



Environmental, Inc.

226 West Ojai Ave., Ste. 101, #157

Ojai, California 93023

805.570.4451

www.paxenviro.com

April 2, 2019

Chris Mathys
Rhine LP and Morro 94 LLC
2141 Tuolumne Street
Fresno, CA 93721

RE: Post-Demo Biological Survey Results for a Fuel Tank Demolition Project at 3300 Panorama Drive, Morro Bay, California.

Introduction

Pax wildlife biologist (Colleen Del Vecchio), who is familiar with the species of region, conducted a post-demolition nesting bird and impacts survey on March 13, 2019 at 3300 Panorama Drive, Morro Bay, California (APN: 065-038-001) (Figure 1). The survey was conducted per requirements of the City of Morro Bay outlined in their Code Violations notice, dated March 6, 2019. The purpose of the survey was to identify active bird nests within, or in close proximity to the project site, and note any land disturbances from removal of the structures. The survey included a visual search of all vegetation, trees, and buildings, as well as monitoring birds for evidence of breeding behavior, including: copulation, carrying food or nesting materials, nest building, adult agitation or feigning injury, feeding chicks, removal of fecal sacks, and other characteristic behaviors that indicate the presence of an active nest. Demolition of the tank structures, shed, and removal of two trees occurred the week of February 25, 2019.

Environmental Setting

The fuel tank area consists of two steel fuel tanks surrounded by concrete covered earthen berms which form two separate tank basins (Figure 3). Scattered Monterey cypress trees (*Cupressa macrocarpa*) are present within each of the tank basins along with occasional ornamental trees. Disturbed, non-native annual grassland covers each of the basin floors along with various pipeline components and drainage facilities. An unnamed drainage borders the northernmost tank basin area with stands of Monterey cypress and arroyo willow (*Salix lasiolepis*) trees along the unnamed creek corridor. The unnamed creek is a blue line channel described as an intermittent and seasonally flooded riverine system. This area is considered environmentally sensitive habitat (ESHA) (Figure 3). A third, much smaller metal water tank is set between and upland of the two fuel tank basins and is surrounded by Monterey cypress trees. Operations buildings and a paved entrance are also present to the south of the fuel tank basins.

Pre-Demolition Monitoring

Initial construction on the site began September 24, 2018. Pax biologist, Ryan Ganjtomari, conducted a WEAP (Workers Environmental Awareness Program) training focusing on the potential for special-status species, nesting birds, and protections for the ESHA zone. Construction that day consisted of staking and installing the ESHA fence and a second crew testing pipes for chemical residue, so that they could be safely removed. Again, Mr. Ganjtomari monitored on September 25, 2018. Crews finished installing the ESHA fencing and cleaned up all materials from testing the pipes. Additionally, a Monterey cypress had its lower branches trimmed for access to the 6 inch pipeline, to begin removal. A nesting bird survey was completed prior to any tree trimming, the results were negative.

December 5, 2018 Pax biologist, Bradley Youngerman, surveyed the work area for potential impacts to the ESHA zone, and surveyed two trees that would be removed from the southern portion of the ESHA. One of the trees was a Monterey cypress that failed at the base and fell south across the creek. The second was a dead pine tree (*pinus* sp.) that was standing on the north side of the drainage. The crew did not remove the trees during this monitoring visit. Crews were filling the fire hydrant water pipes with concrete and cleaning up the project site.

Post-Demolition Survey Results

Time of Survey: 1030

Weather Conditions: Sunny, winds 2-3mph, 61°F

A California Department of Fish and Wildlife (CDFW) CNDDDB Search was completed to address the potential for special-status species prior to the survey (Figure 2). Building eaves, trees, shrubs and other suitable habitat features were thoroughly examined during the survey for nesting birds. The following avian species were observed during the survey: northern mockingbird (*Mimus polyglottos*), house finch (*Carpodacus mexicanus*), California scrub-jay (*Aphelocoma californica*), black phoebe (*Sayornis nigricans*), Eurasian collared dove (*Streptopelia eacaeto*), red-tailed hawk (*Buteo regalis*), cliff swallow (*Petrochelidon pyrrhonota*), American crow (*Corvus brachyrhynchos*), Anna's hummingbird (*Calypte anna*), white-crowned sparrow (*Zonotrichia leucophrys*), Townsend's warbler (*Setophaga townsendi*), California towhee (*Melospiza crissalis*), Say's phoebe (*Sayornis saya*), American kestrel (*Falco sparverius*), turkey vulture (*Cathartes aura*), prairie falcon (*Falco mexicanus*), great horned owl (*Bubo virginianus*), and golden-crowned sparrow (*Zonotrichia atricapilla*). Additional wildlife observations included California ground squirrel (*Otospermophilus beecheyi*), monarch butterfly (*Danaus plexippus*; 6 individuals), Sierran treefrog (*Pseudacris sierra*; vocalizations), and racoon (*Procyon lotor*; tracks). No roosting bats or evidence thereof, were found.

In the ESHA zone, there was no significant impacts to vegetation or soil within the woodland. The creek was flowing during the site visit. Where the shed was removed, in the west central section of the ESHA, the recommended access route was used through the existing gate, and minimum soil and vegetation impacts were observed, the concrete foundation remains (Figure 4, Photo 7). Where the 6 inch pipeline was removed, the soil is compacted, however the vegetation is re-growing. The fallen Monterey cypress was removed that fell south over the creek and the dead pine on the top of the north bank, crews used the recommended access route to limit impact to the water course (Photo 6). Some debris remains within the creek; however, this debris was present prior to any work activities beginning. There was no construction related impacts

observed to the creek, the banks were covered with vegetation.

In the east side of the project area where the water tanks are located, one active nest (i.e., nests containing eggs or chicks) was observed in the stand of Monterey cypress. A great horned owl nest was observed in the crotch of one of the trees (Figure 3). Limbs on that tree were cut prior to construction in September/February to expose the shotcrete for removal (Photo 4). Both owls were observed, one roosting on the branches of the tree, the other flushed from the crotch of the tree. This species natural history indicates only the female incubates eggs, while the male roosts nearby in the tree¹. The eggs were not visible in the nest from the ground. Based on the observed behaviors, the pair is likely nesting. Additionally, based on the timing of nesting for this species, they likely began nesting in February and are incubating eggs. In the southern extent of this species range, incubation typically begins as early as mid-February. Pellets and white wash were observed near the base of the tree.

All three tanks were removed off site along with all associated ancillary structures. With the recent storm events, one portion of the hillside where the shot-crete berm was washed out. The fuel holding tank areas are growing in with vegetation, minimum earthwork was completed leaving the area in the same basin shape it was previously.

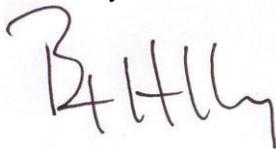
Conclusion

Project demolition activities of the fuel tanks and associated ancillary structures had minor impact to the existing land. The ESHA had less than significant impact from removal of the shed and removal of the trees, no signs of construction are visible following the spring rain and significant growth of vegetation.

An active nest of great horned owls was observed in the stand of Monterey Pines on the east side of the project area, in the vicinity of where all three of the tanks were removed.

Please contact me if you have any questions regarding this assessment.

Sincerely,

A handwritten signature in black ink that reads "B Holly". The signature is written in a cursive, somewhat stylized font.

Brian E. Holly

Principal/Senior Ecologist

¹Artuso, C., C. S. Houston, D. G. Smith, and C. Rohner (2013). Great Horned Owl (*Bubo virginianus*), version 2.0. In *The Birds of North America* (A. F. Poole, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bna.372>

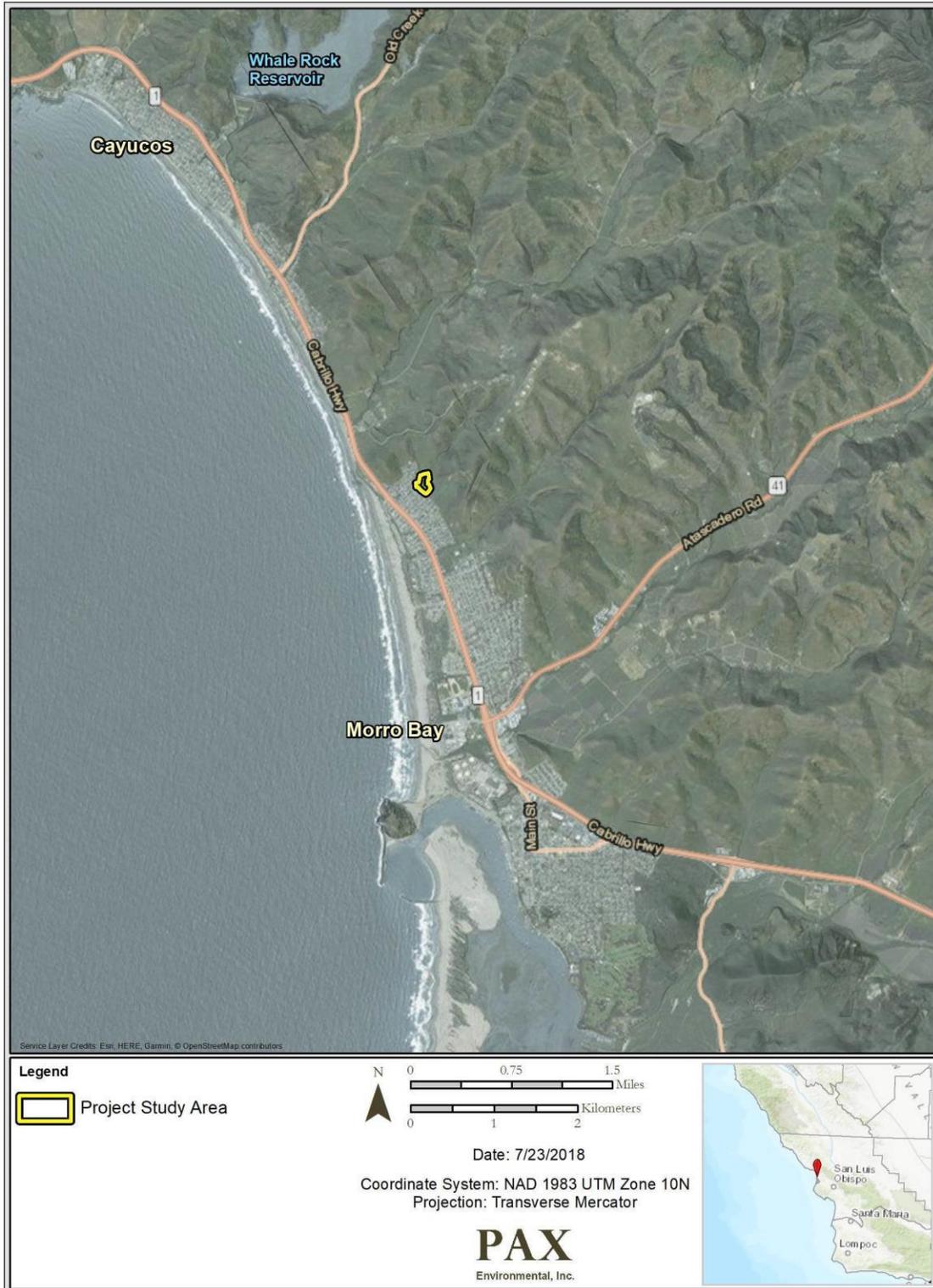


Figure 1. Project vicinity map.

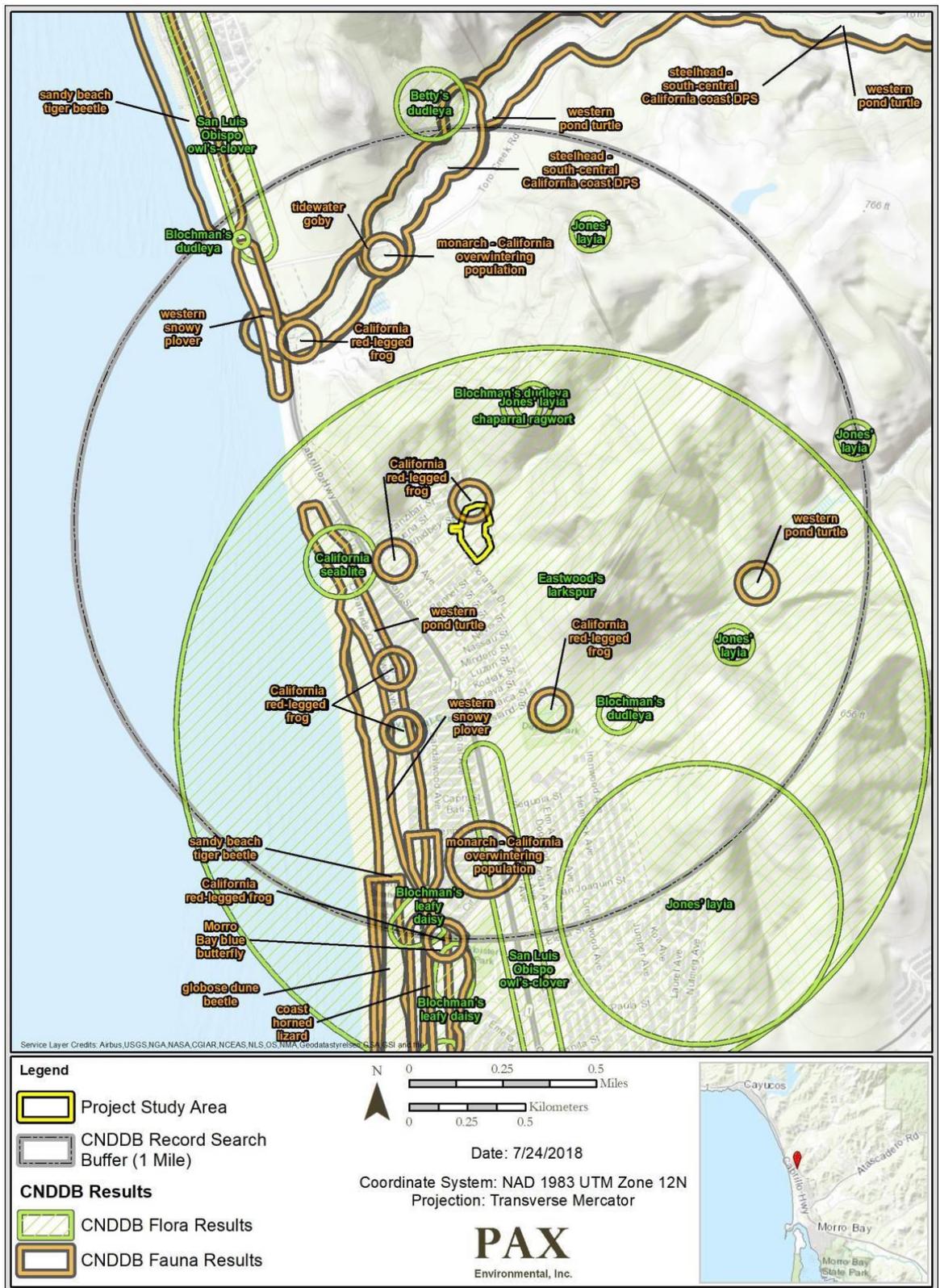


Figure 2. Project location and CNDDB overlay.



Figure 3: Project site, ESHA boundary, and active nesting area.



Figure 4: Tree and shed removal area with recommended access route.



Photo 1: Fuel tank 1 removed, facing northeast.



Photo 2: Fuel tank 2 removed, facing southeast.



Photo 3: Small water tank removed, facing east.



Photo 4: Trimmed Monterey cypress facing north.



Photo 5: Removal of 6" pipeline, facing east.



Photo 6: Creek with flowing water, wo trees removed (circled in red) west of ESHA, facing east.



Photo 7: Shed and fire hydrants removed on edge of ESHA, facing northwest.