

## CALIFORNIA ENVIRONMENTAL QUALITY ACT STATEMENT OF FINDINGS

The Department of Toxic Substances Control (DTSC) has issued Findings for this project pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

### A. PROJECT SUBJECT TO DTSC APPROVAL

PROJECT TITLE: 1009-1011 Gravenstein Highway Removal Action Workplan		SITE CODING: 202369
PROJECT ADDRESS: 1009-1011 Gravenstein Hwy N, Sebastopol, CA 95472	CITY: Sebastopol	COUNTY: Sonoma
PROJECT SPONSOR: City Ventures Homebuilding, LLC	CONTACT: Kyle Emerson, PG, CEG (Stantec Consulting Services, Inc.)	PHONE/ EMAIL: (951) 315-0534 kyle.emerson@stantec.com
Approval Action Under Consideration by DTSC:		
<input checked="" type="checkbox"/> Removal Action Workplan <input type="checkbox"/> Interim Removal <input type="checkbox"/> Initial Permit Issuance <input type="checkbox"/> Permit Re-Issuance <input type="checkbox"/> Corrective Measure Study/Statement of Basis <input type="checkbox"/> Permit Modification <input type="checkbox"/> Closure Plan <input type="checkbox"/> Remedial Action Plan <input type="checkbox"/> Regulations <input type="checkbox"/> Other (specify):		
STATUTORY AUTHORITY:		
<input type="checkbox"/> California H&SC, Chap. 6.5 <input checked="" type="checkbox"/> California H&SC, Division 45 <input type="checkbox"/> Other (specify):		
PROJECT DESCRIPTION (List Specific Activities Proposed to be Undertaken):		
<p>DTSC is responsible for providing approval of the 1009-1011 Gravenstein Highway Removal Action Workplan (RAW). The subject RAW is associated with a residential development project entailing construction of 80 townhome-style condominiums and up to 16 accessible accessory dwelling units (ADUs) on approximately 6.1 acres situated between Gravenstein Highway and Hurlbut Avenue in the City of Sebastopol (Site). The Site itself is currently vacant, and the surrounding vicinity includes mixed commercial and residential development, a public charter school campus, a regional trail, and several mature trees.</p> <p>The RAW addresses the presence of arsenic, lead, and organochlorinated pesticides (OCPs) in soils at concentrations above residential screening levels or California Hazardous waste levels. It is anticipated that approximately 10,517 cubic yards, or approximately 15,775 tons (based on the assumption that a cubic yard of soil weighs approximately 1.5 tons), of material contains chemicals of potential concern (COPCs) above residential use screening at the Site. Remediation activities to be implemented as part of the RAW will include excavation of the impacted soil outside of the protected tree line (followed by confirmation soil sampling), on-Site burial and capping of the impacted soils, groundwater depth monitoring, and incorporation of a deed restriction and land use covenant (LUC).</p> <p>The excavations to remove impacted soils are generally proposed to an approximate depth of two feet below ground surface (bgs), with additional excavation to four feet bgs to remove arsenic-impacted soil in certain areas of the Site. Confirmation soil sampling and analysis will be conducted to verify that cleanup criteria were met at the excavation bottom and perimeter. Excavation would continue until confirmation sampling shows that the cleanup criteria have been met. Once confirmation soil sampling is completed and the final volume of the impacted soil is determined, an on-Site burial cell(s) will be excavated to match the volume of the impacted soil. Soil excavated from the on-site burial cells will be stockpiled and used as part of the clean soil cap.</p> <p>Once confirmation soil sampling is completed and the final volume of the impacted soil is determined, an on-Site burial cell(s) will be excavated to match the volume of the impacted soil. Soil excavated from the on-site burial cells will be stockpiled and used as part of the clean soil cap. The on-Site burial cell(s) will be located beneath the proposed building foundations and common areas with a clean soil cap placed above the impacted soil. The proposed burial cell locations are below future residential buildings (see RAW Figure 7 and 8). An excerpt of the Preliminary Utility Plan shows that deep utilities (i.e., storm drain, domestic water supply, sewer, and fire water supply) are outside of the proposed burial cell locations. Where utilities will be connected to the future residential structures, those utility “stub-ups” will be within the upper five feet of soil, and not enter into the burial cell material.</p>		

Once the burial cells are completed and the site improvements near the building are finalized, one (1) piezometer will be installed downgradient of each burial cell group location, for a total of two (2) piezometers. The piezometers will characterize the post-remediation depth to water below the Site. The piezometer borings will be advanced to an estimated depth of approximately 34 feet bgs. At the completion of remedial activities and installation of the piezometers, the depth to water will be monitored semi-annually for the first two years, and thereafter will be decreased to an annual gauging event. Results from the gauging events will be submitted by the Home Owners Association (HOA) as part of the annual Operation & Maintenance Plan reporting.

A 6-inch cover with non-impacted material for the three (3) limited areas (HA-46, HA-53, and HA-66) and one (1) extended area (HA-57 through HA-62) within the dripline of the protected trees is proposed to limit any unacceptable risk of exposure to the proposed future residents of the Property. (Refer to Figure 5B of the RAW which outlines the identified areas under the protected trees where impacted soil has been identified.) The recommendations for the type of material, covering the impacted soil within the driplines of the of the protected trees, will be a combined recommendation from the Property arborist, based on the health of the protected trees, and to limit any unacceptable risk to the proposed future residents of the Property. Signage with language reviewed and approved by DTSC limiting any ground disturbance in the area of the protected trees will be placed every 50 feet within the three limited areas and one extended area. Quarterly inspections will be performed to confirm the required cap under the tree line is maintained at the required thickness of covering in these area, and additional covering will be replaced as needed to ensure conformance to the RAW. If signage is the only means to control exposure to impacted soil around trees, the monitoring frequency will be increased to quarterly with annual reporting. If fencing is installed around protected trees in addition to signage, monitoring frequency and reporting may be performed on an annual basis.

A deed notification and LUC will be recorded in order to specify an on-site burial cell location(s) along with the areas within the driplines of protected trees where impacted soil is to remain above the site cleanup criteria. The LUC will ensure that impacted soil above the cleanup criteria that remains on-site will not be disturbed by installation of planned utilities and proposed building foundations in the future during redevelopment activities. The City of Sebastopol's tree ordinance also prohibits tree removal or soil disturbance activities over these established, non-irrigated trees.

Excavation includes using loaders, backhoes, and/or other appropriate equipment. During excavation operations, dust control measures will be implemented in general accordance with the BAAQMD's 2022 CEQA Guidelines as presented in Best Management Practices and Enhanced Best Management Practices for Fugitive Dust Emission Control in Tables 5-2 & 5-3.

The City of Sebastopol and County of Sonoma will dictate equipment operation times. Construction activity in a residential area is typically limited to the hours between 7:00 am and 7:00 pm on weekdays.

Further information regarding the Site history and cleanup activities is available for review on DTSC's EnviroStor website: [https://www.envirostor.dtsc.ca.gov/public/profile\\_report.asp?global\\_id=60003135](https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60003135)

On April 2, 2024, the City of Sebastopol certified an Environmental Impact Report (EIR) for The Canopy Residential Project. The EIR evaluated potential environmental impacts associated with the development of 80 townhome-style residential units and up to 16 accessory dwelling units (ADUs) on approximately 6.1 acres situated between Gravenstein Highway and Hurlbut Avenue, which includes the entirety of the DTSC cleanup Site. The EIR included mitigation measures (MMs) addressing potential impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soil, Greenhouse Gas, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Transportation, and Tribal Cultural Resources. The EIR can be accessed from the following link to the Office of Planning and Research's CEQA State Clearinghouse website: <https://ceqanet.opr.ca.gov/Project/2023070072>. The project's Mitigation Monitoring and Reporting Program (MMRP) is attached to this document.

Based on review of the EIR’s analysis of environmental impacts (including its mitigation measures), DTSC has determined that the EIR adequately encompasses the potential environmental impacts associated with the activities and measures identified in the subject RAW. The EIR identifies localized remediation activities as part of its project description (see Section 2.5.6 of the EIR), and implementation of the RAW is further discussed and addressed in Section 4.7 (Hazards and Hazardous Materials) and in Mitigation Measures HAZ-3a and HAZ-3b. The EIR’s overall analysis of potential environmental impacts resulting from site preparation, construction, and operation of the housing development project (including, but not limited to, effects involving aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, and noise) contemplated the physical changes and activities associated with implementation of the RAW. Further, the RAW will be subject to compliance with all applicable mitigation measures identified in the EIR (see the attached MMRP for reference). Thus, for purposes of CEQA, no additional analysis beyond the EIR’s analysis is required for implementation of the RAW.

**B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED**

Lead Agency: City of Sebastopol
Lead Agency’s Environmental Document: The Canopy Residential Project – 1009-1011 Gravenstein Highway North Environmental Impact Report
Date Certified: 04/2/2024
State Clearinghouse Number: 2023070072

**C. STATEMENT OF FINDINGS AND FACTS FOR ADEQUACY OF LEAD AGENCY ENVIRONMENTAL DOCUMENT**

Using its independent judgment, DTSC makes the following findings:

- The Lead Agency Final Environmental Document includes a description of the Project now before DTSC for decision
- The Lead Agency Final Environmental Document adequately analyzed impacts associated with the Project before DTSC for decision.
- DTSC concurs with the findings made by the Lead Agency Final Environmental Document relating to the Project before DTSC for decision.
- Mitigation measures are included in the Lead Agency Final Environmental Document for the following resources that would potentially be affected by the DTSC project.

<input type="checkbox"/> Aesthetics	Mitigation Measure:
<input type="checkbox"/> Agricultural Resources	Mitigation Measure:
<input checked="" type="checkbox"/> Air Quality	Mitigation Measure: AQ-1: Construction TACs Reduction
<input type="checkbox"/> Agricultural Resources	Mitigation Measure:
<input checked="" type="checkbox"/> Biological Resources	Mitigation Measure: BIO-1(a): Western Bumble Bee Preconstruction Survey BIO-1(b): Roosting Bat Surveys and Avoidance BIO-2: Tree Replacement.

<input checked="" type="checkbox"/> Cultural Resources	Mitigation Measure: CUL-2: Archaeological Resources Assessment, Evaluation, and Treatment
<input type="checkbox"/> Energy	Mitigation Measure:
<input checked="" type="checkbox"/> Geology / Soils	Mitigation Measure: GEO-1: Paleontological Resources Monitoring and Mitigation
<input type="checkbox"/> Greenhouse Gas Emissions	Mitigation Measure:
<input checked="" type="checkbox"/> Hazards / Hazardous Materials	Mitigation Measures: HAZ-3a: DTSC Regulatory Agency Submittal HAZ-3b: Soil Management Plan
<input checked="" type="checkbox"/> Hydrology / Water Quality	Mitigation Measure: HAZ-3a: DTSC Regulatory Agency Submittal HAZ-3b: Soil Management Plan
<input type="checkbox"/> Land Use / Planning	Mitigation Measure:
<input type="checkbox"/> Mineral Resources	Mitigation Measure:
<input type="checkbox"/> Noise	Mitigation Measure:
<input type="checkbox"/> Population / Housing	Mitigation Measure:
<input type="checkbox"/> Public Services	Mitigation Measure:
<input type="checkbox"/> Recreation	Mitigation Measure:
<input type="checkbox"/> Transportation	Mitigation Measure:
<input checked="" type="checkbox"/> Tribal Cultural Resources	Mitigation Measure: TCR-1: Suspension of Work Around Tribal Cultural Resources
<input type="checkbox"/> Utilities / Service Systems	Mitigation Measure:
<input type="checkbox"/> Wildfire	Mitigation Measure:

Mitigation measures identified in the Lead Agency Final Environmental Document have been adopted by DTSC for this Project and will be implemented to avoid, reduce, or substantially lessen the project impacts. No additional mitigation measures are necessary, and no additional mitigation monitoring plan is required pursuant to CEQA.

For each significant environmental effect identified for the Project:

- Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Lead Agency Final Environmental Document.
- Such changes or alterations are within the responsibility and jurisdiction of the City of Santa Fe Springs and not DTSC.
- Such changes have been adopted by this public agency or can and should be adopted by this public agency.
- Mitigation measures included in the Lead Agency Final Environmental Document are infeasible, and therefore, will not be incorporated into the DTSC Project for the following reasons: N/A

**BASED ON THE ABOVE FINDINGS, DTSC CONCLUDES:**

The proposed Project will not result in significant and unavoidable effects to the environment.

The proposed Project will result in significant and unavoidable effects to the following environmental resources:

<input type="checkbox"/> Air Quality	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services
<input type="checkbox"/> Energy	<input type="checkbox"/> Recreation
<input type="checkbox"/> Geology/ Soils	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Utilities/ Service Systems
<input type="checkbox"/> Hydrology/ Water Quality	<input type="checkbox"/> Wildfire

Impacts to these resources would remain significant even after applying mitigation measures described in the Lead Agency Final Environmental Document, or there is no feasible mitigation available.

In accordance with Cal. Code of Regs., title 14, section 15093, a Statement of Overriding Considerations was adopted by the Lead Agency for these resources. DTSC adopts a Statement of Overriding Considerations for these resources having determined that the DTSC Project benefits outweigh the significant environmental effects for the following reasons: The DTSC remedial actions reduce the exposure of contaminated soil, soil gas, and groundwater in order to render it safe for Site occupants. The DTSC remedial project also serves to protect human health and the environment, which are DTSC's responsibilities under the California Health and Safety Code.

None of the conditions requiring a subsequent EIR or Negative Declaration pursuant to Cal. Code Regs., tit. 14 Section 15162 exist.

In accordance with Cal. Code of Regs., title 14, section 15093, a Notice of Determination indicating the results of said Findings will be filed with the Governor's Office of Planning and Research / State Clearinghouse.

**D. CERTIFICATION**



Project Manager's Signature

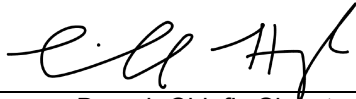
3/21/2025

Date

Gavin McCreary  
Project Manager's Name

Project Manager  
Title

(916) 255-3710  
Phone #



Branch Chief's Signature

3/21/2025

Date

Marikka Hughes  
Branch Chief's Name

Branch Chief  
Title

(510) 540-3926  
Phone #

# **Attachment**

## **The Canopy Residential Project EIR Mitigation Monitoring and Reporting Program (MMRP)**

# Mitigation Monitoring and Reporting Program

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The Environmental Impact Report (EIR) for The Canopy Project (project) identifies the mitigation measures required to reduce the environmental impacts associated with the project. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6(a)(1) of the Public Resources Code:

“the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.”

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of making findings or adopting a mitigated negative declaration. The mitigation monitoring table lists the identified mitigation measures for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The first column, “Mitigation Measure”, identifies mitigation measures that were identified in the EIR. The second column, “Action Required,” refers to the monitoring action that must be taken to ensure the implementation of the mitigation measure. The third column, “Timing,” refers to when the monitoring will occur to ensure that the mitigation action is complete. The fourth column, “Frequency”, refers to how often the mitigation will be implemented. The fifth column, “Responsibility,” refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The remaining “Compliance Verification” columns are where the City verifies that the measures have been implemented.



Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<b>Air Quality</b>							
<b>AES-4 Lighting Specifications</b>							
Exterior lighting installed on the project site must be of low intensity, low glare design, and must be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels and must otherwise meet dark night sky requirements. Exterior lighting fixtures must be kept to the minimum number and intensity needed to ensure public safety. Upward directed exterior lighting is prohibited. The final lighting plan must be amended to include identification of all types, sizes, and intensities of wall mounted building lights and landscape accent lighting, and a photometric map must be provided.	Confirm lighting meets the requirements of the General Plan and design guidelines.	After the completion of construction activities.	Once	City of Sebastopol Planning Department			
<b>Air Quality</b>							
<b>AQ-1 Construction TACs Reduction</b>							
The applicant and project engineer shall include the measures listed below on the grading plan, building plans, and specifications. Prior to issuance of grading permits, the City Engineer and the Chief Building Official shall confirm that the grading plan, building plans, and specifications stipulate that the measures listed below shall be implemented during project construction. The construction contractor shall implement these measures for the duration of construction.  1. All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the USEPA Tier 4	Confirm construction contractors implement applicable construction measures throughout the duration of construction activities.	Prior to and during the duration of construction activities	Once prior to the issuance of grading permits, then periodically throughout construction activities.	City of Sebastopol Planning Department			

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<p>final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards.</p> <p>2. Alternative Fuel (natural gas, propane, electric, other non-diesel fuels) construction equipment shall be incorporated where available. These requirements shall be incorporated into the contract agreement with the construction contractor. A copy of the equipment's certification or model year specifications shall be available upon request for all equipment on-site.</p> <p>3. Electricity shall be supplied to the site from the existing power grid to support the electric construction equipment. If connection to the grid is determined to be infeasible for portions of the project, a non-diesel fueled generator shall be used.</p>							
<b>Biological Resources</b>							
<b>BIO-1(a) Western Bumble Bee Preconstruction Survey</b>							
<p>A qualified biologist(s) shall conduct a pre-construction survey for western bumble bee prior to the onset of work activities at the project site. The pre-construction survey effort shall be conducted for a minimum of one hour. If bumble bees of any species are</p>	<ul style="list-style-type: none"> <li>Confirm preconstruction survey is conducted prior to the start of construction activities.</li> <li>If construction occurs during March 1 through November 1, confirm a</li> </ul>	<p>Prior to and during the duration of construction activities</p>	<p>Once prior to the start construction activities as needed if bumble bees are identified.</p>	<p>City of Sebastopol Planning Department</p>			

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<p>observed, they shall be photographed for identification following the USFWS guidance in Appendix A <i>Standardized Bee Photography in the Survey Protocols for the Rusty Patched Bumble Bee (Bombus affinis)</i> (USFWS 2019). If construction begins between March 1 and November 1, the ground shall also be searched during the survey for active bumble bee colonies. No capture or handling of bumble bees shall be conducted, and western bumble bee, if identified, shall be avoided during construction. Foraging bees shall be allowed to leave work areas undisturbed.</p>	<p>ground survey is completed.</p> <ul style="list-style-type: none"> <li>If bumble bees are found during the pre-construction survey, confirm they are photographed for identification and avoided during construction.</li> </ul>						
<b>BIO-1(b) Roosting Bat Surveys and Avoidance Prior to Removal</b>							
<p>Prior to tree removal or ground disturbance, a qualified biologist shall conduct a focused survey of all trees within the project site, to determine whether active roosts of special status bats are present. If tree removal is planned for the fall or winter, the survey shall be conducted in September to ensure tree removal would have adequate time to occur outside periods of hibernation and during seasonal periods of bat activity (March 1 to April 15, September 1 to October 15, or in any month when evening temperatures rise above 45 degrees Fahrenheit and/or no more than 0.5 inch of rainfall within 24 hours occurs, as described below). If tree removal is planned for the spring, then the survey shall be conducted during the earliest feasible time in March to allow for suitable conditions for the detection of bats, and</p>	<p>During tree removal or ground disturbance, the City shall ensure that a qualified biologist has conducted a survey to detect active bat roosts. If roosts are present, construction will commence only after the City approves a roosting bat protection plan or proper bat boxes are installed when large amounts of bats are present.</p>	Prior to construction	Once	City of Sebastopol Planning Department			

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<p>subsequent tree removal. Trees containing suitable potential bat roost habitat features shall be clearly marked or identified. If day roosts are found to be potentially present, the biologist shall prepare a site-specific roosting bat protection plan to be implemented by the contractor following the City's approval. The plan shall incorporate the following guidance as appropriate:</p> <ol style="list-style-type: none"> <li>1. When feasible, removal of trees and structures identified as suitable roosting habitat shall be seasonally timed to avoid disturbance during the hibernation and breeding seasons, including the following:               <ol style="list-style-type: none"> <li>a) Between September 1 and about October 15, or before evening temperatures fall below 45 degrees Fahrenheit and/or more than 0.5 inch of rainfall within 24 hours occurs.</li> <li>b) Between March 1 and April 15, or after evening temperatures rise above 45 degrees Fahrenheit and/or no more than 0.5 inch of rainfall within 24 hours occurs.</li> </ol> </li> <li>2. If a tree must be removed during the breeding season and is identified as potentially containing a maternity roost, then a qualified biologist shall conduct visual or acoustic</li> </ol>							

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<p>emergence surveys or implement other appropriate methods as determined by the biologist to further evaluate if the roost is an active maternity roost. If it is determined that an active maternity roost of a colonial roosting species is present, the roost shall not be disturbed during the breeding season (April 15 to August 31). If it is determined to not be an active maternity roost, the tree or structure may be removed under the guidance of the qualified biologist.</p> <p>3. Potential non-colonial hibernation roosts shall only be removed during seasonal periods of bat activity outside the hibernation and breeding seasons. Potential non-colonial roosts that cannot be avoided shall be removed on warm days in late morning to afternoon when any bats present are likely to be warm and able to fly. Appropriate methods as determined by the qualified biologist shall be used to minimize the potential harm to bats during tree or structure removal. For trees, such methods may include using a two-step tree removal process. This method is conducted over two consecutive days and works by creating noise and</p>							

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
vibration by cutting non-habitat branches and limbs from habitat trees using chainsaws only (i.e., no excavators or other heavy machinery) on the first day with the remainder of tree removal occurring on the second day.							
<b>BIO-1(c) Nesting Bird Survey</b>							
If construction, vegetation trimming, or tree removals are scheduled to occur during the nesting bird season (February 1 through August 31), the project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey no more than 14 days prior to the start of construction to determine the presence/absence of nesting birds and raptors within the project site and adjacent areas. The survey shall include the entire site plus a 100-foot buffer, as accessible. If active nests are found, the qualified biologist shall establish an appropriate avoidance buffer, considering the species sensitivity and physical location of the nest (e.g., line of site to the work area), to comply with CFGC 3503 and 3503.5. The buffer shall be at least 50 feet for non-raptor bird species and 250 feet for raptor species, unless a smaller buffer is determined protective of nesting birds by the qualified biologist. To prevent encroachment, the established buffer(s) shall be clearly marked by high visibility material installed by the contractor. The established buffer(s) shall remain in	<ul style="list-style-type: none"> <li>• If initial ground disturbance occurs during February 1 through August 31, confirm a qualified biologist has been retained to conduct a nesting bird pre-construction survey in the disturbance footprint and buffer area.</li> <li>• Confirm a report of the nesting bird and raptor survey results is submitted to the City.</li> <li>• If nests are found during the pre-construction survey, confirm the locations are flagged and mapped, and confirm avoidance buffers are established.</li> <li>• Confirm that all construction work is conducted outside the established avoidance buffers.</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to construction: Confirm initial ground disturbance timing; confirm retention of qualified biologist for pre-construction surveys, confirm a report detailing results of the nesting bird and raptor surveys is submitted to the City (prior to grading activities), confirm identified nests are flagged and mapped, confirm avoidance buffers are established.</li> <li>• During construction: confirm retention</li> </ul>	Once: confirm construction start date; confirm retention of biologist; confirm pre-construction survey is completed; confirm survey results report is submitted; confirm identified nests are flagged and mapped; confirm retention of biologist for on-site monitoring, if required.	City of Sebastopol Planning Department			

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. The City shall review and approve the biologists' findings and buffer during construction, as appropriate.		of qualified biologist for on-site monitoring, if required.					
<b>BIO-2 Tree Replacement</b>							
All protected ordinance-sized trees removed from the project site shall be replaced as appropriate for the size class and species of the tree removed, based on the City of Sebastopol tree mitigation requirements for protected native trees, as determined by the Tree Board or the City Arborist. Two replacement trees shall be either planted onsite for each protected tree removed or at a City-approved offsite location, or a fee of \$75 per replacement tree would be provided to the City of Sebastopol tree fund in-lieu for off-site tree planting in the community. If onsite/offsite planting is implemented, a replacement tree planting plan shall be approved by the City along with landscape plans prior to Project implementation	<ul style="list-style-type: none"> <li>• Confirm that all protected trees are replaced in accordance with City requirements.</li> <li>• Confirm that all removed trees are replaced by two trees onsite, an approved offsite location, or an in-lieu fee is paid.</li> <li>• Confirm City approval of landscape plans</li> </ul>	Prior to project implementation	Once	<ul style="list-style-type: none"> <li>• City of Sebastopol Tree Board</li> <li>• City of Sebastopol Arborist/Planning Department</li> </ul>			
<b>Cultural Resources</b>							
<b>CUL-2 Archaeological Resources Assessment, Evaluation, and Treatment</b>							
In the event that archaeological resources are unexpectedly encountered during ground-disturbing construction activities, the construction contractor shall halt work within 100 feet of the find, and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to	<ul style="list-style-type: none"> <li>• Confirm work is halted if any archaeological resources are identified during project construction, until the resource can be evaluated by a qualified archaeologist and the Native American monitor.</li> </ul>	<ul style="list-style-type: none"> <li>• Confirm work is halted if a resource is identified and evaluated during construction.</li> <li>• Confirm prehistoric resources are evaluated by a</li> </ul>	As needed during construction	City of Sebastopol Planning Department			

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<p>evaluate the find, as well as the Sebastopol Planning Department. If the find is determined by the qualified archaeologist to be Native American in origin, then a Native American representative shall also be contacted to participate in the evaluation of the find. If necessary, archaeological testing for CRHR eligibility shall be completed. If the discovery proves to be eligible for the CRHR and impacts to the resource cannot be avoided via project redesign, a qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the deposit, per the requirements of PRC Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource’s significance. The City shall review and, in consultation with approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per PRC Section 15126.4(b)(3)(C).</p>	<ul style="list-style-type: none"> <li>Ensure that all identified prehistoric resources are also evaluated by a Native American representative.</li> </ul>	<p>Native American monitor following discovery.</p>					



Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<b>Geology and Soils</b>							
<b>GEO-1 Paleontological Resources Monitoring and Mitigation</b>							
<p><b>Qualified Professional Paleontologist.</b>            Prior to excavation, City Ventures shall retain a Qualified Professional Paleontologist, as defined by the Society of Vertebrate Paleontology (SVP; 2010). The Qualified Professional Paleontologist shall draft a Paleontological Resources Mitigation and Monitoring Plan, which shall direct all mitigation measures related to paleontological resources.</p> <p><b>Paleontological Worker Environmental Awareness Program.</b>            Prior to the start of construction, the Qualified Professional Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel.</p> <p><b>Paleontological Monitoring.</b>            Full-time paleontological monitoring shall be conducted during ground disturbing construction activities within previously undisturbed sediments. Paleontological monitoring shall be conducted by a paleontological monitor with experience with collection and salvage of paleontological resources and who meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The Qualified Professional Paleontologist may</p>	<ul style="list-style-type: none"> <li>• Confirm a Paleontological Resources Mitigation and Monitoring Plan has been prepared.</li> <li>• Confirm WEAP training has been conducted.</li> <li>• Confirm paleontological monitoring occurs and work is halted if any paleontological resources are identified during project construction, until the resource can be evaluated by a qualified paleontologist.</li> <li>• Confirm any paleontological resource discovered during construction is examined by a Qualified Professional Paleontologist and mitigated appropriately.</li> <li>• Confirm City receipt of a Final Paleontological Mitigation Report.</li> </ul>	<ul style="list-style-type: none"> <li>• Draft a Paleontological Resources Mitigation and Monitoring Plan prior to excavation.</li> <li>• Conduct WEAP training prior to the start of construction.</li> <li>• Monitor during the duration of ground disturbing activities.</li> <li>• Prepare the final report upon completion of ground-disturbing.</li> </ul>	<p>Prior to the start of construction activities, during the duration of ground disturbing activities, and then as needed during construction</p>	<p>City of Sebastopol Planning Department</p>			

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<p>recommend that monitoring be reduced in frequency or ceased entirely based on geologic observations. Such decisions shall be subject to review and approval by the City of Sebastopol. In the event of a fossil discovery by the paleontological monitor or construction personnel, all construction activity within 50 feet of the find shall cease, and the Qualified Professional Paleontologist shall evaluate the find. If the fossil(s) is (are) not scientifically significant, then construction activity may resume. If it is determined that the fossil(s) is (are) scientifically significant, the following shall be completed:</p> <ul style="list-style-type: none"> <li> <b>Fossil Salvage.</b> The paleontological monitor shall salvage (i.e., excavate and recover) the fossil to protect it from damage/destruction. Typically, fossils can be safely salvaged quickly by a single paleontological monitor with minimal disruption to construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits. After the fossil(s) is (are) salvaged, construction activity may resume.         </li> <li> <b>Fossil Preparation and Curation.</b> Fossils shall be identified to the lowest (i.e., most-specific) possible taxonomic level, prepared to a curation-ready condition, and         </li> </ul>							

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<p>curated in a scientific institution with a permanent paleontological collection along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Professional Paleontologist.</p> <p><b>Final Paleontological Mitigation Report.</b>            Upon completion of ground-disturbing activities (or laboratory preparation and curation of fossils, if necessary), the Qualified Professional Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts. The report shall include a summary of the field and laboratory methods employed; an overview of project geology; and, if fossils were discovered, an analysis of the fossils, including physical description, taxonomic identification, and scientific significance. The report shall be submitted to the City of Sebastopol and, if fossil curation occurred, the designated scientific institution.</p>							
<b>Greenhouse Gas Emissions</b>							
<b>GHG-1 CALGreen Tier 2 EV Requirements</b>							
<p>Prior to issuance of building permits, the City Engineer and the Chief Building Official shall confirm that the applicant shall include the following design feature as part of the project to be consistent with CALGreen Tier 2 EV standards:</p>	<p>Confirm project design includes a minimum of 15 percent of total parking spaces be equipped with EV charging stations.</p>	<p>Prior to issuance of building permits</p>	<p>Once</p>	<p>City of Sebastopol Building Department</p>			

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A minimum of 15 percent of the total number of parking spaces shall be equipped with EV charging stations.							
<b>Hazards and Hazardous Materials</b>							
<b>HAZ-3(a) DTSC Regulatory Agency Submittal</b>							
<p>The DTSC shall continue to be utilized for agency oversight of assessment and remediation of the project site through completion of grading and site construction activities. Prior to commencement of construction and grading activities at the project site, the project applicant shall submit the following documents to the DTSC project manager of the open Voluntary Agreement cleanup case:</p> <ul style="list-style-type: none"> <li>• Current development plan and any modifications to the development plan</li> <li>• All environmental documents completed for the project, including this EIR document</li> <li>• Any future environmental documents completed for the project</li> </ul> <p>Upon submittal of the information above, and in accordance with the project’s 2023 DTSC Standard Voluntary Agreement, DTSC may require actions such as: development of subsurface investigation workplans; completion of soil, soil vapor, and/or groundwater subsurface investigations; installation of soil vapor or groundwater monitoring wells; soil excavation and offsite disposal; completion of human health risk assessments; and/or completion of remediation reports or case closure</p>	<p>Confirm applicant submits relevant cleanup case documents to the DTSC</p>	<p>Prior to the issuance of grading permits; prior to the start of construction and grading activities</p>	<p>Once</p>	<ul style="list-style-type: none"> <li>• City of Sebastopol Planning Department</li> </ul>			

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documents. The DTSC approval shall be submitted to and reviewed and accepted by the City prior to issuing grading permits.							
<b>HAZ-3(b) Soil Management Plan</b>							
<p>Prior to commencement of construction and grading activities at the project site, the project applicant shall retain a qualified consultant (Professional Geologist [PG] or Professional Engineer [PE]) to prepare a Soil Management Plan (SMP) for the project site. The SMP shall address:</p> <ol style="list-style-type: none"> <li>1. On-site handling and management of impacted soils or other impacted wastes (e.g., stained soil, and soil or groundwater with solvent or chemical odors) if such soils or impacted wastes are encountered, and</li> <li>2. Specific actions to reduce hazards to construction workers and offsite receptors during the construction phase.</li> </ol> <p>The SMP must establish remedial measures and soil management practices to ensure construction worker safety, the health of future workers and residents, and prevent the off-site migration of contaminants from the project site. These measures and practices may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Stockpile management, including stormwater pollution prevention and the installation of BMPs</li> <li>• Proper disposal procedures for contaminated materials</li> </ul>	<ul style="list-style-type: none"> <li>• Confirm the applicant has retained a qualified consultant to prepare a SMP.</li> <li>• Confirm the SMP includes remedial measures and soil management practices.</li> <li>• Ensure the DTSC has reviewed and approved the SMP</li> </ul>	<p>Prior to the issuance of grading permits the City shall review</p> <p>Prior to the construction (grading) activities at the project site the DTSC shall review.</p>	<p>Once prior to the issuance of grading permits; once prior to the start of construction activities; then periodically during the duration of construction activities.</p>	<ul style="list-style-type: none"> <li>• City of Sebastopol Engineering Department</li> </ul>			

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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<ul style="list-style-type: none"> <li>Investigation procedures for encountering known and unexpected odorous or visually stained soils, other indications of hydrocarbon piping or equipment, and/or debris during ground-disturbing activities</li> <li>Monitoring and reporting</li> <li>A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of project site construction activities with the requirements and procedures for employee protection</li> <li>The health and safety plan shall outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.</li> </ul> <p>The DTSC shall review and approve the SMP prior to construction (grading) activities at the project site. The City shall confirm that DTSC has approved the SMP prior to issuing grading permits. The project applicant shall implement the SMP during , grading and construction at the project site.</p>							
<b>Noise</b>							
<b>NOI-1 Mechanical Equipment Noise Reduction</b>							
For outdoor condensing units (HVAC) and transformers directly adjacent to noise-sensitive receptors, provide a solid barrier with a height blocking the line-of-sight to the nearby noise-sensitive receptors. The minimum density of the barrier shall be 2 pounds per square foot with no holes or gaps. Once final	<ul style="list-style-type: none"> <li>Confirm solid barriers are between sensitive receptors and HVAC and/or transformers.</li> <li>Confirm an acoustical analysis is conducted prior to final design to verify compliance with the City's</li> </ul>	Once after final equipment selection is made.	Once	City of Sebastopol Planning Department			

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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equipment selection is made, an acoustical analysis of the noise from project mechanical and electrical equipment to surrounding properties must be completed by a qualified acoustical consultant prior to final design to verify compliance with the City's nighttime exterior noise standard of 45 dBA.	nighttime exterior noise standard of 45 dBA.						
<b>Transportation</b>							
<b>TRA-1 Pedestrian Connectivity and Safety</b>							
A new pedestrian path shall be added to link the project and mixed commercial office park to the new HAWK crossing across the north leg of the intersection of SR 116/Danmar Drive before an occupancy permit is issued.	Confirm a new pedestrian pathway is added to the project.	Prior to issuance of an occupancy permit.	Once	City of Sebastopol Planning Department			
<b>Tribal Cultural Resources</b>							
<b>TCR-1 Suspension of Work Around Tribal Cultural Resources</b>							
If cultural resources of Native American origin are identified during implementation of the proposed project, all earth-disturbing work within 50 feet of the find shall cease and desist until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. Staking of the area of discovery will be implemented with stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. If the City, in consultation with local Native American tribes, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in	<ul style="list-style-type: none"> <li>Confirm work is halted within 50 feet of any identified cultural resource of Native American origin during construction, until the resource can be evaluated by a local Native American representative.</li> <li>Confirm a mitigation plan is prepared and implemented if the City and local Native American representative determine the identified resources is a tribal cultural resource.</li> </ul>	<ul style="list-style-type: none"> <li>Confirm work is halted if a cultural resource of Native American origin is identified during construction.</li> <li>Confirm a mitigation plan is prepared and implemented following determination that a discovery is a tribal cultural resource.</li> </ul>	As needed during construction	City of Sebastopol Planning Department			

Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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<p>accordance with state guidelines and in consultation with local Native American group(s). The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery.</p>							