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Rincon Project No. 15-01938

Charity Wagner,
Director of Development
City Ventures
444 Spear Street, Suite 105
San Francisco, CA 94105

Via email: charity@cityventures.com

Subject: Jurisdictional Waters Evaluation Technical Memorandum for the Scotts Valley 2 Project, Scotts Valley, Santa Cruz County, California

Dear Ms. Wagner:

Rincon Consultants, Inc. (Rincon) conducted an evaluation of the Scotts Valley 2 Project site for the presence of Waters of the U.S., Waters of the State, and associated jurisdictional habitat. The project site is located on approximately 6.8 acres (APN 024-031-170) adjacent to, and south of State Route 17 at the north terminus of Santas Village Road in the City of Scotts Valley. The site is located adjacent to Carbonara Creek, and jurisdictional riparian habitat is present within a portion of the project site. Based on initial discussions about the project we understand that project construction is not expected to directly impact the bed or bank of Carbonara Creek; however, the adjacent riparian habitat may be impacted and therefore, notification to the California Department of Fish and Wildlife (CDFW) for a Streambed Alteration Agreement (SAA) may be required. This evaluation is limited to a determination if any other jurisdictional waters or wetlands were present within the project boundaries.

Methodology

Rincon reviewed current and historical (dating back to 1953) aerial imagery of the project site and surrounding area to determine if there was any historical evidence of jurisdictional features on the site, and to prepare preliminary vegetation mapping of the project site.

Rincon biologist David Daitch, Ph.D. then conducted a reconnaissance site visit on September 2, 2015 to inspect the site for wetlands and other jurisdictional features, and for sign of typical indicators of wetland (i.e. hydrophytic plants, wetland hydrology, hydric soils, topography indicating ponding and/or drainage patterns, etc.). Dr. Daitch conducted a 100% pedestrian survey of the entire site (except for the bed and banks of Carbonara Creek) to inspect for wetland features, and made photographic documentation of the site.

Results

Current aerial imagery indicated the site consist of annual grassland (likely non-native) with mixed (oak, willow, redwood) riparian woodland along the margins of Carbonara Creek.



The site is currently modified through previous grading and development. Historical imagery documented a history of development as early as 1953 with significant modifications to the site by 1968. The 1953 imagery shows upland annual grasslands on the majority of the project site with no indication of wetlands outside of the banks Carbonara Creek.

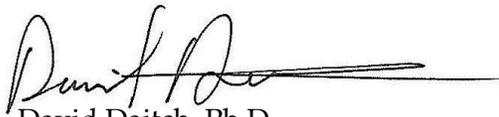
Site conditions were confirmed during the reconnaissance survey. The site consists predominantly of non-native annual grassland (see Photo 1 in Attachment) dominated by wild oats (*Avena* sp.), with other non-native and invasive herbaceous species. A large berm has been established along the northern edge of the site adjacent to Santas Village Road (see Photo 2 in attachment). At the base of the berm the site becomes a flat field that slopes almost imperceptibly south toward Carbonara Creek. The site has been recently disked and there was no sign of recent or historical ponding or accumulation of water in any part of the site. A very small artificial basin was constructed as part of a sewer system, probably in the early 1990s. A sewer drain is still present at this location (see Photo 3 in attachment); however there is no sign of wetland habitat ever having formed in this basin. The site is highly disturbed and consists in large part of artificial fill material at the surface (see Photo 4 in Attachment). The historical aerial imagery indicates that the site was at one time under construction as part of the adjacent sports complex development.

Conclusions

Based on the review of historical imagery, the topography of the site and the results of the pedestrian reconnaissance survey, the project site lacks any wetlands or jurisdictional waters outside of the limits of the bed and banks of Carbonara Creek.

If you or the City of Scotts Valley has any questions regarding this report or the methodology used to make this evaluation, please feel free to contact David Daitch at 831-333-0310 ext. 252 or ddaitch@rinconconsultants.com.

Sincerely,
RINCON CONSULTANTS, INC.



David Daitch, Ph.D.
Senior Biologist/Project Manager



Colby J. Boggs, MS
Principal/Senior Ecologist

Attachment: Photo Plate



Photo 1. Non-native annual grassland on the project site.



Photo 2. The site has an artificial berm constructed along the northern boundary. Santas Village Road is on the right.



Photo 3. A drain and associated sewer construction is present adjacent to Carbonara Creek on the south side of the project site.



Photo 4. Artificial fill covers the majority of the project site outside of Carbonara Creek.