



Proposed Mitigated Negative Declaration

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403

(707) 565-1900 FAX (707) 565-1103

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Prepared by: Katrina Braehmer
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Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Mitigated Negative Declaration and the attached Initial Study, including the identified mitigation measures and monitoring program, constitute the environmental review conducted by the County of Sonoma as lead agency for the proposed project described below:

Project Name: Middle Two Rock Subdivision
Project Applicant/Operator: Yuka Merritt and Michael Krechevsky
Project Location/Address: 2890 Middle Two Rock Road, Petaluma, CA 94952
APN: 021-160-006
General Plan Land Use Designation: RR 3
Zoning Designation: AR B6 3, NONE
Decision Making Body: Sonoma County Project Review Advisory Committee
Appeal Body: Sonoma County Planning Commission
Project Description: See below

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation" as indicated in the attached Initial Study and in the summary table below.

Table 1. Summary of Topic Areas

Topic Area	Abbreviation	Yes	No
Aesthetics	VIS	Yes	
Agricultural & Forest Resources	AG		No
Air Quality	AIR	Yes	
Biological Resources	BIO	Yes	
Cultural Resources	CUL	Yes	
Energy	ENE		No
Geology and Soils	GEO		No
Greenhouse Gas Emission	GHG		No
Hazards and Hazardous Materials	HAZ		No

Hydrology and Water Quality	HYDRO		No
Land Use and Planning	LU		No
Mineral Resources	MIN		No
Noise	NOISE	Yes	
Population and Housing	POP		No
Public Services	PS		No
Recreation	REC		No
Transportation	TRAF		No
Tribal Cultural Resources	TCR		No
Utility and Service Systems	UTL		No
Wildfire	WILD		No
Mandatory Findings of Significance			No

RESPONSIBLE AND TRUSTEE AGENCIES

The following lists other public agencies whose approval is required for the project, or who have jurisdiction over resources potentially affected by the project.

Table 2. Responsible and Trustee Agencies

Agency	Activity	Authorization
Sonoma County Permit and Resource Management Department (Permit Sonoma)	Requires that grading, septic and building permits be obtained for development of this site	
California Department of Fish and Wildlife	Impacts to species or habitat	California Endangered Species Act; Sections of the California Fish and Game Code related to Fully Protected Species, nongame mammals, nesting birds, and California Species of Special Concern
U. S. Fish and Wildlife Service (FWS) and or National Marine Fisheries Service (NMFS)	Incidental take permit for listed plant and animal species	Endangered Species Act
Bay Area Air Quality Management District (BAAQMD)	Stationary air emissions	BAAQMD Rules and Regulations (Regulation 2, Rule 1 – General Requirements; Regulation 2, Rule 2 – New Source Review; Regulation 9 – Rule 8 – NOx and CO from Stationary Internal Combustion Engines; and other BAAQMD administered Statewide Air Toxics Control Measures (ATCM) for stationary diesel engines

ENVIRONMENTAL FINDING:

Based on the evaluation in the attached Initial Study, I find that the project described above will not have a significant adverse impact on the environment, provided that the mitigation measures identified in the Initial Study are incorporated as conditions of approval for the project, and a Mitigated Negative Declaration has been prepared. The applicant has agreed in writing to incorporate identified mitigation measure into the project plans.



Prepared by: Katrina Braehmer

Date: 6/9/2020



Expanded Initial Study
Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

I. INTRODUCTION

Yuka Merritt and Michael Krechevsky propose to subdivide a 9.83-acre parcel resulting in three parcels, 2.16, 3.58, and 4.09 acres in size at 2890 Middle Two Rock Road in Petaluma. A referral letter was sent to the appropriate local, state and federal agencies and interest groups who may wish to comment on the project.

This report is the Initial Study required by the California Environmental Quality Act (CEQA). The report was prepared by Katrina Braehmer, Project Review Planner with the Sonoma County Permit and Resource Management Department, Project Review Division. Information on the project was provided by Adobe Associates, on behalf of Yuka Merritt and Michael Krechevsky. Technical studies provided by qualified consultants are attached to this Expanded Initial Study to support the conclusions. Other reports, documents, maps and studies referred to in this document are available for review at the Permit and Resource Management Department (Permit Sonoma).

Please contact Katrina Braehmer, Project Planner, at (707) 565-1903 for more information.

II. PROJECT DESCRIPTION

Yuka Merritt and Michael Krechevsky propose to subdivide a 9.83-acre parcel into three parcels: parcel 1 at 2.16 acres, parcel 2 at 3.58 acres, and parcel 3 at 4.09 acres.

The lot has been vacant since fall 2018 when a dilapidated residence and several accessory structures were demolished and removed. No structures are proposed with this application and the applicant has not identified building envelopes for any of the three proposed parcels. Existing access is from a dirt driveway off of Middle Two Rock Road into proposed Parcel 3. Parcels 1 and 2 would have access from Lundberg Lane.

The site gently falls easterly with slopes ranging from 10 to 16%. The terrain is primarily dominated by non-native annual grassland with a few clusters of trees. An approximately one-acre stand of mature Eucalyptus trees is located on the southwestern corner of the existing parcel. Mixed riparian forest bisects the southern half of the existing parcel along an ephemeral drainage that connects to an unidentified USGS blue-line stream approximately 1000 feet east of the project site. The drainage culverts under the existing driveway on proposed parcel 3 for about 30 feet, and measures two to three feet wide to the west of the driveway and three to four feet wide to the east.

Each proposed lot has a three-bedroom capacity septic area. Parcel 2 has three existing wells, two of which would serve Parcels 1 and 3.

Figure 1. Tentative Map

III. SETTING

The project is located approximately 2.5 miles west of the City of Petaluma, at the northeast corner of the intersection of Middle Two Rock Road and Lundberg Lane. The property and adjacent parcels north of Middle Two Rock are designated Rural Residential in the Sonoma County General Plan, and zoned AR (Agriculture and Residential). To the immediate south of the project site are parcels with Diverse Agriculture land use designations and zoning. Less than a quarter mile west of the project site, land use is Land Extensive Agriculture. Agricultural Preserve 2-420 encompasses several of the LEA-zoned parcels to the west and south of the project site. The neighboring parcel on the east is within Agricultural Preserve 2-496. This parcel is currently in phase-out status for a Type II Land Conservation Contract. The site is not located within the Santa Rosa Plain Conservation Area for California Tiger Salamander.

IV. ISSUES RAISED BY THE PUBLIC OR AGENCIES

Agency Referral

A referral packet was drafted and circulated to inform and solicit comments from selected relevant local, state and federal agencies; and to special interest groups that were anticipated to take interest in the project. The Northwest Information Center requested a cultural resources study. No other issues were raised by the agencies.

Tribal Consultation under AB 52

Referrals were sent to the following Tribes:

Cloverdale Rancheria of Pomo Indians
Dry Creek Rancheria Band of Pomo Indians
Torres Martinez Desert Cahuilla Indians
Mishewal Wappo Tribe of Alexander Valley
Middletown Rancheria Band of Pomo Indians
Lytton Rancheria of California
Kashia Pomos Stewarts Point Rancheria
Federated Indians of Graton Rancheria

No tribe requested further information or consultation.

Public Comments

An early neighborhood notice was sent to adjacent property owners upon submittal of the application. Four neighbors of the area responded to the notice to state their concerns about the project's impact on groundwater supply.

V. EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts of this project based on the criteria set forth in the State CEQA Guidelines and the County's implementing ordinances and guidelines. For each item, one of four responses is given:

No Impact: The project would not have the impact described. The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.

Less Than Significant Impact: The project would have the impact described, but the impact

would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

Potentially Significant Unless Mitigated: The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.

Potentially Significant Impact: The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

Each question was answered by evaluating the project as proposed, that is, without considering the effect of any added mitigation measures. The Initial Study includes a discussion of the potential impacts and identifies mitigation measures to substantially reduce those impacts to a level of insignificance where feasible. All references and sources used in this Initial Study are listed in the Reference section at the end of this report and are incorporated herein by reference.

Yuka Merritt and Michael Krechevsky have agreed to accept all mitigation measures listed in this Initial Study as conditions of approval for the proposed project, and to obtain all necessary permits, notify all contractors, agents and employees involved in project implementation and any new owners should the property be transferred to ensure compliance with the mitigation measures.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista?

Comment

The project is not located in an area designated as visually sensitive by the Sonoma County General Plan or the West Petaluma Area Plan. It is not located on a scenic hillside, nor would it involve tree removal, construction or grading that would significantly affect a scenic vista. The project will have no impact on a scenic vista.

Significance Level:

No Impact

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

Comment

The project is not located on a site visible from a state scenic highway and is not within the HD (Historic District) combining district. The project does not involve removal of any trees, rock outcroppings, or historic buildings and is therefore not expected to significantly impact scenic resources.

Significance Level

No Impact

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from

publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Comment

The character of the 9.83-acre site and surrounding lands is rural residential. Clusters of trees and shrubs along the southern and western property lines generally screen the site from public view along Middle Two Rock Road and Lundberg Lane. Using the County's Visual Assessment Guidelines¹, the project site is characterized as having moderate visual sensitivity because it is within a rural land use designation where there are natural features of aesthetic value, such as a vegetation and gentle slopes. The project does not involve a specific development proposal, therefore under the assumption that future development will be residential, the project's visual dominance can be categorized as subordinate. The site is not substantially visible to the public and new residential structures will blend with other development in the surrounding landscape. Utilizing the Visual Assessment Guidelines' matrix, the project's visual impact will be less than significant.

Significance Level

Less than Significant

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

Comment

The project does not propose any structures, but at future buildout, residential structures will introduce new sources of light and glare. Lighting on future development will be required to be Dark Sky compliant or a similar certification.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

Mitigation Measure VIS-1: NOTE ON MAP: Prior to issuance of building permits, an exterior lighting plan shall be submitted review. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut of automatically after closing and security lighting shall be motion sensor activated.

Monitoring VIS-1: The Project Review Planner shall review the map to ensure that the note is shown correctly on the map. Permit Sonoma Staff shall not issue the Building Permit until an exterior night lighting plan has been submitted that is consistent with the approved plans and County standards. The Permit and Resource Management Department shall not sign off final occupancy on the Building Permit until it is demonstrated that improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke or modify the permit.

¹ "Visual Assessment Guidelines," Permit Sonoma, January 2019, <https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/>

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

Comment

The project site is not designated as Prime or Unique Farmland, or Farmland of Statewide Importance on the Important Farmland maps². It is designated as Other Lands reflecting the most recent utility of the site for residential use.

Significance Level

No Impact

- b) **Conflict with existing zoning for agricultural use, or Williamson Act Contract?**

Comment

The project site is zoned AR (Agriculture and Residential), which allows for single family residential development. The site is not currently in agricultural use. It is not subject to a Land Conservation contract, though the adjacent parcel to the east is in Phase-Out status for a Type II (Non-Prime) Land Conservation contract. Therefore the project is not expected to conflict with zoning for agricultural use or lands under a Land Conservation contract.

Significance Level

No Impact

- c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

Comment

The project is not forest land, is not zoned Timberland Production (TP), or located near forest land or lands zoned TP. Therefore the project will not conflict with or have any effect on forest lands or lands zoned TP.

Significance Level

No Impact

² California Department of Conservation, "Sonoma County Important Farmland 2016," CA Department of Conservation, April 2018, <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sonoma.aspx>

d) Result in the loss of forest land or conversion of forest land to non-forest use?

Comment

See the comment under section 2(c) above.

Significance Level

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use?

Comment

The project does not involve other changes in the environment that could result in conversion of farmland to non-agricultural use or forest land to non-forest use.

Significance Level

No Impact

3. AIR QUALITY

The methodologies and assumptions used in preparation of this section follow the CEQA Guidelines developed by the Bay Area Air Quality Management District (BAAQMD), as revised in May 2017³. Information on existing air quality conditions, federal and state ambient air quality standards, and pollutants of concern was obtained from the U.S. Environmental Protection Agency (U.S. EPA), California Air Resources Board (CARB), and BAAQMD.

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Comment

The project is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which is currently designated as a nonattainment area for State and federal ozone standards, the State PM₁₀ standard, and State and federal PM_{2.5} standards. The District has adopted an Ozone Attainment Plan and a Clean Air Plan in compliance with federal and State Clean Air Acts. These plans include measures to achieve compliance with both ozone standards. The plans deal primarily with emissions of ozone precursors (nitrogen oxides [NO_x] and volatile organic compounds, also referred to as Reactive Organic Gases [ROG]). Based on thresholds developed by BAAQMD in its report, *California Environmental Quality Act Air Quality Guidelines May 2017*⁴, the proposed use is well below the emission thresholds for PM₁₀, PM_{2.5} and ozone precursors and does not conflict with or obstruct the implementation of applicable air quality plans.

Significance Level

Less than Significant

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

³ Bay Area Air Quality Management District, "California Environmental Quality Act, Air Quality Guidelines," May 2017, https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

⁴ Ibid

Comment

State and Federal standards have been established for the “criteria pollutants”: ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide and particulates (PM10 and PM2.5). The pollutants NOx (nitrogen oxides) and reactive organic gases (ROG) form ozone in the atmosphere in the presence of sunlight. The principal source of ozone precursors is vehicle emissions, although stationary internal combustion engines are also considered a source. Following use of the screening criteria for ROG and NOx, found in the BAAQMD Air Quality Guidelines (Table 3-1), a detailed air quality study is not required, and emissions of criteria pollutants from the project would be less than significant.

Significance Level

Less than Significant

- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

Comment

The project will not have a cumulative effect on ozone because it will not generate substantial traffic which would result in substantial emissions of ozone precursors (ROG and NOx).

The project will have no long-term effect on PM_{2.5} and PM₁₀, because all surfaces will be paved, gravel, landscaped or otherwise treated to stabilize bare soils, and dust generation will be insignificant. However, there could be a significant short-term emission of dust (which would include PM_{2.5} and PM₁₀) during construction. These emissions could be significant at the project level, and could also contribute to a cumulative impact. This impact would be reduced to less than significant by including dust control measures as described in the following mitigation measure.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

Mitigation Measure AIR-1: NOTE ON MAP: All construction shall implement the following dust control measures:

- a. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
- b. Trucks hauling soil, sand, and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
- c. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site.

Monitoring AIR-1: Permit Sonoma staff shall ensure that the note is on the map prior to recordation and that the measures are listed on all site alteration, grading, building, or improvement plans prior to issuance of grading or building permits.

- d) **Expose sensitive receptors to substantial pollutant concentrations?**

Comment

Sensitive receptors are facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent

facilities, and residential areas are examples of sensitive receptors. Localized impacts to sensitive receptors generally occur when sources of air pollutants and sensitive receptors are located near one another. The project site is residential by zoning and abuts five other residential or agricultural parcels. The project would not expose these sensitive receptors to significant concentrations of pollutants because of the analysis above in 3(b) and 3(c). The proposed project would not create an incompatible situation as neither the residential use of the project site nor the neighboring uses involve stationary or point sources of air pollutants which generate substantial pollutant concentrations. Although there will be no long term increase in emissions, during construction there could be significant short term dust emissions that would affect nearby residents. Dust emissions can be reduced to less than significant by Mitigation Measure AIR-1.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure AIR-1.

e) Create objectionable odors affecting a substantial number of people?

Comment

The project is not an odor-generating use. However, the project is likely to result in new residences sited near an odor-generating use: agricultural lands. The County permits the operation of properly conducted agricultural operations on agricultural land and has declared it County policy in the Sonoma County Right to Farm Ordinance (Ordinance No. 5203) to conserve, protect, enhance, and encourage properly conducted agricultural operations on agricultural land. The County has determined in Ordinance No. 5203 that inconvenience or discomfort arising from a properly conducted agricultural operation on agricultural land will not be considered a nuisance and that residents or users of nearby property should be prepared to accept such inconvenience or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector.

Ordinance No. 5203 also requires recordation of a Declaration Acknowledging Right to Farm in connection with all discretionary permits and single family dwelling building permits on, or within 300 feet of, any lands zoned LIA, LEA, or DA. The project site is adjacent to DA-zoned lands and nearby LEA-zoned lands. Therefore, the subdivision conditions of approval will require the property owner to record a Right to Farm Declaration.

Construction equipment may generate odors during project construction. The impact would be less than significant as it would be a short-term impact that ceases upon completion of the project.

Significance Level

Less than Significant

4. BIOLOGICAL RESOURCES

Regulatory Framework

The following discussion identifies federal, state and local environmental regulations that serve to protect sensitive biological resources relevant to the California Environmental Quality Act (CEQA) review process.

FEDERAL

Federal Endangered Species Act (FESA)

FESA establishes a broad public and federal interest in identifying, protecting, and providing for the recovery of threatened or endangered species. The Secretary of Interior and the Secretary of Commerce are designated in FESA as responsible for identifying endangered and threatened species and their critical habitat, carrying out programs for the conservation of these species, and rendering opinions regarding the impact of proposed federal actions on listed species. The USFWS and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) are charged with implementing and enforcing the FESA. USFWS has authority over terrestrial and continental aquatic species, and NOAA Fisheries has authority over species that spend all or part of their life cycle at sea, such as salmonids.

Section 9 of FESA prohibits the unlawful "take" of any listed fish or wildlife species. Take, as defined by FESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such action." USFWS's regulations define harm to mean "an act which actually kills or injures wildlife." Such an act "may include "significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering" (50 CFR § 17.3). Take can be permitted under FESA pursuant to sections 7 and 10. Section 7 provides a process for take permits for federal projects or projects subject to a federal permit, and Section 10 provides a process for incidental take permits for projects without a federal nexus. FESA does not extend the take prohibition to federally listed plants on private land, other than prohibiting the removal, damage, or destruction of such species in violation of state law.

The Migratory Bird Treaty Act of 1918 (MBTA)

The U.S. MBTA (16 USC §§ 703 et seq., Title 50 Code of Federal Regulations [CFR] Part 10) states it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill; attempt to take, capture or kill; possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest or egg thereof..." In short, under MBTA it is illegal to disturb a nest that is in active use, since this could result in killing a bird, destroying a nest, or destroying an egg. The USFWS enforces MBTA. The MBTA does not protect some birds that are non-native or human-introduced or that belong to families that are not covered by any of the conventions implemented by MBTA. In 2017, the USFWS issued a memorandum stating that the MBTA does not prohibit incidental take; therefore, the MBTA is currently limited to purposeful actions, such as directly and knowingly removing a nest to construct a project, hunting, and poaching.

The Clean Water Act (CWA)

The CWA is the primary federal law regulating water quality. The implementation of the CWA is the responsibility of the U.S. Environmental Protection Agency (EPA). However, the EPA depends on other agencies, such as the individual states and the U.S. Army Corps of Engineers (USACE), to assist in implementing the CWA. The objective of the CWA is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Section 404 and 401 of the CWA apply to activities that would impact waters of the U.S. The USACE enforces Section 404 of the CWA and the California State Water Resources Control Board enforces Section 401.

Section 404.

As part of its mandate under Section 404 of the CWA, the EPA regulates the discharge of dredged or fill material into "waters of the U.S.". "Waters of the U.S: include territorial seas, tidal waters, and non-tidal waters in addition to wetlands and drainages that support wetland vegetation, exhibit ponding or scouring, show obvious signs of channeling, or have discernible banks and high-water marks. Wetlands are defined as those areas "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically

adapted for life in saturated soil conditions” (33 CFR 328.3(b)). The discharge of dredged or fill material into waters of the U.S. is prohibited under the CWA except when it is in compliance with Section 404 of the CWA. Enforcement authority for Section 404 was given to the USACE, which it accomplishes under its regulatory branch. The EPA has veto authority over the USACE’s administration of the Section 404 program and may override a USACE decision with respect to permitting. Substantial impacts to waters of the U.S. may require an Individual Permit’s Projects that only minimally affect waters of the U.S. may meet the conditions of one of the existing Nationwide Permits, provided that such permit’s other respective conditions are satisfied. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions (see below).

Section 401.

Any applicant for a federal permit to impact waters of the U.S. under Section 404 of the CWA, including Nationwide Permits where pre-construction notification is required, must also provide to the USACE a certification or waiver from the State of California. The “401 Certification” is provided by the State Water Resources Control Board through the local Regional Water Quality Control Board (RWQCB). The RWQCB issues and enforces permits for discharge of treated water, landfills, storm-water runoff, filling of any surface waters or wetlands, dredging, agricultural activities and wastewater recycling. The RWQCB recommends the “401 Certification” application be made at the same time that any applications are provided to other agencies, such as the USACE, USFWS, or NOAA Fisheries. The application is not final until completion of environmental review under the CEQA. The application to the RWQCB is similar to the pre-construction notification that is required by the USACE. It must include a description of the habitat that is being impacted, a description of how the impact is proposed to be minimized and proposed mitigation measures with goals, schedules, and performance standards. Mitigation must include a replacement of functions and values, and replacement of wetland at a minimum ratio of 2:1, or twice as many acres of wetlands provided as are removed. The RWQCB looks for mitigation that is on site and in-kind, with functions and values as good as or better than the water-based habitat that is being removed.

STATE

California Endangered Species Act (CESA)

Provisions of CESA protect state-listed threatened and endangered species. The CDFW is charged with establishing a list of endangered and threatened species. CDFW regulates activities that may result in “take” of individuals (i.e., “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”). Habitat degradation or modification is not expressly included in the definition of “take” under the California Fish and Game Code (CFGF), but CDFW has interpreted “take” to include the killing of a member of a species which is the proximate result of habitat modification.

Fish and Game Code 1600-1602

Sections 1600-1607 of the CFGF require that a Notification of Lake or Streambed Alteration Agreement (LSAA) application be submitted to CDFW for “any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake.” CDFW reviews the proposed actions in the application and, if necessary, prepares a LSAA that includes measures to protect affected fish and wildlife resources, including mitigation for impacts to bats and bat habitat.

Nesting Birds

Nesting birds, including raptors, are protected under CFGF Section 3503, which reads, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” In addition, under CFGF Section 3503.5, “it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto”. Passerines and non-passerine land birds are further protected under CFGF 3513. As such, CDFW typically recommends surveys for nesting birds that could potentially be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by

project-related activities. Disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “take” by CDFW.

Non-Game Mammals

Sections 4150-4155 of the CFGC protects non-game mammals, including bats. Section 4150 states “A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A non-game mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission”. The non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are classified as a non-game mammal and are protected under the CFGC.

California Fully Protected Species

The classification of “fully protected” was the CDFW’s initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under CESA and/or FESA. The Fish and Game Code sections (fish at §5515, amphibians and reptiles at §5050, birds at §3503 and §3511, and mammals at §4150 and §4700) dealing with “fully protected” species state that these species “...may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species,” although take may be authorized for necessary scientific research. This language makes the “fully protected” designation the strongest and most restrictive regarding the “take” of these species. In 2003, the code sections dealing with “fully protected” species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species.

Species of Special Concern

California Species of Special Concern (CSC) are broadly defined as animals not listed under the FESA or CESA, but which are nonetheless of concern to the CDFW because they are declining at a rate that could result in listing or because they historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under the CEQA during project review.

Porter-Cologne Water Quality Control Act

The intent of the Porter-Cologne Water Quality Control Act (Porter-Cologne) is to protect water quality and the beneficial uses of water, and it applies to both surface and ground water. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the RWQCBs develop basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of both statewide and basin plans. Waters regulated under Porter-Cologne, referred to as “waters of the State,” include isolated waters that are not regulated by the USACE. Projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, any person discharging, or proposing to discharge, waste (e.g., dirt) to waters of the State must file a Report of Waste Discharge and receive either waste discharge requirements (WDRs) or a waiver to WDRs before beginning the discharge.

LOCAL

Sonoma County General Plan

The *Sonoma County General Plan 2020* Land Use Element and Open Space & Resource Conservation Element both contain policies to protect natural resource lands including, but not limited to, watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors.

Valley Oak Habitat (VOH) Combining District The VOH combining district is established to protect and enhance valley oaks and valley oak woodlands and to implement the provisions of Sonoma County General Plan 2020 Resource Conservation Element Section 5.1. Design review approval may be required of projects in the VOH, which would include measures to protect and enhance valley oaks on the project site, such as requiring that valley oaks shall comprise a minimum of fifty percent (50%) of the required landscape trees for the development project.

Riparian Corridor (RC) Combining District

The RC combining district is established to protect biotic resource communities, including critical habitat areas within and along riparian corridors, for their habitat and environmental value, and to implement the provisions of the General Plan Open Space and Resource Conservation and Water Resources Elements. These provisions are intended to protect and enhance riparian corridors and functions along designated streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, floodplain management, wildlife habitat and movement, stream shade, fisheries, water quality, channel stability, groundwater recharge, opportunities for recreation, education and aesthetic appreciation and other riparian functions and values.

Sonoma County Tree Protection Ordinance

The Sonoma County Tree Protection Ordinance (Sonoma County Code of Ordinances, Chapter 26, Article 88, Sec. 26-88-010 [m]) establishes policies for protected tree species in Sonoma County. Protected trees are defined (Chapter 26, Article 02, Sec. 26- 02-140) as the following species: big leaf maple (*Acer macrophyllum*), black oak (*Quercus kelloggii*), blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizenii*), madrone (*Arbutus menziesii*), oracle oak (*Quercus morehus*), Oregon oak (*Quercus garryana*), redwood (*Sequoia sempervirens*), valley oak (*Quercus lobata*), California bay (*Umbellularia californica*), and their hybrids.

Would the project:

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Regulatory Framework

Special-Status Species

Special-status species include those plant and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These acts afford protection to both listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (The Service) Birds of Conservation Concern, and CDFW special-status invertebrates, are all considered special-status species. Although CDFW Species of Special Concern generally have no special legal status, they are given special consideration under the California Environmental Quality Act (CEQA). In addition to regulations for special-status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918. Plant species on California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA. Bat

species designated as "High Priority" by the Western Bat Working Group (WBWG) qualify for legal protection under Section 15380(d) of the CEQA Guidelines. Species designated "High Priority" are defined as "imperiled or are at high risk of imperilment based on available information on distribution, status, ecology and known threats.

Endangered Species Act

The Endangered Species Act (ESA) of 1973, as amended (16 USC 1531 *et seq.*) was enacted to provide a means to identify and protect endangered and threatened species. Under the Section 9 of the ESA, it is unlawful to take any listed species. "Take" is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting a listed species. "Harass" is defined as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. "Harm" is defined as an act which actually kills or injures fish or wildlife and may include significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding, or sheltering. Actions that may result in "take" of a federal-listed species are subject to The Service or National Marine Fisheries Service (NOAA Fisheries) permit issuance and monitoring. Section 7 of ESA requires federal agencies to ensure that any action authorized, funded, or carried out by the agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat for such species. Any action authorized, funded, or carried out by a federal agency or designated proxy (e.g., Army Corps of Engineers) which has potential to affect listed species requires consultation with The Service or NOAA Fisheries under Section 7 of the ESA.

Critical Habitat

Critical habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. The ESA requires federal agencies to consult with the USFWS to conserve listed species on their lands and to ensure that any activities or projects they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. In consultation for those species with critical habitat, federal agencies must also ensure that their activities or projects do not adversely modify critical habitat to the point that it will no longer aid in the species' recovery. In many cases, this level of protection is similar to that already provided to species by the ESA jeopardy standard. However, areas that are currently unoccupied by the species but which are needed for the species' recovery are protected by the prohibition against adverse modification of critical habitat.

Essential Fish Habitat

Essential Fish Habitat (EFH) is regulated through the NMFS, a division of the National Oceanic and Atmospheric Administration (NOAA). Protection of Essential Fish Habitat is mandated through changes implemented in 1996 to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to protect the loss of habitat necessary to maintain sustainable fisheries in the United States. The Magnuson-Stevens Act defines Essential Fish Habitat as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity" [16 USC 1802(10)]. NMFS further defines essential fish habitat as areas that "contain habitat essential to the long-term survival and health of our nation's fisheries" Essential Fish Habitat can include the water column, certain bottom types such as sandy or rocky bottoms, vegetation such as eelgrass or kelp, or structurally complex coral or oyster reefs. Under regulatory guidelines issued by NMFS, any federal agency that authorizes, funds, or undertakes action that may affect EFH is required to consult with NMFS (50 CFR 600.920).

Comment

The 9.83-acre project parcel was previously developed with a residence and multiple outbuildings

which were removed in fall of 2018. The site comprises ruderal areas, non-native grasslands, a eucalyptus grove, and other tree species including Valley Oak, Coast Live Oak, and Redwood. The site slopes gently to the east, with an ephemeral drainage running along the southern half of the existing parcel. The drainage connects downstream to an unidentified blue-line stream approximately 1,000 feet to the east.

The site is not located within a critical habitat area or the regulatory Santa Rosa Plain.

Lucy Macmillan, M.S. conducted a site reconnaissance in March 2019⁵ and prepared a biological resources assessment evaluating the potential for special status species or sensitive habitats to occur on site. The assessment indicates that fifteen special status wildlife species and 15 special status plant species have been documented within five miles of the project site; of this list, only California red-legged frog and Pitkin marsh lily have been documented within one mile. Due to the lack of habitat, not all of the species with nearby occurrences have the potential to occur on site. Based on the field survey and associated research, the site has the potential to provide the following:

- Habitat for nesting birds and raptors
- Roosting habitat for special-status bats
- Habitat for the American Badger

To supplement Ms. Macmillan's assessment, Andrew Georgeades of Sol Ecology performed two rare plant surveys on April 25th and June 3rd in 2019⁶. The project site was traversed on foot to examine suitable habitat for the presence of special-status plants known to occur in the vicinity of the Project Area. The survey followed the protocol described in the March 20, 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. Based on a review of the literature and the field surveys, Mr. Georgeades concluded that the project site has varying potential for 37 rare plant species.

At the time of the field survey, no occurrences of special-status plant or wildlife species had been documented on site and none were observed during the surveys.

Special-status Wildlife Species

Nesting Birds and Raptors

The trees on site could provide suitable habitat for nesting birds and raptors known to occur in the region. Birds and raptors are protected under the federal Migratory Bird Treaty Act (50 CFR 10.13). Their nests, eggs, and young are also protected under California Fish and Wildlife Code (§3503, §3503.5, and §3800). In addition, raptors such as the white-tailed kite (*Elanus leucurus*) are "fully protected" under Fish and Wildlife Code (§3511). Fully protected raptors cannot be taken or possessed (that is, kept in captivity) at any time. According to the biological assessment, the site provides potential habitat for the following species, which are listed as California Species of Special Concern: Burrowing owl (*Athene cunicularia*), Northern harrier (*Circus cyaneus*), and White-tailed kite (*Elanus leucurus*). None of these species were observed during the field survey. There is a single recorded occurrence of the burrowing owl approximately two miles south of the project site. There are no documented occurrences of Northern harriers or White-tailed kites within five miles. No trees are proposed for removal by the project and assuming a low to moderate potential of occurrence, no impacts to nesting birds or their habitat are anticipated. However, pre-construction surveys are recommended. Mitigation Measure BIO-1 would reduce the potential impact to nesting birds and

⁵ Macmillan, Lucy, M.S., "Biological Resources Assessment, 2890 Middle Two Rock Road, Petaluma, Sonoma County, California, APN 021-170-006", November 2019

⁶ Georgeades, Andrew, "Special Status Plant Survey at 2890 Middle Two Rock Road, Petaluma, California", Sol Ecology, September 1, 2019

raptors to a less than significant level.

Maternity Roosting Bats

The trees on the project site could provide suitable roosting habitat for several bat species known to occur in the region, including but not limited to Townsend's big-eared bat and Pallid bat. Both species are listed as California Species of Special Concern and are known to be highly sensitive to human disturbance. Townsend's can be found throughout California in a variety of habitat. They typically roost inside buildings, caves and mines, and availability of suitable roosting sites is believed to be a limiting factor for the species. Pallid bats prefer open, dry habitats with rocky areas for roosting. No species of bats were observed during the field survey. A single occurrence of Townsend's has been recorded within five miles of the project site in downtown Petaluma. Occurrences of Pallid bat have not been documented within the same range. No trees are proposed for removal with the project and assuming a low to moderate potential of occurrence, no impacts to roosting bats or their habitat are anticipated. However, pre-construction surveys are recommended. Mitigation Measure BIO-2 would reduce the potential impact to roosting bats to a less than significant level.

California red-legged frog

The California red-legged (CRLF) frog is listed under the ESA as a threatened species and also as a California Species of Special Concern. The project site is not located within a designated Critical Habitat for CRLF. Designated Critical Habitat exists approximately three miles southeast of the project area. This species is dependent on suitable aquatic, estivation, and upland habitat. During periods of wet weather, starting with the first rainfall in late fall, red-legged frogs disperse away from their estivation sites to seek suitable breeding habitat. Aquatic and breeding habitat is characterized by dense, shrubby, riparian vegetation and deep, still or slow moving water. Breeding occurs between late November and late April. CRLF estivate (period of inactivity) during the dry months in small mammal burrows, moist leaf litter, incised stream channels, and large cracks in the bottom of dried ponds. There is a recorded occurrence of CRLF within approximately one mile of the project site. The site does not provide potential habitat for CRLF because the onsite drainage is ephemeral, has little herbaceous cover, and does not have plunge pools or deeper water habitats that retain water long enough to be suitable for breeding. The occurrence within approximately one mile was a tadpole occurrence from 2017, and it is very unlikely that the project site could support CRLF. No impacts to CRLF are expected.

American badger

The American badger, a California Species of Special Concern, is an uncommon, permanent resident found throughout most of the state. They are found in a variety of habitats, and are most abundant in drier open stages of shrub, forest, and herbaceous habitats that have friable soils (Zeiner, et al. 1990). Badgers are carnivorous, eating primarily small rodents, especially ground squirrels and pocket gophers, but also take a variety of other smaller prey (Zeiner, et al. 1990). Badgers dig their own burrows, and often reuse old burrows, but may dig new ones each night (Zeiner, et al. 1990). They are active year-round, though less so in winter. Badgers breed in summer and early fall, and implantation of the embryos is delayed, and young are typically born in March and April (Zeiner, et al. 1990). The young remain underground until the age of 6-8 weeks old. At age 3-4 months of age, badgers disperse to live in their own.

The grasslands on the project site provide potential habitat for the American badger although no potential badger burrows were observed on the site during the March 2019 reconnaissance. The project is unlikely to impact badgers, but pre-construction surveys are recommended. Mitigation Measure BIO-3 would reduce the potential impact to American badger to a less than significant level.

Special-status Plant Species

Based on a review of the literature and the field surveys, Mr. Georgeades of Sol Ecology concluded that the project site has varying potential for 37 rare plant species. The ephemeral drainage provides only marginally suitable habitat for species such as Sonoma sunshine (*Blennosperma bakeri*), Pappose tarplant (*Centromadia [Hemizonia] parryi* ssp. *parryi*), Dwarf downingia (*Downingia pusilla*), and Baker's navarretia (*Navarretia leucocephala* ssp. *bakeri*). Because the drainage is seasonal and shallow, the potential for most of these species to occur is low. The lack of suitable substrate and soil at the project site also reduces the likelihood of certain plant species to occur, including Baker's larkspur (*Delphinium bakeri*), Streamside daisy (*Erigeron biolettii*), and San Francisco gumplant (*Grindelia hirsutula* var. *maritima*).

Species with moderate potential to occur include Franciscan onion (*Allium peninsulare* var. *franciscanum*), Seaside bittercress (*Cardamine angulata*), and Congested-headed hayfield Tarplant (*Hemizonia congesta* ssp. *congesta*). No special-status plant species were observed during Mr. Georgeades' two field surveys, although adverse conditions from yearly weather patterns, disease, drought, predation, fire, herbivory, or other disturbances may preclude presence in a given year. Based on the results of the two biological assessments, project impacts to listed plant species are unlikely and unexpected. To reduce the potential impact to a less than significant level, pre-construction surveys for those species with moderate potential to occur are recommended as Mitigation Measure BIO-4.

Significance

Less than Significant with Mitigation Incorporated

Mitigation

Mitigation Measure BIO-1: NOTE ON MAP: If initial ground disturbance or vegetation removal occurs during the breeding season for nesting birds (February 1 through August 31), a qualified biologist shall conduct a breeding bird survey no more than 14 days prior to ground disturbance to determine if any birds are nesting in underground burrows or dens, or in trees on or adjacent to the project site. If active nests are found close enough to the project site to affect breeding success, the biologist shall establish an appropriate exclusion zone around the nest. This exclusion zone may be modified depending on the species, nest location, and existing visual buffers, but typically would entail a minimum of 500 feet for raptor species and 300 feet for other migratory species. Once all young have become independent of the nest, vegetation removal and grading may take place in the former exclusion zone. If initial ground disturbance is delayed or there is a break in project activities of more than 14 days within the bird-nesting season, then a follow-up nesting bird survey shall be performed to ensure no nests have been established in the interim. If a burrowing owl or occupied burrow is found, CDFW will be contacted to determine the appropriate mitigation measure to avoid impacts on the species, which may include relocating the owl or burrow to a safe location.

Mitigation Measure BIO-2: NOTE ON MAP: If initial ground disturbance or building demolition occurs during the bat maternity roosting season (May 1 through August 31), a qualified biologist shall conduct a bat roost assessment of trees and structures within 100 feet of the construction site. Surveys shall be conducted immediately prior to construction (within 1 to 2 days). If the biologist determines there is potential for maternity roosting bats to be present within 100 feet of the project site, nighttime emergence surveys shall be performed to determine if maternity roosting bats are present. If bat maternity roosts are present, the biologist shall establish an appropriate exclusion zone around the maternity roost. Once all young have become independent of the roost, construction may take place in the former exclusion zone.

Mitigation Measure BIO-3: Impacts to American badgers will be reduced to less than significant by including the following mitigation measures:

- a. **NOTE ON MAP:** "If ground-disturbing activities occur between September 1 and February 28 (American badger natal season) a survey shall be conducted by a qualified biologist for natal burrows within seven days prior to any ground-disturbing activity. The area to be surveyed will include all construction sites and staging areas, to a buffer of 50 feet outside the boundary of the disturbance area. Survey results will remain valid for a period of 21 days following the date of the survey. In the event that an active natal burrow is discovered in the surveys area, postpone all ground-disturbing construction activities within this area until the Operating Entity consults with the California Department of Fish and Wildlife to determine the appropriate size of a no-disturbance buffer. This area will be flagged and no ground-disturbing activity will be allowed to occur here until it is determined that the young have dispersed the natal burrow."
- b. **NOTE ON MAP:** "If ground-disturbing activities occur outside American badger natal season, between February 29 and August 31, a qualified biologist shall conduct a survey for active badger burrows within seven days prior to any ground-disturbing activity. The area to be surveyed will include all construction sites and staging areas, to a buffer of 50 feet outside the boundary of the disturbance area. Exclusion techniques will be used to passively relocate any badgers that are present in the disturbance area or within 50 feet of project activities. Exclusion techniques, such as installation of a one-way door in the burrow entrance, would exclude badgers from entering the burrow. Burrows with exclusion techniques will be monitored to confirm badger usage has been discontinued. After badger use has been discontinued, burrows outside the disturbance area, but within 50 feet of construction activities, will be temporarily covered with plywood sheets or similar material. Burrows within the project work area will be hand-excavated and collapsed to prevent reoccupation."
- c. **NOTE ON MAP:** "Prior to any ground disturbing activities, a qualified biologist shall conduct a worker environmental awareness program to provide construction personnel with information on their responsibilities with regard to the American badger. At a minimum, the training shall describe the species and their habitat, the importance of the species and its habitat, measures that are being implemented to conserve the species, and actions to take in the event badgers are observed in the work area."

Mitigation Measure BIO-4: **NOTE ON MAP:** If initial ground disturbance occurs during the flowering periods for Franciscan onion (May-June), Seaside bittercress (March-July), or Congested-headed hayfield tarplant (April-November), a qualified biologist shall conduct a pre-construction survey of the disturbance area prior to construction activities. If the plant is found, CDFW will be contacted to determine the appropriate mitigation measure to avoid impacts on the species, which may include collection and redistribution of the seedbank.

Monitoring BIO-1 through BIO-4: The Project Review Planner shall review the map to ensure that all notes are shown correctly on the map. Prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the biologist or CDFW to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Comment

USGS-designated blue-line stream riparian habitats in Sonoma County are protected by the Riparian Corridor Ordinance. There are no protected riparian corridors on the project site. There is an ephemeral drainage on the southern half of the existing parcel (proposed parcel 3) that supports riparian forest including oaks, non-native grasses, and native forbs.

The project does not propose building envelopes to limit development to specific areas of the parcel. To reduce potential impacts to riparian resources, a 50-foot setback from the top of bank is recommended as a streamside conservation area. The drainage passes through an existing dirt road through a 10-inch culvert for a distance of roughly 30 feet. To allow for access via the existing road to future development on proposed parcel 3, an exception to the 50-foot setback shall be permitted for maintenance or improvements to the existing road per County of Sonoma code standards at the time of construction. A streamside conservation area will reduce potential impacts to riparian resources to a less than significant level as described in Mitigation Measure BIO-5.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

Mitigation Measure BIO-5: NOTE ON MAP: A streamside conservation area of 50 feet from the top of bank applies to all new development on Parcel 3 and shall be shown on the map. Maintenance or improvements to the existing dirt road and culvert may be permitted with approval of a Zoning Permit. A qualified biologist shall review all proposed work and any recommended mitigation measures shall be followed. Maintenance or improvements to the existing dirt road may also require other permits from Permit Sonoma or applicable resource agencies.

Monitoring BIO-5: The Project Review Planner shall review the map to ensure that the note and setback are shown correctly on the map. Prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of the biologist's analysis and ensure that all recommended measures to protect riparian habitat are followed. All protection measures shall be noted on the final project plans.

- c) **Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Comment

A wetland delineation was conducted by Lucy Macmillan on March 28, 2019⁷. No potential wetland features were identified within the project site. Evidence of hydrophytic vegetation was not present within the ephemeral drainage. The project would have no impact on wetlands.

Significance Level

No Impact

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Comment

The project is not expected to disrupt or interfere with the movement of wildlife or impede the use of native wildlife nursery sites. The existing trees on site may provide habitat for roosting bats and nesting birds, although no vegetation removal is proposed at this time. Many common bird species (including their eggs and young), are given special protection under the Migratory Bird Treaty Act of 1918 (Migratory Bird Act). Impacts to migratory birds are typically avoided by removing vegetation during non-nesting season or by having a qualified biologist verify absence immediately prior to

⁷ Macmillan, Lucy, M.S., "Biological Resources Assessment, 2890 Middle Two Rock Road, Petaluma, Sonoma County, California, APN 021-170-006", November 2019

vegetation removal. Mitigation Measures BIO-1 is sufficient to address potential impacts to birds protected by the Migratory Bird Act to a level that would be less than significant.

Mitigation Measure BIO-5 is sufficient to address potential impacts to any wildlife corridors associated with the ephemeral drainage to a level that would be less than significant.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure and Monitoring BIO-1 and BIO-5.

e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?

Comment

Potential impacts to biological resources have largely been discussed and addressed by Mitigation Measures in the preceding sections 4(a) through 4(d), consistent with policies in the General Plan and standards in the Zoning Code. With Mitigation Measures BIO-1 through BIO-5, the project will have no conflict with any local regulations protecting biological resources.

Significance Level

No Impact

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Comment

Habitat Conservation Plans and natural community conservation plans are site-specific plans to address effects on sensitive species of plants and animals. The project site is not located in the Santa Rosa Plain, or within any designated Critical Habitat area, and therefore, would not conflict with provisions of any such plan.

Significance Level

No Impact

5. CULTURAL RESOURCES

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Comment

The currently vacant project site was previously developed with residential structures and outbuildings, which were removed in 2018. Archaeological Resource Service conducted a cultural resources evaluation of the project site in January 2019⁸. No structure, object, or other element meeting the definition of a historical resource was found, therefore there will be no impact.

⁸ Von Pinnon, Andrew, M.A., "A Cultural Resources Evaluation of 2890 Middle Two Rock Road, Petaluma, Sonoma County, California", Archaeological Resource Service, February 5, 2019

Significance Level

No Impact

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Comment

On December 10, 2018, Permit Sonoma staff referred the project application to Native American Tribes within Sonoma County to request consultation under AB-52 (the request for consultation period ended January 10, 2019). No requests for consultation were received.

As mentioned in the discussion of section 5(a), Archaeological Resource Service conducted a cultural resources evaluation of the project site. There are no known archaeological resources on site, but construction related to the project could uncover such materials. The following mitigation measure will reduce potential impacts to less than significant.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

Mitigation Measure CUL-1: NOTE ON MAP: All building and/or grading permits shall have the following note printed on grading or earthwork plan sheets:

"If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit and Resource Management Department (PRMD) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to PRMD. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code."

Monitoring CUL-1: Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the above notes are printed on the building, grading, and improvement plans.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Comment

The cultural resources evaluation conducted by professional archaeologists in January 2019 did not discover any unique paleontological or geological feature on the property, although paleontological features may be uncovered during project-related construction. Mitigation Measure CUL-1 will reduce potential impacts to less than significant.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure and Monitoring CUL-1

d) Disturb any human remains, including those interred outside of dedicated cemeteries?

Comment

No burial sites are known in the vicinity of the project, and the project site has already been disturbed by past construction. Mitigation Measure CUL-1 will reduce potential impacts to less than significant.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure and Monitoring CUL-1

6. ENERGY

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Comment

Short-term energy demand would result from potential construction activities, including energy needed to power worker and vendor vehicle trips, and construction equipment. Long-term energy demand would result from operation of potential new residential or agricultural structures, which would include activities such as lighting, heating, and cooling of structures. Although implementation of the project could result in a net increase in energy usage, the increase would not be wasteful nor inefficient because of energy-efficient building design required by Title 24 of the California Building Code.

Significance Level

Less than Significant

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Comment

The County of Sonoma has not adopted a local renewable energy plan; however, the General Plan includes a variety of policies intended to encourage development of renewable energy systems, while protecting sensitive resources and ensuring neighborhood compatibility. Although renewable energy is encouraged, there is no requirement to develop renewable energy sources for single family development projects, outside of meeting Title 24 requirements discussed above. Additionally, the

project is not located in an identified area designated for renewable energy productions nor would the project interfere with the installation of any renewable energy systems. Therefore, the project would not conflict with or obstruct with applicable State and local plans for promoting use of renewable energy and energy efficiency.

Significance Level
Less than Significant

7. GEOLOGY AND SOILS

Would the project:

a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- i. **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Existing geologic conditions that could affect new development are considered in this analysis. Impacts of the environment on the project are analyzed as a matter of County policy and not because such analysis is required by CEQA.

Comment

The project site is not within a fault hazard zone as delineated by the Alquist-Priolo fault maps⁹.

Significance Level
Less than Significant

- ii. **Strong seismic ground shaking?**

Comment

All of Sonoma County is subject to seismic shaking that would result from earthquakes along the San Andreas, Healdsburg-Rodgers Creek, and other faults. By applying geotechnical evaluation techniques and appropriate engineering practices, potential injury and damage from seismic activity can be diminished, thereby exposing fewer people and less property to the effects of a major damaging earthquake. The design and construction of new structures are subject to engineering standards of the California Building Code (CBC), which take into account soil properties, seismic shaking and foundation type. Standard conditions of approval require that building permits be obtained for all construction and that the project meet all standard seismic and soil test/compaction requirements.

Grading permits are required for all project related construction prior to commencement of ground disturbance and therefore, any required earthwork, grading, trenching, backfilling or compaction operations will be done in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code) and erosion control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code and Building Ordinance (Chapter 7, Sonoma County Code).

⁹ California Department of Conservation, "EQ Zapp: California Earthquake Hazards Zone Application", April 4, 2019, <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

All project related construction activities are required to comply with the California Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.) as part of the permitting process. Construction plans shall be subject to review and approval of Permit Sonoma prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

Based on this uniformly applied regulatory process, the project would not expose people to substantial risk of injury from seismic shaking, and the potential impact is less than significant.

Significance Level

Less than Significant

iii. Seismic-related ground failure, including liquefaction?

Comment

Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy material, resulting in ground failure. The project site is located in a Liquefaction Hazard Area of very low susceptibility. All new structures are subject to engineering standards of the California Building Code. Because of the project area's low susceptibility to liquefaction and permitting standards required for all construction activities, potential impacts are less than significant.

Significance Level

Less than Significant

iv. Landslides?

Comment

Steep slopes characterize much of Sonoma County, particularly the northern and eastern portion of the County. Where these areas are underlain by weak or unconsolidated earth materials landslides are a hazard. According to the Sonoma County Hazard Mitigation Plan Landslide Hazard Areas map (Figure 8.11) the project site is partially located in an area highly susceptible to landslides. However, the site is not significantly steep with very limited localized landslide potential. All structures are required to meet building permit requirements, including seismic safety standards and soil test/compaction requirements. The design and construction of new structures are subject to engineering standards of the California Building Code (CBC), which take into account soil properties, seismic shaking and foundation type. Project conditions of approval require that building and grading permits be obtained for all construction and that the project meet all standard seismic and soil test/compaction requirements, therefore potential impacts from landslides are reduced to less than significant.

Significance Level

Less than Significant

b) Result in substantial soil erosion or the loss of topsoil?

Comment

Future project related construction could involve grading, cuts and fills which require the issuance of a grading permit. Improper grading, both during and post construction, has the potential to increase the volume of runoff from a site which could have adverse downstream flooding and further erosional impacts, and increase soil erosion on and off site which could adversely impact downstream water quality. Erosion and sediment control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code) and Building Ordinance (Chapter 7, Sonoma County

Code) requires implementation of flow control best management practices to reduce runoff. The Ordinance requires treatment of runoff from the two year storm event. Required inspection by Permit Sonoma staff insures that all grading and erosion control measures are constructed according to the approved plans. These ordinance requirements and adopted best management practices are specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction.

In regard to water quality impacts, County grading ordinance design requirements, adopted County grading standards and best management practices (such as silt fencing, straw wattles, construction entrances to control soil discharges, primary and secondary containment areas for petroleum products, paints, lime and other materials of concern, etc.), mandated limitations on work in wet weather, and standard grading inspection requirements, are specifically designed to maintain potential water quality impacts at a less than significant level during project construction.

Issuance of a grading permit requires the applicant to prepare and conform to an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages and minimize adverse impacts to the environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands.

For post construction water quality impacts, adopted grading permit standards and best management practices require that storm water to be detained, infiltrated, or retained for later use. Other adopted water quality best management practices include storm water treatment devices based on filtering, settling or removing pollutants. These construction standards are specifically designed to maintain potential water quality grading impacts at a less than significant level post construction.

The County adopted grading ordinances and standards and related conditions of approval which enforce them are specific, and also require compliance with all standards and regulations adopted by the State and Regional Water Quality Control Board, such as the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, Low Impact Development and any other adopted best management practices. Therefore, no significant adverse soil erosion or related soil erosion water quality impacts are expected given the mandated conditions and standards that need to be met. See further discussion of related issues (such as maintenance of required post construction water quality facilities) refer to the Hydrology and Water Quality.

Significance Level

Less than Significant

- c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Comment

The project site is subject to seismic shaking and other geologic hazards as described in item 6.a.ii, iii, and iv, above. However, site specific geologic investigation will be conducted through the site development permitting process, which require construction techniques that account for site specific conditions.

Significance Level

Less than Significant

- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

Comment

Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. According to the National Resources Conservation Service, soils on the project site where new construction would occur consist of Steinbeck loam 2 to 9% and 9 to 15% slopes. This soil type has a low shrink-swell potential and is not considered an expansive soil. However, on site soils have not been tested for their expansive characteristics. As stated above, new structures are subject to engineering standards of the California Building Code, including standard seismic and soil test/compaction requirements. Therefore, the potential building failure impact related to expansive soils would be less than significant.

Significance Level

Less than Significant

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

Comment

Preliminary documentation provided by the applicant and reviewed by the Permit Sonoma Project Review Health Specialist indicates that the soils on site could support a septic system and the required expansion area for each proposed lot.

Significance Level

Less than Significant Impact

8. GREENHOUSE GAS EMISSIONS

Would the project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Comment

A Climate Action 2020 Plan was developed by the Sonoma County Regional Climate Plan Authority (RCPA) in 2016 but was unable to be formally adopted due to litigation. The Sonoma County Board of Supervisors adopted a Climate Change Action Resolution on May 8, 2018 which acknowledged the Climate Action 2020 Plan and resolved to "...work towards the RCPA's countywide target to reduce GHG emissions by 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050" as well as adopting twenty goals for reducing GHG emissions including increasing carbon sequestration, increasing renewable energy use, and reducing emissions from the consumption of goods and services¹⁰. The Bay Area Air Quality Management District (BAAQMD) has published greenhouse gas significance thresholds for use by local governments in the report titled *California Environmental Quality Act Air Quality Guidelines May 2017*. For projects other than stationary sources, the greenhouse gas significance threshold is 1,100 metric tons per year (equivalent to approximately 60 single-family dwelling units).

The proposed project could result in the construction of three single family dwelling units and three accessory dwelling units, which would not exceed the 1,100 MT of CO₂e/year threshold of significance.

¹⁰ Permit and Resource Management Department, "Climate Change Action Resolution", County of Sonoma, May 8, 2018, http://sonoma-county.granicus.com/Viewer.php?view_id=2&clip_id=784&meta_id=242232

Significance Level

Less than Significant Impact

- b) **Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Comment

The proposed project will not conflict with a plan or policy regarding greenhouse gas emissions. See response to 8(a) above.

Significance Level

Less than Significant

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Comment

The project proposes to subdivide a single parcel of land into three. The routine use and transport of substantial quantities of hazardous materials will not result from subdivision or subsequent development of the parcels. Any subsequent development on the site would necessitate a building permit that would require minimization measures to alleviate the risk of hazardous materials used during construction.

Significance Level

Less than Significant

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Comment

Subsequent development of the three parcels may involve intermittent and small amounts of potentially hazardous materials such as fuel, lubricants, and cleaning materials during construction. Proper use of materials in accordance with local, state, and federal requirements, and as required by site development permits, will minimize the potential for accidental releases or emissions from hazardous materials. This will assure that the risks of the project impacting the human or biological environment will be reduced to a less than significant level.

Significance Level

Less than Significant

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Comment

The project does not involve the use or transport of hazardous materials and the site is more than a mile from any existing or proposed school.

Significance Level

Less than Significant

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Comment

There are no known hazardous materials sites within or adjacent to the project limits, based on a review of the following databases on October 24, 2019:

1. The State Water Resources Control Board Geotracker database¹¹,
2. The Department of Toxic Substances Control EnviroStor database¹² (formerly known as Calsites), and
3. The Calrecycle Solid Waste Information System (SWIS)¹³.

The closest hazardous materials site on record is a LUST (Leaking Underground Storage Tank) cleanup site in located approximately 1.4 miles south east of the project site. The cleanup case is still open and in site assessment status as of 1/29/2018. Due to the distance between this site and the project site, no impacts are expected.

Significance Level

No Impact

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

Comment

The project site is not within the Airport Referral Area as designated by the Sonoma County Comprehensive Airport Land Use Plan. The closest public use airport—Petaluma Municipal Airport—is more than five miles away.

Significance Level

No Impact

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Comment

The project would not impair implementation of, or physically interfere with the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. Subsequent residential development of the proposed three parcels would not change existing circulation patterns significantly, would not generate substantial new traffic, and therefore would have no effect on emergency response routes.

Significance Level

¹¹ State Water Resources Control Board Geotracker, "Geotracker", State of California, Accessed October 24, 2019, <https://geotracker.waterboards.ca.gov/>

¹² Department of Toxic Substances Control Envirostor, "Envirostor", State of California, Accessed October 24, 2019, <https://www.envirostor.dtsc.ca.gov/public/>

¹³ CalRecycle, "Solid Waste Information System", Accessed October 24, 2019, <https://www2.calrecycle.ca.gov/SWFacilities/Directory/>

No Impact

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Comment

According to the Wildland Fire Hazard Area map (Figure PS-1g) in the Sonoma County General Plan, the project site is located in a State Responsibility Area (SRA) and is designated as a Moderate Fire Hazard Severity Zone. Moderate Zones are generally located in grasslands and valleys, away from significant forested or chaparral wildland vegetation, as is the case with the project site. The site is approximately 200 feet above mean sea level and contain gentle slopes ranging from 10-16%. Strong north-east "Santa Ana" winds, typical in Sonoma County, can increase the severity of wildland fire in the fall months. During fire season, gradient winds are generally out of the south/southwest at 5-10 mph, strengthening to 10-15 mph in the late afternoon. These prevailing wind conditions are not unique to the project site.

All construction projects must comply with County Fire Safe Standards (Sonoma County Municipal Code Chapter 13), including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site. Other code-required fire safe standards relate to fuel modification, defensible space, road naming, and addressing. In addition, because the project is within an SRA, all future construction onsite will need to comply with State Fire Code standards, which among other items require maintaining and managing vegetation and fuels around buildings and structures.

Application of County and State fire safe standards reduces the project's potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires to a less than significant level.

Significance Level

Less than Significant

10. HYDROLOGY AND WATER QUALITY

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Comment

The proposed subdivision could result in the grading of roads and the placement of building pads that could disturb soil and affect the quantity and/or quality of stormwater runoff.

A construction project disturbing one or more acres of soil is required to obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit Order 2009-0009-DWQ for Discharges of Storm Water Runoff Associated with Construction Activity¹⁴. Construction activities subject to this permit include clearing, grading, stockpiling, excavation, and reconstruction of existing facilities involving removal and replacement. The General Permit requires submittal of a Notice of Intent (NOI) package, and development and implementation of a Storm Water Pollution

¹⁴ State Water Resources Control Board, "2009-0009-DWQ CONSTRUCTION GENERAL PERMIT", California Environmental Protection Agency, September 26, 2018, https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Prevention Plan (SWPPP) which, in addition to other requirements, must include Best Management Practices (BMPs) to protect the quality of stormwater runoff.

At the time of proposed construction, Sonoma County also requires project applicants to prepare a grading and drainage plan (Erosion Prevention and Sediment Control Plan) in conformance with Chapter 11 (Construction Grading and Drainage Ordinance) and Chapter 11A (Storm Water Quality Ordinance) of the Sonoma County Code and the Sonoma County Storm Water Low Impact Development Guide, all of which include performance standards and Best Management Practices for pre-construction, construction, and post-construction to prevent and/or minimize the discharge of pollutants, including sediment, from the project site. Required inspections by Permit Sonoma staff insure that all grading and erosion control measures are constructed according to the approved plans.

All of the above requirements and adopted best management practices are specifically designed to maintain potential water quality impacts at a less than significant level during and post construction.

Significance Level
Less than Significant

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Comment

The project site is located within the Wilson Grove Formation Highlands groundwater basin, which is not a priority groundwater basin as designated by the Department of Water Resources in accordance with the Sustainable Groundwater Management Act. The County uses a four-tier classification system to indicate general area of groundwater availability: Class 1 = Major Ground Water Basin, Class 2 = Major Natural Recharge Areas, Class 3 = Marginal Groundwater Availability and Class 4 = Low or Highly Variable Water Yield). The project site is located in Groundwater Availability Class 2. The project proposes two new wells to serve proposed parcels 1 and 3, which will be located on proposed parcel 2.

A hydrogeologic study was not required by Permit Sonoma Policy 8-1-14¹⁵ or General Plan Policy WR-2e. Public comment received in relation to this project indicated that the area may face groundwater supply limitations, therefore a hydrogeologic report was prepared by EBA Engineering¹⁶. The report, dated April 24, 2019, followed the requirements of Permit Sonoma Policy 8-1-14, and was reviewed and supported by the department's hydrogeologist. The EBA Report estimated the project would result in up to 3.0 acre feet per year of increased groundwater pumping. The EBA Report presented data on nearby wells, a summary of the aquifer conditions, and recharge based off a water balance approach. Average annual recharge was estimated to be 53 acre feet. Future potential annual groundwater extraction under current zoning was estimated to be 28 acre feet, thus recharge is expected to be substantially greater than groundwater withdrawals.

Well pump test data is commonly used to characterize project aquifer properties, verify adequate water supply for the project, and assess potential impacts to neighboring wells. A well pump test was conducted on one of the existing wells onsite by Jerry & Dons Yager Pump and Well on October 16, 2018 for a duration of 8 hours. The 8 hour test recorded a static water level at 74 feet, a yield of 11.5 gpm and total drawdown of 173.4 feet, with a specific capacity for the well of 0.0655 gpm per foot of

¹⁵ Potter, Sandi, "Policy 8-1-14 Procedures for Groundwater Analysis and Hydrogeologic Reports", Permit and Resource Management Department, February 23, 2017

¹⁶ Earnshaw, Mathew J., and Ian Penn, "HYDROGEOLOGIC REPORT FOR GENERAL PLAN POLICY WR-2E, 2890 Middle Two Rock Road, Petaluma, California, Sonoma County, APN 021-160-006", EBA Engineering, April 24, 2019

drawdown. The well yield and specific capacity are consistent with values typical of the Wilson Grove Formation, which is generally considered a productive aquifer system suitable for residential and limited agricultural development.

Well completion reports of the project well and wells on neighboring parcels also record yields and geology consistent with the Wilson Grove.

Potential drawdown at the nearest located neighboring well, 120 feet from the project well, would be about 1.0 feet. This level of drawdown was characterized as small. The nearest waterway is 1,200 feet from the project well and is thought to be outside the wells potential zone of influence.

The EBA Report concluded there is little potential to negatively impact groundwater supply, groundwater levels in neighboring wells, and surface waters. The proposed project would therefore have a less than significant impact on groundwater supplies or recharge.

Significance Level
Less than Significant

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which:**
- i. **would result in substantial erosion or siltation on- or off-site?**

Comment

There are no blue line streams on the site. Site drainage occurs by overland flow east generally and into the ephemeral drainage that bisects the project site and connects to an unidentified USGS blue-line stream approximately 1000 feet east.

Construction of potential new residential and agricultural structures as a result of this project would likely involve cuts, fills, and other grading. Unregulated grading during construction has the potential to increase soil erosion from a site, which could cause downstream flooding and further erosion, which could adversely impact downstream water quality. Construction grading activities shall be in compliance with performance standards in the Sonoma County Grading and Drainage Ordinance. The ordinance and adopted construction site Best Management Practices (BMPs) require installation of adequate erosion prevention and sediment control management practices. These ordinance requirements and BMPs are specifically designed to maintain water quantity and ensure erosion and siltation impacts are less than significant level during and post construction.

See section 7(b) for further discussion.

Significance Level
Less than Significant

- ii. **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**

Comment

The project is likely to result in an increase in the amount of impervious surface area on the project site due to the construction of future residential or agricultural structures.

Prior to grading or building permit issuance, construction details for all post-construction storm water Best Management Practices (BMPs) shall be submitted for review and approval by the Grading & Storm Water Section of Permit Sonoma. Post-construction storm water BMPs must be installed per

approved plans and specifications, and working properly prior to finalizing the grading or building permits. They shall be designed and installed pursuant to the adopted Sonoma County Best Management Practice Guide. BMPs would prevent the alteration of site drainage, or increase in surface runoff and avoid flooding. Project Low Impact Development techniques would include limiting impervious surfaces, dispersing development over larger areas, and creation of storm water detention areas. Post construction storm water BMPs include filtering, settling, or removing pollutants. Through standard permitting requirements, potential flooding impacts are reduced to a less than significant level.

Significance Level

Less than Significant

- iii. **create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**

Comment

Standard grading and building permit requirements will reduce potential runoff impacts to a less than significant level as discussed in Section 7(b), 10(a), and 10(c)(i) and (ii).

Significance Level

Less than Significant

- iv. **impede or redirect flood flows?**

Comment

The site is not located in a 100-year flood plain where construction of new structures could impede or redirect flood flows.

Significance Level

Less than Significant

- d) **In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

Comment

The project site is not located in an area subject to seiche or tsunami, and according to Figure PS-1e of the General Plan, the project site is outside of the 100-year Flood Hazard Area.

Significance Level

No Impact

- e) **Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Comment

The project is subject to Chapter 11 (Construction Grading and Drainage Ordinance) and Chapter 11A (Storm Water Quality Ordinance) of the Sonoma County Code and the Sonoma County Storm Water Low Impact Development Guide, all of which include performance standards and Best Management Practices for pre-construction, construction, and post-construction to prevent and/or minimize the discharge of pollutants, including sediment, from the project site. The site is not located in a priority groundwater basin. The project will not impede or conflict with implementation of the Sonoma County Storm Water Low Impact Development Guidelines or the goals of the Sustainable Groundwater Management Act, as discussed in Sections 7(b), and 10(a) through (d).

Significance Level
Less than Significant

11. LAND USE AND PLANNING

Would the project:

a) **Physically divide an established community?**

Comment

The project would not physically divide a community. The project would not involve construction of a physical structure (such as a major transportation facility) or removal of a primary access route (such as a road or bridge) that would impair mobility within an established community or between a community and outlying areas. No impact would occur.

Significance Level
No Impact

b) **Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

Comment

The General Plan Land Use Designation is Rural Residential with a 3-acre density and the Zoning District is Agriculture and Residential with a 3-acre per dwelling unit density. The project is also located within the West Petaluma Area Plan.

By implementing the mitigation measures identified in this document, the project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect, including in the Sonoma County General Plan and zoning ordinance.

Significance Level
No Impact

12. MINERAL RESOURCES

Would the project:

a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Comment

Sonoma County has adopted the Aggregate Resources Management Plan that identifies aggregate resources of statewide or regional significance (areas classified as MRZ-2 by the State Geologist). The project site is not located within a known mineral resource deposit area, according to the Sonoma County Aggregate Resources Management Plan, as amended in 2010.

Significance Level
No Impact

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Comment

The project site is not located within an area of locally-important mineral resource recovery site and the site is not zoned MR (Mineral Resources). No locally-important mineral resources are known to occur at the site.

Significance Level

No Impact

13. NOISE

Would the project:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Comment

The Noise Element of the Sonoma County General Plan sets forth and requires standard compliance with noise related performance standards to regulate noise affecting residential and other sensitive receptors. The proposed project would result in a three parcel subdivision and likely the development of three single-family homes. Noise associated with single-family homes is expected to be similar to the noise levels experienced at the site prior to the demolition of the previously existing residences. No substantial permanent increase in ambient noise levels in the vicinity of the project is anticipated with the occupation of three single-family homes.

Short-term construction activities would periodically increase ambient noise levels at the project site and vicinity, and would subside once construction of the proposed project is completed. Mitigation Measure NOISE-1 would reduce the potential temporary noise impact to a less than significant level.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

Mitigation Measure NOISE-1: NOTE ON MAP: All plans and specifications or construction plans shall include the following notes:

- a) All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- b) Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. (use this if no nearby receptors, or 5:00 pm if nearby receptors) on weekdays and 9:00 a.m. and 7:00 p.m. (same note as above) on weekends and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the PRMD Project Review Division as soon as practical.
- s
- c) There will be no start up of machines nor equipment prior to 7:00 a.m, Monday through Friday or 9:00 am on weekends and holidays; no delivery of materials or equipment prior to

- 7:00 a.m. nor past 7:00 p.m., (same note as above) Monday through Friday or prior to 9:00 a.m. nor past 7:00 p.m. on weekends and holidays and no servicing of equipment past 7:00 p.m., Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction, and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.
- d) Pile driving activities shall be limited to 7:30 a.m. to 7:00 p.m. weekdays only (same note as above).
 - e) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
 - f) The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Managers 24-hour mobile phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g. starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem.

Monitoring

Monitoring NOISE-1: PRMD Project Review Division staff shall ensure the Note is on the Map prior to recordation, and that the measures are listed on all site alteration, grading, building or improvement plans, prior to issuance of grading or building permits. PRMD staff shall inspect the site prior to construction to assure that the signs are in place and the applicable phone numbers are correct. Any noise complaints will be investigated by PRMD staff. If violations are found, PRMD shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Comment

The project includes construction activities that may generate minor ground borne vibration and noise. These levels would not be significant because they would be short-term and temporary, and would be limited to daytime hours. There are no other activities or uses associated with the project that would expose persons to or generate excessive ground borne vibration or ground borne noise levels.

Significance Level

Less than Significant

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Comment

There are no known private airstrips within the project area and people residing or working in the project area would not be exposed to excessive noise.

Significance Level

No Impact

14. POPULATION AND HOUSING

Would the project:

- a) **Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

Comment

The project parcel's density currently allows for three residences and one accessory dwelling unit. The project would create two additional parcels, each of which would be permitted one residence and one accessory dwelling unit. At build out, the difference between existing and proposed conditions is two additional accessory dwelling units, which is not substantial. The project's impact on population growth is less than significant.

Significance Level

Less than Significant

- b) **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

Comment

There are no existing residences on the property currently that would be displaced by the project.

Significance Level

No Impact

15. PUBLIC SERVICES

Would the project:

- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

- i. **Fire protection?**

Comment

The addition of two accessory dwelling units, as discussed in Section 14(a) would not require or facilitate the provision of new public facilities or services that could result in substantial adverse physical impacts. Further, any impacts associated with population growth because of the assigned density of the parcel would have been examined at the time of the designation.

The Wilmar Fire Protection District will continue to serve this area. There will be no increased need for fire protection resulting from the project. Sonoma County Code requires that all new development meet Fire Safe Standards (Chapter 13), which includes fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, hazardous materials management

and management of flammable or combustible liquids and gases. This is a standard requirement for all new development and therefore potential impacts would be less than significant.

Significance Level

Less than Significant

ii. Police?

Comment

The Sonoma County Sheriff will continue to serve the project area. There will be no significant increased need for police or other public services resulting from the addition of two accessory dwelling units as discussed in section 14(a) and section 15(a).

Significance Level

Less than Significant

iii. Schools?

Comment

Development fees to offset potential impacts to public services, including school impact mitigation fees, are required by Sonoma County Code and state law for new subdivisions and residential developments. The provision of new schools or parks is not reasonably foreseeable as a result of this project.

Significance Level

Less than Significant

iv. Parks?

Comment

Sonoma County Code, Chapter 23 requires payment of parkland mitigation fees for all new residential development for acquisition and development of added parklands to meeting General Plan Objective OSRC-17.1 to "provide for adequate parkland and trails primarily in locations that are convenient to urban areas to meet the outdoor recreation needs of the population...". Development fees collected by Sonoma County are used to offset potential impacts to public services, including park mitigation fees. The project should not result in the need for any new park facilities, and generally the demand for parks is addressed through fees.

Significance Level

Less than Significant

v. Other public facilities?

Comment

The addition of two accessory dwelling units, as described in section 14(a) would not require or facilitate the provision of new public facilities or services that could result in substantial adverse physical impacts. Further, any impacts associated with population growth because of the assigned density of the parcel would have been examined at the time of the designation. Development fees associated with individual building permits also offset potential impacts to public services.

Significance Level

Less than Significant

16. RECREATION

Would the project:

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Comment

The project would not significantly increase the use of existing neighborhood or regional parks, or other recreational facilities. Further discussion of project related population growth and impacts on public services is within sections 14 and 15.

Significance Level

Less than Significant

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

Comment

The project does not involve the construction or expansion of recreational facilities.

Significance Level

No Impact

17. TRANSPORTATION

Would the project:

- a) **Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?**

Comment

The project does not conflict with any adopted plans, ordinances, or policies in regards to the circulation system. There are no existing or proposed bicycle or pedestrian facilities in the immediate vicinity of the project. While a Class 2 bikeway is proposed for Bodega Avenue, which Middle Two Rock Road connects with to the east and west, this project will not interfere with that proposal. In accordance with the County's guidelines for Traffic Impact Studies, the project's trip generation would be insignificant and does not necessitate a traffic impact study. As conditions of approval, the Department of Transportation and Public Works (TPW) requires the payment of Traffic Mitigation Fees, and that all existing and proposed driveways be upgraded or constructed to meet current County standards and AASHTO (American Association of State Highway and Transportation Officials) standards.

The Circulation and Transit Element of the Sonoma County General Plan includes objectives for maintaining an acceptable Level of Service (LOS C) for the roadway system. The proposed project does not alter the roadway configuration and would not significantly increase traffic on Middle Two Rock Road or Lundberg Avenue. Therefore, it would not impact Level of Service.

Significance Level

Less than Significant

b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Comment

Sonoma County does not have a congestion management program but the Sonoma County General Plan Circulation and Transit Element establishes LOS standards. See section 16(a) above for a discussion of traffic resulting from project construction and operation.

Significance Level

Less than Significant

c) Substantially increase hazards due to geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Comment

The project would not increase hazards due to geometric design features since it maintains the existing alignment of the roadway and conditions of approval require that new and existing driveways be constructed to meet County and AASHTO standards. The project does not propose incompatible uses that would increase traffic-related hazards.

Hazards to drivers, cyclists, and pedestrians could occur during construction operations. This temporary construction-related impact will cease upon project completion, and the following standard condition of approval, issued by the Department of Transportation and Public Works, will reduce the impact to a level of insignificance:

"The Applicant shall construct a stabilized entrance for on-site construction activity to meet the following criteria prior to issuance of building permits:

- a. The entrance shall be of sufficient width to accommodate two-way traffic.
- b. The entrance surface shall be stabilized to prevent tracking of gravel and mud onto the public road.
- c. The minimum sight distance for vehicles entering and exiting the construction entrance shall be in accordance with current AASHTO requirements for the speed traveled on the public road(s) providing construction access. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum AASHTO required sight distance at each driveway."

Significance Level

Less than Significant Impact

d) Result in inadequate emergency access?

Comment

Access to parcels 1 and 2 will be from Lundberg Lane. Access to parcel 3 will be from Middle Two Rock Road. Future development on the site will have to comply with all emergency access requirements of the Sonoma County Fire Safety Code (Sonoma County Code Chapter 13), including emergency vehicle access requirements. Project development plans are required to be reviewed by a Department of Fire and Emergency services Fire Inspector during the building permit process to ensure compliance with emergency access issues.

Construction activities may result in traffic delays possibly slowing emergency response vehicles or restricting access to residences or nearby businesses. This is a short-term construction related impact that will cease upon project completion, and is therefore insignificant.

Significance Level

Less than Significant

f) Result in inadequate parking capacity?

Comment

The Sonoma County Zoning Code's requirement for covered parking will ensure that off street parking is available for the two new parcels.

Significance Level

No Impact

18. TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5030.1(k), or

Comment

As discussed in section 5(a), Archaeological Resource Service conducted a cultural resources evaluation of the project site. There are no known resources on site, but construction related to the project could uncover such materials. Mitigation Measure CUL-1 will reduce potential impacts to less than significant.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure and Monitoring CUL-1

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Comment

See section 5 and section 18(b). Mitigation Measure CUL-1 will reduce potential impacts to less than significant.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measure and Monitoring CUL-1

19. UTILITIES AND SERVICE SYSTEMS

Would the project:

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Comment

The project would not contribute to the need for construction of new water or expanded wastewater treatment facilities, other than construction of new septic systems.

Significance Level

Less than Significant

- b) **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Comment

Sufficient water would be provided by on-site wells which will be located in a Class 2 groundwater area. See section 10(b) for a discussion of impacts to groundwater supply.

Significance Level

Less than Significant

- c) **Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Comment

New septic systems would be constructed for residential development. There would be no sewage treatment by an off-site provider.

Significance Level

No Impact

- d) **Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Comment

Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that would result from the proposed project. The addition of a few single family residences would not create solid waste in excess of the capacity of the County's solid waste system.

Significance Level

Less than Significant

- e) **Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Comment

Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that would result from the proposed project.

Significance Level

Less than Significant

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire severity zones, would the project:

- a) **Substantially impair an adopted emergency response plan or emergency evacuation plan?**

Comment

As discussed in section 9, the project site is in a designated Moderate Fire Hazard Severity Zone in a State Responsibility Area. There is no adopted emergency response plan or an emergency evacuation plan for this area that the project could conflict with.

Significance Level

No Impact

- b) **Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Comment

As discussed in section 9, the project site is in a designated Moderate Fire Hazard Severity Zone in a State Responsibility Area. Topography, weather, and fuel (vegetation or structures) contribute to wildfire risk and behavior.¹⁷ The project site generally slopes downwards from the west. With grades ranging from 10-16%, onsite slopes are unlikely to significantly exacerbate wildfire risk. Strong north-east "Santa Ana" winds can increase the severity of wildland fire in the fall months. During fire season, gradient winds are generally out of the south/southwest at 5-10 mph, strengthening to 10-15 mph in the late afternoon. These prevailing wind conditions are common in Sonoma County.

Potential wildfire fuel sources include grasslands, trees, vegetation, and structures (residential). As discussed in section 9, application of County and State fire safe standards, including requirements related to vegetation management and defensible space, will offset any increased wildfire risk presented by prevailing winds or onsite fuel to a less than significant level.

Significance Level

Less than Significant

- c) **Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk of that may result in temporary or ongoing impacts to the environment?**

¹⁷ Fire Safe Sonoma, "Sonoma County Community Wildfire Protection Plan", September 20, 2016, <https://www.firesafesonoma.org/wp-content/uploads/cwpp-final.pdf>

Comment

The project does not include plans for construction. Certain access improvements must be constructed prior to recordation of the final parcel map, which have been discussed in section 17. In the future, the parcels may be developed with residential and agricultural structures, which would necessitate the construction of emergency water sources and other utilities, in accordance with Sonoma County Code and state law. Infrastructure improvements for future site development will require building permits, which impose certain standards related to fire safety and are reviewed by Sonoma County Fire and Emergency Services. With the application of fire safe standards, future infrastructure for the proposed residential parcels will have a less than significant impact on fire risk.

Significance Level

Less than Significant

- d) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Comment

Refer to section 7 (Geology and Soils).

Significance Level

Less than Significant

21. MANDATORY FINDINGS OF SIGNIFICANCE

- a) **Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Comment

Potential project impacts on special-status plant and fish/wildlife species, and habitat are addressed in section 4. Implementation of the required mitigation measures (Mitigation Measures BIO-1 through 5) would reduce these potential impacts to a less than significant level. Potential adverse project impacts to cultural resources are addressed in section 5. Implementation of the required mitigation measures (Mitigation Measure CUL-1) will reduce potential impacts to a less than significant level.

Significance Level

Less than Significant with Mitigation Incorporated

Mitigation

See Mitigation Measures and Monitoring BIO-1 through 5, and CUL-1.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

Comment

No project impacts have been identified in this Initial Study that are individually limited but cumulatively considerable. The project would contribute to impacts related to aesthetics, air quality, biological resources, cultural resources, and tribal resources, which may be cumulative off-site, but mitigation measures would reduce project impacts to less than significant levels.

Significance Level

Less than Significant

- c) **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Comment

The proposed project has the potential to cause substantial adverse impacts on human beings, both directly and indirectly. However, all potential impact and adverse effects on human were analyzed, and would be less than significant with the mitigation measures identified in the Initial Study incorporated into the project.

Significance Level

Less than Significant

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2. Bay Area Air Quality Management District, "California Environmental Quality Act, Air Quality Guideline," May 2017. https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.
3. "California Natural Diversity Database", California Department of Fish and Wildlife, <https://wildlife.ca.gov/Data/CNDDDB>.
4. California Department of Conservation, "EQ Zapp: California Earthquake Hazards Zone Application", April 4, 2019, <https://maps.conservation.ca.gov/cgs/EQZApp/app/>.
5. CalRecycle, "Solid Waste Information System", Accessed October 24, 2019, <https://www2.calrecycle.ca.gov/SWFacilities/Directory/>.
6. Department of Toxic Substances Control Envirostor, "Envirostor", State of California, Accessed October 24, 2019, <https://www.envirostor.dtsc.ca.gov/public/>.
7. Department of Transportation and Public Works and the Permit and Resource Management Department, "Guidelines for Traffic Impact Studies", County of Sonoma, May 2016.
8. Farmland Mapping & Monitoring Program. "Sonoma County Important Farmland 2016." CA Department of Conservation, April 2018. <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sonoma.aspx>.
9. Fire Safe Sonoma, "Sonoma County Community Wildfire Protection Plan", September 20, 2016, <https://www.firesafesonoma.org/wp-content/uploads/cwpp-final.pdf>.
10. "Flood Insurance Rate Maps", Federal Emergency Management Agency, <https://msc.fema.gov/portal>
11. Permit and Resource Management Department, "Climate Change Action Resolution", County of Sonoma, May 8, 2018, http://sonoma-county.granicus.com/MetaViewer.php?view_id=2&clip_id=784&meta_id=242232.
12. Permit Sonoma, "Guidelines for the Preparation of Noise Analysis", County of Sonoma, February 2019.
13. Potter, Sandi, "Policy 8-1-14 Procedures for Groundwater Analysis and Hydrogeologic Reports", Permit and Resource Management Department, February 23, 2017.
14. "Sonoma County General Plan 2020 (as amended)", County of Sonoma, September 23, 2008
15. "Sonoma County General Plan Environmental Impact Report", County of Sonoma, January 2006.
16. "Sonoma County Municipal Code", County of Sonoma, Accessed April 13, 2020, https://library.municode.com/ca/sonoma_county/codes/code_of_ordinances?nodeId=SONOMA_CO_CALIFORNIAMUCO.
17. "Sonoma County Aggregate Resources Management Plan and Program EIR", County of Sonoma, 1994.

18. "Sonoma County Bikeways Plan", Sonoma County Permit and Resource Management Department, August 24, 2010.
19. State Water Resources Control Board Geotracker, "Geotracker", State of California, Accessed October 24, 2019, <https://geotracker.waterboards.ca.gov/>.
20. State Water Resources Control Board, "2009-0009-DWQ CONSTRUCTION GENERAL PERMIT", California Environmental Protection Agency, September 26, 2018, https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.
21. "Visual Assessment Guidelines." Permit Sonoma. County of Sonoma, January 2019. <https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/>.

Technical Reports (attached)

22. Earnshaw, Mathew J., and Ian Penn, "HYDROGEOLOGIC REPORT FOR GENERAL PLAN POLICY WR-2E, 2890 Middle Two Rock Road, Petaluma, California, Sonoma County, APN 021-160-006", EBA Engineering, April 24, 2019.
23. Georgeades, Andrew, "Special Status Plant Survey at 2890 Middle Two Rock Road, Petaluma, California", Sol Ecology, September 1, 2019.
24. Macmillan, Lucy, M.S., "Biological Resources Assessment, 2890 Middle Two Rock Road, Petaluma, Sonoma County, California, APN 021-170-006", November 2019.
25. Von Pinnon, Andrew, M.A., "A Cultural Resources Evaluation of 2890 Middle Two Rock Road, Petaluma, Sonoma County, California", Archaeological Resource Service, February 5, 2019.