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Re : Clarification on Biological Conditions at 1152 Spyglass Road

Kayla,

This follows up on our February 2nd meeting. Thank you for the opportunity to clarify my conclusions regarding the lack of potential for biological impacts from the remodeling of the Single-family Dwelling at 1152 Spyglass Road.

Regarding the potential to impact a special status plant community – In my report I mentioned that the lot at 1152 Spyglass Hill was historically Dune scrub and that several remnants of that Plant community still exist on the property. Those remnants were few and far between and primarily at the borders with adjacent properties south and east of the project impacts. The project, as reiterated by the Architect, Justin Pauley, in our meeting will not extend beyond the current foundation of the existing house into anything constituting ESHA. You pointed out the areas where supports for an expanded deck will be added off the west corner and where hardscape will be added on the south corner. There is no place within the impact areas of the deck supports or the hardscape expansion where the Dune scrub vegetation remains. The vegetation that will be impacted by those two extensions away from the current foundation consists of several invasive nonnative species – the dominant Carpobrotus (Ice plant) and the Myoporum trees (<https://www.cal-ipc.org/plants/profile/myoporum-laetum-profile/>) as well as several Pittosporum trees



planted near the south corner of the house. In the photo at left you can see the unbroken cover of the Ice plant right up to the foundation on the South and West facing sides of the existing home and the Myoporum and pittosporum trees in the upper middle of the background

at the South corner of the house. , South of the house, in an area that will be unimpacted by the remodel, one of the few patches of native vegetation that remains on the property can be seen up slope from where the deck supports will be installed. There is not any living *native* vegetation that would be negatively impacted by the installation of the hardscape and deck supports.

Regarding the potential to impact special status plants. The timing of the biological survey in June 2021 was ideal for the potential to view and identify any of the special status dune scrub plant species that had the potential to occur on the property and in particular, within the impact zone of the remodel. *No special*



Figure 2: view of West side of existing house with several native shrubs present in the sea of ice plant. None next to house.

status species (Rare, Threatened or Endangered) of plants were observed on the entire property. As mentioned, it is possible that the seedbank in the sand beneath the ice plant may contain the seed of one or more of the special status plant species that do occur in nearby dune scrub habitat, but there are no special status native species currently *growing* anywhere on the project site.

Regarding the potential to impact Special status animals. The one possible special status of animal that may occur on the 1152 Spyglass Road property is the Northern California Legless lizard – *Anniella pulchra*. This is a California species of Special Concern¹, not listed under either the California Endangered species

¹ The Department has designated certain vertebrate species as Species of Special Concern because declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction. The goal of designating species as "Species of Special Concern" is to halt or reverse their decline by calling attention to their plight and addressing the issues of concern early enough to secure their long-term viability. Not all "Species of Special Concern" have declined equally; some species may be just starting to decline, while others may have

Act or the Federal ESA. This is a small thin lizard that forages for insects and other invertebrates in loose sandy soil during twilight and nighttime and spends much of the day underground in holes in the sand or under the leaf litter of the native shrubs. This lizard is most abundant in old Dune sand and where sufficient native vegetative cover and moisture exists, but it can be found virtually anywhere on the Central Coast from beaches to many miles inland if conditions are suitable. As mentioned, in Coastal habitat it is often associated with, among many other native shrubs, *Ericameria ericoides* (Mock or false heather) the only native shrub to persist on the project site, in patches on the NW and SE corners of the property. But the presence of the *Ericameria* does not guarantee the presence of the lizard. Other conditions, like open sand, raised moisture content in the sand and a greater diversity of native plant species that would favor the potential for their occurrence are not found on the site. I have personally surveyed and searched for legless lizards on projects in Pacific Grove, Pebble Beach, Sand City, Marina

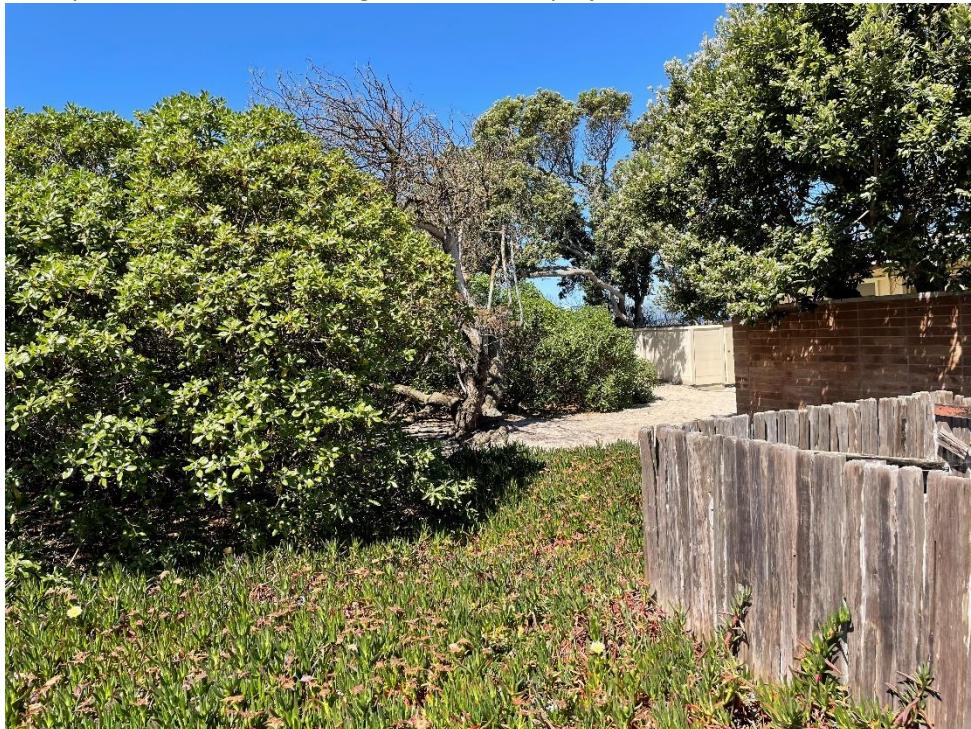


Figure 3: View looking SW from property line to SE corner of house. No native Plants here.

and on the Former Fort Ord and time and time again, the habitat conditions that were ideal for legless lizards consistently provided the highest level of success in locating them. There was a consistent gradient, from sites that were weed free and intact native habitat to slightly disturbed by invasive plants to completely dominated by invasive plants (most

often *Carpobrotus*) in which the occurrence of the Legless lizards declined to zero. A study done near Moss Landing (in conditions far better than on this site produced similar conclusions *Lizard density was high near shrubs and where soil moisture was greater but lower in disturbed soils and in iceplant.*(Linda A. Kuhnz, Robert K. Burton, Peter N. Slattery, and James M. Oakden)

The hardscape extension on the South corner is over bare sand, ice plant, and *Myoporum* (an invasive shrub/tree that will be a net gain by removal -*Myoporum laetum* Profile – California Invasive Plant Council (cal-ipc.org)). There is no suitable habitat and no conditions that would favor the likelihood of legless lizards in this portion of the property. This hardscape extension does not require machinery or major excavation. There would be virtually no likelihood of impacting legless lizards in this area of hardscape

already reached the point where they meet the criteria for listing as a "Threatened" or "Endangered" species under the State and/or Federal Endangered Species Acts

expansion or anywhere on the NE side of the house. The same is true for the hardscape upgrading on the NE corner of the house where hardscape already exists and is surrounded by all nonnative vegetation.

The area along the Southwest corner of the foundation where new Deck supports are to be installed is covered by a dense layer of Ice plant that is generally 12-16" deep and overlapped with dead and decaying branches and



Figure 4: View of existing hardscape at NE corner of house that will be replaced with new patio area. No native plants in this area.

an extensive root system Up slope to the east there is a patch of the *Ericameria ericoides* being slowly swallowed up by the advancing growth of the Ice plant. (See photo at bottom of Page 1) It is unlikely that the excavation to install the piers for the deck supports on this SW corner would negatively impact Northern California legless lizards. To demonstrate the density of the ice plant layer and confirm my assumption that no Legless lizards would live under or forage in the ice plant I conducted a 1 week Coverboard survey for the lizards.

A coverboard 'survey' or test involves the placing of several sheets of plywood (2'x 2' up to 8' x 4' if area allows) over sandy areas between shrubs and left in place overnight, for several nights. Legless lizards (and other crepuscular or nocturnal reptiles, mammals and invertebrates) will move under the plywood sheets for safety from predation in daylight. Each subsequent day, a biologist carefully lifts the coverboard to document what has taken refuge under it.

On February 8 I set up a three station coverboard survey in the area where the proposed deck supports are to be placed in the remodel of the house at 1152 Spyglass Hill Road. I had to cut and tear and pull the many layers of ice plant down to where I could find the original sand layer. I cut approximately 4 feet by 4 feet patches out of the ice plant to create room for 3'x 3' sheets of plywood. Following is a table of the data I collected over 7 days of monitoring the cover boards

1152 spyglass Hill Road Latitude 36.586360, Longitude 121.963440. Elevation 38 feet above sea level	
Soil: sand , detritus of decomposing Carpobrotus	
Date: February 9, 2022	Weather – Hazy 65 degrees
Station #	Wildlife present
#1	black ants (species unknown)
#2	nothing

#3	nothing
Date: February 10, 2022	Weather – Clear 63 degrees
Station #	Wildlife present
#1	black ants (species unknown)
#2	black ants (species unknown), sowbug
#3	black ants (species unknown)
Date: February 11, 2022	Weather – clear 70 degrees
Station #	Wildlife present
#1	black ants (species unknown), Ground beetle
#2	black ants (species unknown), sowbug
#3	black ants (species unknown)
Date: February 12, 2022	Weather – clear 72 degrees
Station #	Wildlife present
#1	Ground beetle, black ants (species unknown),
#2	nothing
#3	European brown snails, ground beetle
Date: February 13, 2022	Weather – hazy 71 degrees
Station #	Wildlife present
#1	Ground beetle, black ants (species unknown),
#2	nothing
#3	European brown snails
Date: February 14, 2022	Weather – Cloudy 54 degrees
Station #	Wildlife present
#1	nothing
#2	nothing
#3	nothing
Date: February 15, 2022	Weather – foggy 59 degrees
Station #	Wildlife present
#1	nothing
#2	Ground beetle
#3	nothing

My conclusion from this seven-day study is that the dense ice plant cover over much of the property significantly reduces the value of the habitat for native wildlife in general and the depth and complete canopy cover of the ice plant makes the site unsuitable for Legless lizards. Specifically, the area where the excavation for and installation of supports for the proposed deck expansion does not now support Northern California legless lizards and will not in the foreseeable future.

I do not believe that the project as designed to remove the top floor and remodel the single-family home at 1152 Spyglass Hill Road which will include an extended patio area off the SE corner and deck supports off the SW corner will have any significant impact on Special status Plants or Animals or Special Status plant community (ESHA).

If there are any further questions, please let me know.

Pat Regan

Additional photos on following pages



Figure 5: View of 3 coverboards on project site as seen from existing deck.

Reference: Linda A. Kuhnz, Robert K. Burton, Peter N. Slattery, and James M. Oakden "Microhabitats and Population Densities of California Legless Lizards, with Comments on Effectiveness of Various Techniques for Estimating Numbers of Fossorial Reptiles," Journal of Herpetology 39(3), 395-402, (1 September 2005).
<https://doi.org/10.1670/126-04A.1>



Figure 6: View looking north from back of property by Propane tank enclosure. No native plants in this area or in background,

Figure 7: View looking South along backside of house at location for expanded patio. No native plants here.

