

CHAPTER 6. REVISIONS TO THE DRAFT HCP

The following section provides revisions to the text of the Draft HCP, in amendment form. The revisions are listed by page number. All additions to the text are presented in underline, and all deletions are shown in ~~strikeout~~.

CHANGES TO THE EXECUTIVE SUMMARY

Page ES-11 Revise the 5th sentence in the first paragraph after the *ES.9 Funding* heading as follows:

With the exception of State Parks and Monterey Peninsula Regional Park District, no Permittee may be compelled to obligate its general fund to satisfy its financial obligations under the HCP. However, State Parks cannot obligate State budget general fund appropriations in advance of the budget cycle, therefore it will meet financial obligations under the HCP as State budget appropriations are made available.

Page ES-11 Revise the 5th sentence in the 2nd paragraph after the *ES.9 Funding* heading as follows:

HCP required actions, aside from monitoring, on State Parks–managed HMAs will be funded by annual budget allocations during the permit term and in perpetuity as State budget appropriations are made available.

CHANGES TO CHAPTER 3, COVERED ACTIVITIES

Page 3-7 **Table 3-5. Parcels designated as Borderlands by Land Recipient**, was revised to make adjustments to the spacing of the text to increase readability of the table.

Table 3-5. Parcels designated as Borderlands by Land Recipient

Land Recipient	Parcel	Borderlands (Category) ^a			
		1	2	3	4
State Parks	S3.1.1, S3.1.3				X
Board of Trustees of California State University (on behalf of the Monterey Bay Campus)	S1.3.2	X			
	L7.2, S1.2.1, S1.2.2		X		
UC Regents UC/NRS	S2.1.2, S2.1.3, S2.1.5, S2.3.1.2, S2.3.1.4, S2.3.2.1, S2.3.2.2, S2.3.2.3, S2.3.2.4, S2.4				X
UC MBEST	S2.1.1, S2.1.4.1, S2.1.7, S2.5.1.2, S2.5.2.2		X		
County of Monterey	E11b.8, E19a.3, L3.2, L5.7, L20.2.1, L20.2.2, L20.2.3.1, L23.3.2.2, L23.3.3.1, L23.3.3.2, L20.18	X			
	E8a.1.2, E8a.1.4, E8a.1.1.2, E11b.1, L5.7, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.6, L23.3.1, L23.3.3.1		X		
	E8a.1.1.1, E8a.1.1.2, E8a.1.3, E8a.1.4, E11a, E11b.7.2, L20.10.3, E11b.7.1.2				X

Land Recipient	Parcel	Borderlands (Category) ^a			
		1	2	3	4
City of Marina	E5a.1, E5b, L5.1, L5.1.3, L5.1.8		X		
	E2a, L5.1.11				X
City of Seaside	E23.1, E23.2, E24, E34	X			
City of Del Rey Oaks	E29a, E29b.1	X			
	E36, E31a, E31b, E31c		X		
	L6.1, L6.2,				X
City of Monterey	E29b.2	X			
MPC	E19a.5, E21b.3, E40	X			
	F1.7.2				X
BLM	F1.12				X
	F1.1.1, F1.1.2, F1.1.3, F1.7.4, F1.13.1, F1.13				X

^a A single parcel may be assigned more than one Borderlands category depending on the boundary conditions.

Page 3-25 Revise the first three sentences of the 1st complete paragraph as follows and **Figures 3-6b** through **3-6d** have been removed from the Draft HCP:

State Parks, US Army, and the DTSC have signed agreements on future surface lead bullet cleanup on property owned by State Parks. Future surface lead removal on State Parks' property is an HCP covered activity. ~~Known locations of surface lead contamination are shown on Figures 3-6b through 3-6d.~~ Concentrated areas of surface lead bullets are known and State Parks staff continue to remove surface lead bullet concentrations pursuant to the agreements with the DTSC.

Page 3-26 Revise the 1st sentence under the 3.3.2.2.2 8th *Street Zone* heading as follows:

This zone comprises 30 acres of existing disturbed and developed areas that would be modified to accommodate coastal access parking, visitor overlooks, information and interpretive facilities, public restroom facilities, ~~and~~ access routes, and an entrance zone (Table 3-10).

Page 3-27 Revise the last sentence of the 1st paragraph as follows:

The project also entails improved outdoor facilities (e.g., campfire center, interpretation areas, and viewing area), and approximately 50 acres of grading, an RV dump station and lighting, trail fencing, symbolic fencing, native dune restoration.

Page 3-39 Revise the 1st sentence under the 3.3.3.4 *Beach Management* heading as follows:

Beach management activities include marine mammal rescue, assistance of stranded boats, law enforcement emergency response and patrol activities, removal of hazardous materials, and any other activities associated with public safety.

Page 3-41 Revise the seventh sentence in the third paragraph under the 3.3.4.2.1 *Marina Coast Water District Facilities* heading as follows:

The ~~improvements to decommissioning of~~ the Ord Village Lift Station could affect 2.6 acres in the State Parks HMA. Decommissioning and use of this parcel will be consistent with the deed for this parcel and the existing MOU between MCWD and State Parks. This site may be adaptively reused for building of park support facilities that do not expand beyond the existing building footprints.

Page 3-43 Revise the 2nd column in the eighth and final row in **Table 3-11. Covered MCWD Projects within HMAs** as follows:

~~Upgrade~~ Decommission existing pump station and pipeline

CHANGES TO CHAPTER 4, IMPACT ASSESSMENT AND LEVELS OF TAKE

Page 4-5 Revise the 2nd to last sentence on page 4-5 as follows:

The footprint of each of the three beach access routes will consist of an access corridor of 200 feet wide by 600 feet long (120,000 square feet) (Figure 3-6a).

Page 4-5 Revise the final sentence in the 1st paragraph after **Table 4.2** as follows:

The management actions that the HMA managers will implement to control the anthropogenic effects resulting from public use will reduce or minimize this impact (see Section 5.4, *Measures to Avoid and Minimize Impacts, AMM-27*).

Page 4-32 Add the following text after the 3rd sentence in the 1st paragraph under the *4.3.5.1 Development* heading:

A total of 6 acres of buckwheat plants occur in these management zones. Development will consist of parking areas, visitor overlooks, recreation trails, interpretive displays, picnic areas, and campgrounds. The approved Coastal Commission CDP for the campground development includes Special Condition 7 which requires the restoration of approximately 89 additional acres of coastal dune and dune scrub habitats in the vicinity of the campground to mitigate impacts. This restored acreage will enhance Smith's blue butterfly habitat to the west and east of the campground, thereby enhancing the north-south habitat corridor for this species.

Page 4-34 The following paragraph was added after the final paragraph under the *4.3.6.1 Development* heading:

Covered development activities within the Plan Area east of Highway 1 also have the potential to increase human presences and therefore impacts to western snowy plover. State Parks intends to develop a docent and volunteer program to provide the public with interpretive tours to help reduce impacts through education and interpretation. The tours will focus on western snowy plover behavior and breeding sensitivities to humans, and how the public can be responsible beach users during the plover breeding season.

Page 4-42 Revise paragraph under the *4.4.2.2 Ferrini Ranch Subdivision* heading as follows in:

Ferrini Ranch consists of the subdivision of an approximately 866-acre property into 212 residential lots, including 146 market rate lots, 23 clustered lots for workforce housing units, and 43 lots for inclusionary housing units; one commercial parcel fronting on River Road, and 600 acres of open space. The project site is located on the south side of State Highway 68 between River Road and San Benancio Road in the vicinity of Toro County Park. This project was approved by the County of Monterey in December 2014; however, a lawsuit was filed, and development is pending. The Ferrini Ranch holding has been encumbered by a Conservation Easement held by the Ag Land Trust, and only a small number of residential homes will be constructed in this development.

Page 4-42 Revise the text under the *4.4.2.3 Corral de Tierra* heading as follows:

The Corral de Tierra Shopping Village project site is located at the intersection of State Highway 68 and Corral de Tierra Road, approximately seven miles southwest of the city of Salinas, in the Toro area of the County of Monterey. The site encompasses two separate lots of record totaling approximately 11-acres. The proposed project consists of a lot adjustment on the subdivision of the two existing lots into seven parcels and the development of an approximately 100,000 square foot "Shopping Village" with retail

buildings, a grocery store, an office building and parking. This project was approved by the County of Monterey Board of Supervisors in February 2012. The project was sued, and the Courts recently ruled in favor of the County of Monterey, and the project is moving forward.

CHANGES TO CHAPTER 5, CONSERVATION STRATEGY

Page 5-29 Revise AMM-22 as follows:

All existing facilities shall be retrofitted with anti-perch devices to deter avian predators from perching and hunting from infrastructure within or adjacent to western snowy plover habitat. Further, all new facilities will be designed with anti-perching devices; facilities include new buildings, signs, fences, and utility poles. Anti-perch devices will only be placed on interpretive signs if they can be placed in such a way that they do not present a potential safety risk to the public. To the extent feasible, utility lines will be constructed underground, and tree planting is prohibited to limit expansion of avian predator perches within FODSP. Removal of existing trees will be informed through adaptive management (see Section 6.8, Adaptive Management) if monitoring reveals them to be a problem and will require consultation with the State Parks Historian if there is the potential to affect an historic tree row.

Page 5-32 Revise the 3rd sentence in the 3rd bullet point of AMM-27 as follows:

Prohibited activities include dog walking, campfires outside of the developed campground area, kite-flying, equestrian use, hang gliding or paragliding launch sites, remote-control vehicles, and driftwood collection on beaches in dune and coastal strand habitat and known western snowy plover nesting areas to minimize disturbance.

Page 5-32 Add a sentence after the 1st sentence in the 4th bullet point of AMM-27 as follows:

Any Cooperative staff, consultants, or volunteers participating in patrol activities will undergo training in non-confrontational contact techniques and will be provided with a protocol for initiating public contact that includes guidelines for coordination with State Parks' on-duty Ranger and other staff.

Page 5-33 Revise the 3rd bullet as follows:

- Install and maintain a barrier along the border of parcels E31 and NAE where topography allows vehicle access (please refer to Figure 3-3 and 3-19).

Page 5-34 Revise the 1st sentence in the 1st bullet point on the page as follows:

- Based on the results of routine patrols conducted by State Parks, ~~limit seasonal use of roads, trails, campsites, etc.~~ informal recreational observation during western snowy plover monitoring will indicate if dune habitat and/or western snowy plover nesting degradation is resulting from the occupation of these public areas.

Page 5-36 Revise the title of AMM-34 as follows:

AMM-34. Selectively clip and trim perennial vegetation along minor roads and trails to reduce canopy closures and maintain open and safe access.

Page 5-39 Revise the 1st bullet point and 5th bullet point in AMM-43 as follows:

- ~~Target disturbed sites rather than occupied habitat~~ Disturbed areas that are not already occupied by HCP species should be targeted for restoration projects.
- In the FODSP, ~~schedule~~ restoration activities that have the potential to indirectly affect western snowy plover and Smith's blue butterfly, will be planned and scheduled ~~wildlife~~ to avoid the nesting season for western snowy plover and the flight season for Smith's blue butterfly, ~~if the Cooperative determines that restoration activities may affect western snowy plover and Smith's blue butterfly.~~

Page 5-41 Revised AMM-45 as follows:

AMM-45. Minimize use of chemical herbicides for controlling non-native invasive plant species for the term of the HCP. The Cooperative, in consultation with the HMA managers, will continually refine the integrated pest management program through monitoring and adaptive management in an effort to reduce dependence on herbicides. The goal of the program is to eliminate or substantially reduce the size of existing populations of invasive non-native plants and reduce activities that introduce and/or contribute to the spread of those species so that future eradication efforts can also be reduced. Herbicides will only be applied when there is minimal risk to HCP species. Ground-disturbing or intrusive activities will comply with the required Land Use Controls (LUCs) and Land Use Control Implementation and Operation and Maintenance Program (LUCIP/OMP) in order to reduce exposure to Munitions and Explosives of Concern (MEC).

Page 5-44 Revise footnote 7 as follows:

⁷ The minimum 700 acres of FODSP restoration includes ~~240~~ 230 acres of these habitats already restored at FODSP.

Page 5-53 Revise the 2nd sentence in the last paragraph as follows:

Directed beach closures, use restrictions, and other access controls are equally important—or possibly even more important—than habitat restoration in these areas (see AMMs in Section ~~5.4.4~~ 5.4.3, Avoidance and Minimization Measures for Public Use in HMAs and Property Ownership of Borderlands).

Page 5-53 Revise the 1st paragraph under *Section 5.5.3.2.2, Coastal Strand and Dunes* heading as follows:

The highest diversity of dune habitat and species is best maintained in dunes with conditions ranging from active to stabilized and a variety of topography with foredunes and rear dunes, dune crests, interdune valleys, and north- and south-facing slopes. Much of the dune habitat at former Fort Ord has been colonized over the years by extensive mats of ice-plant. In addition, military use of the dunes for firing ranges and other activities has left large areas of disturbance. Noxious weed infestations will be reduced and controlled and replaced with native species. If necessary, State Parks, CDFW, and USFWS will confer and determine if dune stabilization is needed. Establishment of HCP species will be encouraged and/or facilitated through targeted restoration and management actions. Actions may include the use of small scale prescribed burns and the use of heavy equipment to prepare sites for habitat restoration and to reduce/eliminate noxious weed infestations. Large areas will be restored to native vegetation and HCP species habitat. The base year for calculating restored acreage will be the 1995 baseline to ensure that State Parks receives credit for restoration completed to date. Dune stabilization work will be completed as permitted by budgetary constraints of California Department of Parks and Recreation. In addition, steep, ocean-facing dune escarpments will likely not be revegetated.

Page 5-138 Revise **Table 5-5** as follows (only the applicable portion of **Table 5-5** is shown below):

Mitigation Measures	Sand Gilia	Yadon's Piperia	Monterey Spineflower	Seaside Bird's Beak	Smith's Blue Butterfly	Western Snowy Plover	California Tiger Salamander	California Red-Legged Frog
Revegetation, Restoration, Management, and Enhancement								
<i>All Natural Communities</i>								
Mitigation Measure-22. Use prescribed burning on a rotational basis and wildfire suppression strategies, covering about 1,000–1,500 acres in the FONM each decade, to replicate desired future conditions and fulfill vegetation and fuels management objectives.	✗	✗	✗	✗				

Page 5-141 Revise **Table 5-6** as follows (only the applicable portion of **Table 5-6** is shown below):

Mitigation Measures	FONM
Mitigation Measure-33. Control erosion as necessary to prevent degradation of areas mapped as potential Yadon's piperia habitat.	✗

CHANGES TO CHAPTER 6, MONITORING AND ADAPTIVE MANAGEMENT

Page 6-36 Revise the 1st bullet point in Mitigation Measure-36 as follows:

- Monitor and document the number of nest losses and determine the cause of all nest losses, including those caused by abiotic factors such as wave run-up, storm surge, or dune face failure.

Page 6-51 Revise the 3rd sentence in AMM-12 as follows:

The Cooperative, in coordination with State Parks, USFWS, HMA managers, and western snowy plover monitors, will determine the most effective strategy for FODSP.

Page 6-53 Revise the last sentence in AMM-13 as follows:

If coastal erosion results in the loss of 420-restored acres, State Parks would work with the USFWS to identify other mutually agreeable coastal dune areas to restore to meet their obligation of restoring 420 acres of coastal dune habitat within Monterey County.

Page 6-62 **Table 6-2 HCP Required Actions – Monitoring and Adaptive Management Measures by Location** was revised as follows (only the applicable excerpt from the table is shown below):

Table 6-2. HCP Required Actions – Monitoring and Adaptive Management Measures by Location

Monitoring and Adaptive Management Measures	HMAs													
	FONM	FODSP	FONR	EG	PF	OO	YC	LS	LF	R45	AR	SR	NWC	NAE
Effectiveness Monitoring - Baseline														
Monitoring Measure-5. Calculate the adjusted baseline for maritime chaparral.	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Page 6-66 **Table 6-2 HCP Required Actions – Monitoring and Adaptive Management Measures by Location** was revised in response to Comment G-53 (only the applicable excerpt from the table is shown below):

Table 6-2. HCP Required Actions – Monitoring and Adaptive Management Measures by Location

Monitoring and Adaptive Management Measures	HMAs													
	FONM	FODSP	FONR	EG	PF	OO	YC	LS	LF	R45	AR	SR	NWC	NAE
Effectiveness Monitoring - HCP Species														
Monitoring Measure-37. Conduct status and trends monitoring for California tiger salamander.	✓	✗		✓		✓	✓	✓	✓	✓			✓	✓
Monitoring Measure-38. Monitor additional threats to California tiger salamander.	✓	✗		✓		✓	✓	✓	✓	✓			✓	✓
Monitoring Measure-39. Evaluate the effectiveness of mitigation measures for California tiger salamander.	✓	✗		✓		✓	✓	✓	✓	✓			✓	✓
Monitoring Measure-40. Conduct status and trends monitoring for California red-legged frog.	✓	✗		✓		✓	✓	✓				✓	✓	✓

Monitoring and Adaptive Management Measures	HMAs													
	FONM	FODSP	FONR	EG	PF	OO	YC	LS	LF	R45	AR	SR	NWC	NAE
Monitoring Measure-41. Evaluate the effectiveness of mitigation measures for California red-legged frog.	✓	✗		✓		✓	✓	✓				✓	✓	✓

Page 6-67 Add a footnote to the check mark under FODSP for Adaptive Management Measures 2 as follows:

¹² Avoidance measure adjustments shall not compromise public safety and access at FODSP.

Page 6-68 **Table 6-2 HCP Required Actions – Monitoring and Adaptive Management Measures by Location** was revised as follows (only the applicable excerpt from the table is shown below):

Table 6-2. HCP Required Actions – Monitoring and Adaptive Management Measures by Location

Monitoring and Adaptive Management Measures	HMAs													
	FONM	FODSP	FONR	EG	PF	OO	YC	LS	LF	R45	AR	SR	NWC	NAE
Adaptive Management														
Adaptive Management Measure-9. Evaluate, modify, and apply appropriate management and control measures for native and hybrid California tiger salamanders.	✓	✗		✓		✓	✓	✓	✓	✓			✓	✓

CHANGES TO CHAPTER 7, HCP IMPLEMENTATION

Page 7-4 Revise the 2nd sentence on the page as follows:

State Parks will be notified by the Cooperative with observations that trigger consideration of a ~~park~~ temporary beach access or trail closure as early in advance as possible, to enable State Parks to implement adaptive measures in coordination with the Coastal Commission.

Page 7-4 Revise the last sentence of the last paragraph as follows:

Aside from complying with the requirements of the HCP described herein, upon permit issuance, State government entities such as CSUMB and MPC do not have to seek authorization form the local jurisdictions to carry out their covered activities.

Page 7-17 Revise the 5th sentence of the 3rd paragraph as follows:

State Parks has restored ~~240~~230 acres of coastal dune habitat and installed 2.8 miles of fencing to protect the areas at the time of this writing.

Page 7-18 A footnote was added to the Monterey Peninsula College row in **Table 7-3. Habitat Management Areas Currently Transferred and under Army Jurisdiction** as follows:

^b The Range 45 Reserve acreage is currently under Army jurisdiction and is not owned by Monterey Peninsula College; a transfer is in progress and expected to be complete by mid-2020.

Page 7-24 A sentence was added after the fourth sentence in the paragraph under the heading *7.9.3.1 Annual Reports from Permittees* and HMA Managers as follows in response to Comment J-14:

HMA managers (State Parks, UC/NRS, and the Cooperative) will generate reports on HCP compliance monitoring results for lands which they have management responsibility. HMA managers have responsibility for generation of compliance monitoring reports in addition to the compliance monitoring results submitted by the Permittees.

CHANGES TO CHAPTER 9, COST AND FUNDING

Page 9-22 Add a footnote to the California Department of Parks and Recreation item under the *Annual Appropriations* subheading:

⁵ State Parks figures are estimates only, as annual appropriations are subject to fluctuations in annual State Park budget allocations (see Section 9.3.3, *State Parks' Annual Appropriations* for additional detail).

Page 9-30 Remove the 4th sentence of the 1st paragraph under the *9.3.3 State Parks' Annual Appropriations* heading as follows:

~~HMP required activities are nearly equivalent to HCP required actions. Funds currently requested for HMP implementation would be sufficient for implementation of HCP required AMMs and mitigation measures on the State Park-owned HMA. State Parks has been funding predator controls, exotic plant control, access controls, and habitat restoration since receiving the property in 2007.~~

Page 9-30 Revise the final sentence in the 2nd paragraph under the *9.3.3 State Parks' Annual Appropriations* heading as follows:

~~However,~~ State Parks is committed to successful implementation of this HCP and ~~will guarantee that it will~~ annually request sufficient funding from the legislature to implement the HCP and fulfill the terms and commitments of the ITP.

Page 9-30 Revise the final sentence in the 4th paragraph under the *9.3.3 State Parks' Annual Appropriations* heading as follows:

State Parks recognizes that failure ~~to provide sufficient funding and consequent nonperformance~~ in fulfilling its HCP responsibilities could result in temporary permit suspension or permit revocation.

Page 9-35 Revise the 4th and 6th bulleted items after the 3rd paragraph as:

- Utilize staff and other resources from State Parks to temporarily offset management tasks shared among ~~all~~ HMAs outside of FODSP that do not have a development nexus.
- Seek additional sources of funding through local, state, or Federal grants (Section 9.3.3, *Other Funding Sources*).

- Continue management that is already occurring on State Parks lands according to the requirements of the HMP. This management is expected to continue and be expanded for the HCP through State Parks annual appropriations as funding is made available.

Page 9-36 Revise the last sentence in the 1st paragraph as follows:

In addition, over the last 10 years, State Parks has been successful in cooperation with local, state, and Federal agencies to secure funding to restore or maintain approximately 230240 acres of coastal dune habitat in FODSP.

CHANGES TO CHAPTER 10, ALTERNATIVES ANALYZED

Page 10-3 Revise the 1st sentence on the page (the sentence begins on the previous page) as follows:

These activities include and rehabilitation and construction of roads, utilities, and other infrastructure and new research/educational, residential, commercial, light industrial, and recreational projects pursuant to the 1997 Fort Ord Base Reuse Plan, City of Marina General Plan, City of Seaside General Plan, City of Del Rey Oaks General Plan, City of Monterey General Plan, CSUMB Master Plan, UC MBEST Master Plan, County of Monterey General Plan, ~~and~~ the Fort Ord Dunes State Park Final General Plan, and the MPC Five Year Capital Outlay Plan.

Page 10-6 Revise the 2nd sentence in the 3rd paragraph under the *10.4 Alternative 3: No Action* heading as follows:

These activities include rehabilitation and construction of roads, utilities, and other infrastructure and new research/educational, residential, commercial, light industrial, and recreational projects pursuant to the 1997 Fort Ord Base Reuse Plan, City of Marina General Plan, City of Seaside General Plan, City of Del Rey Oaks General Plan, City of Monterey General Plan, CSUMB Master Plan, UC MBEST Master Plan, County of Monterey General Plan, ~~and~~ the Fort Ord Dunes State Park Final General Plan, and the MPC Five Year Capital Outlay Plan.

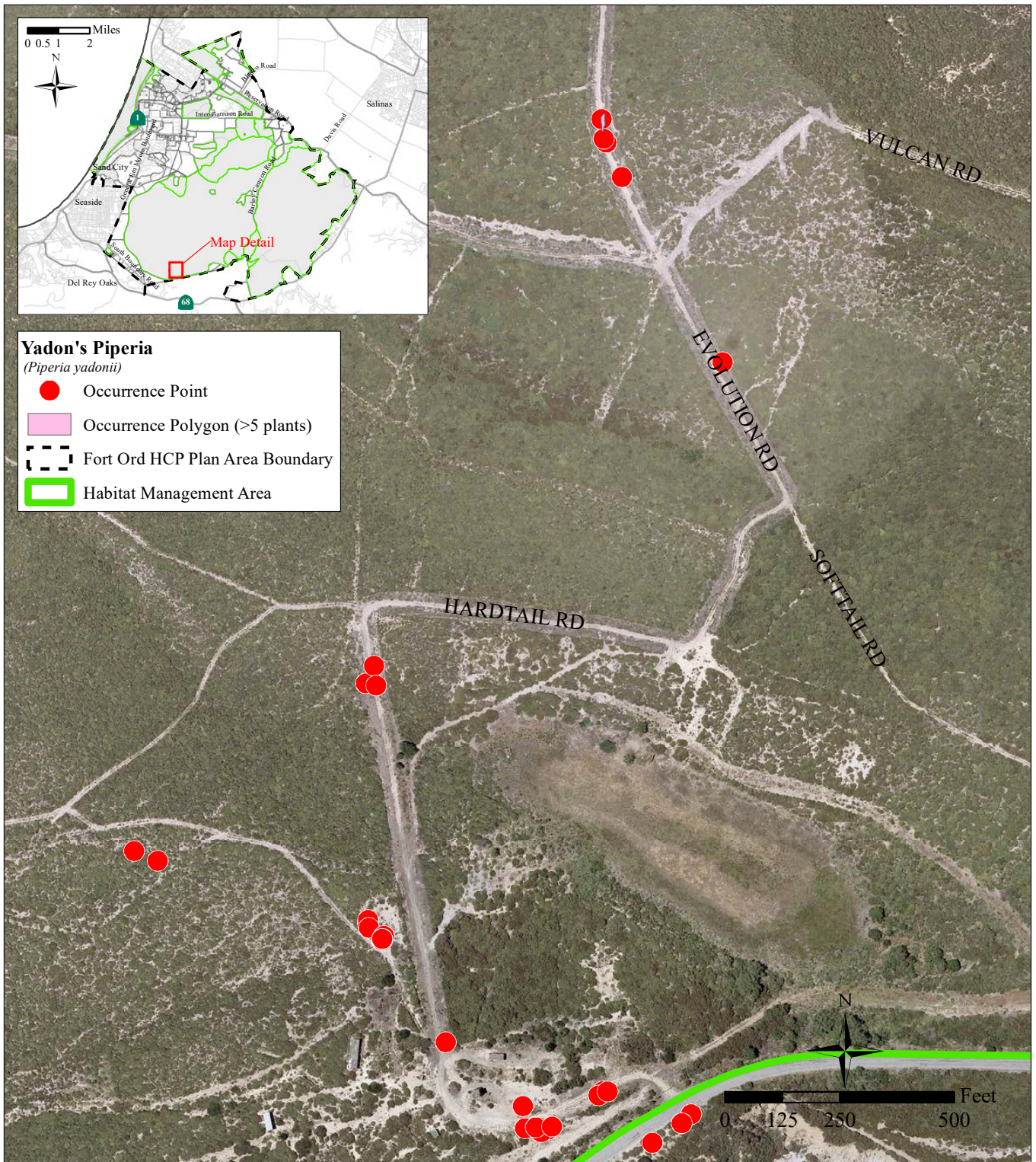
CHANGES TO CHAPTER 11, REFERENCES

Page 11-5 The following reference has been added:

Monterey Peninsula College. 2012. Facilities Master Plan Update, November 2012.

CHANGES TO APPENDIX A, HCP SPECIES OCCURRENCE MAPS

Figure A-2e. Location of Yadon's Piperia (Evolution Road) has been revised to reflect the correct figure as shown on the following page.



Source: Denise Duffy and Associates

Figure A-2e
Location of Yadon's Piperia (Evolution Road)

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