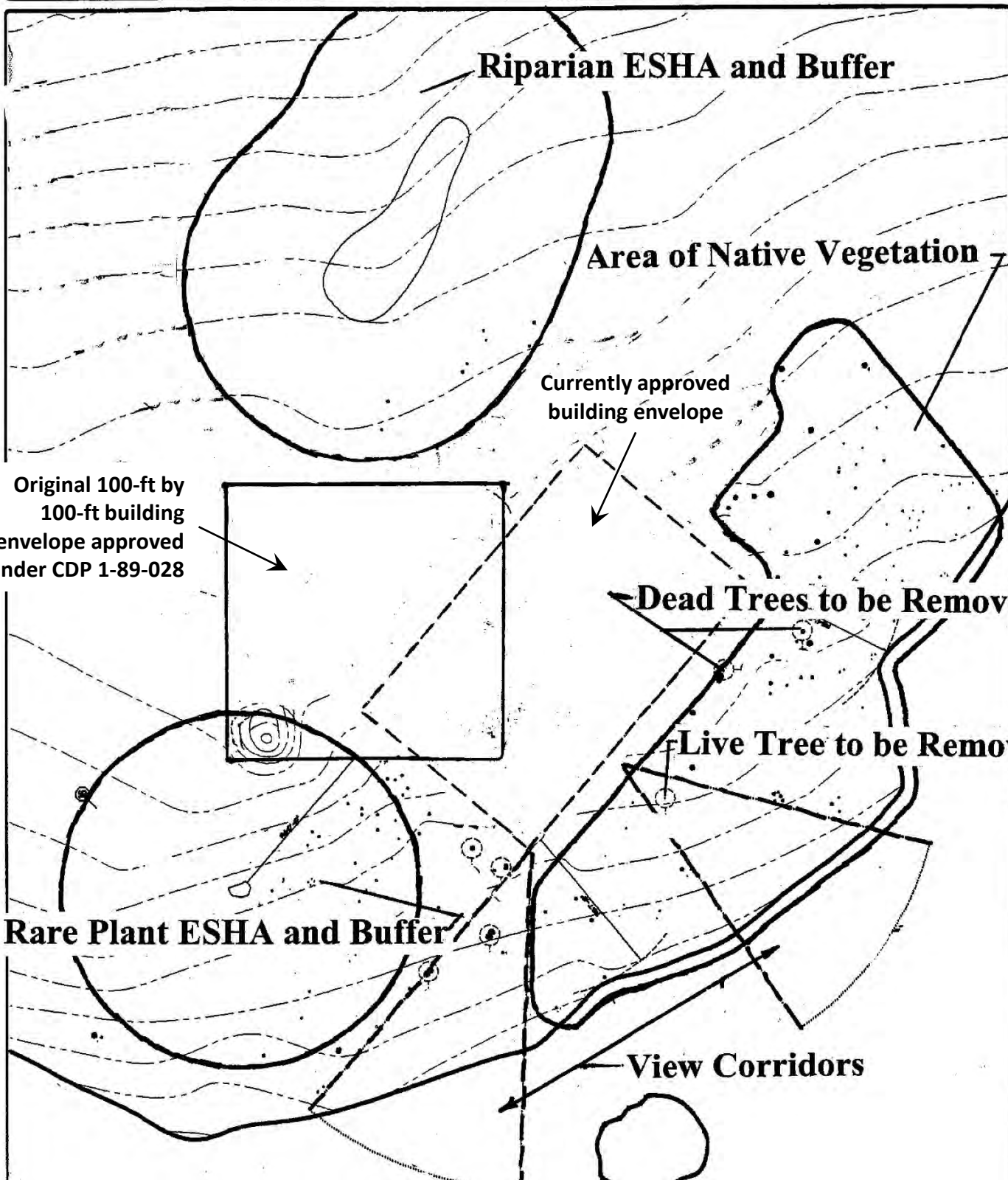
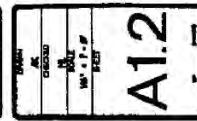
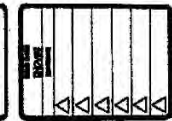
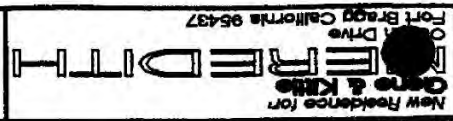


EXHIBIT NO. 5

APPLICATION NO.
1-89-028-A4

MEREDITH
OPEN SPACE AREAS

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 3
Areas Restricted As Open Space
Under CDP 1-89-028-A4



5/18/2021 (updated 30 September 2021)

TAN RESIDENCE - Stillwater Dwellings Response to Coastal Commission Letter Address: 17230 Ocean Drive, Fort Bragg (APN: 017-330-10)

On behalf of Loke and Cheng Cheng Tan
34 Vila Coralle
Newport Coast, CA 92657

RE: Coastal Development Permit (CDP) Amendment Application No. A-1- MEN-01-051-A2,

[See Attached A-1-MEN-01-051-A2_tan_30-dayLtr.pdf] – May 7, 2021

ITEM #1 Project Clarifications:

	A-1-MEN-010051-A1 Approved 2006 Original Design	A-1- MEN-01-051-A2 Proposed (this design)
<u>Footprint</u>		
BUILDING FOOTPRINT:	5289 SF	2608.6 SF
FRONT PATIO		445 SF
REAR PATIO		489 SF
TOTAL IMPERVIOUS:	APPROX 8000 + SF	3542 SF
Access DRIVEWAY	5-6 X Proposed size extending through site	6783 SF
<u>Size</u>		4 BED RESIDENCE;
ENTRY LEVEL:	4451	1883.8 SF
UPPER LEVEL:	2500	1388.7 SF
TOTAL INTERIOR:	6933 SF	3272.5
GARAGE:	857 SF	594 SF
<u>Height</u>	Listed 26 Feet Actual 31 feet (chimneys)	MAX HEIGHT 26'-0"
<u>GLAZING AREA:</u>		
SOUTH ELEVATION:		199.1 SF
EAST ELEVATION:		443.4 SF

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 4
Visual Details
(pg. 1 of 14)

NORTH ELEVATION:		283.8 SF
WEST ELEVATION:		596.1 SF
SKYLIGHTS:		40.9 SF
TOTAL GLAZING:	More Overall	1563.3 SF

ITEM 1.1 - APPEARANCE OF STRUCTURE FROM PUBLIC VANTAGE POINTS



PUBLIC VANTAGE POINT - Jug Handle State Park – Camera Location Pointing NNW



Existing View

PUBLIC VANTAGE POINT - Jug Handle State Park



View with Proposed Dwelling 100%

PUBLIC VANTAGE POINT - Jug Handle State Park



View with Proposed Dwelling 200%

PUBLIC VANTAGE POINT - Jug Handle State Park



Solar Shadow Rendered at 5:30 PM June 21 (summer equinox)

The Below Images are based on Topography with Google Earth Real world Reference.



ITEM #2 – APPENDIX B

[See Attached “CoastalDevelopmentPermitApplicants_20210305”]

[See attached Plan Set “Tan Plan Set”]

ITEM 3.1 – Permitted Original Design (SEE APPENDIX)

The Original House Exterior was intended to be Stucco and Stone Veneer. The Stucco was described as BROWNISH-GOLD COLOR (MORGAN Hill GOLD). The NEW / Proposed structure will be likely darker tone overall and approximately half of the overall massing.

The original Roof is described as Split Clay Barrel Tile, dark brown and terra cotta color. The original roof would have been visible from pedestrian level and in addition to the 6 protruding chimneys (31ft height). The proposed building Roof Gray metal roof (Kendall Charcoal) with Low-Reflectance Coating differs in color from the original, but would likely be similar in overall tone. Unlike the original design, the proposed lower slope roof would not be seen from the pedestrian perspective.

A good portion of the Original design is clad in Stone veneer. It is described as “Natural Dark colored materials”. This would be consistent with the stone proposed at the South facing exterior Chimney.

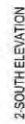
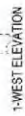
Exterior Lighting has been reduced to a few exterior luminaires lighting up the front entry of the building. This is illustrated on the elevations in this package.

The percentage of glazing overall is equal or less to the Original design, because the structure is much smaller, however windows are generally larger in

scale at the Entry Level, that is completely occluded from public view. Although the dwelling will be almost entirely occluded anyway, there will be also overall less glazing on the Southern Elevation as seen from the direction of Jug Handle State Park.

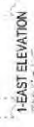
*See Glazing calculations (First Page Above) and Schematic Elevations with materials and color scheme on following page

A3



EXTERIOR ELEVATIONS

[illegible]



EXTERIOR ELEVATIONS



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3.2 Color and Material Selections

Like-Kind REPRESENTATIVE PROJECT BELOW (Note, the Proposed Hardie Board Paint Color Selections are Darker than image below)







A. Exterior Finishes (Modern Color Scheme)




	DESCRIPTION		MODERN PACKAGE	OWNER'S NOTES / ALTERNATIVE OPTIONS
<input type="checkbox"/>	Siding – Primary Board + Batt		Paint, BM HC-2108-20 SIERRA SPRUCE	Click here to enter notes
00 <input type="checkbox"/>	Siding – Spine		Smooth Panel Paint, BM HC166 (Kendall Charcoal)	Click here to enter notes

	DESCRIPTION		STILLWATER STANDARD RECOMMENDATIONS	OWNER'S NOTES / ALTERNATIVE OPTIONS
00 <input type="checkbox"/>	Window Trim and Adjacent Panels		Cement Board 5/4 & 8/4 wood trim Paint, BM – HC 169 (Coventry Gray)	Click here to enter notes
00 <input type="checkbox"/>	Roof Soffit and Visor Soffit		Standing Seam Metal Roof. Low Reflect coating Full Depth sheet Metal Fascia Paint, BM – HC 166 (Kendall Charcoal)	Click here to enter notes
00 <input type="checkbox"/>	Exposed Beams		Soffit Beam: Glue Laminated Architectural Grade Wood Stain, Penofin Verde Walnut	Click here to enter notes
00 <input type="checkbox"/>	Fireplace / Chimney		Natural stone veneer Medium Gray	
00 <input type="checkbox"/>	Roof and Visor		Roof: Standing Seam Metal Full Depth sheet Metal Fascia Color: Weathered Zinc (Metallic)	Click here to enter notes

B. Exterior Doors & Windows

	DESCRIPTION		STILLWATER STANDARD RECOMMENDATIONS	OWNER'S NOTES / ALTERNATIVE OPTIONS
<input type="checkbox"/>	Entry Canopy		3/8" Thick Plate Steel Color: Pantone 7540C	Click here to enter notes
00 <input type="checkbox"/>	Entry Door & Side Light		Full Glass Glass: Clear with Frosted Option Walnut Stain, Penofin Verde Walnut	Click here to enter notes
00 <input type="checkbox"/>	Windows		Aluminum Clad Wood Windows Low -E Glass, Insulating argon gas Exterior Color: Alpine Silver 062 Interior: Painted	Click here to enter notes
00 <input type="checkbox"/>	Sliding Doors		Aluminum Clad Wood Sliding Doors Alpine Silver	Click here to enter notes

C. Hardware

	DESCRIPTION		STILLWATER STANDARD RECOMMENDATIONS		OWNER'S NOTES / ALTERNATIVE OPTIONS
08 <input type="checkbox"/>	Hardware: Entry Door Set & Door Stop		Baldwin Satin Nickel Door Stop: Mocket #DS6 Cylindrical Door Stop; 17s satin nickel		Click here to enter notes
10 <input type="checkbox"/>	House Numbers		Design Within Reach Neutral House Numbers in Aluminum; 4" high with 3/4" stand-off.	http://www.dwr.com/accessories-outdoor/neutral-modern-house-numbers/6209.html?lang=en_US	Click here to enter notes
16 b <input type="checkbox"/>	Door chime		Spore; RING, 4" door bell, chrome, w/- transformer. Square illuminated, White Button.	https://www.sporedoorbells.com/collections/doorbell-buttons/products/square-doorbell-button	Click here to enter notes

	DESCRIPTION		STILLWATER STANDARD RECOMMENDATIONS		OWNER'S NOTES / ALTERNATIVE OPTIONS
	Double Garage Door		Modern Classic (MC44 Double) Clear Anodized Aluminum Frosted Glass		Click here to enter notes
8	Down Spouts		Rectangular, square corner Color: Weathered Zink (Metallic)		Click here to enter notes

D. Exterior Lighting

16a	Exterior Sconce at Entry		Brand: Hinkley Line: Atlantis 1648 Finish: Titanium	<ul style="list-style-type: none"> ▪ Bulb Category: LED ▪ Primary Bulb(s): 2 x 6.00 watts MR16 ▪ Color Temperature: 3000 ▪ Color Rendering Index: 90.0000 ▪ Total Lumens: 880 ▪ Additional Bulb Details: Incandescent Equivalency: 2 x 35w ▪ https://www.hinkleylightinglights.com/product/hinkley-lighting-atlantis-outdoor-wall-lighting-1648bz-ll.html
16a	Exterior Sconce		Progress Lighting P5643-30K - 12" 29W 1 LED Square Cylinder Down Outdoor Wall Lantern Finish: Metallic Gray	<ul style="list-style-type: none"> • 3000K color temperature, 90+ CRI • Dimmable to 10% brightness (See Dimming Notes) • Back plate covers a standard 4" octagonal recessed outlet box • Mounting strap for outlet box included • 6" of wire supplied • Meets <p>Lumens/LPW (Delivered) 1800/60 (LM-79)</p> <p>California Title 24 high efficiency requirements for outdoor use only</p> <p>P5643-31-30K-ProgressLighting-spec.pdf (beeslighting.s3.amazonaws.com)</p>

ITEM 3.3 - Sierra Designs RESPONSE to lighting

[SEE attached 2021 SDI response to CCC letter dated May 7 2021]

[SEE Attached SCHEMATIC LANDSCAPE PLAN "2021-06-25a Tan Res Fort Brag - Schematic Set " (sheet 1+2)]

RESPONSE: Conformance with design and lighting restrictions. - Landscape Exterior Lights - Owner's Option Notes added to sheet 2 of 2 Note #1 "Owner may install landscape lighting which complies with Darksky recommendations & California Coastal Commission requirements." - Landscape Lighting Note added to sheet 2 of 2



August 24, 2021

Mr. Loke Tan
34 Via Coralle
Newport Coast, CA 92657

RE: Geotechnical Investigation Supplement, Bluff Stability Analysis, Tan Residence, 17320 Ocean Drive, Fort Bragg, Mendocino County, California

Dear Mr. Tan:

Brunsing Associates, Inc. (BAI) is pleased to present this supplemental letter to our June 28, 2001 Geotechnical Investigation report and our November 13, 2020 report update and plan review letter. Our 2001 report included subsurface exploration, laboratory testing, conclusions and recommendations regarding foundation support, seismicity, fault rupture hazard, bluff retreat rate and site drainage.

The purpose of this letter is to present our bluff stability analysis data and results. Based upon these results, we were to confirm or modify our previously provided bluff setback recommendations.

Reconnaissance

Our principal engineering geologist, Erik Olsborg and our staff geologist, David Stafford met with a staff member of Forrest Francis, Land Surveyor at the site on June 9, 2021. We walked the bluff edge and showed the staff member various features (slip outs) of concern. The results of their survey, including bluff to building envelope measurements are presented on the attached Exhibit Map, Plate 1.

Bluff Stability Analysis

Our bluff stability analyses were performed to correspond, as a minimum, to the guidelines by California Coastal Commission, "Establishing Development Setbacks from Coastal Bluffs", Proceedings, California and the World Ocean '02. The document recommends a factor of safety greater than or equal to 1.5 for static conditions and 1.1 for seismic conditions and a horizontal seismic coefficient of 0.15.

We also followed the guidelines prepared by (1) American Society of Civil Engineers (ASCE) and Southern California Earthquake Center (SC/EC) "Recommended Procedures for Implementation of Division of Mines and Geology Special Publication 117, Guidelines for Analyzing and Mitigating Landslide Hazards in California", dated June 2002 and (2) California Geological Survey (CGS) "Guidelines for Evaluating and Mitigating Seismic Hazards in California" dated 2008. The CGS report also suggests slopes that have a pseudo-static factor of safety greater than 1.0 can be considered stable. For our analysis we used a seismic coefficient of 0.36 derived from the screening analysis procedure presented in the CGS report.

The attached Site Map, Plate 2, shows a portion of the property, including the ocean bluff, as well as our previous boring locations. Cross Section A-A', Plates A1 and A2, were created from Plate 2,

Google Earth, data from our reconnaissance and our subsurface exploration. The location of the cross section used for our stability analysis is shown on Plate 2.

From our subsurface exploration, four soil and bedrock units, with different density and strength parameters, were identified within the bluff for our stability analyses. Unit "1" is loose silty sand topsoil, Unit "2" is the medium dense to dense silty sand to medium stiff to stiff sandy clay or sandy silt, Unit "3" is the deeply to moderate weathered siltstone or sandstone, Unit "4" is the little weathered siltstone or sandstone that encountered practical drilling refusal. The table below summarizes soil and bedrock parameters used.

Table 1: Soil and Bedrock Properties

Unit	Wet Density (pcf)	Cohesion (psf)	Friction Angle (γ)
1	113	100	15
2	124	200	30
3	127	200	30
4	135	4,500	0

The above assigned strengths were determined from strength test results obtained from this site and adjacent sites in the area, as well as from back-analysis of the slope stability calculations. The stability of the bluff slope was analyzed using the computer program SLIDE 5.0 by Rocscience, Inc. The results of our stability analyses are presented on Plates A1 and A2.

The results of our stability analyses indicate that a portion of the bluff edge does not meet the factor of safety requirements. For static conditions, the factor of safety is below 1.5 within 11.3 feet of the bluff edge. For seismic conditions, the factor of safety is below 1.0 within 16.8 feet of the bluff edge.

Bluff Setback

Based upon the current bluff retreat rate (one inch per year) slowly increasing due to the effects of sea level rise (per Table 2 of our November 13, 2020 report update letter), the bluff should erode back 11 feet over the next 75 years. Adding the 16.8 feet of potential slope failure determined from our stability analysis to the 11 feet of erosional bluff retreat and adding a factor of safety of 1.5, we recommend a total bluff setback of 42 feet. Our previous 44-foot setback from the erosion area on the south side of the property remains unchanged. The building site also conforms with our 39-foot sea cave setback.

Respectfully submitted



Keith A. Colorado
Keith A. Colorado
Geotechnical Engineer - 2894
EEO/KAC/ces



Erik E. Olsborg
Erik E. Olsborg
Engineering Geologist

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 5
Geotechnical Recommendations
(excerpt)
(pg. 2 of 10)

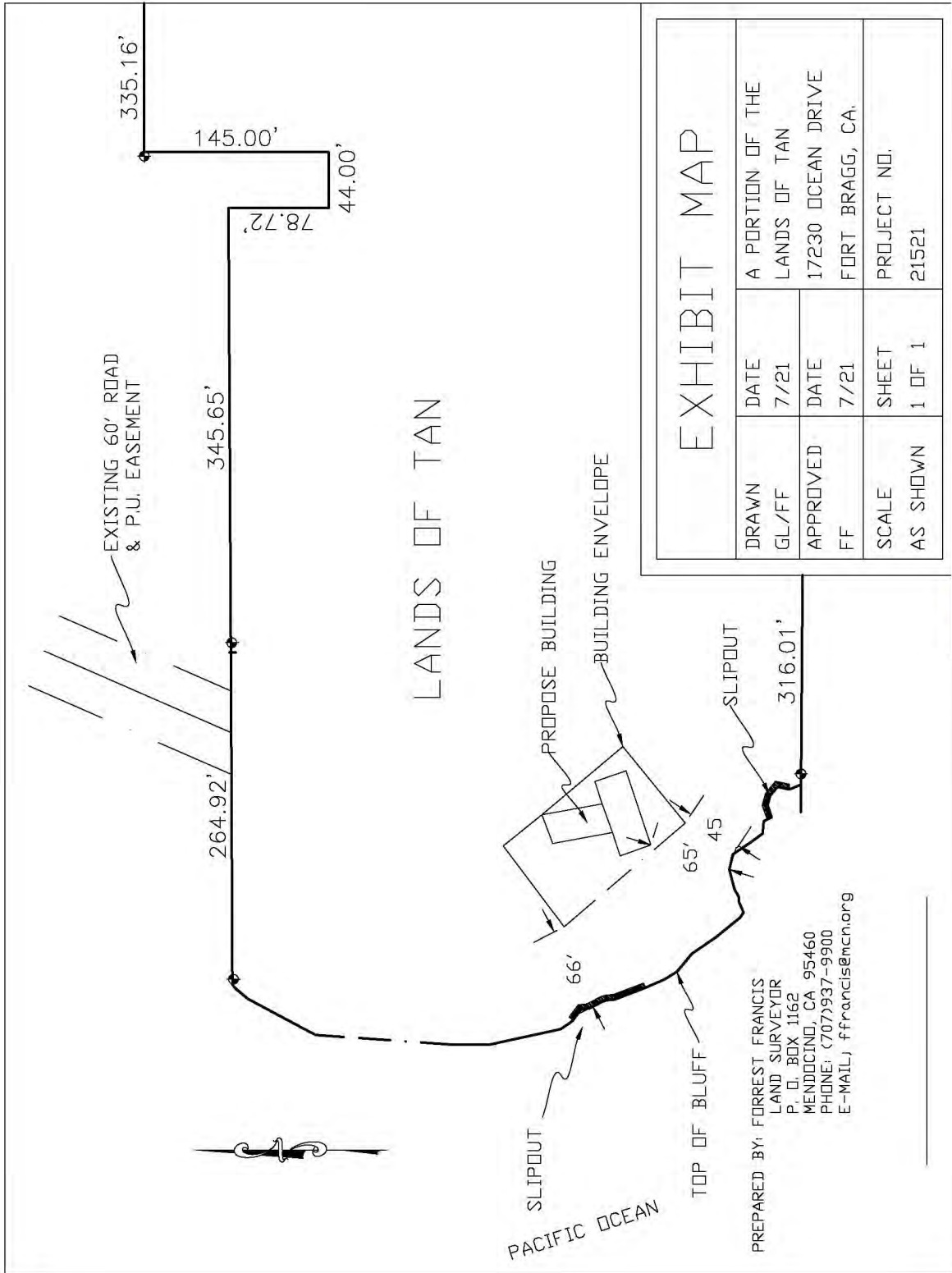


EXHIBIT MAP			
DRAWN GL/FF	DATE 7/21	A PORTION OF THE LANDS OF TAN	
APPROVED FF	DATE 7/21	17230 OCEAN DRIVE FORT BRAGG, CA	
SCALE AS SHOWN	SHEET 1 OF 1	PROJECT NO. 21521	

Bransing Associates, Inc.
5468 Skylane Blvd., Suite 201
Santa Rosa, California 95403
Tel: (707) 528-6108

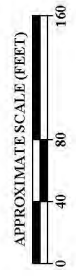
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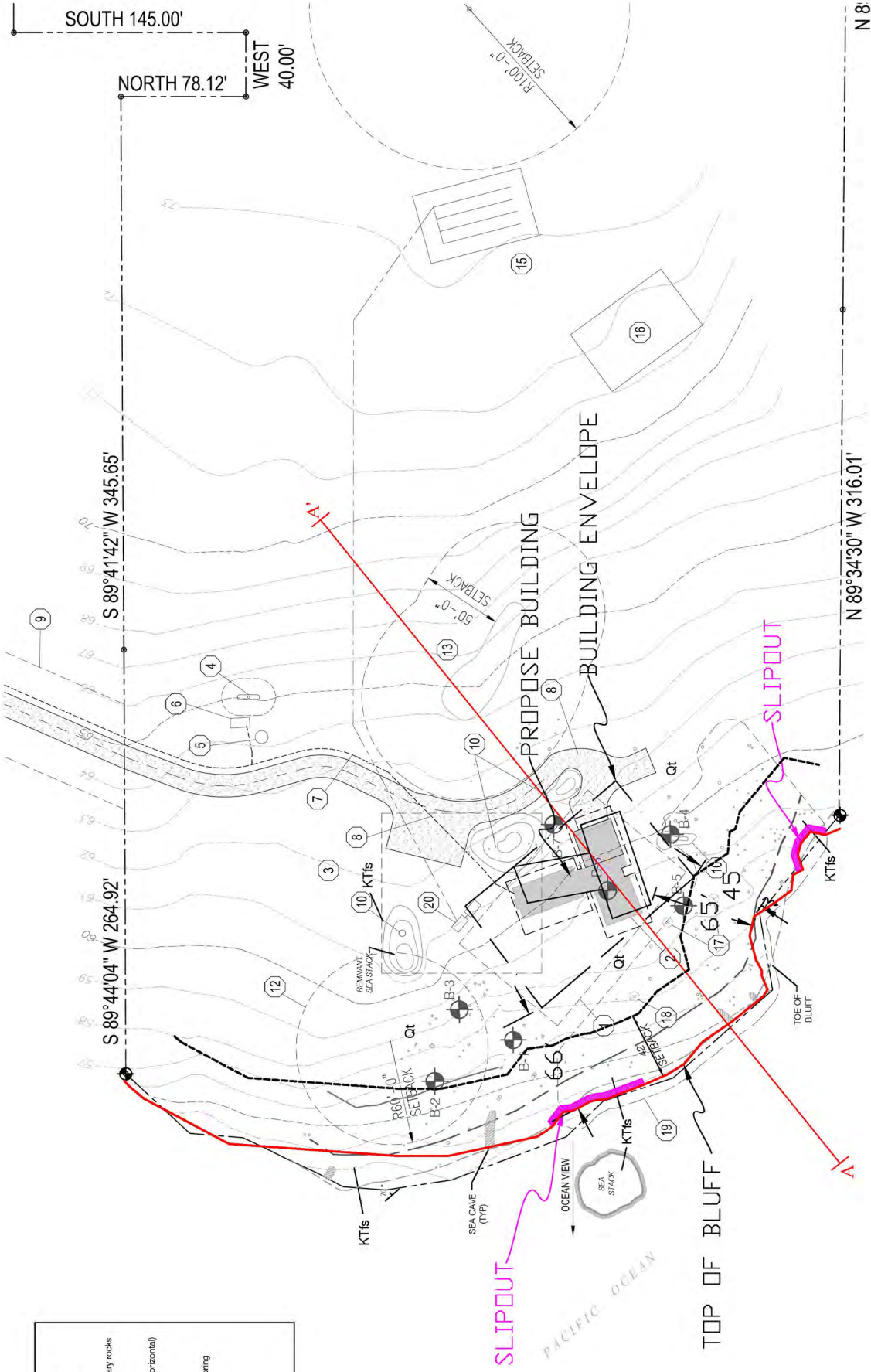
Appr. **FFO**

Date 08/27/21

EXHIBIT MAP
TAN RESIDENCE
17320 Ocean Drive
Fort Bragg, California

PLATE
1





LEGEND

Qt - Pleistocene terrace deposits
 KTfs - Cretaceous-Tertiary Franciscan Complex sedimentary rocks

Geologic contact

Strike and dip (degrees from horizontal) of bedding

Shallow erosion area

B-7 - Approximate location of test boring

A-A - Cross section location

Geologic setback



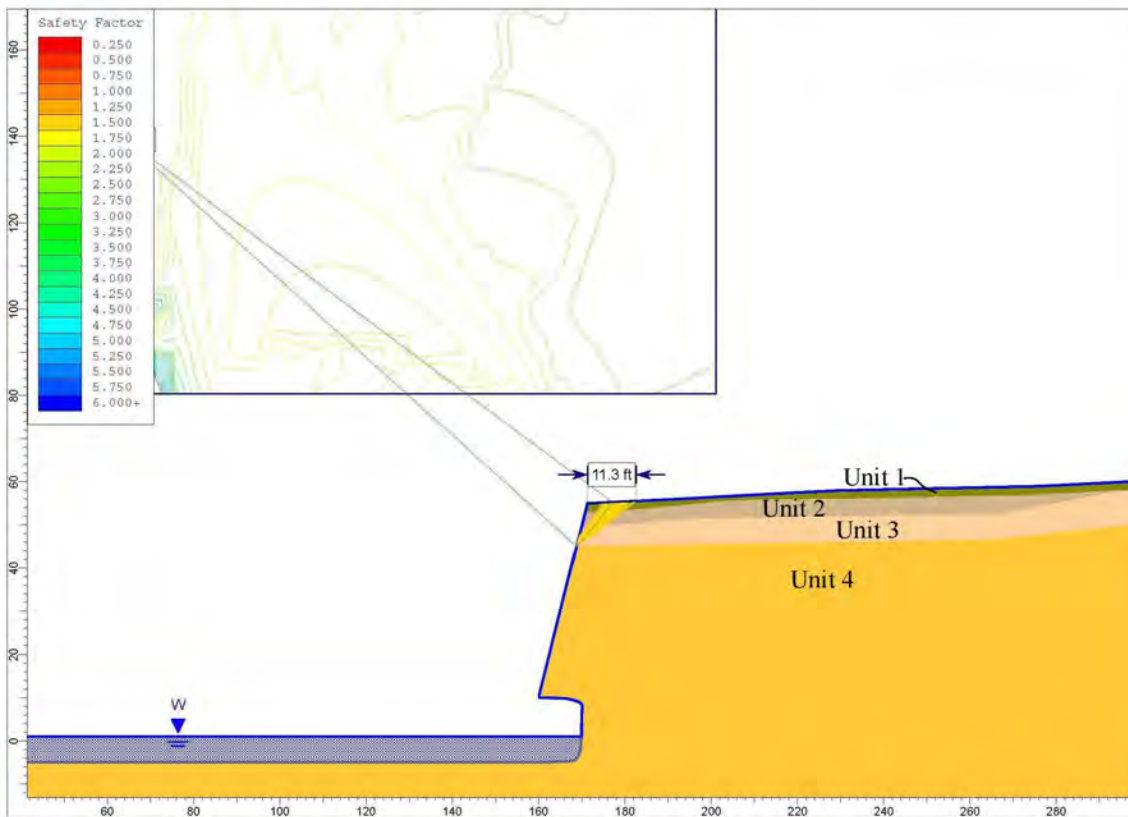
1 by 10/20, and 21.

Brunsing Associates, Inc.
 5468 Skyline Blvd., Suite 201
 Santa Rosa, California 95403
 Tel: (707) 528-6108

Job No.: 12018-02
 Appr: **FEO**
 Date: 08/27/21

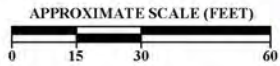
SITE MAP
 TAN RESIDENCE
 17320 Ocean Drive
 Fort Bragg, California


CDP Amendment No.
 A-1-MEN-01-051-A2 (Tan)
 Exhibit 5
Geotechnical Recommendations
 (excerpt)
 (pg. 4 of 10)

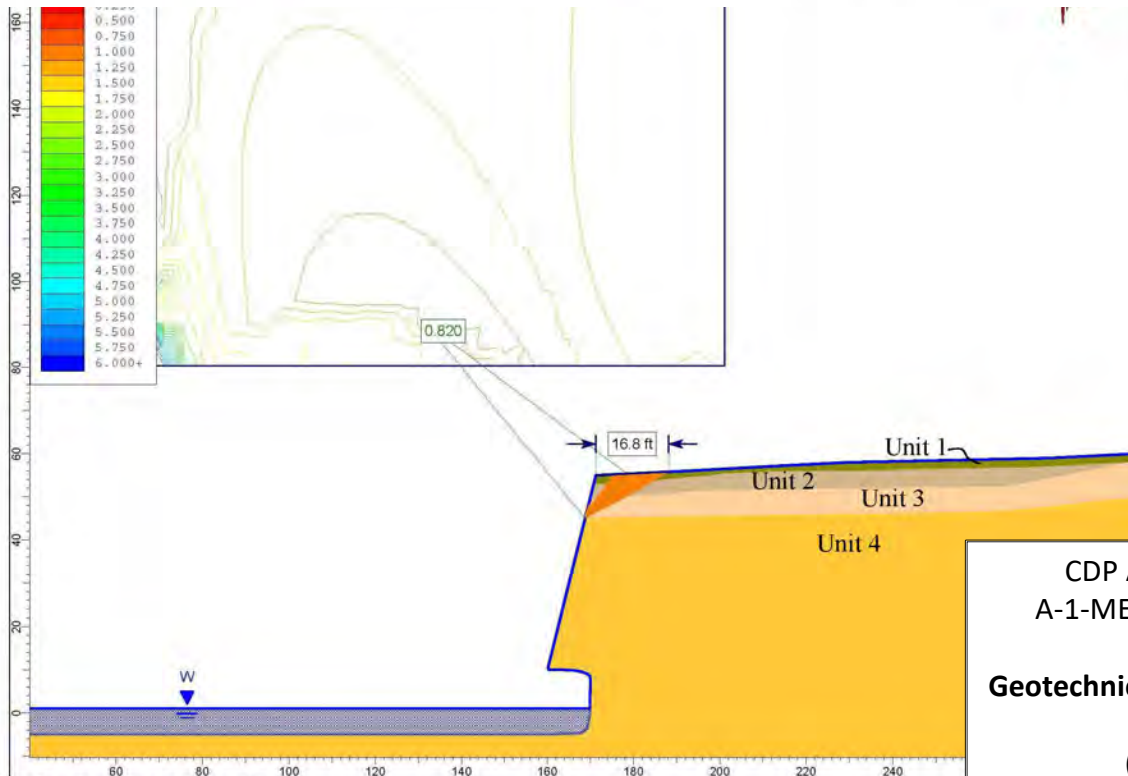


Notes:

1. Factor of Safety less than 1.5 as shown
2. Static Condition

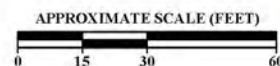



 Brunsing Associates, Inc. 5468 Skylane Blvd., Suite 201 Santa Rosa, California 95403 Tel: (707) 528-6108	Job No.: 12018.01 Appr.: <i>KAC</i> Date: 08/27/21	STATIC SLOPE STABILITY CROSS SECTION A-A' TAN RESIDENCE 17320 Ocean Drive Fort Bragg, California	PLATE A1
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Notes:

1. Factor of Safety less than 1.0 as shown
2. Horizontal Seismic Coefficient 0.36



 Brunsing Associates, Inc. 5468 Skylane Blvd., Suite 201 Santa Rosa, California 95403 Tel: (707) 528-6108	Job No.: 12018.02 Appr.: <i>KAC</i> Date: 08/27/21	SEISMIC SLOPE STABILITY CROSS SECTION A-A' TAN RESIDENCE 17320 Ocean Drive Fort Bragg, California	PLATE A2
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CDP Amendment No.
 A-1-MEN-01-051-A2 (Tan)
 Exhibit 5
Geotechnical Recommendations
 (excerpt)
 (pg. 5 of 10)



Brunsing Associates, Inc.
Engineers and Geologists

November 13, 2020

12018.02

Mr. Loke Tan
34 Via Coralle
Newport Coast, CA 92657

**RE: Geotechnical Investigation Report Update and Plan Review, Tan Residence,
17320 Ocean Drive, Fort Bragg, Mendocino County, California**

Dear Mr. Tan:

Brunsing Associates, Inc. (BAI) is pleased to present this update letter to our June 28, 2001 Geotechnical Investigation report. Our report included subsurface exploration, laboratory testing, analyses, conclusions and recommendations regarding foundation support, seismicity, fault rupture hazard, bluff retreat rate and site drainage.

Our current scope of services, as outlined in our Professional Services Agreement dated September 11, 2020, consisted of site observations, engineering and geologic analyses and the preparation of this letter.

CURRENT INVESTIGATION

Research

As part of our current services, we reviewed published geotechnical literature, including geologic, fault, and seismic hazard maps for the site and vicinity. We also reviewed previous geotechnical reports prepared by BAI on nearby properties. A list of selected published references reviewed for this investigation is presented in Appendix A.

Aerial Photograph Studies

Our investigation was augmented by studying black and white, vertical aerial photograph prints of the site dated 1963, 1981 and 1998 (from Google Earth). Color, vertical aerial photographs dated 1986 and 1993 were obtained from the California Coastal Records Project (www.californiacoastline.org). Other color, vertical aerial photographs that were obtained from Google Earth are dated 2003, 2004, 2005, 2009, 2010, 2012, 2013, 2016 and 2018.

In addition to reviewing vertical aerial photographs, we also obtained oblique-angle aerial photographs from the California Coastal Records Project. We qualitatively compared oblique aerial photographs of the site from 1972, 1979, 1987, 2002, 2005, 2009, 2013 and 2019.

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 5
Geotechnical Recommendations
(excerpt)
(pg. 6 of 10)

Reconnaissance

Our Principal Engineering Geologist observed the ocean bluff at the property on September 16, 2020. No major changes to the property bluffs have occurred since our previous reconnaissances in 2000, 2001 and 2008.

Bluff Retreat

In our 2001 report, BAI estimated the local bluff retreat rate to be approximately 1.75 inches per year. However, based upon our 2020 site observations and review of historic aerial photographs, the bluff retreat rate appears to be less than one inch per year.

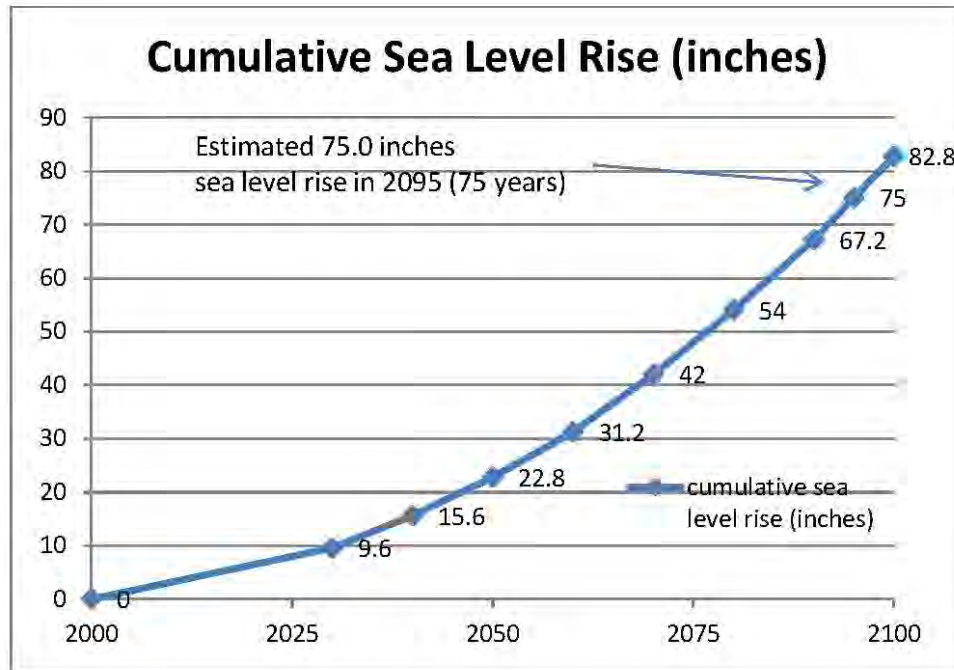
Sea Level Rise Effects on Bluff Retreat

Rapid sea-level rise of approximately 400 to 450 feet occurred between 18,000 and 8,000 years before present, according to “Rising Seas in California”, Griggs, et al, 2017. Sea levels have remained relatively constant since that time. However, sea levels have started rising again. The California Coastal Commission (CCC) recently adopted the Science Update, dated November 7, 2018 to the 2015 Interpretive Guidelines for addressing Sea Level Rise in Local Coastal Programs and Coastal Development permits. The Science Update provides sea-level rise projections for the San Francisco coastal area, as follows in Table 1:

Table 1: Sea Level Rise Projections (Medium-High Risk Aversion)		
Time Period	Sea Level Rise (Feet)	Inches
2030	0.8	9.6
2040	1.3	15.6
2050	1.9	22.8
2060	2.6	31.2
2070	3.5	42.0
2080	4.5	54.0
2090	5.6	67.2
2095*	6.3	75.0
2100	6.9	82.8

*Interpolated by BAI

For this discussion, we will assume a linear rate of sea level rise (which may or may not be the case) in order to estimate a projected sea level rise of approximately 75 inches (6.3 feet) by 2095.



Based upon historic aerial photographs and site observations, the current historic, average bluff retreat rate appears to be less than one inch per year. The hard bedrock within the lower bluffs is very erosion resistant. Even with a 21-inch sea level rise by 2050, the ocean wave erosion will still be resisted by hard bedrock. The current bluff retreat rate (less than one inch per year) should continue until at least 2050.

Based upon historic aerial photographs and site observations, the current historic, average bluff retreat rate appears to be less than one inch per year, which we are rounding up to 1.0 inch per year. Although this is a hard bedrock bluff, the retreat rate should increase to approximately 2.5 inches per year after 2070 as the bluff toe is continually subject to strong wave activity.

Cumulative sea level rise is from 2020. Table 2 sums up the amount of projected retreat using estimated retreat rates over a 75-year span from a time of 2020 construction. This results in a total bluff retreat of 11 feet. Therefore, our previously provided preliminary bluff setback criteria are still adequate, pending the results of a stability analysis.

Years	Span (years)	Cumulative Sea Level Rise (inches)	Retreat Rate (inches per year)	Amount of Retreat (inches)
2020-2050	30	21"	1.0"/yr.	30
2050-2070	20	42"	2.0"/yr.	40
2070-2095	25	75"	2.5"/yr.	63
				133" = 11'

CONCLUSIONS

General

The grading, drainage and foundation design recommendations presented in BAI's 2001 geotechnical investigation report are still valid with the following updated recommendations.

Tsunami Hazard

As typical of the Mendocino County coastal area, the site could be subject to large storm waves or tsunami waves. Damage from Tsunami waves, historically, has been limited to moored boats and docks in area coves and harbors. However, in February 1960, the Point Cabrillo Light House, located approximately three miles south of the subject property, was damaged by an approximately 60 feet high storm wave (meteorological tsunami, or "meteotsunami"). No such waves are recorded at the light house from 1909, the year it was built, to 1960. Nor have such large waves occurred since 1960. Since the property bluffs are approximately 45 to 50 feet in vertical height, future impact or inundation from a severe storm surge or tsunami event is considered a low (but nonetheless real) risk for the site.

RECOMMENDATIONS

Bluff Setback

Previously, BAI recommended a conservative bluff setback of 33 feet from most of the bluff and 44 feet from a shallow erosion area on the south side of the property bluff. These preliminary setbacks should be verified by a bluff stability analysis. However, according to the Site Plan, Sheet A1.00, the distance from the planned residence to the ocean bluff is approximately 100 feet. This distance is well beyond our setback criteria, even as the setback might be slightly increased by a stability analysis. Therefore, the house location is suitable from a bluff retreat perspective. If it is later desired to move the house closer than 100 feet, BAI should perform a bluff stability analysis to confirm our bluff setback.

Seismic Design Criteria

The structures should be designed and constructed to resist the effects of strong ground shaking (on the order of Modified Mercalli Intensity IX) in accordance with current building codes. The California Building Code (CBC) 2019 edition indicates that the site classification for the property is Site Class C. The following seismic design parameters are appropriate for the site:

Table 1: Seismic Design Parameters

Site Class	=	C
Mapped Spectral Response Acceleration at 0.2 sec	$S_s =$	1.748g
Mapped Spectral Response Acceleration at 1.0 sec	$S_1 =$	0.713g
Modified Spectral Response Acceleration at 0.2 sec	$S_{MS} =$	2.098g
Modified Spectral Response Acceleration at 1.0 sec	$S_{M1} =$	0.998g
Design Spectral Response Acceleration at 0.2 sec	$S_{DS} =$	1.399g
Design Spectral Response Acceleration at 1.0 sec	$S_{D1} =$	0.655g
Site Coefficient	$F_a =$	1.2
Site Coefficient	$F_v =$	1.4
Long-Period	T_L	12
Seismic Design Category	=	D

PLAN REVIEW

We reviewed the geotechnical engineering related items on the following plans and calculations:

Stillwater Dwellings

Site Plan, Sheet A1.00, dated 10/20/20.

Residence Crawlspace Ventilation & Code Compliance Plan, Sheet A2.00 dated 10/20/20.

SSF Structural Engineering

General Structural Notes, Sheets S1.1 and S1.2, dated 11/11/2020.

Foundation Details, Sheet S3.1, dated 11/11/2020.

Structural Calculations for: Tan Residence Foundation, dated 11/11/2020.

Based on our review, we conclude that the geotechnical engineering related portions of these plans comply with the intent of the recommendations presented in our report and this update letter.

Respectfully submitted,



Keith A. Colorado
Keith A. Colorado
Geotechnical Engineer - 2894
EEO/KAC/ces



Erik E. Olsborg
Erik E. Olsborg
Engineering Geologist - 1072

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 5
Geotechnical Recommendations
(excerpt)
(pg. 10 of 10)

Focused Botanical Assessment

**Coastal Development Permit (CDP) Amendment Application
Tan Residence
17230 Ocean Drive
Mendocino County**



**Prepared
By**

Kjeldsen Biological Consulting
923 St. Helena Ave.
Santa Rosa, CA 95404

For

Loke and Cheng Cheng Tan

2021

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 6
Botanical Report (excerpt)
(pg. 1 of 21)

Focused Botanical Assessment

Coastal Development Permit (CDP) Amendment Application

Tan Residence

17230 Ocean Drive

Mendocino County

PROJECT DESCRIPTION

This focused Botanical Assessment was conducted at the request of the property owner, to address California Coastal Commission botanical comments from a letter dated May 7, 2021.

The project proposes to amend an approved Coastal Development Permit (CPD) No. A-1-MEN-01-051-A2. The amendment requests a modification of the permit previously granted for an approved single family residence and associated garage, driveway, water supply system, septic system and landscaping at 17230 Ocean Dr., Fort Bragg (APN: 017-330-10).

The proposed amendment would include a smaller residence located within the previously approved and permitted building envelope. The driveway will be relocated and significantly shortened, thus reducing the potential impacts to botanical resources on the property.

Location

The property is an oceanfront lot located a 17230 Ocean Drive. Fort Bragg, Mendocino County. Access to the survey area is via State Highway 1 thence Ocean Drive. The property is within the USGS Fort Bragg Quadrangle.

Purpose

The purpose of this updated botanical survey is to assess if the proposed amended building footprint (e.g., reconfigured driveway and reconfigured building footprint within the approved building envelope) and for surrounding areas within 100 feet of the proposed reconfigured development footprint, has the potential to impact any plants or habitats for any plants listed as rare, threatened or endangered under Federal or State law.

This updated botanical survey was also conducted to accurately delineate the minimum 60-foot buffer area around the Mendocino Coast Paintbrush (*Castilleja mendocinensis*) (Synonym=*Castilleja latifolia ssp. mendocinensis*).

SURVEY METHODOLOGY

Our survey and fieldwork was conducted to identify habitat and, provide a floristic study with emphasis on any potential habitat for special-status plants, unique plant populations and or botanical resources associated with the proposed project.

Surveys were floristic in nature and were conducted following Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (State of California, California Natural Resource Agency Department of Fish and Wildlife March 20, 2018).

Floristic surveys were conducted on March 15, and June 9, 2021. Our survey efforts focused on locating areas with site specific habitat which would support special-status species known for the region. Our survey focused on the reconfigured building footprint within the approved building envelope, new driveway and surrounding areas within 100 feet. The entire property was not surveyed.

Project Scoping

The scoping for the project considered location and type of habitat and or vegetation types present on the property or associated with potential special-status plant species known for the Quadrangle, surrounding Quadrangles the County or the region. Previous studies on the property were also reviewed.

Our scoping also considered records in the most recent version of the Department of Fish and Wildlife California Natural Diversity Data Base (CDFW CNDDDB Rare Find-5), Biogeographic Information and Observation System Online mapping tool, the California Native Plant Society (CNPS) Electronic Inventory of Rare or Endangered Plants, and Board of Forestry Sensitive Species and Listed Species. “Target” special-status species are those listed by the State, the Federal Government or the California Native Plant Society or considered threatened in the region. Our scoping is also a function of our familiarity with the local flora and fauna as well as previous projects on other properties in the area.

The special-status species listed in Appendix B were considered and included in Table II if they have potential in the area or are known in close proximity.

Field Survey Methodology

Field surveys were conducted recording and identifying all species on the survey area and in the near proximity. Opportunistic transects through the proposed survey area were made methodically by foot. The Intuitive Controlled approach calls for the qualified surveyor to conduct a survey of the area by walking through it and around its perimeters, and closely examining portions where target species are especially likely to occur.

Plants were identified in the field or reference material was collected, when necessary, for verification using laboratory examination with a binocular microscope and reference materials. Herbarium specimens from plants collected on the survey area were made when rele

selected individuals is in the possession of the authors and shown in the attached plant list (Appendix A) with an @ in front of the taxon. All plants observed (living and/or remains from last season's growth) were recorded in field notes.

Typically, blooming examples are required for identification however, it is not the only method for identifying the presence of or excluding the possibility of rare plants. Vegetative morphology and dried flower or fruit morphology, which may persist long after the blooming period, may also be used. Skeletal remains from previous season's growth can also be used for identification. Some species do not flower each year or only flower at maturity and therefore must be identified from vegetative characteristics. Algae, fungi, mosses, lichens, ferns, Lycophyta and Sphenophyta have no flowers and there are representatives from these groups that are now considered to be special-status species, which require non-blooming identification. For some plants unique features such as the aromatic oils present are key indicator. For some trees and shrubs with unique vegetative characteristics flowering is not needed for proper identification. The vegetative evaluation as a function of field experience can be used to identify species outside of the blooming period to verify or exclude the possibility of special-status plants in a survey area.

Habitat is also a key characteristic for consideration of special-status species in a survey area. Many special-status species are rare in nature because of their specific and often very narrow habitat or environmental requirements. Their presence is limited by specific environmental conditions such as: hydrology, microclimate, soils, nutrients, interspecific and intraspecific competition, and aspect or exposure. In some situations, special-status species particularly annuals may not be present each year and in this case one has to rely on skeletal material from previous years. A site evaluation based on habitat or environmental conditions is therefore a reliable method for including or excluding the possibility of special-status species in an area.

RESULTS / FINDINGS

Our results and findings are based on our fieldwork, literature search, and the background material available for the property.

Site Description and Biological Resources Evaluation Area

The survey area is located south west of the city of Fort Bragg. The project area is within a geographic subdivision of the larger California Floristic Province, which is strongly influenced by the Pacific Ocean. The region is in a climate Zone "Ocean influenced Northern and Central California" characterized as an area with ocean or cold air influence.

The survey area is located in the coastal fog belt of Mendocino County. Average annual precipitation for Fort Bragg, is 41.25 inches, with the majority falling as rain and fog drip in the winter months (December through March). The mean daily low and high temperatures in degrees Fahrenheit range from 39.5 in December to 66.4 in August/September. The property is within the influence of ocean salt spray.

Plant Communities Present

The vegetation of California has been considered to be a mosaic with major changes present from one area to another often with distinct vegetation changes within short distances. The variation in vegetation is a function of topography, geology, climate and biotic factors. It is generally convenient to refer to the vegetation associates on a site as a plant community or alliance. Typically plant communities or vegetation alliances are identified or characterized by the dominant vegetation form or plant species present. There have been numerous community classification schemes proposed by different authors using different systems for the classification of vegetation. A basic premise for the designation of plant communities, associations or alliances is that in nature there are distinct plant populations occupying a site that are stable at any one time (climax community is a biotic association, that in the absence of disturbance maintains a stable assemblage over long periods of time). There is also evidence that vegetation on the site is part of a continuum without well-defined boundaries.

Biotic Communities integrate the concept of assemblages of plants in a discrete area of the landscape associated with particular soils climate and topographic conditions. The Plant Community on the parcel would be classified by California Native Plant Society (CNPS) and Department of Fish and Wildlife California Natural Diversity Data Base (CNDDB) as Cismontane Woodland.

A Manual of California Vegetation Second Edition criteria for vegetation classification shows that the site consists of *Pinus contorta* ssp. *contorta* Forest Alliance Shore Pine Forest as delineated below.

Forest or Woodland Alliances

Woodland Alliances are characterized by a dominant tree overstory and different degrees of understory development. Fire management, canopy age and degree of closure, windfalls, historic use, grazing, substrate base, aspect and rainfall are variables that control the degree of understory shrubs, herbs and tree recruitment.

Pinus contorta* ssp. *contorta Forest Alliance Beach (=Shore Pine) Pine Forest. *Pinus contorta* ssp. *contorta* is dominant in the tree canopy with *Abies grandis*, *Arbutus menziesii*, *Picea sitchensis*, *Pinus muricata*, *Pseudotsuga menziesii* and *Tsuga heterophylla*. Trees <25 m; canopy is intermittent to continuous. Shrubs are common or rare. Herbaceous layer is sparse or abundant; moss and lichen are usually abundant. Membership rules >50% relative cover in the tree layer. This alliance is found on dunes, seaside bluffs or rocky headlands with salt spray and winds.

Shore Pine Forest: Within the survey area, the shore pine forest contains very little vertical structure with a relatively sparse shrub component and short, dense herbaceous layer. The overstory is dominated by Shore Pine (*Pinus contorta* ssp. *contorta*). It is apparent that the property contains a single age class of this species.

A complete list of all plants encountered on the Survey Area and immediate vicinity is included in Appendix A.



Figure 1. Mendocino Coast Paintbrush along the bluff.



Figure 2. View of approved building envelope.
Kjeldsen Biological Consulting



Figure 3. View to north of new driveway alignment.



Figure 4. View north of new driveway alignment.

Kjeldsen Biological Consulting



Figure 5. View of Native Vegetation Area.

Special-Status Species

Special-status organisms are plants that have been designated by Federal or State agencies as rare, endangered, or threatened. Section 15380 of the California Environmental Quality Act [CEQA (September, 1983)] has a discussion regarding non-listed (State) taxa. This section states that a plant (or animal) must be treated as Rare or Endangered even if it is not officially listed as such. If a person (or organization) provides information showing that the taxa meets the State's definitions and criteria, then the taxa should be treated as such.

A map from the CDFW CNDDDB Rare Find shows known special-status species in the proximity of the project as shown on Plate II. These taxa as well as those listed in Appendix B Special-status Species known for the Quadrangle and Surrounding Quadrangles were considered and reviewed as part of our scoping for the project. Reference sites were reviewed as part of our scoping for some of the species.

Table I below provides a list of species that are known to occur within the Quadrangle and surrounding Quadrangles or have potential for the project site. The table includes an analysis and justification for presence or absence.

Table I. Analysis of target listed special-status plant species. Columns are arranged alphabetically by scientific name.

Scientific Name Common Name	Species Habitat Association or Plant Community	Habitat present on Site	Bloom Time	Obs. on or Near Site	Justification for Concluding Absence on Project Site
<i>Abronia umbellate</i> ssp. <i>breviflora</i> Pink Sand Verbena	Sand Dunes Coastal Strand	Yes	March- July	No	Lack of habitat.
<i>Agrostis blasdalei</i> Blasdale's Bent Grass	Coastal Bluff Scrub	Yes	May- June	No	No evidence as per present study. Not recorded by previous studies.
<i>Angelica lucida</i> Sea-watch	Coastal Bluffs	Yes	April- Sept.	No	No evidence as per present study. Not recorded by previous studies.
<i>Campanula californica</i> Swamp Harebell	Seeps in Woodlands	No	July - August	No	Lack of mesic habitat.
<i>Calystegia purpurata</i> ssp. <i>saxicola</i> Coastal Bluff Morning- glory	Coastal dunes, Coastal Scrub	No	May- August	No	Requisite habitat and vegetation associates absent.
<i>Carex californica</i> California Sedge	Bogs and Fens	No	May- Aug.	No	Lack of mesic habitat.
<i>Castilleja ambigua</i> var. <i>ambigua</i> Johnny-nip	Low saline areas	No	May- June	No	No evidence as per present study. Not recorded by previous studies.
<i>Castilleja ambigua</i> var. <i>meadii</i> Mead's Owls-clover	Vernally wet meadows with volcanic substrate	No	April- June	No	Lack of mesic habitat.
<i>Castilleja litoralis</i> Oregon Coast Paintbrush	Dry Coastal Bluffs	Yes	May - Aug.	No	No evidence as per present study. Not recorded by previous studies.
<i>Castilleja mendocinensis</i> Mendocino Coast Indian Paintbrush	Coastal Bluff Scrub, Closed Cone Coniferous Forest, Coastal dunes, Coastal Prairie	Yes	April - Aug.	Yes	Observed on edge of bluff.

Scientific Name Common Name	Species Habitat Association or Plant Community	Habitat present on Site	Bloom Time	Obs. on or Near Site	Justification for Concluding Absence on Project Site
<i>Ceanothus gloriosus</i> var. <i>porrectus</i> Mount Vison Ceanothus	Coastal Bluffs, Scrub, Closed Cone Pine Forests	Yes	March -May	No	No evidence as per present study. Not recorded by previous studies.
<i>Chorizanthe howellii</i> Howell's Spineflower	Coastal Dunes	No	May- July	No	Lack of habitat.
<i>Clarkia amoena</i> ssp. <i>whittneyi</i> Whitney's Farewell-to- spring	Open Coastal Scrub	Yes	July- Aug.	No	No evidence as per present study. Not recorded by previous studies.
<i>Erysimum concinnum</i> Bluff Wallflower	Coastal Bluffs, Dunes, Coastal Prairie	Yes	March -June		No evidence as per present study. Not recorded by previous studies.
<i>Gilia capitata</i> ssp. <i>pacifica</i> Pacific Gilia	Coastal bluff scrub Coastal Prairie	Yes	May- Aug	No	No evidence as per present study. Not recorded by previous studies.
<i>Hesperocyparis</i> <i>pygmaea</i> = <i>Callitropsis</i> <i>pygmaea</i> Pygmy Cypress	Closed-cone Coniferous Forest (podzol-like soil)	Yes	Tree	No	Lack of suitable habitat on project site.
<i>Hespervax sparsiflora</i> var. <i>brevifolia</i> Short-leaved Evax	Coastal Bluff Scrub, Coastal Dunes 0-250 Meters	No	March- June	No	Requisite habitat and edaphic requirements absent on the site or in the immediate vicinity.
<i>Horkelia marinensis</i> Point Reyes Horkelia	Coastal Dunes	No	May- Sep.	No	Absence of edaphic conditions required for presence.
<i>Hosackia gracilis</i> (= <i>Lotus formissimus</i>) Harlequin Lotus	Wet meadows near coast	No	April- June	No	Lack of suitable habitat on project site.
<i>Juncus supiniformis</i> Hair-leaved Rush	Bogs and Fens	No	April- June	No	Absence of requisite mesic habitat.
<i>Lasthenia californica</i> ssp. <i>macrantha</i> Perennial Goldfields	Coastal Bluff, Coastal Dunes	Yes	Jan- Nov.	No	No evidence as per present study. Not recorded by previous studies.

Scientific Name Common Name	Species Habitat Association or Plant Community	Habitat present on Site	Bloom Time	Obs. on or Near Site	Justification for Concluding Absence on Project Site
<i>Lilium maritimum</i> Coast Lily	North Coast Coniferous Forests in bogs and marshes	No	May- July	No	Requisite habitat absent on the project site.
<i>Phacelia insularis</i> var. <i>continentis</i> North Coast Phacelia	Sandy Soils, Coastal Bluffs	Yes	March- May	No	No evidence as per present study. Not recorded by previous studies.
<i>Pinus contortus</i> var. <i>bolanderi</i> Bolander's Beach Pine	Coastal Terrace Bluffs	No	NA	No	Not present the Pine on site is Shore Pine <i>Pinus contorta</i> var. <i>contorta</i> .
<i>Sanguisorba officinalis</i> Great Burnet	Bogs and Fens	No	July- Oct.	No	Absence of requisite mesic habitat on the site.
<i>Triquetrella californica</i> Coastal Triquetrella Moss	Endemic to Coastal California., Thin soil on outcrops in Scrub or Grassland	No	NA	No	Lack of appropriate habitat for this moss.

The following special-status plant species known to occur within (CDFW CNDDDB) three miles of the property (Plate II) are discussed below in detail:

Pink Sand Verbena (*Abronia umbellate* ssp. *breviflora*)

CNPS Rank 1B.1. Perennial or annual, with thick, succulent leaves. Leaves are slender, may be either smooth or hairy, and oval ore diamond-shaped. Stems are as long as leaf blades, and often hairy. Plant has pink to purple colored flowers with white centers. Generally found in sandy, well-drained soil in areas with low precipitation, Sand Verbena is typically found on beaches and sand dunes blooming throughout most of the year. Species was not observed.

Blasdale's Bentgrass (*Agrostis blasdalei*)

CNPS Rank 1B. Blasdale's bentgrass is a perennial graminoid in the grass family (Poaceae) that blooms from May to July. It typically occurs in bare or sparsely vegetated areas in coastal dune, coastal bluff scrub, and coastal prairie habitat at elevations ranging from 15 to 490 feet. Blasdale's bentgrass was not observed on the property. Species was not observed.

Swamp Harebell (*Campanula californica*)

CDFW CNDDDB. The swamp harebell is identifiable by its vegetation and is common in coastal forest sites particularly where there has been recent disturbance. The forest litter and vegetation associates does not provide suitable habitat for this species. Species was not observed.

Oregon Coast Paintbrush (*Castilleja litoralis*)

CNPS Rank 2B.2. Is a dicot, perennial herb that is native to California, and also found elsewhere in western North America. Habitat is Coastal bluff scrub, and Coastal dunes Flower Color is Orange. Species was not observed.

Mendocino Coast Paintbrush (*Castilleja mendocinensis*)

(Two plants Observed) CNPS Rank 1B. This taxon is recorded in the CDFW CNDDDB for bluffs near the property. Mendocino paintbrush is a perennial hemiparasitic forb in the broomrape family (Orobanchaceae) that blooms from April to August. It typically occurs on coastal bluff faces and near bluff edges within coastal bluff scrub, closed-cone coniferous forest, coastal dune, coastal prairie, and coastal scrub habitat at elevations ranging from 0 to 520 feet. Present along edge of bluff.

Howell's Spineflower (*Chorizanthe howellii*)

Federal Endangered, State Threatened, CNPS Rank 1B. Howell's spineflower is an annual forb in the knotweed family (Polygonaceae) that blooms from May to July. It typically occurs dunes, slopes, and grassy areas underlain by sandy substrates in coastal dune, coastal prairie, and coastal scrub habitat at elevations ranging from 0 to 115 feet. Species was not observed.

Bluff Wallflower. (*Erysimum menziesii* ssp. *concinnum*)

CNPS Rank 1B.2 Typically grows on coastal bluffs & headlands. A low, fleshy biennial which starts life as a rosette. The mature flower stalk is 6 in. tall and bears clusters of large, cream-colored flowers. During the bloom period, stalks may have buds above, flowers in the middle, and pods below. Species was not observed.

Short-leaved Evax (*Hesperovax sparsiflora* var. *brevifolia*)

CNPS Rank 1B. Short-leaved flax is an annual forb in the sunflower family (Asteraceae) that germinates and leaf-out in late winter, blooms from March to June, and senesces in late summer. It typically occurs on sandy substrate on bluffs and flats in coastal bluff scrub and coastal dune habitat at elevations ranging from 0 to 700 feet. Species was not observed, It is unlikely that this species would be present and it is concluded that additional surveys are not necessary.

Pygmy Cypress (*Hesperocyparis pygmaea*).

This cypress is a rare native tree that grows in central and northern California. It tends to grow at elevations from 100-2000 feet. A gymnosperm, is a tree that is native to California. California Rare Plant Rank: 1B.2 (rare, threatened, or endangered in CA and elsewhere). Species was not observed. It is unlikely that this species would be present and it is concluded that additional surveys are not necessary.

Point Reyes Horkelia (*Horkelia marinensis*)

This plant is a dicot with a perennial herb that is native to California, and endemic (limited) to California. California Rare Plant Rank: 1B.2 (rare, threatened, or endangered in CA and elsewhere). Species was not observed. It is unlikely that this species would be present and it is concluded that additional surveys are not necessary.

Perennial Goldfields (*Lasthenia californica* ssp. *macrantha*)

CNPS Rank 1B Recorded in the CDFW CNDDDB for coastal bluffs near the site. Perennial goldfields are annual to perennial forbs in the sunflower family (Asteraceae) that bloom from January to February. It typically occurs on mesas, benches, and bluff faces in coastal bluff scrub, coastal dune, and coastal scrub at elevations from 15 to 1,690. Species was not observed.

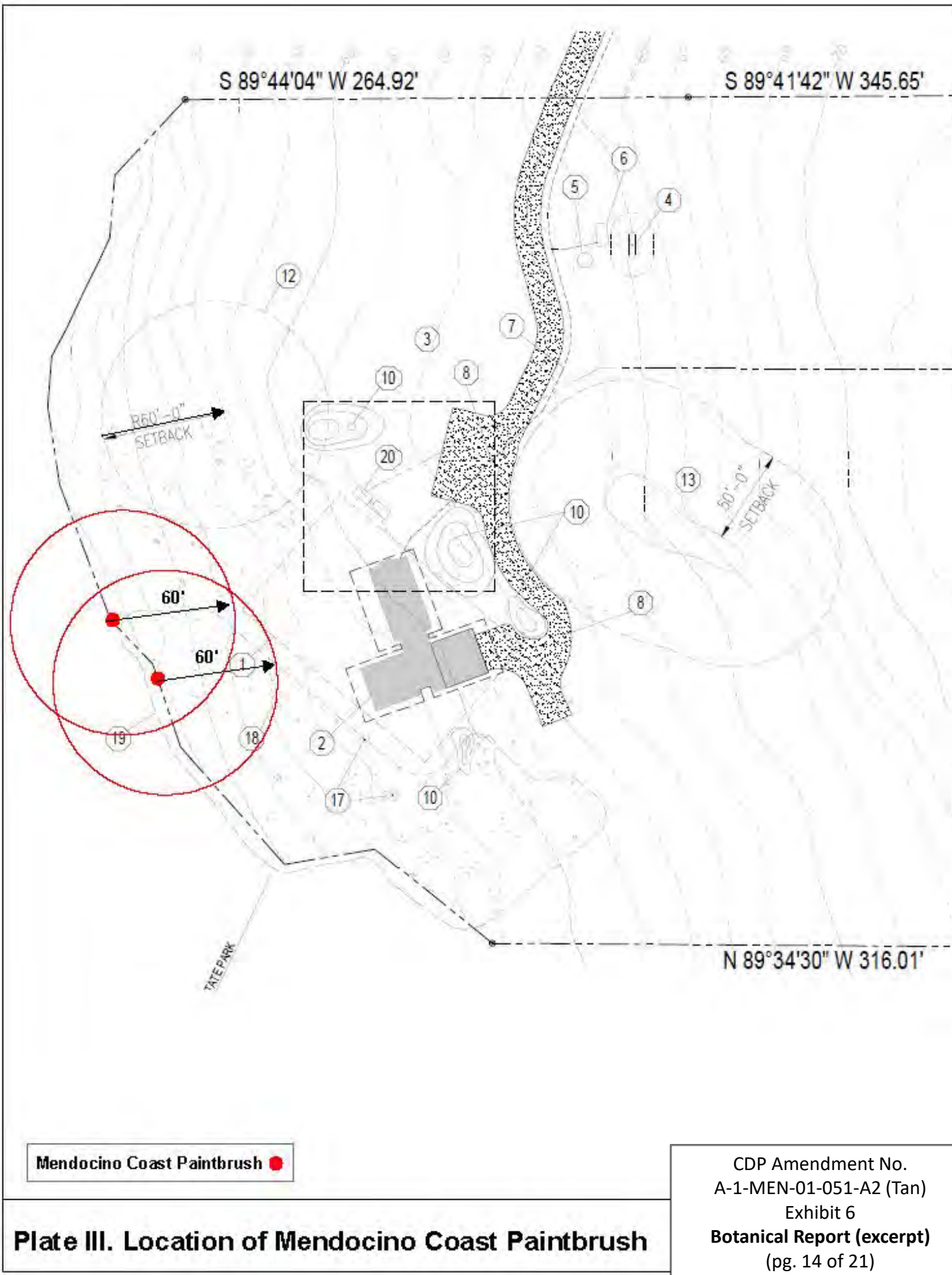
Coast Lily (*Lilium maritimum*)

CNPS Rank 1B.1. The coast lily is known from conditions similar to that of the parcel. The coast lily is identifiable by its vegetation and is common in coastal forest sites. This species reproduces from bulbs. Coast lily is in the lily family (Liliaceae) that blooms from May to August. It typically occurs on sandy, acidic often hummocky substrates derived from marine sediments and sedimentary rock in bogs, closed-cone coniferous forest. Species was not observed.

Bolander's Beach Pine (*Pinus contorta* ssp. *bolanderi*)

California Rare Plant Rank:1B.2 Is a gymnosperm, a tree that is native to California, and endemic (limited) to California. Habitat is Closed-cone Pine Forest, Pygmy forest with hard pan, wetland-riparian. Species was not observed.

The CDFW CNDDDB does not show any records of special-status species of plants for the study site. The proposed project site does not contain habitat which would support special-status plant species. The historic use, absence of serpentine or serpentinite soils, lack of vernal pools, wetlands, and vegetation associates reasonably precludes the presence of special-status plant species within the proposed planting area. Based on existing habitat, it is unlikely that the proposed project would have a substantial impact or result in any take of special-status plant species listed by CDFW and/or USFWS.



APPENDIX A.

Flora and Observed

The nomenclature for the list of plants found on the project site and the immediate vicinity follows: D.E. Desjardin et al (2015) and Siegel, Noah et al (2016) for the fungi; Irwin M. Brodo, Sylvia Duran Sharnoff and Stephen Sharnoff, 2001, for the lichens; S Norris and Shevrock - 2004, for the mosses; and B.G. Baldwin, D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosati, and D.H. Wilkens, editors, 2012 - for the vascular plants. The plant list is organized by major plant group.

Habitat type indicates the general associated occurrence of the taxon on the project site or in nature. **Abundance** refers to the relative number of individuals on the project site or in the region.

MAJOR PLANT GROUP

Family

Genus

Habitat Type

Abundance

Common Name

NCN = No Common Name, * = Non-native, @ = Voucher Specimen

FUNGI

Basidiomycota- Club Fungi

TELIOMYCETES

Endocronartium harkensii

Parasite on Pines

Common

Western Pine Gall Rust

POLYPORACEAE

Cryptoporus volvatus (Peck) Shear

Woodlands on Dead Pines

Occasional

Veiled Polypore

LICHENS

FOLIOSE

Flavoparmelia caperata (L.) Hale

On Tan Oaks

Common

Common Green Shield

Hypogymnia duplicata (Ach.) Räsänen

On Conifer Branches, Coastal

Common

NCN

Hypogymnia enteromorpha (Ach.) Nyl.

On Conifer Bark and Wood

Common

Budding Tube Lichen

@*Hypogymnia imshaugii* Krog

On Conifers, Oaks

Common

NCN

Xanthoria polycarpa (Hoffm.) Rieber

On Oaks Young Twigs

Common

Pin-cushion Sunburst Lichen

FRUTICOSE

Usnea glabrata (Ach.) Vain.

On Bark

Common

Lustrus Beard Lichen

MAJOR PLANT GROUP**Family****Genus****Habitat Type****Abundance****Common Name**

NCN = No Common Name, * = Non-native, @ = Voucher Specimen

Pertusaria armara (Ach.) Nyl.
Bitter Wart Lichen

On Bark Oaks

Common

VASCULAR PLANTS FERNS**DENNSTAEDTIACEAE***Pteridium aquilinum* (L.) var. *pubescens* Underw. Grasslands or Woodlands
Bracken Fern

Common

DRYOPTERIDACEAE*Polystichum munitum* (Kaulf.) C Presl
Sword Fern

Redwood or Riparian

Common

VASCULAR PLANTS DIVISION CONIFEROPHYTA--GYMNOSPERMS**PINACEAE***Aibes grandis* (Douglas) Lindley
Grand Fir

Coastal Groves

Common

Pinus contorta Loudin. var. *contorta*
Shore Pine

Coastal Dunes and Bluffs

Occasional

Pinus muricata D.Don
Bishop Pine

Coastal Woodlands

Common

**Pinus radiata* D.Don
Monterey Pine

Domestic Introduction

Occasional

VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS**CLASS--DICOTYLEDONAE- TREES****MAGNOLIIDS****EUDICOTS****FAGACEAE Oak Family***Notholithocarpus densiflorus* (Hook&Arn.)Manos var. *densiflorus* Woodlands
Tan Oak

Common

MYRICACEAE Wax Myrtle Family*Morella californica* (Cham.&Schldl.) Wilbur Coastal Scrub, Woodlands
Wax Myrtle (= *Myrica californica*)

Common

VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS**CLASS--DICOTYLEDONAE-SHRUBS AND WOODY VINES****EUDICOTS****ADOXACEAE Muskroot Family***Sambucus nigra* subsp. *caerulea* (Raf.) Bolli Shrub/Scrub
Blue Elderberry (= *S. mexicana*, *S. caerulea*)

Occasional

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 6
Botanical Report (excerpt)
(pg. 16 of 21)

MAJOR PLANT GROUP**Family****Genus****Habitat Type****Abundance****Common Name**

NCN = No Common Name, * = Non-native, @ = Voucher Specimen

ANACARDIACEAE Sumac Family

Toxicodendron diversilobum (Torry & Gray) E. Green Woodlands

Common

Poison Oak

ASTERACEAE (Compositae) Sunflower Family

Baccharis pilularis deCandolle

Woodlands, Grasslands

Common

Coyote Brush

CAPRIFOLIACEAE Honeysuckle Family

Lonicera hispidula Douglas var. *vacillans*

Woodlands, Riparian

Occasional

Honeysuckle

Linocera involucrata (Rich.) Spreng Var. *ledbourii* Coastal Moist Areas

Common

Twinberryz

ERICACEAE Heath Family

Gaultheria shallon Pursh.

Woodlands

Occasional

Salal

Vaccinium ovatum Pursh.

Woodlands

Common

Huckleberry

FABACEAE (Leguminosae) Legume Family

**Genista monspessulana* (L.) Johnson

Woodlands

Common

Broom, French Broom

Lupinus littoralis Douglas

Coastal Dunes

Occasional

Bush Lupine

GARRYACEAE Silk Tassel Family

Garrya eleptica Lindley

Dry Slopes

Occasional

Coast Silk-tassel

Frangula californica (Eschsch.) A. Gray ssp. *californica* Shrub/Scrub

Common

California Coffee Berry (= *Rhamnus californica*)

ROSACEAE Rose Family

**Cotoneaster pannosus* Franchet.

Ruderal

Common

Cotoneaster

Rubus ursinus Chamis. & Schltl.

Woodlands

Occasional

California Blackberry

VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS**CLASS--DICOTYLEDONAE-HERBS****EUDICOTS**

AIZOACEAE Iceplant Family

**Carpobrotus chilenses* (Molina) N.E. Br.

Domestic Introduction

Common

Sea Fig

MAJOR PLANT GROUP**Family****Genus****Habitat Type****Abundance****Common Name**

NCN = No Common Name, * = Non-native, @ = Voucher Specimen

APIACEAE (Umbelliferae) Carrot Family

Angelica hendersonii J.M.Coult&Rose Coastal Occasional

Angelica Root

Sanicula crassicaulis DC. Woodlands Common

Pacific Sanicle

ASTERACEAE (Compositae) Sunflower Family

Achillea millefolium L. Ruderal Common

Yarrow

Agoseris heterophylla (Nutt.) Green Ruderal Occasional

Annual Agoseris

Cirsium occidentale (Nutt.) Jeps. var. *occidentale* Ruderal Common

Cobwebby Thistle

**Delairea odorata* Lem. Ruderal, Highly Invasive OccasionalGerman-ivy (= *Senecio mikanioides*)*Erigeron glaucus* Ker Gwal Dunes, Coastal Bluffs Occasional

Seaside Daisy

**Hypochaeris glabra* L. Ruderal Common

Cat's Ear

Senecio minimus* Poir. Ruderal, Woodlands, Grasslands OccasionalCoastal Burn Weed, Australian Fireweed (= *Erechtites minima*)Sonchus asper* (L.) Hill var. *asper* Ruderal Common

Prickly Sow Thistle

**Sonchus oleraceus* L. Ruderal Common

Common Sow Thistle

**Taraxacum officinale* F.H.Wigg Ruderal Common

Dandelion

CONVOLVULACEAE Morning-glory Family

Calystegia purpurata (Green) Brum. subsp. *purpurata* Grassland, Scrub Common

Morning-glory

CRASSULACEAE Stoncrop Family

Dudleya farinosa (Lind.) Britt.&Rose Rock Outcrops Coast Occasional

NCN

LAMIACEAE (Labiatae) Mint Family

Prunella vulgaris L. var. *lanceolata* Grasslands Occasional

Self-heal

Stachys chamissonsis Benth. Wet Woodlands/ Grasslands, Coast Common

Coast Hedge Nettle

LINACEAE Flax Family

Linum usitatissimum L. Grasslands Common

Common Flax

MAJOR PLANT GROUP**Family****Genus****Habitat Type****Abundance****Common Name**

NCN = No Common Name, * = Non-native, @ = Voucher Specimen

MONTIACEAE Miner's lettuce Family

Claytonia sibirica L.

Moist Woodlands, Riparian

Common

Candy Flower

Trientalis latifolia Hook.

Woodlands

Common

Starflower

ONAGRACEAE Evening-primrose Family

Epilobium ciliatum Raf. Subsp. *ciliatum*

Ruderal

Common

Northern Willow Herb

OROBANCHACEAE Broomrape Family

Castilleja mendocinesis (Eastw.) Parnell

Coastal Scrub

Rare

Mendocino Coast Paintbrush

PAPAVERACEAE Poppy Family

Eschscholzia californica Cahn.

Grasslands

Common

California Poppy

PLANTAGINACEAE Plantain Family

**Plantago coronopus* L.

Ruderal Coastal Strand

Common

NCN

**Plantago lanceolata* L.

Ruderal

Common

English Plantain

**Plantago maritima* L.

Coastal Bluffs

Common

Seaside Plantain

PLUMBAGINACEAE Leadwort Family

Armeria maritima (Mill.) Willd. subsp. *californica*

Coastal Strand, Dunes

Common

Thrift, Sea Pink

POLYGALACEAE Milkwort Family

Polygala californica Nutt.

Woodlands, Shrub/Scrub

Occasional

Milkwort

POLYGONACEAE Buckwheat Family

**Rumex acetosella* L.

Ruderal

Common

Sheep Sorrel

PRIMULACEAE Primrose Family

**Anagallis arvensis* L.

Ruderal

Common

Scarlet Pimpernel

VIOLACEAE Violet Family

Viola sempervirens Green

Woodlands

Occasional

Evergreen Violet

MAJOR PLANT GROUP**Family****Genus****Habitat Type****Abundance****Common Name**

NCN = No Common Name, * = Non-native, @ = Voucher Specimen

VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS**CLASS--MONOCOTYLEDONAE-GRASSES****POACEAE Grass Family**

* <i>Anthoxanthium odoratum</i> L.	Grasslands	Common
Sweet Vernal Grass		
<i>Anthoxanthum occidentale</i> (Buckley) Veldkamp	Woodlands	Occasional
California Sweet Grass, Vanilla Grass (= <i>Hierochloe occidentalis</i>)		
* <i>Avena fatua</i> L.	Grasslands	Common
Wild Oat		
* <i>Briza maxima</i> L.	Grasslands, Ruderal	Common
Large Quaking Grass, Rattlesnake Grass		
* <i>Bromus diandrus</i> Roth	Ruderal, Grasslands	Common
Ripgut Grass		
@ <i>Calamagrostis nutkaensis</i> (J. Presl) Steud.	Grasslands, Woodlands Moist Coast	
Common		
Pacific Reed Grass		
* <i>Cortaderia selloana</i> (Schulth.&Schulth) Asch&Graebn	Ruderal	Occasional
Pampas Grass		
* <i>Cynosurus echinatus</i> L.	Ruderal	Common
Hedgehog, Dogtail		
<i>Deschampsia cespitosa</i> (L.) Beauv. subsp. <i>holciformis</i>	Marshes, Meadows	Occasional
Pacific Hairgrass		
* <i>Festuca bromoides</i> L.	Ruderal, Moist Flats become Dry	Common
Six-weeks Fescue (= <i>Vulpia bromoides</i>)		
* <i>Festuca myuros</i> L.	Grasslands	Common
Rattail Fescue, Zorro Annual Fescue (= <i>Vulpia myuros</i>)		
* <i>Holcus lanatus</i> L.	Grasslands, Ruderal	Common
Velvet Grass		
<i>Poa secunda</i> Presl ssp. <i>secunda</i>	Grasslands, Woodlands	Common
One-sided Bluegrass		

VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS**CLASS--MONOCOTYLEDONAE-SEDGES AND RUSHES****JUNCACEAE Juncus Family***Juncus effusus* L. *pacificus*

Seeps, Shorelines, Marshes

Common

Rush

MAJOR PLANT GROUP**Family****Genus****Habitat Type****Abundance****Common Name**

NCN = No Common Name, * = Non-native, @ = Voucher Specimen

VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS**CLASS--MONOCOTYLEDONAE-HERBS**

ASPHODELACEAE Asphodel Family

Kniphofia uraria (L.) Oken

Ruderal

Occasional

Red-hot Poker

IRIDACEAE Iris Family

Iris douglasiana Herb.

Open Grassland, Meadows

Common

Iris

**Watsonia meriana* (L.) Mill.

Ruderal

Common

Watsonia (= *Watsonia bulbifera*)

RUSCACEAE Butcher's -broom Family

Maianthemum dilatatum (Wood) Nels. & Mcbr. Damp Shaded Coastal Woods

Common

False Lily-of-the-valley

THEMIDACEAE Brodiaea Family

@*Dichelostemma congestum* (Sm) Kunth

Coastal Bluff

Occasional

Forked Tooth Ookow

Basis of Basis
The bearing, 1139050m
along the North line
as shown in that record
Map Case 2, Dancer 1, was
used as the basis

Paper 1
11.0 Acres ±

This property is situated on a narrow ex-
 posed as described in Book 180 of Deeds, p-
 109, it is of undivided location. A portion
 of what is present is adjacent to a road
 in Book 180 A.R. page 180, 41. c.

P A R C E L M A P

Of Mine Subdivision 44-88 being a part
 of Section 25, Township 18 North, Range 1
 West, Mount Diablo East and Mendocino
 Mendocino County

Scale: - 1" = 100'

Shaded area of claim

California
 February 1, 1911

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 7
Subdivision Map

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

631 HOWARD STREET, 4TH FLOOR
SAN FRANCISCO, CA 94105
(415) 543-8555Project Approved:
Revised Staff Report:
Hearing Date:
Staff:June 13, 1989
June 30, 1989
July 14, 1989
Jo Ginsberg

F10.a.

STAFF REPORT: REVISED FINDINGS

APPLICATION NO.: 1-89-28

APPLICANT: E.F.S. Associates

AGENT: Bud Kamb

PROJECT LOCATION: 17200 Ocean Drive, Fort Bragg, Mendocino County,
APN 017-320-24 and 017-330-01.PROJECT DESCRIPTION: Division of a 56.7-acre parcel into five parcels of
8.6 acres, 10.6 acres, 11.1 acre, 12.5 acres, and 13.9
acres; plus the construction of one paved roadway and
one rocked roadway, two entrance gates, and six wells.

COMMISSION ACTION: Approval with Revised Conditions

DATE OF COMMISSION ACTION: June 13, 1989

COMMISSIONERS ON PREVAILING SIDE: Commissioners Hisserich, Glickfeld, Howard,
MacElvaine, Malcolm, McInnis, Nathanson, Carter, Calvo, Wright, Chairman
Wornum.COMMISSION ACTION:

The Commission has adopted the following Resolution:

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 ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and 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 attached.CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 8
Staff Report for 1-89-028
(pg. 1 of 14)

III. Special Conditions.

1. Open Space Easement/Deed Restriction:

PRIOR TO THE ISSUANCE of the Coastal Development Permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, over the portions of the property identified on the attached Map Exhibit No. 6 identified as sensitive habitat and includes a 50' buffer area surrounding the sensitive habitat area. The open space restriction prohibits any removal of major vegetation, or the erection of structures of any type within the area designated for open space. The deed restriction shall be recorded free of prior liens and encumbrances except tax liens, shall be irrevocable, running from the date of recordation, and shall run with the land binding the landowner, and his/her heirs, assigns, and successors in interest to the subject property.

2. Public Rights

By acceptance of Permit No. 1-89-28, the applicant agrees: (a) that the issuance of the permit and the completion of the development does not prejudice any subsequent assertion of any public rights of access to or along the shoreline, e.g., prescriptive rights or public trust; and (b) that approval by the Commission of this permit shall not be used or construed, prior to the settlement of any claims of public rights, to interfere with any rights of public access to or along the shoreline acquired through use which may exist on the property.

3. Revised Declaration of Covenants Conditions and Restrictions:

PRIOR TO THE ISSUANCE of the Coastal Development Permit, the applicant shall submit for Executive Director review and approval a revised version of the Covenants, Conditions and Restrictions for the proposed subdivision, prior to legal recordation of such CC&R's, that includes the following:

- a. All changes to the existing CC&R's as noted in attached Exhibit 9.
- b. An additional section to be added to the CC&R's requiring water conservation measures, including low-flow toilets, showerheads, and faucets, water-conserving appliances, drought tolerant landscaping and screening of satellite dishes.

4. Vertical Beach Access:

PRIOR TO THE ISSUANCE of the Coastal Development Permit, the applicant and landowner shall execute and record a document in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for vertical public access and passive recreational use to the blufftop and beach. The document shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property.

Such easement shall be located from Ocean Drive to the bluff edge and to the cove, following the northerly of the two access roads proposed as part of this development, as shown on Exhibit 4A. The easement shall be 25 feet in width, except that the easement shall include all of the sandy and rocky cove area identified on Exhibit 4A, from the base of the bluffs to the mean high tide line. The recorded document shall include legal descriptions of both the applicant's entire parcel and the easement area.

The document shall be recorded free of prior liens and any other encumbrances which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

5. Pedestrian Access:

PRIOR TO THE ISSUANCE of the Coastal Development Permit, the applicant shall submit for Executive Director review and approval plans indicating the location of a pedestrian access through or adjacent to the proposed entrance gate on the more northerly of the two access roads proposed as part of this development. This access shall permit public pedestrian ingress and egress to the public access easement required in Special Condition No. 4.

6. Archaeological Resources.

The archaeological survey conducted on the subject site identified an archaeological site on the parcel (designated CA-MEN-1604). These resources shall be preserved for perpetuity and shall not be disturbed or altered in any way. The survey concluded that it is possible that additional archaeological resources may exist on the site, and that these resources might become evident during construction. If archaeological resources are discovered on the project site during construction authorized by this permit, all work that could damage or destroy these resources shall be suspended. The applicant shall then have a qualified archaeologist inspect the project site, determine the nature and significance of the archaeological materials, and, if he or she deems it necessary, develop appropriate mitigation measures using standards of the State Historic Preservation Office.

Should the qualified archaeologist determine that the mitigation measures are necessary, the applicant shall apply to the Commission for an amendment to Permit 1-89-28, requesting that the permit be amended to include the mitigation plan proposed by the qualified archaeologist. The plan shall provide for monitoring, evaluation, protection, and mitigation of archaeological resources on the project site. Should the archaeologist determine that no mitigation measures are necessary, work on the project site may be resumed.

III. Findings and Declarations:

The Commission hereby finds and declares:

1. Project Description:

The proposed development consists of a land division of 56.7 acres into five parcels of 8.6 acres, 10.6 acres, 11.1 acre, 12.5, and 13.9 acres; two roads; two entrance gates; and six wells. The subject site is located approximately 2 1/2 miles south of Fort Bragg, between Ocean Drive and the Pacific Ocean, situated on a blufftop. The western portions of the property have gently undulating topography that is terminated along the west by very steep beach bluff faces. A perennial spring surfaces near the center of the north portion of the property and feeds a narrow swale and freshwater marsh area extending from the spring to the bluff face near the northwest corner of the property. A number of sea caves are located below the bluffs. Vegetation consists of coastal prairie grasses and shrubs on the east and west portions of the property, with a band of mature maritime pine forest running generally from the north to the south through the center of the property.

The subject parcel is designated in the Mendocino County LUP as Rural Residential-5, Planned Unit Development (Rural Residential-2, Planned Unit Development), meaning that there may be one parcel for every 5 acres, or one parcel for every 2 acres with proof of water. The Planned Unit Development designation seeks to ensure maximum preservation of open space, protection of views from public roads, and resource protection. The subject parcel is located in an area that is designated in the LUP as being "highly scenic."

Subsequent to the Commission hearing on this permit, the Commission has approved an immaterial amendment to substitute an access easement along the northerly of the two access roads proposed as part of this development instead of the originally approved access easement along the southerly access road.

2. Development:

Section 30250(a) of the Coastal Act states that:

(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 accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

The subject parcel is located within the urban boundary of Fort Bragg, and is therefore not subject to the Coastal Act's rural land division criteria. Mendocino County Department of Environmental Health has confirmed that there is adequate water and septic capability on the proposed parcels. The proposed project, therefore, as conditioned, is consistent with Section 30250(a) of the Coastal Act.

3. Public Access:

Coastal Act Sections 30210 through 30212 require the provision of maximum public access opportunities.

Section 30210 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 30211 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 30212 states:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or,

(3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Policy 3.6-27 of the Mendocino County LUP also states that where there is evidence of historic public use and the potential for the existence of prescriptive rights, an access easement shall be required as a condition of permit approval.

Site/Project Description

The subject site is located on a blufftop lot west of Highway One, between Ocean Drive and the Pacific Ocean. The proposed development includes a five-way land division, two roads, two entrance gates, and six wells. One proposed road is an existing dirt road that runs across the southern edge of the parcel. The other proposed road runs near the northern edge of the parcel. Entrance gates are proposed at the eastern end of both roads. The gate on the private drive (northern end of parcel) will be a 5-foot-high, 20-foot-wide electric gate; the gate on the main drive (southern end of property) will be 5 feet high and 30 feet wide. The stone pillars will be 6 1/2 feet high.

Although the LUP does not designate this site for public access, the Commission finds that there is not adequate public access nearby, as per Coastal Act Section 30212. There is existing public beach access at the Mendocino Coast Botanical Gardens, located approximately 3/4-mile to the north (north of Digger Creek), but there is a fee to enter the gardens. There is also private beach access via a paved trail from the Pine Beach Inn, which is less than 1/4-mile to the south; two lot owners adjacent to the Inn have made offers to dedicate public accessways, but they have not yet been accepted and consequently are not open and available for public use.

Prescriptive Rights

The Commission finds that there is clear, substantial evidence supporting the conclusion that a portion of the subject property has been impliedly dedicated to the public for purposes of recreational and beach access, a right which the Commission must protect under Section 30211 of the Coastal Act. Both on-site staff inspections and examination of aerial photographs of the area reveal that the subject parcel contains trails leading from Ocean Drive to the coastal bluffs and the sandy and rocky cove near the northern edge of the parcel, and along the blufftop (See Exhibit 3). There is one particular trail that runs along the northerly edge of the subject parcel, in the general location of the proposed rocky road, that is worn several inches into the grass and shows clear evidence of repeated historic use. Another main access route follows the existing dirt road that runs near the southern edge of the parcel, and continues west to the bluffs. A number of additional trails cross the bluffs themselves. Staff has reviewed aerial photographs taken in 1986, 1978 and 1970, and each of these photos reveals evidence of trails across the subject parcel.

In addition, approximately three dozen letters have been submitted (See Exhibit 8) from a number of persons who live in the area, stating that there has been historic and continuous use of this parcel for public access for at least the last 35 to 40 years. In addition to neighbors, persons from all over the Fort Bragg area have stated that they have used these trails. In some cases, neighbors stated that the trails had been used by the public for more than 60 to 80 years. Several of these letters refer to both main trails to the coast, and most of the letters also state that there has been no attempt to stop public use of the property until the last year or two. The letters also refer to the cove area, which is used for fishing, abalone hunting, shell-collecting, etc.

The preceding information supports the Commission's findings that the public has used the parcel for public coastal access for a minimum of 35 years, that this area has been impliedly dedicated to the public, and must therefore be protected against interference from development. The proposed entrance gates would create such an interference, and would prohibit the continued use of the historic access trails via a physical impediment to pedestrian access. The proposed development, therefore, is not consistent with Coastal Act Sections 30210, 30211, and 302212, as existing, longstanding public access through the subject site will be prevented by the proposed development.

Cumulative Impacts

Section 30250(a) of the Coastal Act requires that new development not have significant adverse effects either individually or cumulatively on coastal resources. As this proposed project will increase the density fivefold on this site, the effects upon coastal resources must be evaluated.

The proposed land division will increase the density of residential development on this property by four units. Under the current configuration and present land use plan designation, one residential structure could be constructed on the 56 acre parcel. In addition, the submitted CC&R's will allow each new parcel to include a guest cottage for visitor use. Furthermore, the LUP does not at this time regulate the use of single-family homes as vacation rentals to be let to non-residents.

Therefore, four additional residences and appurtenant structures will be constructed, with an accompanying increase in impacts to highway capacity, coastal resources, and access and recreational facilities. The proposed project does not include methods by which to mitigate those impacts. Thus, as buildout of the area occurs, there will be limited ability to provide for coastal access and recreation to meet increased demands, as one of the last remaining access points in this geographic area would not be available for public use. It is found, therefore, that the public would bear a significant loss as a major access point would be impeded by new development, and that would result in greater use of other accessways in the area which might contribute to significant environmental degradation resulting from additional public use.

One of the Commission's major concerns during its review of the Mendocino County Land Use Plan in 1985 was the County-proposed densities, which would allow a potential increase of 3400 residential units throughout the County's coastal zone. The cumulative impact of such an increase on traffic, natural resources, availability of public services, and consistency with the average parcel size requirements of the Coastal Act were reviewed by the Commission, resulting in suggested modifications (ultimately accepted by the County) that decreased potential units by 1500, or by 44% of the previously proposed total.

The diversity and relatively unspoiled character of the Mendocino coast encourage visitors year-round. Tourism is a major industry in the county, and beach and recreation facilities are heavily used, particularly in summer. The LUP notes that on a peak summer weekend day, when all accommodations are filled, there could be 2,600 visitor parties on the Mendocino coast. Many coastal motels, inns, and hotels are reserved in advance and booked throughout the summer. Campgrounds near Mendocino and Fort Bragg are full during the peak season. If the proposed project were approved without provision of public access, there would be a significant impact on use of the recreational facilities of the area, which are already at peak use in the summer, when this project is viewed in conjunction with the other land divisions which the LUP would allow. To approve the proposed project without provision of public access would therefore be inconsistent with Coastal Act Section 30250(a).

Conclusion

As detailed above, the Commission finds that there is clear evidence of prescriptive rights on the subject parcel, on the vertical trails to the coast, along the blufftop, and on the rocky and sandy beach. Section 30211 of the Coastal Act requires that these areas be protected for continued public use. Section 30212 of the Coastal Act requires that new development provide public access. Section 30250(a) of the Coastal Act requires that new development not have significant adverse effects, either cumulatively or individually, on coastal resources. In addition, Policy 3.6-27 of the Mendocino County LUP states that where there is evidence of historic public use and the potential for the existence of prescriptive rights, an access easement shall be required as a condition of permit approval. As the proposed subdivision does not contain any public access provisions nor does it protect historic use areas, it is inconsistent with these sections of the Coastal Act.

In order to protect impliedly dedicated rights of access and use, provide new access, and mitigate the cumulative impact from the development, the Commission must require dedication of a vertical access trail, as well as the sandy and rocky beach. In addition, as there is substantial evidence that prescriptive rights exist, the Commission must require that the applicant not interfere with existing public use of the trails. This will protect existing access and enhance the recreational experience and thus will provide additional public recreational opportunities that will mitigate the cumulative impacts created by this subdivision. In addition, the Commission requires that pedestrian access be created through or adjacent to the proposed entrance gate of the northerly road, which would otherwise cause a physical impediment to continued use of the existing access trails. The Commission finds that it is appropriate to require a dedication of an access trail at the subdivision stage, when an increase in density is being proposed.

At the time of the vote for the proposed project, the Commission approved a vertical access easement dedication along the southerly access road, leading to the cul de sac, and then out to the point and the cove. The Commission has since approved an immaterial amendment that substitutes for this approved access a dedication for an access trail along the northerly of the two access

roads, leading to the point and the cove. As this access route follows almost exactly the pedestrian access trail that has been historically used for many years, and meets the intent of the Commission's condition that vertical access be provided to the point and to the cove, the Commission finds that this northerly access dedication is acceptable.

As so conditioned to provide vertical access and beach access at the cove, as well as being conditioned that existing public rights of access cannot be impeded, the public's rights are protected and the proposed project is consistent with Coastal Act Sections 30210, 30211, and 30212, as public access will be provided, and development will not interfere with the public's right of access to the sea where acquired through use.

4. Visual Resources:

The subject property is located in an area designated by the Mendocino County Land Use Plan as "highly scenic," as portions of the parcel are visible from the first public road nearest the sea. Coastal Act Section 30251 states in part that:

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.

In addition, the Mendocino County LUP contains policies that address development within highly scenic areas. Policy 3.5-3 states that all proposed divisions of land within "highly scenic" areas shall be analyzed for consistency of potential future development with visual resource policies and shall not be allowed if development of resulting parcels could not be consistent with visual policies. Furthermore, the land use plan designation for the subject parcel is Planned Unit Development, which seeks to ensure maximum preservation of open space, protection of views from public roads, and resource protection.

In order to ensure maximum preservation of open space and to protect the views from Ocean Drive, the public road nearest the sea, as well as from the areas of historic public use, building envelopes have been delineated on the County-approved tentative Subdivision Map. The County has required these building envelopes in order that the project will be consistent with the Planned Unit Development designation that applies to this property. The building envelopes for the proposed land division are not visible from the road, as they are all located near the western edge of the subject parcel. Therefore, the proposed project is consistent with Coastal Act Section 30251 and with the Mendocino County LUP.

5. Environmentally Sensitive Habitat Areas:

Also important in evaluating the impacts of a land division is the question of environmentally sensitive habitat areas that may exist on the subject parcel.

Section 30240 of the Coastal Act states that:

(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 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Further, Policy 3.1-7 of the Mendocino County LUP states that a buffer area shall be established adjacent to all environmentally sensitive habitat areas in order to protect them from significant degradation from future development.

A botanical survey identified the rare and endangered plant Castilleja latifolia spp. mendocinensis (Mendocino coast paintbrush) as possibly occurring on the near-vertical faces of the ocean bluffs. Another rare and endangered plant species, Campanula californica (swamp harebell) was found to occur near the creek that flows through the north-center of the property toward the bluffs. In addition, several swales in the western half of the site include patches of riparian vegetation, including alders, ferns, berries, sedges, and rushes. A marshy area is found at the west end of a swale running to the northwest corner of the site.

The building envelopes, wells, water lines, septic systems, and proposed roads have been sited to avoid all areas containing sensitive habitat. In order to ensure protection of these sensitive habitat areas by not allowing any future development in these areas, Special Condition No. 1 requires the recordation of a deed restriction for an open space easement over the portions of the subject parcel identified as containing sensitive habitat. This ensures that the sensitive habitat areas will be protected from disturbance, as no development is permitted in or near these areas. The Commission finds that the requirement of the recordation of an open space easement at the subdivision stage is appropriate, so that potential buyers and developers of the land will be aware of the existence of such open space easements and the associated development restrictions within these areas.

In addition, Special Condition No. 3 requires revision of the CC&R's, stating that no development, vegetation removal for agricultural use, large animals or livestock animals, or disturbance are permitted in the sensitive habitat areas that occur on the subject parcel. The proposed development, as conditioned, is therefore consistent with Coastal Act Section 30231 and 30240.

6. Archaeological Resources:

Section 30244 of the Coastal Act states that:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

An archaeological survey conducted in 1979 determined that there is a prehistoric site located on the subject parcel (state-listed as CA-MEN-1604), consisting of the remains of a temporary encampment for food processing, occupied seasonally by the Northern Pomo Indians. In addition, the survey states that there is a possibility that buried cultural resources may be discovered during grading or trenching.

Special Condition No. 1 requires the recordation of a deed restriction for an open space easement over the portions of the subject property within a sensitive habitat area. The archaeological site discovered on the subject parcel lies within the area that will be protected by an open space easement. No development, therefore, will be permitted in the area of the archaeological site.

To further protect archaeological resources, Special Condition No. 6 states that should any cultural resources be discovered during construction, all work shall cease and an archaeologist shall be consulted to propose and carry out appropriate mitigative action. As conditioned, therefore, the proposed development is consistent with Coastal Act Section 30244 as archaeological resources will be protected.

It should be noted that the archaeological survey also discovered an area of historic remains, designated CA-MEN-2038H, on the subject property. This site consists of the remains of two barns and early 1870's house, and a partly-filled mine shaft. The area of the structures as well as some of the surrounding land was used in the filming of the movie "Johnny Belinda." As the Coastal Act does not require the protection of "historic" sites, the Commission makes no finding as to the status of their protection.

7. Geologic Hazards

Coastal Act Section 30253 states in part that

New development shall:

- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The subject property is located on a blufftop parcel that overlooks the ocean. The bluffs are eroded and there are a number of seacaves along the western edge of the parcel. A geologic report concluded that the building envelopes should be set back a minimum of 75 feet from the edge of the bluff, and this has been done. This will ensure that no construction will take place in any portion of the subject property where development might result in erosion, geologic instability, or destruction of the site or surrounding area, or require any protective devices that might substantially alter natural landforms. The proposed project, therefore, is consistent with Coastal Act Section 30253.

8. Water Supply and Sewage Disposal

Of particular importance to the evaluation of the cumulative effects of a land division in Mendocino County is the question of available water and the suitability of the soils for installation of a septic system.

Section 30250(a) of the Coastal Act states in part that:

- (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 accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow...

In addition, Policy 3.8-7 of the LUP states that land divisions creating new parcels shall be approved only where either a community sewage disposal system with available capacity exists or where a satisfactory site for a sewage system exists. Policy 3.8-9 states that approval of the creation of any new parcels shall be contingent upon an adequate water supply that will accommodate the proposed parcels and will not adversely affect the groundwater table of contiguous or surrounding areas.

County Environmental Health has determined, as a result of soils testing and a hydrological survey, that the proposed new parcels are suitable for accommodating septic systems, and that sufficient water resources exist to support the proposed new parcels. Therefore, the Commission finds that the proposed land division is consistent with Coastal Act Sections 30250(a) and 30231, and with Policies 3.8-7 and 3.8-9 of the LUP.

9. Mendocino County LUP/Prejudice to LCP:

Section 30604 of the Coastal Act authorizes permit issuance if the project is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, is consistent with Chapter 3 policies of the Coastal Act as discussed above, and thus will not prejudice local government's ability to implement a certifiable LCP.

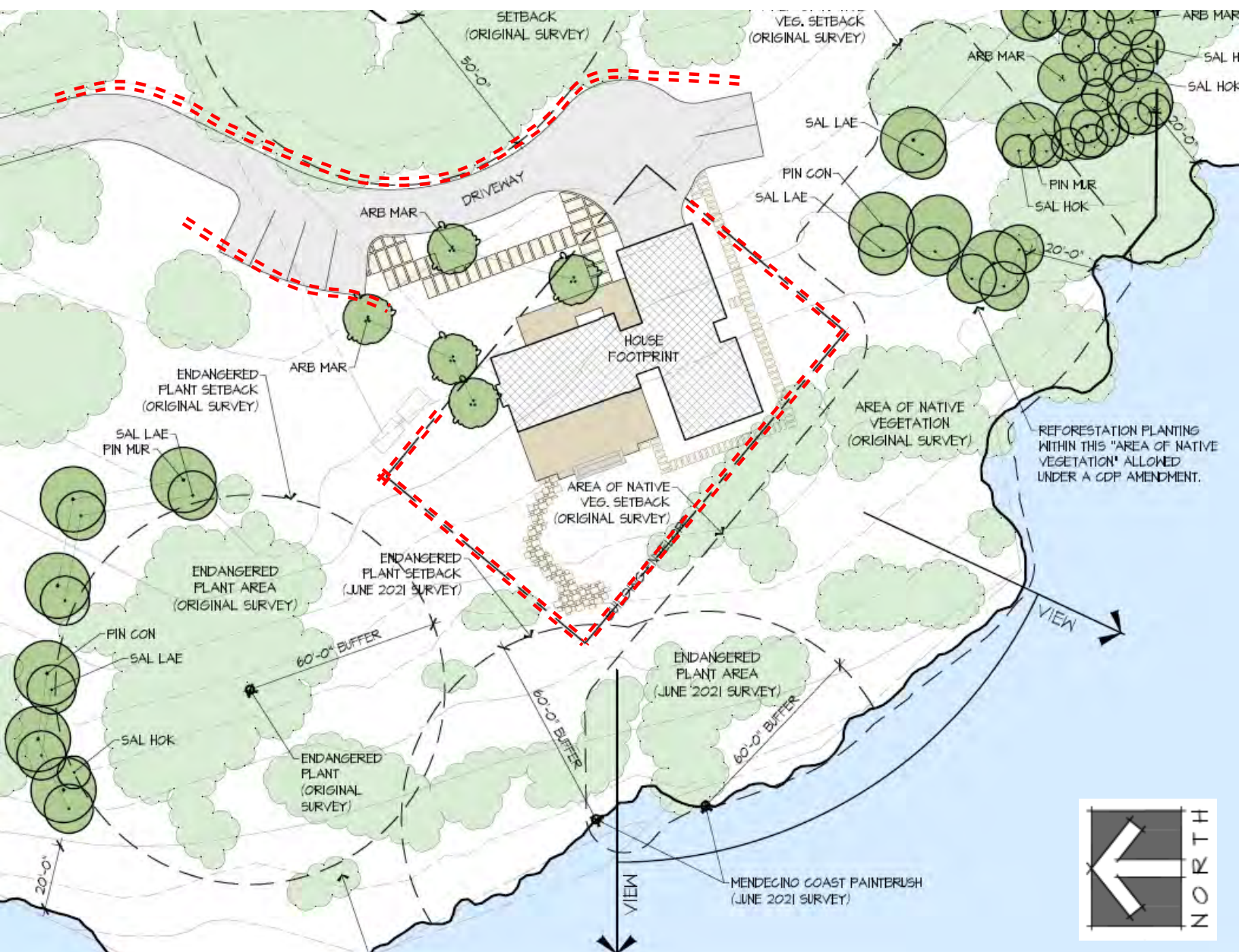
10. CEQA:

The project, as conditioned, does not have a significant adverse effect on the environment, within the meaning of CEQA. The project has been mitigated as discussed above to ensure consistency with the Coastal Act.

ATTACHMENT A

Standard Conditions

1. Notice of Receipt and Acknowledgment. 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 of 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.



Pursuant to Special Condition 13 of CDP Amendment No. A-1-MEN-01-051-A2, the authorized 10,000 square-foot building envelope (approved under CDP Amendment No. 1-89-028-A4), and the area between the approved realigned driveway and adjacent ESHA and ESHA buffers, shall be demarcated with low-stature (e.g., 4-ft or less) barriers (e.g., split-rail or similar fencing, driftwood logs, small boulders, etc.). The demarcation/barriers shall be installed, at a minimum, along the northern, western, and southern perimeter of the building envelope and portions of the realigned driveway (outlined with compound dashed lines above) prior to occupancy of the residence to separate and provide a visible demarcation between authorized development areas and the environmentally sensitive pine forest habitat and its associated buffers immediately outside of the authorized development areas. The fencing/barriers shall be made of natural, dark earth-toned, non-reflective materials and maintained for the life of the authorized residential development. In addition, temporary barrier fencing (e.g., construction fencing or straw bales) shall be installed in these same areas prior to commencement of construction to minimize the potential for encroachment into surrounding sensitive areas during construction activities.

===== Building envelope and driveway perimeters where barrier fencing should be installed prior to commencement of construction (temporary protection, such as construction fencing or straw bales) and prior to occupancy of the residence (permanent barrier fencing)

CDP Amendment No.
A-1-MEN-01-051-A2 (Tan)
Exhibit 9
**Building Envelope Delineation
Requirements**