Santa Clara County - Clerk-Recorder Office
State of California

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REGINA ALCOMENDRAS, Clerk-Recorder
By: Ronald Nguyen, Deputy Clerk-Recorder

SANTA CLARA COUNTY CLERK
CEQA FILING COVER SHEET

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Check Document being Filed:

- [ ] Environmental Impact Report (EIR)
  - [ ] Filing Fee (new project)
  - [ ] Previously Paid F&W **(must attach F&W receipt and project titles must match)**
  - [ ] No Effect Determination **(F&W letter must be attached)**
- [x] Mitigated Negative Declaration (MND) or Negative Declaration (ND)
  - [x] Filing Fee (new project)
  - [ ] Previously Paid F&W **(must attach F&W receipt and project titles must match)**
  - [ ] No Effect Determination **(F&W letter must be attached)**
- [ ] Notice of Exemption (NOE)
- [ ] Other (Please fill in type):

  Notice of Intent to adopt a CEQA determination

1. LEAD AGENCY: County of Santa Clara Department of Planning and Development
2. LEAD AGENCY EMAIL: robert.cain@pln.sccgov.org
3. PROJECT TITLE: Bagnas Residence
4. APPLICANT NAME: Ekundayo Sowunmi, P.E., QSD/QSP, Ackland International, Inc. PHONE: (510) 564-4284
5. APPLICANT EMAIL: ekundayo.sowunmi@gmail.com
6. APPLICANT ADDRESS: 333 Hegenburger Rd, Ste 206, Oakland, CA 94621
7. PROJECT APPLICANT IS A: [ ] Local Public Agency [ ] School District [ ] Other Special District [ ] State Agency [x] Private Entity
8. NOTICE TO BE POSTED FOR 30 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Rev_8/2023

County of Santa Clara
Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110

	Administration	Development Services	Fire Marshal	Planning
Phone:	(408) 299-6740	(408) 299-5700	(408) 299-5760	(408)299-5770
Fax:	(408) 299-6757	(408) 279-8537	(408) 287-9308	(408) 288-9198

Notice of Determination

To: ☒ County Clerk
County of Santa Clara

☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Title		**File #**
Bagnas Residence		PLN18-8580
Person or Agency Carrying Out Project	**Address**	**Phone #**
Dept. of Planning and Development	70 W Hedding, San José, CA 95110	(408) 299-5700
Applicant	**Address**	**Phone #**
Ekundayo Sowunmi, P.E., QSD/QSP Ackland International, Inc.	333 Hegenburger Rd, Ste 206, Oakland, CA 94621	(510) 564-4284
State Clearinghouse Number	**County Contact Person**	**Phone #**
2024010099	Robert Cain, Senior Planner	(408) 299-5706
Project Location		**APN(s)**
16501 Sanborn Road, Saratoga, CA 95070		517-37-001/2/3/4/6

Project Description

The project proposes to construct a 5,950 sq. ft., three-story, single-family residence and related improvements on a 4-acre parcel, including grading on neighboring parcels necessary for this project, and a Variance to reduce setbacks. Total estimated grading quantities for all improvements is 6,123 cubic yards of cut and 1,547 cubic yards of fill. Sixteen (16) coast live oak trees ranging from 8 to 18 inches in diameter are proposed to be removed.

This is to advise that the County of Santa Clara Department of Planning and Development has approved the above described project on February 8, 2024 and has made the following determinations regarding the project. The Initial Study and record of project approval may be examined at the County of Santa Clara Planning Office.

1. The project will not have a significant effect on the environment.
2. A Monitoring Program was adopted.
3. ☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
4. ☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
   a) ☒ Mitigation Measures have been made a condition of approval of the project.
5. ☐ An Environmental Impact Report has been prepared for this project pursuant to the provisions of CEQA.
   a) ☐ Mitigation Measures have been made a condition of approval of the project.
   b) ☐ A *Statement of Overriding Considerations* was adopted for this project.
   c) ☐ Findings were made pursuant to CEQA Guidelines section 15091.

Robert Cain, Senior Planner — Signature — Feb 9, 2024 — Date

INITIAL STUDY

Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN18-8580	**Date:** February 5, 2024
Project Type:	Building Site Approval, Grading Authorization, and Variance for a new single-family residence, related improvements, and restoration of land.	**APN(s):** 517-37-003; Grading work includes 517-37-001, 517-37-002, 517-37-004, 517-37-006
Project Location / Address:	16501 Sanborn Road, Saratoga	**GP Designation:** Hillsides
Owner's Name:	Emmanuel S. Bagnas and Marilyn Ingles-Bagnas	**Zoning:** HS
Applicant's Name:	Ekundayo Sowunmi	**Urban Service Area:** None

Project Description

The subject application includes Building Site approval and Grading Authorization to construct a single-family residence and related improvements on a 4-acre parcel (APN 517-37-003). The project site has a steeply-sloped, heavily-wooded terrain, east of Sanborn Creek and north of Sanborn County Park. The parcel is surrounded by other heavily forested and sloped parcels that consist of low-density single-family homes and open space, which are all within unincorporated Santa Clara County. The project site is mostly vacant with the exemption of an existing shed (approximately 80 square feet). The applicant proposes to construct a single-family residence with an attached garage, a fire truck turnaround and corresponding easement extension, four 5,000-gallon water tanks, septic tank and leach field, well, wharf hydrant, and stormwater control measures. The project also includes grading and retaining walls necessary to create access to the property over an easement, to construct the home and related improvements, to improve the shared common access road, to legalize grading work previously done for a landslide repair, and to restore land used for testing and construction access. The existing shed will be demolished prior to the completion of the project. The stormwater control measures involve underground water detention system (piping) that will mitigate the projected drainage flows so as to not exceed the existing peak levels. In addition, the project will include stormwater treatment measures designed to reduce and mitigate pollutants in stormwater run-off generated because of the project. The applicant also requests a Variance to reduce the front, rear, and side setbacks.

The total estimated grading quantities for all improvements is 6,707 cubic yards of cut and 1,982 cubic yards of fill. The proposed house size is 5,950 sq. ft., with 3 stories. A Variance is proposed to reduce the front (northwest) setback to 8 feet, the side setbacks to 0 feet due to the physical constraints of the lot and the location of an access easement that currently occupies the southernmost portion of the lot. The easement must be further extended onto the property to encompass the new fire truck turnaround.

Domestic water is proposed to be provided by an approved individual water system well, and an on-site wastewater treatment system must be installed. Retaining walls of 2 feet to 45 feet in elevation are proposed along the common access road, driveway, fire truck turnaround, and adjoining the new residence.

Project Description (continued)

The new common access road and a previously-constructed bridge are on several neighboring parcels directly off Sanborn Rd./Ambrose Rd. leading to the subject parcel (APNs 517 37-002, 517-37-004, 517-37-006) within an existing 40 ft. access easement. An access road to the leach field area was graded through APN 517-37-001, and will be necessary for the construction of the onsite wastewater treatment system; it will be restored to its previously permitted state, including repair to a landslide area on that parcel, which is currently under common ownership with APN 517 37-003.

Sixteen (16) coast live oak trees ranging from 8 to 18 inches in diameter are proposed to be removed. No trees within the riparian setback area are proposed to be removed with the project.

Environmental Setting and Surrounding Land Uses

The proposed building site is located within the rural unincorporated area of Santa Clara County, off Sanborn and Ambrose Roads, within the Santa Cruz Mountains above the Saratoga foothills. The access road and bridge are located directly off of Ambrose Road near where Sanborn Road ends (on neighboring parcels next to the home site). The project has an average building site slope of 66.8% with retaining walls up to 22 feet high on a 4-acre lot.

The entire project area is heavily forested. The subject property has a General Plan designation of Hillsides, a resource conservation district intended to protect the natural environment and limit development in areas with a high risk of natural disasters, such as wildfires and geological hazards. According to the County of Santa Clara Geographic Information System (GIS) data, the property includes coast live oak woodlands and riparian woodland along Sanborn Creek and its tributary. Surrounding land uses include open space, Sanborn County Park, and low-density single-family homes on similarly sized lots.

There are no records of special status species on the parcel in the California Natural Diversity Database (CNDDB). Eleven special status species (plants and animals) were identified by biotic assessment to occur in the vicinity and have the potential to occur on the project site. Most of these species were found to be absent or unlikely to occur, and only the San Francisco dusky-footed woodrat was determined to be present. However, the following species were noted as "possible" to exist on the project site: California red-legged frog, foothill yellow-legged frog, western pond turtle, loggerhead shrike, California yellow warbler, black swift, Vaux's swift, Townsend's big-eared bat, California mastiff bat, pallid bat, ringtail, Santa Cruz black salamander, California giant salamander, and the American Badger. Over 50 additional animal species, in addition to a variety of raptors and other predators, and nearly 60 additional plant species are also expected to occur in this habitat.

The property is located within the Board of Forestry and Fire Protection identified State Responsibility Area, State Seismic Hazard Zone, County Landslide Hazard Zone, and FEMA flood zone D. The property is currently classified (under Cal Fire's 2007 maps) as a High Fire Hazard Severity Zone; however, as of 2023, Cal Fire is proposing to classify this area as a Very High Fire Hazard Severity Zone.

Other agencies sent a copy of this document:

Santa Clara County Parks
California Department of Fish and Wildlife
California Department of Forestry and Fire Protection
California Native American Heritage Commission

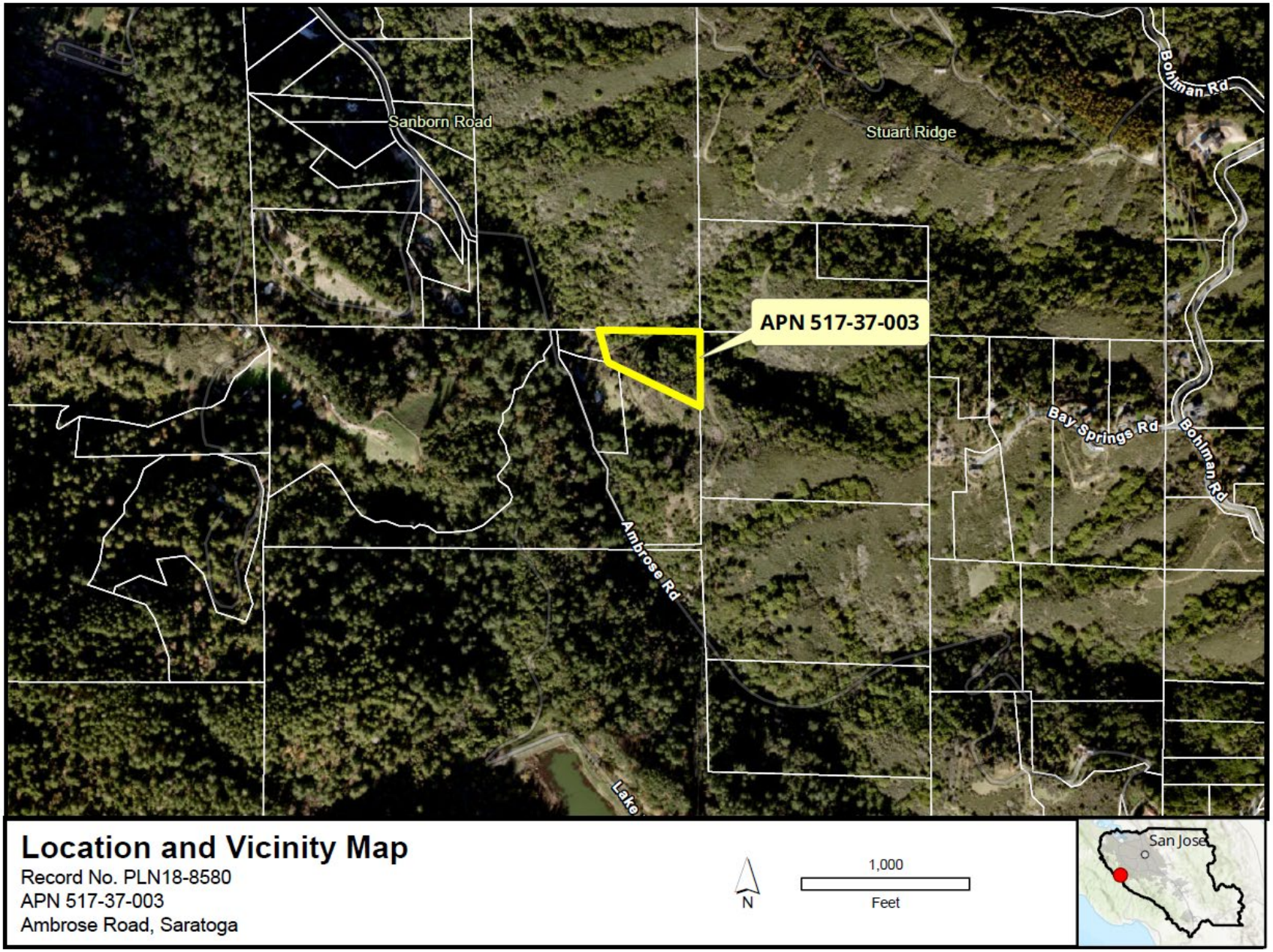

Figure 1 - Location Map

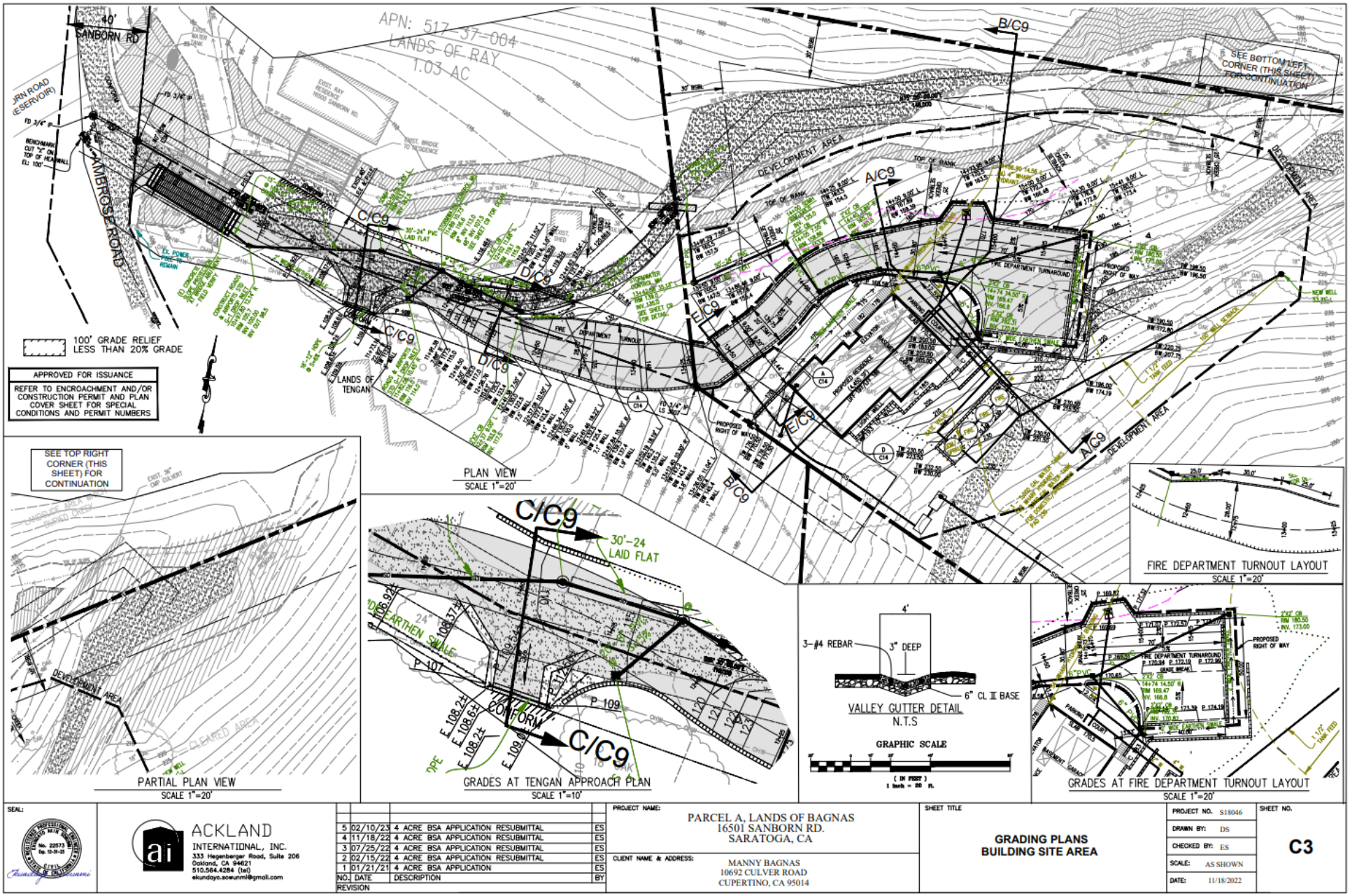

Figure 2 - Site Plan

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed project could potentially result in one or more environmental effects in the following areas:

☒ **Aesthetics**	☒ **Agriculture / Forest Resources**	☐ **Air Quality**
☒ **Biological Resource**	☐ **Cultural Resources**	☐ **Energy**
☒ **Geology/Soils**	☐ **Greenhouse Gas Emissions**	☒ **Hazards & Hazardous Materials**
☒ **Hydrology / Water Quality**	☐ **Land Use / Planning**	☐ **Mineral Resources**
☒ **Noise**	☐ **Population / Housing**	☐ **Public Services**
☐ **Recreation**	☐ **Transportation**	☐ **Tribal Cultural Resources**
☒ **Utilities / Service Systems**	☒ **Wildfire**	☒ **Mandatory Findings of Significance**

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

Signature

February 5, 2024
Date

Robert Cain, Senior Planner
Printed name

Department of Planning and Development, Santa Clara County

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS					
	IMPACT				SOURCE
Except as provided in Public Resources Code section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	2, 3, 4, 6,17f
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway?	☐	☐	☐	☒	3, 6, 7, 17f
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?	☐	☒	☐	☐	2, 3
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐	3, 4

SETTING:

The subject property is 4 acres in size and is characterized as a steeply-sloped, heavily-wooded property east of Sanborn Creek and north of Sanborn County Park. The parcel is surrounded by other heavily forested parcels which include low-density single-family homes and open space, which are all within unincorporated Santa Clara County. The proposed development area of the residence is located in an area classified as chaparral, but is surrounded on the remainder of the parcel by oak woodland, riparian, and coniferous trees. The proposed development is approximately 300 feet east of Ambrose Road, down an access easement from the end of Sanborn Road.

The subject property is not located within a scenic vista recognized by the County of Santa Clara General Plan and Zoning Ordinance. Located in a valley created by Sanborn Creek and one of its tributaries between ridgelines, the property is not visible to Saratoga to the east or Santa Cruz County to the west. The wooded terrain also helps to block views from neighboring parcels, including Sanborn County Park. The proposed single-family house will not be visible from publicly accessible vantage points, but could be visible from neighboring properties.

The subject property has a General Plan designation of Hillsides with a Hillsides zoning designation, which does not carry with it any design mitigation requirements. The property is accessed via an easement off of Sanborn Road near where it becomes Ambrose Road; neither is a County scenic road.

The project includes a landscape plan identifying which trees must be removed for the project, and replacement trees as required mitigation under the Biological Resources section of this report (BIO-MIT 14) are located so as to have the additional benefit of providing vegetative screening; all other trees will be protected through a condition of approval requiring County approval to remove additional trees. No trees within 25 feet of the top of bank are proposed to be removed, and like all trees not proposed for removal shall be protected during construction. Mitigations will also require full cut off

lighting design to ensure there is no direct offsite spill of light or glare which is included in both this section and the Biological Resources section.

DISCUSSION:

a & b) No Impact – The proposed project parcel is 300 feet down an access easement from the end of Sanborn Road (Sanborn Road continues as Ambrose Road through Sanborn County Park, but it is a steep, dirt road not open to driving for the public). The property is not located in a designated scenic vista nor along a designated scenic highway. Furthermore, the location in a steeply-sloped, densely wooded area in a valley between two ridgelines further obscures any development on this parcel from view.

c & d) Less Than Significant with Mitigation Incorporated – This site is currently heavily forested with trees and other vegetation, and the undeveloped portions of the parcel will remain in that state. The new residence is unlikely to be visible from the public road or nearby Sanborn County Park. However, it will create visual impacts to the neighboring properties unless properly mitigated. There is also the potential to create impacts to nighttime views due to lighting and glare. Additionally, new landscaping is proposed surrounding the new residences, driveways, and access road. Preliminary landscape plans submitted with the Building Site Approvals and Grading application includes planting of thirty-nine (39) oak trees on parcel 517-37-003, some of which are required replacement trees for trees to be removed. The location in a steeply-sloped, densely wooded area in a valley between two ridgelines further obscures any development on this parcel from view. Any tree not required to be removed to construct the project shall be conditioned to remain. As the property is located within an area with existing residences on parcels surrounding the property, the project is consistent with the surrounding visual character and would not substantially degrade the visual setting of the area. Full cut-off lighting will ensure no direct offsite spill of light or glare will occur to obscure nighttime views in the area.

MITIGATION:

- **AES-MIT 1: Vegetative Screening**. A final landscape plan shall be submitted for approval prior to final grading permit issuance which incorporates the tree replacement requirements as detailed in the Biological Resources Sections. Landscaping is required to be planted surrounding the residence and associated driveway and access road for the site. No additional trees beyond those identified on the project plans are authorized to be removed without prior County approval and necessary mitigation measures. Prior to issuance of the certificate of occupancy, but after the roof framing is complete, the County Department of Planning and Development will inspect the site. Should the residence be visible from the public right-of-way or accessible County Park lands, the applicant shall plant additional fast-growing evergreen trees (36-inch box) for visual screening to mitigate this impact.
- **AES-MIT 2: Lighting.** A lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely affect nighttime views. Lighting shall be of full cut off shrouded design to ensure that no direct offsite spill of light or glare will occur.

B. AGRICULTURE / 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.					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	**Source**
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 Natural Resources Agency, to non-agricultural use?	☐	☐	☐	☒	3, 23, 24, 26
b) Conflict with existing zoning for agricultural use?	☐	☐	☐	☒	9, 21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	☐	☐	☐	☒	1, 28
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒	1, 17, 32
e) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☒	☐	☐	17, 32
f) 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?	☐	☐	☐	☒	3, 4, 17, 26

SETTING:

The subject property is located in an area with a General Plan designation of Hillsides which is in this instance is designated as forest land. Allowable uses for this General Plan designation include "very low density residential development." While the standard within the General Plan is one dwelling unit per 160 acres, that is applicable to new parcel creation. This four-acre parcel was created prior to the 1995 (current) General Plan adoption.

According to GIS maps using data from the U.S. Department of Agriculture, the project area consists of Sanikara-Mouser Rock outcrop complex soil with 50 to 75% slope, and Ben Lomond Casrock complex soil with 30 to 50% slope. Both these soil types are non-prime agricultural soil that are also not designated as unique farmland or farmland of state-wide importance. According to the GIS maps using data from the U.S. Department of Forestry and the California Department of Forestry and Fire Protection, the project area has a mix of oak woodland, evergreen forest, riparian woodland, mixed forest, shrubs, and open space. According to 2023 update to the 2011 Biotic Assessment, the proposed residence is largely sited in an area determined to be "chapparal," while the access road and driveway are largely in areas determined to be "ruderal/developed" and the onsite wastewater treatment system is largely located in an area determined to be "mixed woodland." Portions of the project extend into the "California bay woodland" which surrounds the primary development area. Sixteen (16) coast live oak

trees are to be removed as part of this project and 39 new 24-inch box oak trees are to be planted in replacement. The site is not subject to an existing Williamson Act Contract.

DISCUSSION:

a, b, c, d, & f) No Impact – The property does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance according to the 2020 Farmland Mapping and Monitoring Program (FMMP) maps developed by the California Department of Conservation. The County's existing zoning allows for a single-family residence 'by-right' in a Hillsides zoning district. The property is not encumbered by a Williamson Act contract, and therefore the proposed development would not conflict with County Williamson Act Guidelines or the County's Williamson Act Ordinance.

e) Less Than Significant with Mitigation Incorporated – Sixteen (16) coast live oak trees are proposed for removal, and the property is within a forestland area. None of the trees proposed for removal are within the 25-foot riparian buffer. The proposed project includes the planting of 39 24-inch box oak trees as replacement trees, exceeding the 32 trees required by the County's tree protection guidelines. A 25-foot setback from the top of bank is required to be maintained and will preserve the riparian woodland on the property.

MITIGATION: Refer to BIO-MIT 14.

C. AIR QUALITY					
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	5, 29, 30
b) 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?	☐	☐	☐	☒	5, 29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒	5, 29, 30
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒	5, 29, 30

SETTING:

Surrounding land uses immediately adjacent to the building site are single-family homes and open space. Sanborn County Park is to the south of the property. The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those generated by construction and operation of development projects. These criteria pollutants include reactive organic gases, carbon monoxide, nitrogen dioxide, and particulate matter (PM). BAAQMD also regulates toxic air contaminants (fine particulate matter), long-term exposure to which is linked with respiratory conditions and increased risk of cancer. The operational criteria pollutant screening size for evaluating air quality impacts for single-family residential projects established by BAAQMD is 421 dwelling units, and the construction-related screening size for single-family residential projects is 254 dwelling units. Emissions generated from the proposed single-family residence is below the BAAQMD operational-related emissions and construction emission thresholds.

DISCUSSION:

a, b, c & d) No Impact – The project is not expected to have any impacts to air quality except during the construction period, which may generate some temporary impacts. Dust would be created during the construction of the proposed structures and site improvements. However, dust emissions would be controlled through standard Best Management Practices (BMPs) dust control measures that would be a condition of the project. Per the BAAQMD screening criteria, for single-family residential uses, construction emissions impacts are less than significant for projects of 114 dwelling units or less. The proposed project involves the construction of one single-family residence. The proposed residential use would not expose sensitive receptors (such as children, elderly, or people with illness) to substantial pollutant concentrations or involve criteria pollutants emissions. Minimal addition of residences and a nominal increase in population would not significantly increase the regional population growth, nor would it cause significant changes in daily vehicle travel. Based on BAAQMD GIS data, the project site is assessed to be below the single and cumulative threshold for carcinogen air hazards.

As such, the proposed development would not conflict with or obstruct implementation of an applicable air quality plan, result in a cumulatively considerable net increase of any criteria pollutant

for which the project region is in non-attainment under an applicable federal or state ambient air quality standard, or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

MITIGATION: None required.

D. BIOLOGICAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	1, 7, 17b, 17o
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐	3, 7, 8a, 17b, 17e, 22d, 22e, 32
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?	☐	☐	☐	☒	3, 7, 17n, 33, 34
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?	☐	☒	☐	☐	1, 3, 31, 32, 33
e) 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?	☐	☐	☒	☐	1, 7, 17b, 17o, 32
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	32, 33
g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒	3,4, 17l

SETTING:

The property is located on the wooded slopes of the Santa Cruz Mountains, in a pocket of small, privately-owned parcels adjacent to Sanborn County Park. It is bounded to the south by an undeveloped property under common ownership, to the east by undeveloped properties under separate private ownership, and to the west and north by low-density single-family residences. Elevations range from approximately 1,400 feet National Geodetic Vertical Datum (NGVD) to 1,900 feet NGVD. Annual precipitation in the general vicinity of the study area is about 14 to 25 inches, almost 85% of which falls between the months of October and March. Virtually all precipitation falls in the form of rain. Stormwater runoff readily infiltrates into the soils of the site, but when field capacity has been reached, gravitational water collects in the tributaries of the site that eventually discharge into Saratoga Creek. The property is vacant except for an existing 80 square foot (approximately) shed that is proposed to remain for secure storage of construction materials during construction and will be removed prior to the final inspection.

The subject parcel contains five biotic habitats: chaparral, California bay woodland, mixed woodland, non-native grassland, and ruderal. To date, there have been improvements to the property related to the access road (including additional access for construction viability tests) and construction of a small shed on the northern edge of the property.

The subject property takes access through an easement over three adjacent properties from Sanborn Road (a County-maintained road), and the shared driveway passes over Sanborn Creek via a bridge. An unnamed tributary of Sanborn Creek exists on the northwest section of the property.

There are no known special status plant or animal species on the property listed in the California Natural Diversity Database (CNDDB). Nearby species of concern listed in the CNNDB include the Santa Cruz black salamander and western pond turtle. A biotic report, including site survey, was produced by Live Oaks Associates on March 31, 2011 and updated on August 23, 2023 (source 32).[1] The 2023 report stated that many species were considered to be absent from the site due to a lack of suitable habitat, soils, or the location being outside of the range of the species. Only one special status species, the San Francisco dusky-footed woodrat, was determined to be present on site. Several species of concern were determined to have some potential to occur on this site. The California red-legged frog, which is federally listed as threatened and a California species of concern, was determined to be "possible" and believed to be present on the site, though not observed. The Western pond turtle, a California species of concern, was determined to be "possible" and believed likely to be present on the site. Thirteen additional California species of concern were determined to be "possible" with varying likelihoods of presence on the site; these are the foothill yellow-legged frog, loggerhead shrike, California yellow warbler, black swift, Vaux's swift, Townsend's big-eared bat, California mastiff bat, pallid bat, ringtail, Santa Cruz black salamander, California giant salamander, and the American Badger.

Special status species which may occur on site but are unlikely include the red-bellied newt, coast horned lizard, Swainson's hawk, bald eagle, golden eagle, least Bell's vireo, and purple martin. Special status plants with the potential to occur on site but are unlikely include Dudley's lousewort, Santa Clara manzanita, robust monardella, and Santa Cruz beardtongue.

Additional animal species identified or expected to occur in this habitat include American pipits, American robin, Anna's hummingbird, arboreal salamander, ash-throated flycatchers, badger, black-headed grosbeaks, black phoebes, black-tailed deer, bobcat, Botta's pocket gopher, Brewer's blackbird, brush rabbit, bushtit, California mouse, California newt, California quail, California slender salamander, California vole, chestnut-backed chickadee, coyote, ensatina, golden-crowned sparrow, deer mouse, gray fox, gopher snake, gray squirrel, house finch, meadowlark, mourning dove, northern flicker, oak-titmouse, orange-crowned warbler, raccoon, red fox, rock dove, ruby-crowned kinglets, southern alligator lizard, savannah sparrow, spotted towhee, Stellar's jay, striped skunk, swallows (various species), Towsend's warbler, warbling vireos, western fence lizard, western harvest mouse, western jay scrub, western rattlesnake, western toad, white-crowned sparrow, and yellow-rumpled warbler. A variety of raptors and other predators will likely be attracted to the parcel due to the abundance of invertebrates and small reptiles, birds, and mammals. Plant species identified on site include California bays, coast live oaks, tanoaks, Douglas firs, bigleaf maples, madrone, California buckeyes, white alder, coyote brush, acacia, apple mint, barnyard barley, bedstraw, blood currant, bur chervil, California blackberry, California buttercup, California hazelnut, California man-root, California poppy, California rose, California wood fern, ceanothus, chamise, common snowberry, common sow thistle, common vetch, deer weed, elderberry, fiddleneck, geranium, hazelnut, honeysuckle, iris, lupine, manzanita, milk thistle, miniature lupine, miner's lettuce, mugwort, ornate shrew, periwinkle, pineappleweed, poison oak, polypody, red-stemmed filaree, ripgut, rose clover,

1 It should be noted that the scope of the project was reduced between 2011 and 2023, and the southern of the two lots is no longer proposed to have a single-family residence, but will have some grading work to help install the septic system for the northern parcel and then to restore that access to a pre-violation state.

sage, scarlet pimpernel, scrub oak, soft chess, toyon, western houndstongue, western white clematis, wild oats, and yerba santa.

The property is outside the coverage area for the Santa Clara Valley Habitat Plan (SCVHP).

DISCUSSION:

c & g) No Impact – The building site and area is not located in any state or federally protected wetlands and is not located within the Santa Clara Valley Habitat Plan area.

e) Less Than Significant Impact – While no detailed study of animal movements has been conducted for the study area, the biotic assessment prepared by Live Oak Associates concluded that knowledge of the site, its habitats, and the ecology of the species on site permits sufficient predictions about the types of movements occurring in the region and whether the proposed development would constitute a significant impact to animal movements. The assessment concluded that tributaries of the site, like most creek habitats, facilitate the movement of regional wildlife. However, construction work for the project along the northern tributary will have no impact on wildlife movement as those species that currently use these tributaries as movement corridors are likely to continue do so after construction, per the biotics reports (Source 32). Construction activities may result in a slight disruption of local wildlife during construction, but would not result in any permanent changes in use or movement patterns once construction is complete. Therefore, development is not expected to have a significant impact on corridor-type movements within the region.

a, b, d, & f) Less Than Significant with Mitigation Incorporated – According to the CNDDB, there are no known sightings of special status or protected species on this property, but several such species have been recorded within a five-kilometer radius. As described in the Biotic Report prepared by Live Oak Associates (source 32), a field survey by a qualified biologist confirmed the presence of San Francisco dusky-footed woodrat and concluded that California red-legged frog and Western pond turtle are believed to be present. The Biotic Report also concluded that the project site provides suitable habitat for special status species California red-legged frog, foothill yellow-legged frog, western pond turtle, loggerhead shrike, California yellow warbler, black swift, Vaux's swift, Townsend's big-eared bat, California mastiff bat, pallid bat, ringtail, Santa Cruz black salamander, California giant salamander, American Badger, and San Francisco dusky-footed woodrat.

The applicant will be required to provide environmental training for the construction team prior to commencement of the project to ensure proper environmental procedures and protections would be followed before, during, and after the project construction (BIO-MIT 1).

The project is designed to avoid disturbing areas within 25 feet of the top of bank of the tributary along the northern property line, and no work is proposed to impact Sanborn Creek which passes through the access easement to the west of the property, the two areas most likely to see occurrences of the amphibian species. Additional mitigations to protect species found in or along the tributary are designed to ensure avoidance (BIO-MIT 2), minimization (BIO-MIT 3 and BIO-MIT 4), compensation (BIO-MIT 5), and maintaining the water quality (BIO-MIT 6).

The property has confirmed presence of the San Francisco dusky-footed woodrat, and the property provides suitable burrowing and foraging habitat for the American badger. Woodrats build nests in trees, on the ground, and on bluffs, preferring dense vegetation or rock cover. Badgers primarily occur in grassland, open scrub, and habitats with friable soils. Therefore, in order to avoid potential impacts

to these mammals during construction, precautionary mitigation measures shall be incorporated in the conditions of approval including a pre-construction survey conducted by a qualified biologist prior to the commencement of any construction activities (BIO-MIT 7 and BIO-MIT 9). Additional mitigations for the San Francisco dusky-footed woodrat include establishing a construction buffer if young are or are likely to be present, and deconstruction of nests once the young can move independently of their parents' care (BIO-MIT 8). Additional mitigations for the American badger include a potential buffer zone and notification to the California Department of Fish and Wildlife (CDFW) if an active badger den is found (BIO-MIT 10), and exclusion fence (BIO-MIT 11). Adherence to the mitigation measures would reduce any potentially significant impacts to the San Francisco dusky-footed woodrat and the American badger to a less than significant level. According to the Biotic Report, no mitigations are necessary for the ringtail.

Raptors and passerine birds are protected under the Migratory Bird Treaty Act. Therefore, in order to avoid potential impacts to nesting raptors and other nesting migratory birds, precautionary mitigation measures shall be incorporated in the conditions of approval including a pre-construction survey conducted by a qualified biologist prior to the commencement of any ground disturbance or vegetation removal during the bird breeding season (February 1 to August 31), and avoidance of any discovered nests until project completion or until a qualified biologist determines the young have fledged and are foraging independent of their parents (BIO-MIT 12). Bats often use trees or man-made structures such as the existing storage shed on site to roost during the day and forage for food in the surrounding fields at night. Therefore, to avoid impacts on bat species, precautionary mitigation measures shall be required to including a pre-construction survey conducted by a qualified biologist prior to the commencement of any ground disturbance or vegetation removal and appropriate avoidance or relocation measures taken (BIO-MIT 13). Adherence to the mitigation measures will reduce any potentially significant impacts to nesting raptors and other nesting migratory birds to a less than significant level.

Removal of oak trees are at the margin of the California bay woodlands, and do not constitute a significant impact to an oak woodland (defined by the County as removal of one-half acre of canopy or more). Oak trees that are removed shall require replacement with the same species (BIO-MIT 14). All construction activities will be restricted to daylight hours to reduce impacts on special status species (BIO-MIT 15). All outdoor lighting shall be designed to minimize impacts on nocturnal species (BIO-MIT16). Any take of protected species will require permitting by the California Department of Fish and Wildlife and/or the U.S. Department of Fish and Wildlife.

MITIGATION:

- **BIO-MIT 1: Workers' Environmental Training.** Prior to the start of the project, a worker's environmental training shall be performed with the entire construction team. The training shall address species identification, natural history, local occurrence, and the protection measures implemented during the project, including actions to take if a special status species is encountered. All workers who receive the training must sign a certification sheet. Each new crew member must receive the environmental training prior to starting work. Applicant shall provide a copy of the certification sheet to the County Planning Division to verify that the Worker Environmental Training was implemented prior to construction activities.
- **BIO-MIT 2: Avoidance of Impacts to Watercourses**. The project is designed to avoid disturbing areas within 25 feet of the top of bank of either Sanborn Creek or its unnamed tributary. Prior to any ground disturbance related to covered activities, a surveyor shall mark

off a distance 25 feet from the top of bank with orange construction fencing within which no work may occur without supervision of a qualified biologist (refer to BIO-MIT 3). In no instance shall construction activities occur within the bed of any watercourse.

- **BIO-MIT 3: Construction Monitoring.** Based on the avoidance, minimization, and monitoring plan developed, during construction, the non-disturbance buffer zones around the watercourses will be monitored by a qualified biologist consistent with the requirements described above to ensure that buffers are enforced, and special status species are not disturbed. The biological monitor will also conduct training of construction personnel on avoidance procedures, buffer zones, and protocols. They will report any observed impacts to sensitive habitats or special status species to the County Department of Planning and Development.
- **BIO-MIT 4: Pre-construction Surveys (Amphibian Species).** Ground disturbing activities shall be limited to the dry season (April to October), when amphibian species are unlikely to be moving through the site. The project proponent will hire a qualified biologist to conduct pre-construction surveys of the site 48 hours prior to any construction activities. If no sightings are made within the development area, the project should proceed immediately, within two days. If these surveys discover any special status amphibian species within the project area, no work will begin until the species (turtles, frogs, salamanders) are relocated by a qualified biologist. Written results of the preconstruction survey shall be submitted to the California Department of Fish and Wildlife (CDFW) within five days of survey completion. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division.
- **BIO-MIT 5: Compensation by Riparian Restoration.** Mitigation in the form of minimization and the use of best management practices is required for the impacts to the tributaries. While no trees within 25 feet of the top of bank are proposed for removal, should any such trees be damaged the applicant will mitigate for any impact to riparian vegetation by planting replacement trees and understory vegetation along the tributaries just prior to the winter rains. Replacement plantings will be required for any loss of riparian vegetation. Riparian trees with a DBH i) less than 12 inches will be replaced at a 1:1 ratio; ii) between 12 and 18 inches will be replaced at a 2:1 ratio; iii) between 19 and 24 inches will be replaced at a 3:1 ratio; and iv) 25 inches or greater will be replaced at a 4:1 ratio. Replacement plantings should be installed as close to the onsite tributaries as possible. Native species should be replaced with the same species as those removed and non-native species should be replaced with a native species suitable to the area. Trees must be obtained from a local native plant nursery or propagated from onsite acorn stock. Monitoring will be required following the planting of the replacement trees to ensure their success. A qualified biologist should develop a riparian restoration plan, and this plan at a minimum should identify the area(s) to accomplish this mitigation, a planting plan, and success criteria.
- **BIO-MIT 6: Protection of Water Quality.** The applicant must comply with the provisions of a County's grading permit, including standard erosion control measures that employ best management practices (BMPs). The applicant would also need to develop a SWPPP per State Water Quality Control Board Stormwater Permit. The applicant shall provide County inspectors with all relevant documentation that these measures have been properly implemented.
- **BIO-MIT 7: Pre-construction Survey (San Francisco dusky-footed woodrat).** No less than 14 days but no more than 30 days prior to the initial ground disturbance at the project site, a pre-construction survey for the San Francisco dusky-footed woodrat shall be conducted by a qualified biologist. The biologist shall search for nests of an appropriate size and shape, evidence of recent activity and other signs, such as tracks and scat. All nests shall be mapped and their status (whether the nests are active at the time of the survey) shall be determined. If

no potential nests are found on the property, the project should proceed immediately, within two weeks. Written results of the preconstruction survey shall be submitted to the California Department of Fish and Wildlife (CDFW) within five days of survey completion and prior to the start of ground disturbance and/or construction. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division to verify status of nests (if any) prior to the start of construction.

- **BIO-MIT 8: Consultation with CDFW for San Francisco dusky-footed woodrat.** If a potential nest is found, a qualified biologist shall determine if it is active using camera traps for three (3) consecutive nights. If a nest is determined to be active, CDFW shall be consulted regarding measures to avoid take. These may include establishing a temporary buffer zone around active dens during construction, and relocation through trapping, or other suitable methods which ensure the survivability of the rodents as determined by the qualified biologist. Destruction of dens shall not occur without prior consultation with and approval from CDFW and oversight of a qualified biologist. As this species usually breeds during the spring and summer months, and since young are altricial (dependent on parental care) during early development, the nests should be manually deconstructed when it is determined that the young can move effectively independent of their parents' care (generally from October through January) and reconstructed by the qualified biologist outside of the development area. If young are present, a suitable construction buffer should be established around the active nest until such time when the young can move on their own.
- **BIO-MIT 9: Pre-construction Survey (American badger).** No less than 14 days but no more than 30 days prior to the initial ground disturbance at the project site, a pre-construction survey for the American badger shall be conducted by a qualified biologist. The biologist shall search for burrows of an appropriate size and shape, evidence of recent activity and other signs, such as tracks and scat. All dens shall be mapped and their status (whether the dens are active at the time of the survey) shall be determined. If no potential burrows are found on the property, the project should proceed immediately, within two weeks. Written results of the preconstruction survey shall be submitted to CDFW within five days of survey completion and prior to the start of ground disturbance and/or construction. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division to verify status of burrows (if any) prior to the start of construction.
- **BIO-MIT 10: Potential Buffer Zone and Relocation of American badger.** If a potential den is found, the qualified biologist shall determine if it is active using camera traps for three (3) consecutive nights. If a den is determined to be active, CDFW shall be consulted regarding measures to avoid take. These may include establishing a temporary buffer zone around active dens during construction, and relocation through trapping or passively. Destruction of dens shall not occur without prior consultation with and approval from CDFW. If a badger den is found, the Planning Division shall be notified immediately, and any approval provided by the CDFW shall be forward to the Planning Division for record keeping purposes.
- **BIO-MIT 11: Installation of Construction Envelope Perimeter.** Regardless of whether potential dens are identified, an exclusion fence shall be installed around the perimeter of the construction envelope to exclude possible badger occurrence onto the project site during construction activities. At a minimum, the exclusion fence shall be constructed from Department of Transportation (DOT) grade silt fence. The fence shall be buried one (1) foot below grade and encircle the project site and incorporate a gate that would allow construction vehicle access and serve as a barrier to wildlife trespass. A qualified biologist shall monitor the installation of the fence. The applicant is required to provide evidence of fence installation around perimeter of the construction envelope prior to start of construction.

- **BIO-MIT 12: Avoidance of Nesting Raptors and Other Nesting Migratory Birds.** To the extent possible, any project-related ground disturbance, vegetation removal, or structural demolition activities should occur outside of the bird breeding season, i.e., during the period from September 1st through January 31st. Project-related activities that occur during the bird breeding season, i.e., during the period from February 1st through August 31st, could be constrained in the vicinity of any active nests. If tree removal, ground disturbance, or structural demolition activities are scheduled to commence during the breeding season, a qualified ornithologist will conduct pre-construction nesting bird surveys to identify possible nesting activity within 15 days prior to such activities. A construction-free buffer of suitable dimensions as determined by a qualified ornithologist must be established around any active raptor or migratory bird nest for the duration of the project, or until it has been determined that the young have fledged and are foraging independently from their parents.
- **BIO-MIT 13: Avoidance of Roosting Bats.** To the extent possible, any project-related ground disturbance, vegetation removal, or structural demolition activities should occur outside of the bat maternity roosting season, from approximately April 15 through August 15, and the bat winter torpor season, approximately October 15 to March 1. Project-related activities that occur during this time must be constrained in the vicinity of any active roosts. If tree removal, ground disturbance, or structural demolition activities are scheduled to commence during this time, a qualified biologist who is experienced with bat surveying techniques (including auditory sampling methods), behavior, roosting habitat, and identification of local bat species will be consulted prior to tree removal or building demolition activities to conduct a pre-construction habitat assessment to characterize potential bat habitat and identify potentially active roost sites. No further action is required should the pre-construction habitat assessment not identify potential bat roosting habitat or signs of potentially active bat roosts within the Project area (e.g., guano, urine staining, dead bats, etc.).

  The following measures will be implemented should potential bat roosting habitat or potentially active bat roosts be identified during the habitat assessment in buildings to be demolished:

  a) In areas identified as potential roosting habitat during the habitat assessment, initial building demolition will occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15, to the extent feasible. These periods avoid the bat maternity roosting season and period of winter torpor (a state of decreased physiological activity with reduced body temperature and metabolic rate).
  b) The existing building (80 square foot shed) could be a potential bat roosting habitat or active (outside of maternity and winter torpor seasons) roosts will be disturbed only under clear weather conditions when precipitation is not forecast for three days and when daytime temperatures are at least 50 degrees Fahrenheit.
  c) The demolition or relocation of buildings containing or suspected of containing potential bat roosting habitat or active bat roosts will be done under the supervision of a qualified biologist. When appropriate, buildings will be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost, likely in the evening and after bats have emerged from the roost to forage. Under no circumstances will active maternity roosts be disturbed until the roost disbands at the completion of the maternity roosting season or otherwise becomes inactive, as determined by the qualified biologist.
  d) If avoidance of the bat maternity roosting season and period of winter torpor, defined under a), above, is infeasible, the qualified biologist will conduct pre-construction surveys of potential bat roost sites identified during the initial habitat assessment no more than 14 days prior to building demolition.

e) If active bat roosts or evidence of roosting is identified during pre-construction surveys for building demolition, the qualified biologist will determine, if possible, the type of roost and species. A no-disturbance buffer will be established around roost sites until the start of the seasonal windows identified above, or until the qualified biologist determines roost sites are no longer active. The size of the no-disturbance buffer would be determined by the qualified biologist and would depend on the species present, roost type, existing screening around the roost site (such as dense vegetation or a building), as well as the type of construction activity that would occur around the roost site.

- **BIO-MIT 14: Oak Tree Replacement.** Plans call for the removal of 16 coast live oak trees. Thirty-nine (39) 24-inch box coast live oaks shall be planted as replacement trees on site and inspected by County staff prior to final inspection for the project. Landscape plans submitted within the contracting and grading plans for the project are to be approved by Planning prior to final grading permit issuance shall show the required coast live oak tree replacements (Thirty-nine (39) 24-inch box trees, exceeding the 32 trees required by the County's tree protection guidelines). Any additional trees damaged or removed require approval from the County's Department of Planning and Development for replacement in line with the County's tree replacement guidelines, or as described in BIO-MIT 5 if in the riparian area. All replacement trees must be planted prior to the issuance of the certificate of occupancy, and confirmed in place via a site inspection conducted by the County Planning Division. A minimum 80% survival rate is required upon completion of 3-year required irrigation program. If the survival rate requirements are not met, replacement of the dead or dying trees and follow up monitoring is required by a qualified biologist for an additional 2 years. A qualified biologist shall conduct and/or supervise monitoring, replacement planting, additional watering, weeding, invasive exotic eradication, and any other practice to achieve the required survival requirements.
- **BIO-MIT 15: Daytime Restriction.** All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, and at any time on Sundays for the duration of construction. Additionally, all construction shall be restricted to daylight times and shall not extend after sunset.
- **BIO-MIT 16: Lighting.** A lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely impact nocturnal species such as the San Francisco dusky-footed woodrat or roosting bats. Lighting shall be of full cut off design to ensure that no direct offsite spill of light or glare will occur.

E. CULTURAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources?	☐	☐	☐	☒	3, 16, 19, 41, 42
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?	☐	☐	☐	☒	3, 19, 41, 42
c) Disturb any human remains including, those interred outside of formal cemeteries?	☐	☐	☐	☒	3, 19, 41, 42

SETTING:
This property is located within the ethnohistoric **Partacsi** and **Somontac** Ohlone Tribal territory, based on a review of reports by Anthropological demographer and ethnohistorian Randall Milliken, who reconstructed the general location of aboriginal Costanoan/Ohlone-speaking tribes within the greater San Francisco Monterey Bay regions. For the area within the vicinity of Castle Rock State Park and the subject property, Milliken suggests that one of the villages of the tribe that held this region was identified as **Partacsi** in the Mission Santa Cruz records, and another tribe is the **Somontac** who occupied the greater Los Gatos region.

This property was covered by an archaeological study (#2785) conducted by Archaeological Resource Management in 2003 that covered approximately 100% of the site. The study identified no evidence of cultural resources, and the California Historical Resources Information System, Northwest Information Center located at Sonoma State University has determined that the project has a low possibility of containing unrecorded archaeological sites, and that no further study of archaeological resources is recommended. The County also received correspondence from the Muwekma Ohlone Indian Tribe of the San Francisco Bay Region on June 22, 2023. The Tribe did not have any specific evidence of cultural resources on this specific site, but noted that there have been tribal human remains discovered within a 3.3-mile radius, and that while records of their ancestors' settlements and trade routes are incomplete, they suspect that their ancestors utilized places in proximity to freshwater drainage. They have requested notification and participation in any mitigation or recovery program on site should any evidence of their ancestral heritage cemetery or village sites be impacted by this project.

DISCUSSION:

a-c) **Less Than Significant with Mitigation Incorporated**. – A review of available materials provided no evidence of historic or archaeologic resources on site. Given the results of the archaeological report, the project site is not likely to contain any archaeological resources, nor will the proposed project have any impact upon the known archaeological resources of the area. As such, further archaeological investigation is not warranted. However, County standard conditions of approval offer additional protections in the event a concentration of artifacts or human remains are unexpectedly encountered during earth disturbing activities. However, due to the specific context of the project site and extent of the earthmoving activities necessitated by the proposed project, as a precautionary measure, there are mitigations implemented related to tribal resources in that section of this document.

MITIGATION: Refer to TCR-MIT1.

F. ENERGY					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?	☐	☐	☐	☒	3, 5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒	5

SETTING:

The proposed project includes construction of a new single-family residence with a leach field and septic tank, well, and four water tanks for domestic fire sprinklers and wharf hydrant. The County has adopted an ordinance (known as a "reach code") requiring all new construction in unincorporated County areas to use electricity for domestic uses. The County's local building code does not permit new homes to utilize natural gas and requires them to be designed to easily install solar energy conversion systems as well as residential electric car charging stations.

DISCUSSION:

a-b) **No Impact** – The new single-family residence is a relatively low-impact development that is not expected to utilize energy resources, such as gas, electricity and water, in an inefficient manner during construction or during its use as a residence. Additionally, the proposed residence and its associated energy resources will be required to comply with County energy reach codes and therefore does not conflict with local or state plans for energy efficiency. As such, the proposed project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation and will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

MITIGATION: None required.

G. GEOLOGY AND SOILS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
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.	☐	☐	☐	☒	6, 17c, 42, 43, 44
ii) Strong seismic ground shaking?	☐	☒	☐	☐	6, 17c, 42, 43
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	6, 17c, 17n, 42, 43
iv) Landslides	☐	☒	☐	☐	6, 17j, 42, 43
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐	6, 10, 23, 24, 42
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?	☐	☒	☐	☐	2, 3, 17c, 42, 43
d) Be located on expansive soil, as defined in the report, *Soils of Santa Clara County*, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒	14, 23, 24, 42, 43
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒	3, 6, 23, 24, 42, 43
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒	4, 6, 40, 41

SETTING:

The property is located in the Santa Cruz Mountains near the Sanborn County Park and lies within the boundaries of a Santa Clara County Landslide Hazard Zone and State Seismic Hazard Zone for Earthquake-Induced Landslides, on the northeast side of the San Andreas Fault Zone (approximately one kilometer away from the fault), west of the Monte Vista-Shannon Fault (approximately two kilometers away), and on the northeastern boundary of the Alquist-Priolo Earthquake Fault Zone for the San Andreas Fault. No faults are known to pass through the site. This area is underlain by rocks of the late Jurassic Franciscan Complex that have been pervasively sheared by the regional faulting activity. The rock units consist of greywacke sandstone, shale, sheared zones (mélange), and medium grained diabase-gabbro. Shallow landslides involving the surficial soil have occurred on the slopes.

The site soils and earth material at the site have been derived from the diabase and the Franciscan complex. Those materials derived from the diabase form a sandy gravelly soil material with the gravel consisting of angular diabase fragments of up to 2 to 3 inches in diameter. At depth, the diabase is very competent with observed fracturing. The Franciscan complex at the site is comprised of greywacke sandstone with some shale interbeds. It is generally weathered and sheared, but found to be intact and competent at relatively shallow depths. The overall slope steepness of the project has resulted in a very shallow soil cover at the site.

The development site contains areas of differing topography, including relatively steep, westerly facing slopes and exposed rock outcrops. A geotechnical and geological investigation report for the proposed development was prepared by E_2C, Inc. dated February 11, 2005. A supplemental letter report was prepared by Friar Associates, Inc. dated September 15, 2022, assessing the design of slopes for the proposed roadway alignment.

DISCUSSION:

a (i, iii), d, e, & f) **No Impact**. – Based on the review of the County Geologist, and the E_2C report, risk of the project rupturing of the earth's surface along an active fault at the subject site is low, since no active faults are known to pass through the property. The potential for seismically-induced landslides to occur is low. The native surface soil at the project site does not have an adverse expansion potential when subjected to fluctuation in moisture. An area suitable for an onsite wastewater treatment system (OWTS) has been designated on the parcel; the largest concern in this regard are the 40% or more slopes on much of the property as the steep slope limits alternatives for the OWTS. There are no identified unique paleontological resources or geologic resources on this site.

a (ii, iv), b, c) **Less Than Significant with Mitigation Incorporated** – Based on the review of the County Geologist, and the E_2C report, the subject site may experience seismic shaking during the economic lifetime of the residential development, especially if the nearby San Andreas Fault produces a large magnitude earthquake. The presence of bedrock materials would likely reduce the effects of ground shaking compared to alluvial deposits found in the Santa Clara Valley, but still require mitigation. The site is located in County and State seismic hazard zones for earthquake-induced landslides, but the potential is considered to be low. Shallow landslides can be mitigated by removal and replacement with engineered fill. A pier and grade beam type of foundation system is the most suitable design based on the existing terrain and geological conditions. The project seeks to incorporate both retaining walls and engineered slopes, and the engineered slopes are susceptible to erosion or loss of topsoil. The amount of cut and/or fill that can be safely done on this project will be determined by qualified geotechnical engineers. As with all hillside development, slope stability should be of major concern. The project will be sited on the closest portion of the property to the road within the normal setbacks to reduce grading as much as possible and keep the project from the steepest areas. Slope instability is the result of movement within colluvial soils, creep and shallow landsliding within the surficial soils over bedrock. The other cause of slope instability is the uncontrolled flow of surface water (sheet flow) on the surface of the slope and subsurface water (seepage) within the slope. Therefore, the risk of future slope instability can be reduced by controlling both surface and subsurface water during and after construction by providing well designed and properly constructed surface and subsurface drainage systems together with good grading practices during excavations and earthwork construction. The lack of adequate drainage to collect both surface and subsurface water to suitable collection and discharge facilities can adversely affect slope stability in general.

MITIGATION:

- **GEO-MIT 1: Construction Monitoring**. All earthwork, grading, and foundation construction shall be observed and inspected by a representative of a qualified geotechnical firm. The structural engineer responsible for foundation design shall determine final design of foundation and reinforcing requirements. The County Building Department shall approve all foundation plans prior to permit issuance, and all field changes prior to the County's foundation inspection. A representative of a geotechnical firm shall be present during the foundation

excavation or drilling of piers. The soil engineer shall inspect any foundation excavation and all foundation piers at the time they are drilled. Modifications to pier depths may be made at that time as deemed necessary by field conditions. The geotechnical engineer shall prepare a final report upon completion of the grading operations and foundation construction. The geotechnical engineer shall submit a construction observation letter stating that the approved geotechnical recommendations for the grading and building construction were implemented.

- **GEO-MIT 2: Seismic Building Design.** The design of the structures and foundations shall meet local building code requirements for seismic effects. The residence shall use a pier and grade beam type of foundation. Special consideration will have to be given to the design of moisture cut-off provisions around the perimeters of the foundations. Concrete floor slabs-on-grade may be used for uninhabited structures, such as garages. End bearing piers and grade beams shall have a minimum diameter of 12-inches and penetrate a minimum of 12 feet into component bedrock materials. This depth of penetration shall not include any engineered fill or residual soil. These piers can be designed with an allowable end bearing capacity of 3,000 pounds per square foot (psf). This value is for dead plus live loads and may be increased by one third for short-term wind and seismic effects. The top three feet of the embedment shall not be included in the calculations. All piers should be reinforced with at least four #4 bars, which shall run the entire length of the piers, with these reinforcing members piers tied at least 12 inches into the grade beam's upper reinforcement bar. The grade beams should be founded a minimum depth of 6-inches below the adjacent pad grades and should be reinforced with a minimum of two #4 bars, one near the top and one near the bottom. Grade beams should be kept to a minimum width in order to minimize any effect of uplift pressures. Should concrete floor slabs-on-grade be used in the garage, they shall be underlain by at least four inches of Class II baserock and shall be poured structurally independent of the foundations or any fixed members when possible. The baserock should be compacted to not less than 95% relative maximum compaction according to ASTM D1557-91 test procedure. A vapor barrier (i.e. Visqueen, min. of 6mil thickness) shall be placed on top of the sand section of the concrete slab construction. This will minimize moisture intrusion through the slab. Prior to pouring the foundations or placing the vapor membrane in living areas or concrete slabs in garage areas, the foundation trenches and subgrade soils shall be pre-soaked with water. This pre-soaking operation shall be performed at least 12 hours in advance of concrete placement. The geotechnical engineer shall be contacted for specific recommendations. The structural engineer responsible for foundation design shall determine final design of foundation and reinforcing requirements. The soil engineer shall inspect all foundation excavations and piers.
- **GEO-MIT 3: Grading Operations.** No excavations shall be done during a period of sustained precipitation. The placement of fill and control of any grading operations at the site shall be performed in accordance with approved geotechnical recommendations. All existing utility lines and subsurface structures, if any, must be removed prior to any grading at the site. The depressions left by the removal of any subsurface structures shall be cleaned of all debris, backfilled, and compacted with clean, native soil. All new utilities shall be undergrounded. All backfill must be clean, native soil that is engineered and conducted under the supervision of the geotechnical engineer. All organic surface materials and debris, including grass, shall be stripped prior to any other grading operations, and transported away from areas that are to receive structures or structural fills. These organically contaminated soils may be stockpiled for later use in the landscaping area only. After removing and stripping, the building pad shall be scarified by a machine to the depth of six inches and thoroughly cleaned of vegetation and other deleterious matter. After scarifying and cleaning, the native soil shall be re-compacted over the entire building pad and five feet beyond the perimeter of the building pad. All engineered fill or imported soil shall be placed in uniform horizontal lifts of not more than six

to eight inches in uncompacted thickness, and compacted. When fill material includes rocks, nesting of rocks will not be allowed, and all voids must be properly filled by compaction. Rocks larger than four inches in diameter shall not be used for the final two feet of the building pad. All imported soil must be approved by the geotechnical engineer prior to being brought to the site and shall have a plasticity index no greater than 12 and an R-Value greater than 25. All soil compaction shall be to not less than 90% relative compaction using the ASTM D1557-91 test procedure. Before compaction of fill begins, the fill shall be brought to a water content that will permit proper compaction be either: 1) aerating the material if it is too wet, or 2) spraying the material with water if it is too dry. Each lift shall be thoroughly mixed before compaction to assure uniform distribution of the water content. Any vertical cuts deeper than 5 feet must be properly shored, unless in an unengineered "fill" area where shoring will be required from the ground surface. The minimum cut slope for excavation to the desired elevation is one horizontal to one vertical. The cut slope should be increased to 2:1 if excavating is performed during the rainy season, or when soil is highly saturated with water.

- **GEO-MIT 4: Minimization of Grading.** The applicant shall submit to the County Planning and Development Department all grading and drainage permit applications, including plans and geotechnical reports, to ensure that the adequate keying, benching, and subdrains are implemented. Large fills must be avoided and retaining walls constructed, as necessary. Cut slopes must be kept to a minimum and no steeper than 2:1 with a vertical height not exceeding 8 feet. If steeper slopes are required, then retaining walls will be required.
- **GEO-MIT 5: Cut and Fill Slopes.** Where any fill is to be placed on the natural slopes, a keyway with a minimum width of eight feet shall be excavated at the toe of the fill slope, and the bottom of the key shall slope a minimum of 2% into the hill. The key shall be excavated a minimum of 4 feet into the natural ground. The basekey shall be covered with a geotextile material on which a 6-inch thick layer of drain rock shall be placed at the heel of the key. A 4-inch diameter perforated drainpipe shall be placed on this rock (i.e. perforations down). Two feet of drain rock shall be placed on top of the pipe. This pipe and drain rock shall then be wrapped with the geotextile fabric to protect the rock from being in contact with the native soil. The subdrain shall discharge onto an area that is protected from erosion. All subsequent fill shall then be placed in 8 inch lifts and properly compacted as indicated in the previous section above. As fill is placed, consecutive benches shall be cut into competent natural ground to allow for the fill to be placed and compacted on relatively horizontal surfaces. Our office shall inspect all excavations prior to the placement of fill. A pre-construction field meeting must be held with the contractor to review the field grading protocol. Cut and fill slopes should be limited to a ratio of two horizontal to one vertical (i.e., 2:1). The maximum vertical section shall not exceed eight feet. Surface water control measures shall be constructed at the top of slopes to prevent uncontrolled runoff. Overflow of water from the developed areas must be re-directed away from the proposed improvements via drainage pipes, catch basins and other engineered systems. All storm water runoff shall be directed to appropriate out-fall points west (i.e. down slope) of the residence. Appropriate measures shall be implemented to minimize surface soil erosion. The surface of the slopes shall be compacted to provide a surface free of loose material. It is suggested that vegetation be planted on the graded surfaces after completion of the grading operation. However, in areas where rock outcrop is exposed or the depth to bedrock is shallow, cut slopes may be constructed between 1.75horzontal:1vertical (1.75h:1v) and 1.5horizontal:1vertical (1.5h:1v), depending on the soundness of the rock exposed. Where the existing gradients are steeper than 1.5h:1v and the slopes are stable, cut slopes may be constructed to match the existing slopes. To minimize the potential for erosion, slope surfaces shall be covered with erosion resistant plants. The plants shall be maintained until the roots have become firm.

- **GEO-MIT 6: Retaining Walls.** Any facilities that will retain a soil mass, such as retaining walls, shall be designed for a lateral earth pressure (active) equivalent to 75 pounds equivalent fluid pressure for horizontal backfill. If the retaining walls are restrained from free movement at both ends, they shall be designed for the earth pressure resulting for 85 pounds equivalent fluid pressure, to which shall be added surcharge loads. The structural engineer shall discuss the surcharge loads with the geotechnical engineer prior to designing the retaining walls. In designing for allowable resistive lateral earth pressure (passive) of 400 pounds, equivalent fluid pressure may be used with the resultant acting at the third point. The top foot of native soil shall be neglected for computation of passive resistance. A friction coefficient of 0.3 shall be used for retaining wall design. This value may be increased by one third for short-term seismic loads. The above values assume a drained condition and moisture content compatible with those encountered during our investigation. To promote proper drainage, a layer of at least 12-inches of gravel or drain rock shall be placed between the retaining wall and the retained material. Perforated pipes (perforations down) shall be included in the design to conduct excess water from behind the retaining structure. Suitable outfall locations for drainage shall be chosen to minimize future erosion. The County shall review and approve all retaining wall designs to evaluate the suitability of the drainage system. If retaining walls are proposed as part of an exterior wall of the structure, adequate water-proofing materials and sheeting shall be applied to the walls so that the interior of the walls remain free of moisture.
- **GEO-MIT 7: Drainage.** Proper and adequate drainage (surface and subsurface) systems must be incorporated into the planned development. Runoff collected from roof drains and area drains as well as discharge from subdrains (when needed) must be released to appropriate locations away from the proposed building site and to appropriate drainage facilities located at the property. The final exterior grade adjacent to the proposed building should be such that the surface drainage will flow away from the structures. A 2% final soil grade slope must be incorporated into the site grading. The slope must be sufficient to remove all storm water from the foundations. Rainwater discharge at downspouts must be directed onto pavement sections, splash blocks, or other acceptable facilities which will prevent water from collecting in the soil adjacent to the foundations. Utility lines that cross under or through perimeter footings must be completely sealed to prevent moisture intrusion into the areas under the slab and/or footings. The utility trench backfill must be of impervious material and this material should be placed at least 4 feet on either side of the exterior footings. All drainage systems shall comply with the requirements of the San Fracisco Bay Regional Water Quality Control Board.

H. GREENHOUSE GAS EMMISSIONS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒	5, 29, 30
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒	5, 29, 30

SETTING:

The proposed project includes the construction and use of a single-family residence. The primary GHG emissions associated with development of a single-family home is carbon dioxide, which is directly generated by fuel combustion (primarily vehicle trips) and indirectly generated by use of electricity.

VMT

Senate Bill 743 (SB 743), which became effective September 2013, initiated reforms to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts that *"promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses."* Specifically, SB 743 directed the Governor's Office of Planning and Research to update the CEQA Guidelines to replace automobile delay—as described solely by LOS or similar measures of vehicular capacity or traffic congestion—with VMT as the recommended metric for determining the significance of transportation impacts. The Office of Planning and Research has updated the CEQA Guidelines for this purpose by adding a new section 15064.3 to the Guidelines, which became effective statewide July 1, 2020. CEQA Guidelines section 15064.3, subdivision (b), establishes criteria for evaluating a project's transportation impacts under CEQA. The lead agency has discretion to choose the most appropriate methodology to evaluate VMT.

DISCUSSION:

a & b) **No Impact**. – Due to the relatively small scale of the project (a single-family residence and related improvements) and compliance with existing County and State requirements listed below that will minimize greenhouse gas emissions, it is anticipated that the proposed project will not impact GHG emissions or emissions reduction plans.

The single-family residence will have minimal greenhouse gas emission impacts and would involve GHG emissions through the operation of construction equipment and from worker/builder supply vehicles, which typically use fossil-based fuels to operate. Project excavation, grading, and construction would be temporary, occurring only over the construction period, and would not result in a permanent increase in operational GHG emissions. The single-family residence would consume electricity; however, the amount would be minimal, and therefore would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment. The project is required to comply with the Cal Green, which applies mandatory green building requirements to the construction of new single-family dwellings. These measures include higher energy efficiency

standards and requirements to minimize water usage and the use of natural resources. Implementation of these measures will act to reduce potential greenhouse gas emissions from the proposed project.

The Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA[2] recommends a method for screening out small projects that would be presumed to have less-than-significant VMT impacts. The method uses a daily trip rate as a screening level threshold based on the Class 1 and 3 Categorical Exemptions (Sections 15301 and 15303 of the CEQA Guidelines). For rural areas, this daily trip rate screening level would be 24.[3] The projected vehicle trips for the proposed single-family residence is approximately 20 daily vehicle trips for single family residence, according to the Institute of Traffic Engineers Trip Generation Manual, 10th edition data (20 trips/day) for a single-family residential use.[4] This would be below the screening level of 24. Similarly, emissions generated from construction and operation of the proposed single-family residence would be well below the BAAQMD's screening size level of 56 dwelling units for operational and construction related GHG emissions as this project consists of one single-family residence. Therefore, the proposed project would not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

As such, the project would have no impact on greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, and would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

MITIGATION: None required.

[2]Office of Planning and Research. December 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA.
[3]According to OPR's analysis, typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact. However, the 10,000 square-foot limit examples in the Class 1 and 3 applies to urban areas. Outside of urban areas, the example limit is 2,500 square feet, which would yield a trip rate of 24, which is the rate that would be considered not to lead to a significant VMT impact.
[4]ITE Trip Generation, 10th Edition, 2018.

I. HAZARDS & HAZARDOUS MATERIALS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	1, 3, 4, 5
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?	☐	☐	☐	☒	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	☐	☐	☐	☒	47
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?	☐	☐	☐	☒	48
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard, or excessive noise for people residing or working in the project area?	☐	☐	☐	☒	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	5, 49
g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐	4, 17g

SETTING:

The proposed project is not located at or adjacent to any hazardous sites. The project site is not listed on the County of Santa Clara Hazardous Waste and Substance Sites List, and it is not located in the County Airport Land Use plan area. The project site is located in the Wildland Urban Interface Fire Area (WUI), State Responsibility Area (SRA), and the High Fire Hazard Severity Zone (HFSZ); however, the new maps generated by the Fire and Resource Assessment Program (FRAP) of the California Department of Forestry and Fire Protection (Cal Fire) show the property to be in the Very High Fire Hazard Severity Zone (VHFHSZ). These latest maps were published on September 29, 2023 and are not yet adopted.

DISCUSSION:

a, b, c, d, e, & f) **No Impact** – The proposed project is residential and would not involve the use or transportation of any hazardous materials, and it is not located on a site designated as hazardous under Section 65962.5, as verified on EnviroStor, accessed on October 30, 2023.

The project is located within a forested area and would not change the local roadway circulation pattern, access, or otherwise physically interfere with local emergency response plans. The access to the project site is from an existing public road and through a shared driveway. The development plans have been reviewed and conditionally approved by the County Fire Marshal's Office.

As the property is not within a ¼ mile of a school, its location outside of the County Airport Land Use plan area, and because it is not listed on the Hazardous Waste and Substance Sites List, the proposed project does not have an impact on emitting hazardous substances within a ¼ mile of a school, creating a significant hazard to the public or the environment due to its listing as a hazardous materials site, or create a safety hazard, or excessive noise for people residing or working in the project area due to its proximity to an airport.

g) **Less Than Significant with Mitigation Incorporated –** The project is located within the WUI area and within a fire hazard severity zone (HFHSZ in current maps, VHFHSZ in the latest map). The proposed development has been reviewed and conditioned by the Santa Clara County Fire Marshal's Office and Cal Fire. The project has access to Congress Springs Road (SR 9), which meets all the requirements of the State Minimum Fire Safe Regulations, via Sanborn Road. Sanborn Road is a County-maintained Road which does not meet all of the requirements of the State Minimum Fire Safe Regulations, but is largely compliant. The new residence is also required to meet all onsite requirements of the State Minimum Fire Safe Regulations, all WUI requirements within the California Building Code Chapter 7A, and create and maintain defensible space as outlined in the California Public Resources Code section 4291. Still, as discussed in Section T below, the location of the project in relation to wildfire hazard zones requires mitigations to reduce exposure of people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires to a less than significant level.

MITIGATION: Refer to **WF-MIT1 through WF-MIT6.**

J. HYDROLOGY AND WATER QUALITY						
		IMPACT				SOURCE
Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐	34, 35, 36, 37, 38, 39
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐	3, 4
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 would:	☐	☒	☐	☐	3, 17n
i)	Result in substantial erosion or siltation on- or off-site	☐	☒	☐	☐	3, 17p
ii)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☒	☐	☐	1, 3, 5, 36, 21a
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	☐	☒	☐	☐	1, 3, 5
iv)	Impede or redirect flood flows?	☐	☐	☐	☒	3, 17p, 18b, 18d
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒	3, 18b, 18d
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒	2, 3, 4, 17p

SETTING:

The proposed development is not located within a FEMA Flood Zone. The proposed development consists of new impervious surface of over 16,500 square feet as shown on the Preliminary Grading Plans prepared by Ackland International submitted on September 6, 2023, primarily due to the footprint of the proposed residence, driveway improvements, and pad for the water tanks. The property is accessed via a bridge over Sanborn Creek and contains an unnamed tributary of that Creek, both of which are tributaries of Saratoga Creek. The project will sit uphill of both of these creeks, as well as two neighboring properties which the common driveway passes through. The subject property is within the San Francisco Bay Watershed, which is regulated by the San Francisco Bay Regional Water Quality Control Board.

The domestic and emergency water for fire suppression will be provided by a new onsite well located west of the development area and four (4) new 5,000-gallon water tanks that are proposed as part of the project.

DISCUSSION:

c (iv), d & e) **No Impact** – The proposed project is not in a flood zone and does not include the use of pollutants or hazardous materials. Therefore, it is unlikely that pollutants from construction would be released due to flooding. The project will not have any impact to hazardous materials or conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

The project is subject to the flood control mitigations which are incorporated and designed in conformance with the County of Santa Clara Stormwater Management Guidance Manual and the Santa Clara Valley Urban Runoff Pollution Prevention Program, as well as standards set by the San Francisco Regional Water Quality Control Board.

b) **Less Than Significant Impact –** The project does require an on-site wastewater treatment system (OWTS) which consists of a leach field and a septic tank. The OWTS and associated improvements have been reviewed and approved by the Department of Environmental Health ensuring that the proposed OWTS is designed and sized to meet all applicable water quality standards, soil requirements, and groundwater standards based on the County of Santa Clara On-Site Systems Manual.

a, c (i-iii)) **Less Than Significant with Mitigation Incorporated** – The project will be required to avoid direct impacts to watercourses (refer to BIO-MIT 1). The applicant will be required to submit grading plans with their permit applications which include an erosion and sediment control plan which will protect surface and ground water quality and mitigate any impacts from water runoff created by the project (HWC-MIT 1).

MITIGATION:

- **HWC-MIT 1: Drainage**. The applicant will be required to submit grading plans with their permit applications which include an erosion and sediment control plan that outlines seasonally appropriate erosion and sediment controls during the construction period. These plans must include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2, a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage must be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. One of the following site design measures must be utilized in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. Additionally, the project will be conditioned to require drainage improvements to ensure that the storm drainage flowing down the inboard side of the shared access road is conveyed across, and not down, the Lands of Tengan driveway (APN: 517-37-002).
- **HWC-MIT 2: Creek Protection.** To avoid potential erosion material from impacting the creek downslope from the building sites and driveways, construction is prohibited during the wet season. Ground disturbing activities shall be limited to the dry season (April to October).

K. LAND USE					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?	☐	☐	☐	☒	2, 4
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?	☐	☐	☐	☒	8a, 9, 18a

SETTING:

The subject property is 4 acres in size and is characterized as an irregular-shaped lot east of Sanborn Road between Congress Springs Road (California Highway 9) and Ambrose Road (a mostly unimproved road through Sanborn County Park). Immediately adjacent to the parcel are steep and forested lands, some of which contain single-family residences and others which are designated for recreational uses. The subject property is located in an area with a General Plan designation of Hillsides which is in this instance are designated as forest land. The County's General Plan for Hillsides is to preserve mountainous lands and foothills unsuitable and/or unplanned for urban development in a largely natural state for natural resources or open space uses in order to support and enhance rural character, protect and promote wise management of natural resources, avoid risks associated with natural hazards, and protect the quality of reservoir watersheds critical to the region's water supply. Allowable uses include agriculture and grazing, mineral extraction, parks and low-density recreational uses and facilities, land in its natural state, wildlife refuges, very low-density residential development, and commercial, industrial, or institutional uses which require remote, rural settings and support the study or appreciation of the natural environment.

DISCUSSION:

a & b) **No Impact** – The proposed development is approximately 160 feet from the nearest residence and the majority of the area is steeply forested land with low-density residential development or recreational uses. While there are residential communities along Sanborn Road and nearby Bohlman Road, this project due to its scale and location at the end of Sanborn Road will not physically divide an established community. Allowable uses for this General Plan designation include "very low density residential development." While the standard within the General Plan is one dwelling unit per 160 acres, that is applicable to new parcel creation. This four-acre parcel was created prior to the 1995 (current) General Plan adoption.

The proposed project will not disrupt any existing resource conservation or recreational uses or operations. The project proposes very low density residential development, an allowed use under the General Plan in this area; reduces the amount of grading by siting the project as close to the public road as possible while avoiding the creeks and steepest portions of the lot; and complies with the County Zoning Ordinance except regarding setbacks, for which the applicants have requested a Variance which will allow for the minimization of grading and environmental impacts. As such, the project will not 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.

MITIGATION: None required.

L. MINERAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	☐	☐	☐	☒	1, 2, 3, 6, 8a, 44, 45
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?	☐	☐	☐	☒	1, 2, 3, 6, 8a

SETTING:

The project consists of a single-family residence and does not include utilizing the subject property for mining. No known valuable mineral resources are located on the subject property, which are delineated on a local general plan, specific plan, or other land use plan.

DISCUSSION:

a & b) **No Impact** – Due to the project's use of the property as a single-family residence, and the lack of known valuable mineral resources within the proposed development, the project will not 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, or 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.

MITIGATION: None required.

M. NOISE					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	☐	☐	☒	☐	8a, 13, 22a, 49
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	13, 49
c) For a project located within the vicinity of a private airstrip or an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1, 5, 22a

SETTING:

Local ambient noise comes from the nearby residences, recreational activities, and traffic noise from Sanborn Road. The project is not located in an airport land use plan referral area. The County General Plan Noise Element measures noise levels in Day-Night Average Sound Level (DNL), a 24-hour time weighted average, as recommended by the Environmental Protection Agency (EPA) for community noise planning. Noise Compatibility Standards for exterior noise specify three (3) classifications of compatibility between ambient noise levels at the site and various land uses: satisfactory, cautionary, and critical. According to the Noise Element Noise Compatibility Standards for Land Use in Santa Clara County, the satisfactory exterior noise compatibility standard for residential land uses is 55 dB (Ldn value in dBs).

County Noise Ordinance restricts exterior noise limits, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses at 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m. In addition, specifically prohibited acts include amplified sound, such as musical instruments, radios, and loudspeakers, between 10:00 p.m. to 7:00 a.m., or construction activity during weekdays and Saturday hours from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays.

DISCUSSION:

c) **No Impact** – The property is not located within the vicinity of a private airstrip or an airport land use plan referral area or within two miles of a public airport so there would not be an impact.

a, b) **Less Than Significant Impact** – Construction of the proposed single-family residence will temporarily elevate noise levels in the immediate project area from the use of construction equipment. Construction noise could have an impact on the nearest sensitive receptors (residential uses). Noise impacts on the residential uses near the project site would be minimal and temporary, as they are located over 100 feet away from the subject property.

The County General Plan Noise Element measures noise levels in Day-Night Average Sound Level (DNL), a 24-hour time weighted average, as recommended by the Environmental Protection Agency

(EPA) for community noise planning. Noise Compatibility Standards for exterior noise specify three (3) classifications of compatibility between ambient noise levels at the site and various land uses: satisfactory, cautionary, and critical. According to the Noise Element Noise Compatibility Standards for Land Use in Santa Clara County, the satisfactory exterior noise compatibility standard for residential land uses is 55 dB (Ldn value in dBs).

The County Noise Ordinance restricts exterior noise levels, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses to 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m. In addition, specifically prohibited acts include amplified sound, such as musical instruments, radios, and loudspeakers, between 10:00 p.m. to 7:00 a.m., as well as construction activity during weekdays and Saturdays from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays.

Additionally, the project is required to conform to the County Noise Ordinance at all times during construction. Construction noise (including noise generated by truck traffic to and from the project site) is regulated by time-of-work restrictions and decibel maximum specified in the County Noise Ordinance. The project construction would include site clearing, grading, and excavation that may include a level of 80 dBA from the loudest equipment to receptors that are 80 feet away per a recent noise study conducted for residential construction at Stanford University[5]. The nearest single-family residence to the project site is located approximately 160 feet away, double the distance noted in the referenced study.

As sound (noise) propagates from the source to the receptor, the attenuation the manner of noise reduction over distance depends on such factors as acoustical energy diminishing over distance (energy spreading), surface characteristics, atmospheric conditions, and the presence of physical barriers. Energy spreading describes the attenuation attributable to the pattern in which sound travels from the source to the receptor, which in this case would be the neighboring single-family home. Sound travels uniformly outward from a point source (e.g., construction equipment) in a spherical pattern with an attenuation rate, generally, of 6 dBA per doubling of distance (dBA/DD). In other words, sound decreases by 6 dBA each time the distance between the noise source and the receptor is doubled. As such, based on sound attenuation where sound dissipates by 6 dBA for doubling of distance from a point source of sound production and the known noise level (sound pressure level) for residential construction of 80 dBA at 80 feet along with the subject project having a distance of 160 feet (double the distance) to the nearest single family residence, the equipment noise during construction would be 74 dBA at 160 feet, which less than the County Noise Ordinance Requirements of 75 dBA in single and two-family dwelling residential areas.[6] Thus, it is anticipated that short-term noise resulting from the grading and demolition/construction would not have a significant impact on neighboring property owners.

Ground vibrations and ground noise may occur in order to complete the necessary construction work, such as excavation and paving of the driveway and fire truck turnaround and erection of the single-family residence, but are not projected to be in excess of the County Noise Ordinance. Additionally, the construction work related to the project could include a small bulldozer which would create a

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5 *AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-169, table 3.12-6, https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing.*

6 *AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-154, https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing.*

vibration level of 58 VdB for receptors 25 feet away[7]. This is less than the threshold for human annoyance which is 72Vdb for residential uses[8]. The proposed use, a single-family residence, is not anticipated to generate groundborne vibration or noise once construction is complete.

The project contains a minimal amount of grading. Ground vibrations and ground noise may occur but are not projected to be significant for the project. As such, the proposed project would have a less than significant impact.

MITIGATION: None required.

7 *AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-177, table 3.12-11, https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing.*

8 *AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-177, https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing.*

N. POPULATION AND HOUSING					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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)?	☐	☐	☐	☒	1, 3, 4
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1, 2, 3, 4

SETTING:

The proposed project includes the development of a single-family residence on parcel that is 4 acres in size and is characterized as a steeply-sloped, heavily-wooded property east of Sanborn Creek and north of Sanborn County Park. The area surrounded the project site consists of heavily-wooded parcels which include single-family homes and open space, which are all within unincorporated Santa Clara County.

DISCUSSION:

a & b) **No Impact** – Under the County of Santa Clara's General Plan and Housing Element, the population within the Hillsides (HS) district have already been planned and accounted. The County's Zoning Ordinance allows the construction of a single-family residence 'by-right' in the HS zone. Sanborn Road is a County-maintained road that is already built. The construction of the single-family residence will require the improvement and extension of a common driveway, which already serves two other properties which share the easement, so would not directly or indirectly contribute to additional development. Additionally, no commercial, industrial, or institutional uses are proposed. The proposed project includes an on-site well and will require an on-site wastewater treatment system (OWTS) which consists of a leach field and a septic tank. There are no other adjacent or nearby parcels that would be able to access the existing on-site well (unless by consent by the owner) and create an increase in population growth. The parcel is surrounded by single-family residences and recreational uses. As such, the project will not displace substantial numbers of existing housing or people, nor necessitate the construction of replacement housing elsewhere.

MITIGATION: None required.

O. PUBLIC SERVICES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) 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 following public services:					
i) Fire Protection?	☐	☐	☐	☒	1, 3, 5
ii) Police Protection?	☐	☐	☐	☒	1, 3, 5
iii) School facilities?	☐	☐	☐	☒	1, 3, 5
iv) Parks?	☐	☐	☐	☒	1, 3, 5, 17h
v) Other public facilities?	☐	☐	☐	☒	1, 3, 5

SETTING:

The project is in the State Response Area (SRA) with the California Department of Forestry and Fire Protection (Cal Fire) as first responders for fire protection. The property is located within a high fire hazard severity zone (redesignated as very high in the 2023 maps). Emergency calls would go to the Santa Clara County Sheriff's Office communications. The property has an on-site well for domestic water and water tanks for domestic water, fire sprinklers, and hydrant. The project includes the creation of a fire truck turnaround which meets County and State requirements.

DISCUSSION:

a) **No Impact** – The proposed project includes a single-family residence, and no commercial, industrial, or institutional uses are proposed. The proposed single-family residence has a minimal increase in the overall neighborhood population and would not increase the need for additional fire or police protection to the area. Other public services, such as those provided by schools or parks, would not be impacted.

MITIGATION: None required.

P. RECREATION						
		IMPACT				SOURCE
WOULD THE PROJECT:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	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?	☐	☐	☐	☒	1, 2, 4, 5, 17h
b)	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	1, 3, 4, 5

SETTING:

The project, a single-family residence, is low-density and does not include the use of the project area for recreational purposes.

DISCUSSION:

a & b) **No Impact** – The proposed project is for a new single-family residence and will not result in an impact to existing parks or recreational facilities due to the minimal increase in population to the neighborhood. As such, the project would not cause a substantial physical deterioration of existing recreational facilities.

Additionally, the proposed single-family residence does not include any recreational uses or structures, nor does the addition of a new single-family residence require an expansion to existing recreational facilities. As such, the project does not have an impact on recreation.

MITIGATION: None required.

Q. TRANSPORTATION					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒	1, 4, 5, 6, 7, 50
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?[9]	☐	☐	☐	☒	6, 50, 51, 53
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒	3, 5, 6, 7, 53
d) Result in inadequate emergency access?	☐	☐	☐	☒	1, 3, 5, 48, 50, 51, 53

SETTING:

The proposed single-family residence would take access from Sanborn Road (a County-maintained road) through adjacent parcels via a shared driveway located in an access easement. Access to the single-family residence will utilize an 18-foot-wide asphalt driveway that includes a fire truck turn around.

DISCUSSION:

a, b, c, & d) **No Impact** – The proposed project will generate approximately 20 daily vehicle trips, according to the Institute of Traffic Engineers Trip Generation, 10th edition data (20 trips/day). According to the Santa Clara Valley Transportation Authority Transportation Impact Analysis Guidelines, a transportation impact analysis is not required to be performed for projects that would generate fewer than 100 net new weekday (AM or PM peak hour) or weekend peak hour trips, including both inbound and outbound trips. Additionally, the project was reviewed and conditionally approved by the County Fire Marshal's Office and Cal Fire to ensure adequate fire safety access is proposed. Therefore, the project will not generate substantial new traffic, impair existing transportation facilities, or result in inadequate emergency access. Construction activities for the proposed structures would involve a small number of vehicle trips related to delivery of materials and workers commuting to the site. Because the number of trips would be temporary and small in number, and road use in the vicinity is relatively light, the proposed project would not have impacts on traffic and circulation. Onsite parking for the proposed single-family residence is in conformance with the County parking requirements.

MITIGATION: None required.

9 The provisions of this section shall apply prospectively as described in section 15007.

R. TRIBAL CULTURAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) 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 5020.1(k), or	☐	☐	☐	☒	41, 42
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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒	41, 42, 52

SETTING:

This property is located within the ethnohistoric **Partacsi** and **Somontac** Ohlone Tribal territory, based on a review of reports by Anthropological demographer and ethnohistorian Randall Milliken, who reconstructed the general location of aboriginal Costanoan/Ohlone-speaking tribes within the greater San Francisco Monterey Bay regions. For the area within the vicinity of Castle Rock State Park and the subject property, Milliken suggests that one of the villages of the tribe that held this region was identified as **Partacsi** in the Mission Santa Cruz records, and another tribe is the **Somontac** who occupied the greater Los Gatos region.

This property was covered by an archaeological study (#2785) conducted by Archaeological Resource Management in 2003 that covered approximately 100% of the site. The study identified no evidence of cultural resources, and the California Historical Resources Information System, Northwest Information Center located at Sonoma State University has determined that the project has a low possibility of containing unrecorded archaeological sites, and that no further study of archaeological resources is recommended. The County also received correspondence from the Muwekma Ohlone Indian Tribe of the San Francisco Bay Region on June 22, 2023. The Tribe did not have any specific evidence of cultural resources on this specific site, but noted that there have been tribal human remains discovered within a 3.3 mile-radius, and that while the records of their ancestors' settlements and trade routes are incomplete, the Muwekma Ohlone Indian Tribe suspect that their ancestors utilized places in proximity to freshwater drainage. They have requested notification and participation in any mitigation or recovery program on site should any evidence of their ancestral heritage cemetery or village sites be impacted by this project.

DISCUSSION:

a) **Less Than Significant with Mitigation Incorporated**. – The responding Native American tribe, the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area Region, requesting tribal

consultation per Public Resources Code Section 21080.3.1(b) regarding the potential for a Native American tribal cultural resource located on or near the project site has no knowledge of tribal resources on this site, the NAHC Sacred Lands File does not contain any information of tribal resources on this site, and the site-specific archaeological report determined that the project would not have any impacts on tribal resources.

However, there have been tribal human remains of the Muwekma Ohlone Indian Tribe discovered within a 3.3-mile radius, and while the records of their ancestors' settlements and trade routes are incomplete, they suspect that their ancestors utilized places in proximity to freshwater drainage. Due to the specific context of the project site and extent of the earthmoving activities necessitated by the proposed project, they have requested notification and participation in any mitigation or recovery program on site should any evidence of their ancestral heritage cemetery or village sites be impacted by this project. The Tribe has recommended that all subsurface excavations, and related construction activities within the subject project area be monitored by qualified archaeologists and a Muwekma Ohlone Tribal monitor during various stages of demolition, tree removal, and subsurface utilities excavations.

MITIGATION:

- **TCR-MIT 1: Protection of Tribal Cultural Resources**.

A. Prior to the start of earthmoving activities, the applicant shall implement a worker archeological awareness training for all construction personnel involved with excavation activities. The training shall include informing workers regarding the possibility of encountering buried cultural resources (including tribal cultural resources), the appearance and types of resources likely to be seen during construction, and proper notification procedures to be followed should resources be encountered.

B. During all ground disturbing activities (excavation, grading, utility trenching, and landscaping that occurs in previously undisturbed soil), the applicant shall retain a qualified archeologist and tribal cultural resources monitor to undertake construction monitoring at the project site. The tribal cultural resources monitor shall be a representative of the Muwekma Ohlone Indian Tribe who will be given at least 5 days' notice prior to the start of ground disturbing activities. If, in the event the Muwekma Ohlone Indian Tribe is given such notice and cannot provide the required monitor in a manner mutually agreeable to the Tribe and the applicant, the applicant may retain an alternative tribal cultural resources monitor. The frequency of monitoring shall be determined based on the rate of excavation and grading activities, the materials being excavated, the depth and location of excavation, and, if found, the abundance and type of archaeological resources encountered. If the tribal cultural resources monitor determines that there is limited potential for encountering cultural resources (e.g., if remaining ground disturbing activities would only occur in areas and depths that were previously disturbed by Project construction), monitoring may be reduced or curtailed.

C. In the event that tribal cultural resources are encountered during project construction, all activity within a 50-foot radius of the find shall be stopped, the applicant and the County's Project Manager shall be notified, and a qualified archaeologist shall examine the find. Project personnel shall not collect or move any cultural material. The archaeologist, in collaboration with the tribal cultural resources monitor, shall evaluate the find(s) to

determine if it meets the definition of a tribal cultural resource and follow the further procedures outlined below:

i. If the find(s) is potentially a tribal cultural resource, then tribal representatives of the Muwekma Ohlone Indian Tribe shall be consulted. If, after consultation with the Muwekma Ohlone Indian Tribe, it is determined that the find(s) is a tribal cultural resource, then the find(s) shall be avoided by Project activities. If avoidance is not feasible, as determined by the County, the qualified archaeologist, in collaboration with Muwekma Ohlone Indian Tribal representative, shall make appropriate recommendations regarding the treatment and disposition of such finds, and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and reasonably agreed upon by the Muwekma Ohlone Indian Tribe, prior to resuming construction activities within the 50-foot radius.

ii. If the find(s) are human remains or grave goods, the requirements of Public Resources Code Section 5097.98 and County Ordinance Code Sections B6-18 through B6-20 shall be followed.

Recommendations for treatment and disposition of finds could include, but are not limited to, the collection, recordation, and analysis of any significant cultural materials, or the turning over of tribal cultural resources to tribal representatives for appropriate treatment. A report of findings documenting any data recovery shall be submitted to Northwest Information Center (NWIC). A redacted report of findings shall be submitted to the County Director of Planning and Development.

S. UTILITIES AND SERVICE SYSTEMS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	☐	☐	☒	☐	3, 6 ,7
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒	1, 3, 6, 24b
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	1, 3, 6, 7, 39
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?	☐	☐	☐	☒	1, 3, 5, 6
e) Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒	3, 5, 6

SETTING:

The area surrounding the project has electrical utility services provided by PG&E, however, potable water and wastewater treatment are provided via on-site private wells and septic systems on individual parcels. The proposed project includes a proposed on-site well, four 5,000-gallon water tanks, a proposed leach field, and a septic tank.

DISCUSSION:

a, b, c, d, & e) **No Impact** – The surrounding area of the project site is within the PG&E service area and the project would be served by PG&E electrical utility service via an underground extension of electrical service lines to the project site. The project will be provided water via a new onsite well and wastewater will be treated by a new onsite wastewater treatment system (OWTS) consisting of a new subterranean piping that connect to a leach field and septic tank. Drinking water and water used for fire suppression will be stored in the four 5,000-gallon water tanks on site. The proposal for the new well, water tanks, and OWTS was reviewed, approved, and conditioned by the Department of Environmental Health to confirm that the septic system is adequate and sufficient to serve the residential use of the project. The proposed onsite well and septic system are sufficient to serve the project, and as proposed, there is no impact to items b and c listed above.

As a standard condition of approval for all projects within the County of Santa Clara, property owners are to provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory. As such, there is no impact to item d and e listed above.

MITIGATION: None required.

T. WILDFIRE					
	IMPACT				SOURCE
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐	1, 2, 4, 5, 17h, 48, 53, 54
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?	☐	☒	☐	☐	1, 2, 3, 6, 8a, 53, 54
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 or that may result in temporary or ongoing impacts to the environment?	☐	☒	☐	☐	1, 2, 4, 5, 17h, 53, 54
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?	☐	☒	☐	☐	1, 3, 4, 5, 53, 54

SETTING:

The parcel proposed for development is a steeply sloped, forested area of the Santa Cruz Mountains that is within the Hillsides zoning district. The parcel has an elevation roughly ranging from 1450 feet to 1800 feet. The property is located within a Wild Urban Interface (WUI) fire protection area. The area of the proposed development is steeply sloped, with an average slope of approximately 68.8 percent (68.8%). The project sits above two creeks which are part of the Saratoga Creek watershed and two single-family residences located closer to Sanborn Road. The property is within the State Responsibility Area and designated by the California Department of Forestry and Fire Protection (Cal Fire) Fire and Resource Assessment Program (FRAP) as a High Fire Hazard Severity Zone, with the updated 2023 maps redesignating the property as Very High Fire Hazard Severity Zone. According to the November 7, 2022, Tukman Geospatial report on Santa Clara, Santa Cruz, and San Mateo County Wildfire Risk to Structures and Classified Wildfire Hazard Maps for Fire Prevention Planning, the property is located in the highest fire risk area, with an existing density of 1 structure for every 2.5 to 10 acres. The property is accessed via a common driveway through a shared access easement, which begins at the terminus of Sanborn Road (a County-maintained road) where it turns into Ambrose Road, a limited access and not fully developed road through Sanborn County Park. Therefore, there is only one fully established escape route from the residence, where as Cal Fire requirements are for two routes. The driveway, fire truck turnaround, and tributary of Sanborn Creek provide a limited fuel break to the north of the residence.

DISCUSSION:

a, b, c, & d) **Less Than Significant with Mitigation Incorporated** – The project does not impair an adopted emergency response plan or emergency evacuation plan. The installation of a firetruck turnaround, currently absent from the terminus of Sanborn Road, may marginally enhance emergency response, if emergency responders are aware of its existence and there is not an active wildfire preventing access to it. The project will not prevent people at other, existing developments from evacuating or being serviced by emergency responders. Parked vehicles, to include construction vehicles, could impact the ability of fire responders to reach the property or of neighbors to evacuate.

This impact will be reduced to a less than significant level with the inclusion of WF-MIT 5, which prohibits vehicles parking on the County-maintained road, the private road leading to the proposed residence, or in the proposed fire truck turnaround.

California has seen a dramatic increase in the number, size, longevity, and destructiveness of wildfires since 2016. Steeply sloped and densely wooded areas are particularly susceptible to fires that burn hot and are fast moving. Fire spread and structure loss is more likely to occur in low- to intermediate-density developments Although wildfire ignitions are primarily human-caused in California, wildfire behavior is largely driven by topography, fuel, climatic conditions, and fire weather (such as low humidity and high winds). The project occupants will be exposed to an increased risk to life and property from wildfires due to these factors which must be mitigated. As such, the project will be required to provide additional water dedicated to fire suppression on site. The occupants of the two single-family residences located down slope from the project would be exposed to significant risks of downslope flooding or landslides if not mitigated. HWC-MIT 1 will mitigate for runoff from water used to suppress a fire on this site from impacting neighboring properties or the adjacent watercourses. GEO-MIT 3, 5, and 7 will mitigate for landslide impacts.

The project was reviewed and conditionally approved in accordance with the Santa Clara County Fire Marshal's Office and Cal Fire. The new residence is also required to meet all onsite requirements of the State Minimum Fire Safe Regulations, all WUI requirements within the California Building Code Chapter 7A, and create and maintain defensible space as outlined in the California Public Resources Code 4291. Emergency vehicles would travel Congress Springs Road (California State Highway 9), a Caltrans-maintained road which sufficiently meets the County Fire Marshall and State Minimum Fire Safe Regulations requirements, to Sanborn Road, an existing, County-maintained road which is in near compliance with the requirements. The project includes adequate fire safety access including sufficient breaks from steep slopes, a fire truck turn out and turnaround, wharf hydrant, water tanks, and fire sprinklers complying with CFMO-SP6 throughout the residence.

MITIGATION:

- **WF-MIT 1: Project Siting**. The residence shall be sited as close to Sanborn Road and to the 1500-foot elevation line as possible. No structures shall be located above the 1700-foot elevation line in order to reduce risk as wildfires burn hotter traveling up hill and at ridgelines.
- **WF-MIT 2: Defensible Space.** The area within 5 horizontal feet of the structure, including attached decks of stairs, shall not contain any combustible decorative structures, attached gates or fences made of combustible materials, storage structures, wood piles, woody mulch, combustible boards, combustible landscape materials (including but not limited to lumber, railroad ties, creosote- or pressure-treated wood), potted plants in combustible pots, or synthetic lawns. Mature trees shall only be allowed within 5 feet of the structure if the branches are 10 feet above the roof and 10 feet from any chimney. Irrigated and mowed grass shall be kept below a maximum height of 3 inches. All plants within 5 feet of the structure shall be irrigated, non-woody, and/or herbaceous, and are not to exceed 2 feet in height. All pots for potted plants within 5 feet of the structure shall be made of ceramics, metals, or cement.
  In the area from 5 feet to 30 feet horizontally from the structure (within the property boundaries), all dead plants, grass, and weeds will be removed. Dead or dry leaves will be removed on an ongoing basis. Trees shall be trimmed on an ongoing basis to keep 10 feet of distance between branches of different trees. Dead tree limbs which overhang the roof are to be

removed on an ongoing basis. Grasses are to be cut to a maximum of 4 inches on an ongoing basis.

- **WF-MIT 3: Utilities.** All utilities, including powerlines, shall be undergrounded.
- **WF-MIT 4: Home Hardening.** The project is required to comply with all WUI requirements within the California Building Code Chapter 7A. The applicant shall also propose building materials, windows, and vents which exceed these requirements. Communication equipment, including high-speed internet service, shall be fire-hardened.
- **WF-MIT 5: Parking.** Parking of vehicles along the fire access route, including the common driveway, fire department turnout, and fire department turnaround, shall be prohibited at all times.
- **WF-MIT 6: Water Supply.** At a minimum, one additional 5,000-gallon water tank beyond what is required by County and State fire regulations shall be provided on site. All water tanks and piping to the wharf hydrant shall be made of steel or similar material approved by the County Fire Marshal prior to installation.

U. MANDATORY FINDING OF SIGNIFICANCE					
	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) 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?	☐	☒	☐	☐	1 to 54
b) Have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual 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)?	☐	☒	☐	☐	1 to 54
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	1 to 54

DISCUSSION:

a) **Less Than Significant with Mitigation Incorporated.** As discussed in the Aesthetics section, visual impacts of the project could include views of the house degrading the natural scenic quality of the forest and the lighting disrupting nighttime views. Both impacts are mitigated as described in that section. As discussed in the Biological Resources section, impacts of the proposed project on special-status species or habitat would either be less than significant or would be reduced to a less-than-significant level through incorporation of mitigation measures. The proposed project would not have the potential to substantially reduce the habitat of any fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of, 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.

MITIGATION:

- **AES-MIT 1: Vegetative Screening**.
- **AES-MIT 2: Lighting.**
- **BIO-MIT 1: Workers Environmental Training.**
- **BIO-MIT 2: Avoidance of Impacts to Watercourses**.
- **BIO-MIT 3: Construction Monitoring.**
- **BIO-MIT 4: Pre-construction Surveys (Amphibian Species).**
- **BIO-MIT 5: Compensation by Riparian Restoration.**
- **BIO-MIT 6: Protection of Water Quality.**
- **BIO-MIT 7: Pre-construction Survey (San Francisco dusky-footed woodrat).**
- **BIO-MIT 8: Potential Buffer Zone for San Francisco dusky-footed woodrat.**
- **BIO-MIT 9: Pre-construction Survey (American badger).**
- **BIO-MIT 10: Potential Buffer Zone and Relocation of American badger.**
- **BIO-MIT 11: Installation of Construction Envelope Perimeter.**
- **BIO-MIT 12: Avoidance of Nesting Raptors and Other Nesting Migratory Birds.**

- **BIO-MIT 13: Avoidance of Roosting Bats.**
- **BIO-MIT 14: Oak Tree Replacement.**
- **BIO-MIT 15: Daytime Restriction.**
- **BIO-MIT 16: Lighting.**

b) **Less Than Significant with Mitigation Incorporated.** Continued development in fire hazard areas, especially areas where this property is located (which are assessed to be at the highest risk), and without multiple escape routes increases the cumulative impacts to the area. Adding additional human beings to a low-density forested area increases the chance of a wildfire, and each new home increases the burden on first responders which could increase response times and evacuation times. Wildfire mitigation measures are necessary to reduce this cumulative impact to less than significant.

MITIGATION:

- **WF-MIT 1: Project Siting**.
- **WF-MIT 2: Defensible Space.**
- **WF-MIT 3: Utilities.**
- **WF-MIT 4: Home Hardening.**
- **WF-MIT 5: Parking.**
- **WF-MIT 6: Water Supply.**

c) **Less Than Significant with Mitigation Incorporated.** The proposed project is located in a fire hazard zone and a geologic hazard zone. Locating a new residence on this property will create the increased potential for harm for the occupants. Furthermore, developing upslope from existing residences could endanger the occupants of neighboring properties. Mitigations in the Geology and Soils, Hydrology and Water Quality, and Wildfire sections are designed to mitigate for these impacts to a less than significant level. There is also the possibility of Tribal Cultural Resources on site, with mitigations designed to protect any if discovered during this project.

MITIGATION:

- **GEO-MIT 1: Construction Monitoring**.
- **GEO-MIT 2: Seismic Building Design.**
- **GEO-MIT 3: Grading Operations.**
- **GEO-MIT 4: Minimization of Grading.**
- **GEO-MIT 5: Cut and Fill of Slopes.**
- **GEO-MIT 6: Retaining Walls.**
- **GEO-MIT 7: Drainage.**
- **HWC-MIT 1: Drainage**.
- **HWC-MIT 2: Creek Protection.**
- **WF-MIT 1: Project Siting**.
- **WF-MIT 2: Defensible Space.**
- **WF-MIT 3: Utilities.**
- **WF-MIT 4: Home Hardening.**
- **WF-MIT 5: Parking.**
- **WF-MIT 6: Water Supply.**
- **TCR-MIT 1: Protection of Tribal Cultural Resources**.

Initial Study Source List*

1. **Environmental Information Form**
   https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss_Form.pdf

2. **Field Inspection**

3. **Project Plans**

4. **Working knowledge of site and conditions**

5. **Experience with other Projects of This Size and Nature**

6. **County Expert Sources:**
   Geologist
   https://www.sccgov.org/sites/dpd/PlansOrdinances/GeoHazards/Pages/Geology.aspx
   Fire Marshal
   https://www.sccgov.org/sites/dpd/AboutUs/Fire/Pages/Fire.aspx
   Roads & Airports
   https://www.sccgov.org/sites/rda/Pages/rda.aspx
   Environmental Health
   https://www.sccgov.org/sites/deh/Pages/deh.aspx
   Land Development Engineering
   https://www.sccgov.org/sites/dpd/AboutUs/LDE/Pages/LDE.aspx
   Parks & Recreation
   https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx
   Zoning Administration,
   Comprehensive Planning,
   Architectural & Site Approval Committee Secretary

7. **Agency Sources:**
   Santa Clara Valley Water District
   https://www.valleywater.org/
   Santa Clara Valley Transportation Authority
   http://www.vta.org/
   Midpeninsula Regional Open Space District
   https://openspace.org/
   U.S. Fish & Wildlife Service
   https://www.fws.gov/
   CA Dept. of Fish & Game
   https://www.wildlife.ca.gov/
   Caltrans
   https://dot.ca.gov/
   U.S. Army Corps of Engineers
   https://www.usace.army.mil/
   Regional Water Quality Control Board
   https://www.waterboards.ca.gov/
   Public Works Depts. of individual cities

8. **Planning Depts. of individual cities:**
   Santa Clara County (SCC) General Plan
   https://www.sccgov.org/sites/dpd/PlansOrdinances/GP/Pages/GP.aspx
   The South County Joint Area Plan
   https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf

9. **SCC Zoning Regulations (Ordinance)**
   https://www.sccgov.org/sites/dpd/DocsForms/Documents/ZonOrd.pdf

10. **County Grading Ordinance**
    https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE

11. **SCC Guidelines for Architecture and Site Approval**
    https://www.sccgov.org/sites/dpd/DocsForms/Documents/ASA_Guidelines.pdf

12. **SCC Development Guidelines for Design Review**
    https://www.sccgov.org/sites/dpd/DocsForms/Documents/DR_Guidelines.pdf

13. **County Standards and Policies Manual (Vol. I - Land Development)**
    https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf

14. **Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]**
    http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf

15. **SCC Land Use Database**

16. **Santa Clara County Heritage Resource (including Trees) Inventory [computer database]**

17. **GIS Database**
    a. SCC General Plan Land Use, and Zoning
    b. USFWS Critical Habitat & Riparian Habitat
    c. Geologic Hazards
    d. Archaeological Resources
    e. Water Resources
    f. Viewshed and Scenic Roads
    g. Fire Hazard
    h. Parks, Public Open Space, and Trails
    i. Heritage Resources - Trees
    j. Topography, Contours, Average Slope
    k. Soils
    l. HCP Data (habitat models, land use coverage, etc)
    m. Air photos
    n. USGS Topographic
    o. Dept. of Fish & Game, Natural Diversity Data
    p. FEMA Flood Zones
    q. Williamson Act
    r. Farmland monitoring program
    s. Traffic Analysis Zones
    t. Base Map Overlays & Textual Reports (GIS)

18. **Paper Maps**
    a. SCC Zoning
    b. Barclay's Santa Clara County Locaide Street Atlas
    c. Color Air Photos (MPSI)
    d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding

Initial Study Source List*

e. Soils Overlay Air Photos
f. "Future Width Line" map set

19. 2023 CEQA Statute Guidelines [Current Edition]
https://www.califaep.org/docs/CEQA_Handbook_2023_final.pdf

Area Specific: San Martin, Stanford, and Other Areas

San Martin

20a. San Martin Integrated Design Guidelines
https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_DesignGuidelines.pdf

20b. San Martin Water Quality Study

20c. Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

Stanford

21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP), and Environmental Impact Report (EIR)
https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx

21b. Stanford Protocol and Land Use Policy Agreement
https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx

Other Areas

22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport Comprehensive Land Use Plan [November 19, 2008]
https://stgenpln.blob.core.windows.net/document/ALUC_E16_CLUP.pdf

22b. Los Gatos Hillsides Specific Area Plan
https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf

22c. County Lexington Basin Ordinance Relating to Sewage Disposal

22d. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside Resources in Santa Clara County by Valley Water Resources Protection Collaborative, August 2005 – Revised July 2006.
https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-for-working-on-district-land-or-easement/guidelines-and-standards-for-land-use-near-streams

22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary prepared by Santa Clara County Planning Office, September 2007.

22f. Monterey Highway Use Permit Area
https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_GeneralPlanInformation.pdf

Soils

23. USDA, SCS, "Soils of Santa Clara County

24. USDA, SCS, "Soil Survey of Eastern Santa Clara County"

Agricultural Resources/Open Space

25. Right to Farm Ordinance

26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"
https://www.conservation.ca.gov/dlrp/Documents/TOC%20and%20Intro.pdf

27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]

28. Williamson Act Ordinance and Guidelines (current version)
https://www.sccgov.org/sites/dpd/Programs/WA/Pages/WA.aspx

Air Quality

29. BAAQMD Clean Air Plan
http://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en

30. BAAQMD CEQA Air Quality Guidelines (2022)-
https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines

31. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [current version]

Biological Resources/
Water Quality & Hydrological Resources/
Utilities & Service Systems"

32. Site-Specific Biological Report

33. Santa Clara County Tree Preservation Ordinance
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree_Ordinance.pdf

Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts

Initial Study Source List*

https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands_Guide.pdf

Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Brochure_TreePreservation.pdf

34. Clean Water Act, Section 404
https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404

35. Santa Clara Valley Water District – GIS Data:
https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley

36. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]

37. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]

38. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]

39. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"

40. County Environmental Health Department Tests and Reports

Archaeological Resources

41. Northwest Information Center, Sonoma State University

42. Site Specific Archaeological Reconnaissance Report

Geological Resources

43. Site Specific Geologic Report

44. California Geological Survey, Special Publication #42

45. State Division of Mines and Geology, Special Report #146

Hazards & Hazardous Materials

46. Section 21151.4 of California Public Resources Code

47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List

48. County Office of Emergency Services Emergency Response Plan [1994 version]

Noise

49. County Noise Ordinance
https://www.sccgov.org/sites/cpd/programs/NP/Documents/NP_Noise_Ordinance.pdf

Transportation/Traffic

50. Official County Road Book

51. Site-specific Traffic Impact Analysis Report

Tribal Cultural Resources

52. Office of Planning and Research. 2017. Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA

Wildfire

53. Office of Planning and Research. 2020. Fire Hazard Planning Technical Advisory

54. Office of the Attorney General. 2022. Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act

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***Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicates a potential environmental impact.**

Santa Clara County Department of Planning and Development
Mitigation Monitoring and Reporting Program – Bagnas Residence

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
Aesthetics				
Impact AES-1: The project will create visual impacts to neighboring properties unless mitigated.	**MM AES-MIT 1:** The project applicant shall submit a final landscape plan to the Department of Planning and Development (Department) prior to final grading permit issuance which incorporates the tree replacement requirements as detailed in the Biological Resources Sections. Landscaping is required to be planted surrounding the residence and associated driveway and access road for the site. No additional trees beyond those identified on the project plans are authorized to be removed without prior County approval and necessary mitigation measures. Prior to issuance of the certificate of occupancy, but after the roof framing is complete, the County Department of Planning and Development will inspect the site. Should the residence be visible from the public right-of-way or accessible County Park lands, the applicant shall plant additional fast-growing evergreen trees (36-inch box) for visual screening to mitigate this impact. **(Less-than-Significant Impact with Mitigation)**	Prior to permit issuance	Project Proponent	Project Planner of the Santa Clara County Dept of Planning and Development
Impact AES-2: The project has the potential to create impacts to nighttime views due to lighting and glare.	**MM AES-MIT 2:** The project applicant shall submit a lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely affect nighttime views. Lighting shall be of full cut off shrouded design to ensure that no direct offsite spill of light or glare will occur. **(Less-than-Significant Impact with Mitigation)**	Prior to permit issuance	Project Proponent	Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
Biological Resources				
Impact BIO-1: The project will have impacts to the environmental setting without workers' training.	**MM BIO-MIT 1:** The project applicant shall ensure that a workers' environmental training shall be performed with the entire construction team prior to the start of the project. The training shall address species identification, natural history, local occurrence, and the protection measures implemented during the project, including actions to take if a special status species is encountered. All workers who receive the training must sign a certification sheet. Each new crew member must receive the environmental training prior to starting work. Applicant shall provide a copy of the certification sheet to the County Planning Division to verify that the Worker Environmental Training was implemented prior to construction activities. **(Less-than-Significant Impact with Mitigation)**	Prior to construction, grading, or demolition	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development
Impact BIO-2: The project has the potential to impact the riparian area related to Sanborn Creek and its unnamed tributary.	**MM BIO-MIT 2:** The project applicant shall seek to avoid impacts to watercourses. The project is designed to avoid disturbing areas within 25 feet of the top of bank of either Sanborn Creek or its unnamed tributary. Prior to any ground disturbance related to covered activities, a surveyor shall mark off a distance 25 feet from the top of bank with orange construction fencing within which no work may occur without supervision of a qualified biologist (refer to BIO-MIT 3). In no instance shall construction activities occur within the bed of any watercourse. **(Less-than-Significant Impact with Mitigation)**	During construction	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development
	MM BIO-MIT 3: The project applicant shall provide monitoring of activities within the riparian area. Based on the avoidance, minimization, and monitoring plan developed, during construction, the non-disturbance buffer zones around the watercourses will be monitored by a qualified biologist consistent with the requirements described above to ensure that buffers are enforced, and special status species are not disturbed. The biological monitor will also conduct training of construction personnel on avoidance procedures, buffer zones, and protocols. They will report any observed impacts to	During construction	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	sensitive habitats or special status species to the County Department of Planning and Development. **(Less-than-Significant Impact with Mitigation)**			
	MM BIO-MIT 4: The project applicant shall arrange for pre-construction surveys for amphibian species. Ground disturbing activities shall be limited to the dry season (April to October), when amphibian species are unlikely to be moving through the site. The project proponent will hire a qualified biologist to conduct pre-construction surveys of the site 48 hours prior to any construction activities. If no sightings are made within the development area, the project should proceed immediately, within two days. If these surveys discover any special status amphibian species within the project area, no work will begin until the species (turtles, frogs, salamanders) are relocated by a qualified biologist. Written results of the preconstruction survey shall be submitted to the California Department of Fish and Wildlife (CDFW) within five days of survey completion. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development
	MM BIO-MIT 5: The project applicant shall arrange compensation for any impacts to the riparian area through riparian restoration. Mitigation in the form of minimization and the use of best management practices is required for the impacts to the tributaries. While no trees within 25 feet of the top of bank are proposed for removal, should any such trees be damaged the applicant will mitigate for any impact to riparian vegetation by planting replacement trees and understory vegetation along the tributaries just prior to the winter rains. Replacement plantings will be required for any loss of riparian vegetation. Riparian trees with a DBH i) less than 12 inches will be replaced at a 1:1 ratio; ii) between 12 and 18 inches will be replaced at a 2:1 ratio; iii) between 19 and 24 inches will be replaced at a 3:1 ratio; and iv) 25 inches or greater will be replaced at a 4:1 ratio. Replacement plantings should be installed as close to the onsite tributaries as possible. Native species should be	During construction	Project Proponent	Project Arborist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	replaced with the same species as those removed and non-native species should be replaced with a native species suitable to the area. Trees must be obtained from a local native plant nursery or propagated from onsite acorn stock. Monitoring will be required following the planting of the replacement trees to ensure their success. A qualified biologist should develop a riparian restoration plan, and this plan at a minimum should identify the area(s) to accomplish this mitigation, a planting plan, and success criteria. **(Less-than-Significant Impact with Mitigation)**			
	MM BIO-MIT 6: The project applicant shall protect the water quality of the watercourses adjacent to the project. The applicant must comply with the provisions of a County's grading permit, including standard erosion control measures that employ best management practices (BMPs). The applicant would also need to develop a SWPPP per State Water Quality Control Board Stormwater Permit. The applicant shall provide County inspectors with all relevant documentation that these measures have been properly implemented. **(Less-than-Significant Impact with Mitigation)**	During construction	Project Proponent	Project Planner, Land Development Engineer of the Santa Clara County Dept of Planning and Development
Impact BIO-3: The project has the potential to impact mammals located on the property.	**MM BIO-MIT 7:** The project applicant shall arrange for pre-construction surveys for the San Francisco dusky-footed woodrat. No less than 14 days but no more than 30 days prior to the initial ground disturbance at the project site, a pre-construction survey for the San Francisco dusky-footed woodrat shall be conducted by a qualified biologist. The biologist shall search for nests of an appropriate size and shape, evidence of recent activity and other signs, such as tracks and scat. All nests shall be mapped and their status (whether the nests are active at the time of the survey) shall be determined. If no potential nests are found on the property, the project should proceed immediately, within two weeks. Written results of the preconstruction survey shall be submitted to the California Department of Fish and Wildlife (CDFW) within five days of survey completion and prior to the start of ground disturbance and/or construction. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division to verify	Prior to construction	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	status of nests (if any) prior to the start of construction. **(Less-than-Significant Impact with Mitigation)**			
	MM BIO-MIT 8: The project applicant shall consult with CDFW if San Francisco dusky-footed woodrat nests are found. If a potential nest is found, a qualified biologist shall determine if it is active using camera traps for three (3) consecutive nights. If a nest is determined to be active, CDFW shall be consulted regarding measures to avoid take. These may include establishing a temporary buffer zone around active dens during construction, and relocation through trapping, or other suitable methods which ensure the survivability of the rodents as determined by the qualified biologist. Destruction of dens shall not occur without prior consultation with and approval from CDFW and oversight of a qualified biologist. As this species usually breeds during the spring and summer months, and since young are altricial (dependent on parental care) during early development, the nests should be manually deconstructed when it is determined that the young can move effectively independent of their parents' care (generally from October through January) and reconstructed by the qualified biologist outside of the development area. If young are present, a suitable construction buffer should be established around the active nest until such time when the young can move on their own. **(Less-than-Significant Impact with Mitigation)**	Prior to construction if avoidance is not feasible	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development, California Department of Fish and Wildlife
	MM BIO-MIT 9: The project applicant shall arrange for pre-construction surveys for the American Badger. No less than 14 days but no more than 30 days prior to the initial ground disturbance at the project site, a pre-construction survey for the American badger shall be conducted by a qualified biologist. The biologist shall search for burrows of an appropriate size and shape, evidence of recent activity and other signs, such as tracks and scat. All dens shall be mapped and their status (whether the dens are active at the time of the survey) shall be determined. If no potential burrows are found on the property, the project should proceed immediately, within two weeks. Written results of	Prior to construction	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	the preconstruction survey shall be submitted to CDFW within five days of survey completion and prior to the start of ground disturbance and/or construction. The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division to verify status of burrows (if any) prior to the start of construction. **(Less-than-Significant Impact with Mitigation)**			
	MM BIO-MIT 10: The project applicant shall avoid and if necessary, relocate any American badgers in the project area. If a potential den is found, the qualified biologist shall determine if it is active using camera traps for three (3) consecutive nights. If a den is determined to be active, CDFW shall be consulted regarding measures to avoid take. These may include establishing a temporary buffer zone around active dens during construction, and relocation through trapping or passively. Destruction of dens shall not occur without prior consultation with and approval from CDFW. If a badger den is found, the Planning Division shall be notified immediately, and any approval provided by the CDFW shall be forward to the Planning Division for record keeping purposes. **(Less-than-Significant Impact with Mitigation)**	Prior to construction if avoidance is not feasible	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development, California Department of Fish and Wildlife
	MM BIO-MIT 11: The project applicant shall install construction envelope perimeter fencing for the American Badger. Regardless of whether potential dens are identified, an exclusion fence shall be installed around the perimeter of the construction envelope to exclude possible badger occurrence onto the project site during construction activities. At a minimum, the exclusion fence shall be constructed from Department of Transportation (DOT) grade silt fence. The fence shall be buried one (1) foot below grade and encircle the project site and incorporate a gate that would allow construction vehicle access and serve as a barrier to wildlife trespass. A qualified biologist shall monitor the installation of the fence. The applicant is required to provide evidence of fence installation around perimeter of the construction envelope prior to start of construction. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
Impact BIO-4: Noise and equipment activity associated with construction activities at the proposed project site could impact nesting raptors, migratory birds, roosting bats, including due to the loss of in utero or newborn bats	**MM BIO-MIT 12:** The project applicant shall avoid disturbing nesting raptors and other migratory birds. To the extent possible, any project-related ground disturbance, vegetation removal, or structural demolition activities should occur outside of the bird breeding season, i.e., during the period from September 1st through January 31st. Project-related activities that occur during the bird breeding season, i.e., during the period from February 1st through August 31st, could be constrained in the vicinity of any active nests. If tree removal, ground disturbance, or structural demolition activities are scheduled to commence during the breeding season, a qualified ornithologist will conduct pre-construction nesting bird surveys to identify possible nesting activity within 15 days prior to such activities. A construction-free buffer of suitable dimensions as determined by a qualified ornithologist must be established around any active raptor or migratory bird nest for the duration of the project, or until it has been determined that the young have fledged and are foraging independently from their parents. **(Less-than-Significant Impact with Mitigation)**	Prior to construction if avoidance of the nesting season is not feasible	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development
	MM BIO-MIT 13: The project applicant shall avoid disturbing roosting bats. To the extent possible, any project-related ground disturbance, vegetation removal, or structural demolition activities should occur outside of the bat maternity roosting season, from approximately April 15 through August 15, and the bat winter torpor season, approximately October 15 to March 1. Project-related activities that occur during this time must be constrained in the vicinity of any active roosts. If tree removal, ground disturbance, or structural demolition activities are scheduled to commence during this time, a qualified biologist who is experienced with bat surveying techniques (including auditory sampling methods), behavior, roosting habitat, and identification of local bat species will be consulted prior to tree removal or building demolition activities to conduct a pre-construction habitat assessment to characterize potential bat habitat and identify potentially active roost sites. No further action is required should the pre-construction habitat assessment not identify potential bat roosting	Prior to construction if avoidance of the bat maternity roosting season is not feasible	Project Proponent	Qualified Biologist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	habitat or signs of potentially active bat roosts within the Project area (e.g., guano, urine staining, dead bats, etc.). The following measures will be implemented should potential bat roosting habitat or potentially active bat roosts be identified during the habitat assessment in buildings to be demolished: a) In areas identified as potential roosting habitat during the habitat assessment, initial building demolition will occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15, to the extent feasible. These periods avoid the bat maternity roosting season and period of winter torpor (a state of decreased physiological activity with reduced body temperature and metabolic rate). b) The existing building (80 square foot shed) could be a potential bat roosting habitat or active (outside of maternity and winter torpor seasons) roosts will be disturbed only under clear weather conditions when precipitation is not forecast for three days and when daytime temperatures are at least 50 degrees Fahrenheit. c) The demolition or relocation of buildings containing or suspected of containing potential bat roosting habitat or active bat roosts will be done under the supervision of a qualified biologist. When appropriate, buildings will be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost, likely in the evening and after bats have emerged from the roost to forage. Under no circumstances will active maternity roosts be disturbed until the roost disbands at the completion of the maternity roosting season or otherwise becomes inactive, as determined by the qualified biologist. d) If avoidance of the bat maternity roosting season and period of winter torpor, defined under a), above, is infeasible, the qualified biologist will conduct pre-construction surveys of potential bat roost sites identified during the initial habitat assessment no more than 14 days prior to building demolition. e) If active bat roosts or evidence of roosting is identified during pre-construction surveys for building demolition, the qualified biologist will			

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	determine, if possible, the type of roost and species. A no-disturbance buffer will be established around roost sites until the start of the seasonal windows identified above, or until the qualified biologist determines roost sites are no longer active. The size of the no-disturbance buffer would be determined by the qualified biologist and would depend on the species present, roost type, existing screening around the roost site (such as dense vegetation or a building), as well as the type of construction activity that would occur around the roost site. **(Less-than-Significant Impact with Mitigation)**			
Impact BIO-5: The project will have impacts to the environmental setting without proper mitigation.	**MM BIO-MIT 14:** The project applicant shall install replacement oak trees for all oak trees removed. Plans call for the removal of 16 coast live oak trees. Thirty-nine (39) 24-inch box coast live oaks shall be planted as replacement trees on site and inspected by County staff prior to final inspection for the project. Landscape plans submitted within the contracting and grading plans for the project are to be approved by Planning prior to final grading permit issuance shall show the required coast live oak tree replacements (Thirty-nine (39) 24-inch box trees, exceeding the 32 trees required by the County's tree protection guidelines). Any additional trees damaged or removed require approval from the County's Department of Planning and Development for replacement in line with the County's tree replacement guidelines, or as described in BIO-MIT 5 if in the riparian area. All replacement trees must be planted prior to the issuance of the certificate of occupancy, and confirmed in place via a site inspection conducted by the County Planning Division. A minimum 80% survival rate is required upon completion of 3-year required irrigation program. If the survival rate requirements are not met, replacement of the dead or dying trees and follow up monitoring is required by a qualified biologist for an additional 2 years. A qualified biologist shall conduct and/or supervise monitoring, replacement planting, additional watering, weeding, invasive exotic eradication, and any other practice to achieve the required survival requirements. **(Less-than-Significant Impact with Mitigation)**	During construction	Project Proponent	Project Arborist (contracted by applicant), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	MM BIO-MIT 15: The project applicant shall restrict construction activities to daylight hours. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, and at any time on Sundays for the duration of construction. Additionally, all construction shall be restricted to daylight times and shall not extend after sunset. **(Less-than-Significant Impact with Mitigation)**	During construction	Project Proponent	Building Inspector of the Santa Clara County Dept of Planning and Development
	MM BIO-MIT 16: The project applicant shall design the project to minimize lighting impacts. A lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely impact nocturnal species such as the San Francisco dusky-footed woodrat or roosting bats. Lighting shall be of full cut off design to ensure that no direct offsite spill of light or glare will occur. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Project Planner of the Santa Clara County Dept of Planning and Development
Impact GEO-1: The project is located in a geohazard zone which could impact life and property.	**MM GEO-MIT 1:** The project applicant shall arrange for construction monitoring by a representative of a geotechnical firm. All earthwork, grading, and foundation construction shall be observed and inspected by a representative of a qualified geotechnical firm. The structural engineer responsible for foundation design shall determine final design of foundation and reinforcing requirements. The County Building Department shall approve all foundation plans prior to permit issuance, and all field changes prior to the County's foundation inspection. A representative of a geotechnical firm shall be present during the foundation excavation or drilling of piers. The soil engineer shall inspect any foundation excavation and all foundation piers at the time they are drilled. Modifications to pier depths may be made at that time as deemed necessary by field conditions. The geotechnical engineer shall prepare a final report upon completion of the grading operations and foundation construction. The geotechnical engineer shall submit a construction observation letter stating that the approved geotechnical recommendations	Prior to construction	Project Proponent	Geotechnical firm (contracted by applicant), County Geologist, Land Development Engineer, Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	for the grading and building construction were implemented. **(Less-than-Significant Impact with Mitigation)**			
	MM GEO-MIT 2: All structures shall include seismic building design. The design of the structures and foundations shall meet local building code requirements for seismic effects. The residence shall use a pier and grade beam type of foundation. Special consideration will have to be given to the design of moisture cut-off provisions around the perimeters of the foundations. Concrete floor slabs-on-grade may be used for uninhabited structures, such as garages. End bearing piers and grade beams shall have a minimum diameter of 12-inches and penetrate a minimum of 12 feet into component bedrock materials. This depth of penetration shall not include any engineered fill or residual soil. These piers can be designed with an allowable end bearing capacity of 3,000 pounds per square foot (psf). This value is for dead plus live loads and may be increased by one third for short-term wind and seismic effects. The top three feet of the embedment shall not be included in the calculations. All piers should be reinforced with at least four #4 bars, which shall run the entire length of the piers, with these reinforcing members piers tied at least 12 inches into the grade beam's upper reinforcement bar. The grade beams should be founded a minimum depth of 6-inches below the adjacent pad grades and should be reinforced with a minimum of two #4 bars, one near the top and one near the bottom. Grade beams should be kept to a minimum width in order to minimize any effect of uplift pressures. Should concrete floor slabs-on-grade be used in the garage, they shall be underlain by at least four inches of Class II baserock and shall be poured structurally independent of the foundations or any fixed members when possible. The baserock should be compacted to not less than 95% relative maximum compaction according to ASTM D1557-91 test procedure. A vapor barrier (i.e. Visqueen, min. of 6mil thickness) shall be placed on top of the sand section of the concrete slab construction. This will minimize moisture intrusion through the slab. Prior to pouring the foundations or placing the vapor membrane in living areas or concrete slabs in garage areas, the foundation trenches and subgrade	Prior to construction if avoidance is not feasible	Project Proponent	County Geologist, Building Inspection Office, Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	soils shall be pre-soaked with water. This pre-soaking operation shall be performed at least 12 hours in advance of concrete placement. The geotechnical engineer shall be contacted for specific recommendations. The structural engineer responsible for foundation design shall determine final design of foundation and reinforcing requirements. The soil engineer shall inspect all foundation excavations and piers. **(Less-than-Significant Impact with Mitigation)**			
Impact GEO-2: The project is located on steep slopes, and could create or exacerbate slope instability.	**MM GEO-MIT 3:** The project applicant shall restrict grading work to dry periods. No excavations shall be done during a period of sustained precipitation. The placement of fill and control of any grading operations at the site shall be performed in accordance with approved geotechnical recommendations. All existing utility lines and subsurface structures, if any, must be removed prior to any grading at the site. The depressions left by the removal of any subsurface structures shall be cleaned of all debris, backfilled, and compacted with clean, native soil. All new utilities shall be undergrounded. All backfill must be clean, native soil that is engineered and conducted under the supervision of the geotechnical engineer. All organic surface materials and debris, including grass, shall be stripped prior to any other grading operations, and transported away from areas that are to receive structures or structural fills. These organically contaminated soils may be stockpiled for later use in the landscaping area only. After removing and stripping, the building pad shall be scarified by a machine to the depth of six inches and thoroughly cleaned of vegetation and other deleterious matter. After scarifying and cleaning, the native soil shall be re-compacted over the entire building pad and five feet beyond the perimeter of the building pad. All engineered fill or imported soil shall be placed in uniform horizontal lifts of not more than six to eight inches in uncompacted thickness, and compacted. When fill material includes rocks, nesting of rocks will not be allowed, and all voids must be properly filled by compaction. Rocks larger than four inches in diameter shall not be used for the final two feet of the building pad. All imported soil must be approved by the geotechnical engineer prior to being brought to the site	During construction	Project Proponent	Land Development Engineer, Building Inspection Office, Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	and shall have a plasticity index no greater than 12 and an R-Value greater than 25. All soil compaction shall be to not less than 90% relative compaction using the ASTM D1557-91 test procedure. Before compaction of fill begins, the fill shall be brought to a water content that will permit proper compaction be either: 1) aerating the material if it is too wet, or 2) spraying the material with water if it is too dry. Each lift shall be thoroughly mixed before compaction to assure uniform distribution of the water content. Any vertical cuts deeper than 5 feet must be properly shored, unless in an unengineered "fill" area where shoring will be required from the ground surface. The minimum cut slope for excavation to the desired elevation is one horizontal to one vertical. The cut slope should be increased to 2:1 if excavating is performed during the rainy season, or when soil is highly saturated with water. **(Less-than-Significant Impact with Mitigation)**			
	MM GEO-MIT 4: The project applicant shall design the project to minimize grading. The applicant shall submit to the County Planning and Development Department all grading and drainage permit applications, including plans and geotechnical reports, to ensure that the adequate keying, benching, and subdrains are implemented. Large fills must be avoided and retaining walls constructed, as necessary. Cut slopes must be kept to a minimum and no steeper than 2:1 with a vertical height not exceeding 8 feet. If steeper slopes are required, then retaining walls will be required. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Land Development Engineer, Project Planner of the Santa Clara County Dept of Planning and Development
	MM GEO-MIT 5: The project applicant shall design the project to maintain slope stability and limit water runoff. Where any fill is to be placed on the natural slopes, a keyway with a minimum width of eight feet shall be excavated at the toe of the fill slope, and the bottom of the key shall slope a minimum of 2% into the hill. The key shall be excavated a minimum of 4 feet into the natural ground. The basekey shall be covered with a geotextile material on which a 6-inch the	Prior to construction	Project Proponent	Land Developm't Engineer, Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	thick layer of drain rock shall be placed at the heel of the key. A 4-inch diameter perforated drainpipe shall be placed on this rock (i.e. perforations down). Two feet of drain rock shall be placed on top of the pipe. This pipe and drain rock shall then be wrapped with the geotextile fabric to protect the rock from being in contact with the native soil. The subdrain shall discharge onto an area that is protected from erosion. All subsequent fill shall then be placed in 8 inch lifts and properly compacted as indicated in the previous section above. As fill is placed, consecutive benches shall be cut into competent natural ground to allow for the fill to be placed and compacted on relatively horizontal surfaces. Our office shall inspect all excavations prior to the placement of fill. A pre-construction field meeting must be held with the contractor to review the field grading protocol. Cut and fill slopes should be limited to a ratio of two horizontal to one vertical (i.e., 2:1). The maximum vertical section shall not exceed eight feet. Surface water control measures shall be constructed at the top of slopes to prevent uncontrolled runoff. Overflow of water from the developed areas must be re-directed away from the proposed improvements via drainage pipes, catch basins and other engineered systems. All storm water runoff shall be directed to appropriate out-fall points west (i.e. down slope) of the residence. Appropriate measures shall be implemented to minimize surface soil erosion. The surface of the slopes shall be compacted to provide a surface free of loose material. It is suggested that vegetation be planted on the graded surfaces after completion of the grading operation. However, in areas where rock outcrop is exposed or the depth to bedrock is shallow, cut slopes may be constructed between 1.75horzontal:1vertical (1.75h:1v) and 1.5horizontal:1vertical (1.5h:1v), depending on the soundness of the rock exposed. Where the existing gradients are steeper than 1.5h:1v and the slopes are stable, cut slopes may be constructed to match the existing slopes. To minimize the potential for erosion, slope surfaces shall be covered with erosion resistant plants. The plants shall be maintained until the roots have become firm. **(Less-than-Significant Impact with Mitigation)**			

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	MM GEO-MIT 6: The project applicant shall design the project so that retaining walls can withstand lateral pressure. Any facilities that will retain a soil mass, such as retaining walls, shall be designed for a lateral earth pressure (active) equivalent to 75 pounds equivalent fluid pressure for horizontal backfill. If the retaining walls are restrained from free movement at both ends, they shall be designed for the earth pressure resulting for 85 pounds equivalent fluid pressure, to which shall be added surcharge loads. The structural engineer shall discuss the surcharge loads with the geotechnical engineer prior to designing the retaining walls. In designing for allowable resistive lateral earth pressure (passive) of 400 pounds, equivalent fluid pressure may be used with the resultant acting at the third point. The top foot of native soil shall be neglected for computation of passive resistance. A friction coefficient of 0.3 shall be used for retaining wall design. This value may be increased by one third for short-term seismic loads. The above values assume a drained condition and moisture content compatible with those encountered during our investigation. To promote proper drainage, a layer of at least 12-inches of gravel or drain rock shall be placed between the retaining wall and the retained material. Perforated pipes (perforations down) shall be included in the design to conduct excess water from behind the retaining structure. Suitable outfall locations for drainage shall be chosen to minimize future erosion. The County shall review and approve all retaining wall designs to evaluate the suitability of the drainage system. If retaining walls are proposed as part of an exterior wall of the structure, adequate water-proofing materials and sheeting shall be applied to the walls so that the interior of the walls remain free of moisture. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Land Development Engineer, Building Inspection Office, Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
Impact GEO-3: The project could create new drainage patterns which impact neighboring properties, roads, and watercourses.	**MM GEO-MIT 7:** The project applicant shall design the project to meet local and state drainage requirements. Proper and adequate drainage (surface and subsurface) systems must be incorporated into the planned development. Runoff collected from roof drains and area drains as well as discharge from subdrains (when needed) must be released to appropriate locations away from the proposed building site and to appropriate drainage facilities located at the property. The final exterior grade adjacent to the proposed building should be such that the surface drainage will flow away from the structures. A 2% final soil grade slope must be incorporated into the site grading. The slope must be sufficient to remove all storm water from the foundations. Rainwater discharge at downspouts must be directed onto pavement sections, splash blocks, or other acceptable facilities which will prevent water from collecting in the soil adjacent to the foundations. Utility lines that cross under or through perimeter footings must be completely sealed to prevent moisture intrusion into the areas under the slab and/or footings. The utility trench backfill must be of impervious material and this material should be placed at least 4 feet on either side of the exterior footings. All drainage systems shall comply with the requirements of the San Fracisco Bay Regional Water Quality Control Board. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Land Development Engineer, Project Planner of the Santa Clara County Dept of Planning and Development
Impact HWC-1: The project could create new drainage patterns which impact neighboring properties, roads, and watercourses.	**MM HWC-MIT 1:** The project applicant shall design the project for erosion and sediment controls. The applicant will be required to submit grading plans with their permit applications which include an erosion and sediment control plan that outlines seasonally appropriate erosion and sediment controls during the construction period. These plans must include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2, a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage must be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public	Prior to construction	Project Proponent	Land Development Engineer, Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	nuisance. One of the following site design measures must be utilized in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. Additionally, the project will be conditioned to require drainage improvements to ensure that the storm drainage flowing down the inboard side of the shared access road is conveyed across, and not down, the Lands of Tengan driveway (APN: 517-37-002). **(Less-than-Significant Impact with Mitigation)**			
	MM HWC-MIT 2: The project applicant shall design the project to protect the water quality of watercourses. To avoid potential erosion material from impacting the creek downslope from the building sites and driveways, construction is prohibited during the wet season. Ground disturbing activities shall be limited to the dry season (April to October). **Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Land Development Engineer, Project Planner of the Santa Clara County Dept of Planning and Development
Impact TCR-1: The project could impact previously unidentified tribal cultural resources.	**MM TCR-MIT 1A:** The project applicant shall arrange for workers' training regarding the possibility of discovering tribal cultural resources. Prior to the start of earthmoving activities, the applicant shall implement a worker archeological awareness training for all construction personnel involved with excavation activities. The training shall include informing workers regarding the possibility of encountering buried cultural resources (including tribal cultural resources), the appearance and types of resources likely to be seen during construction, and proper notification procedures to be followed should resources be encountered. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Qualified Archaeologist (contracted by applicant), Tribal Monitor (designated by Tribe), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	MM TCR-MIT 1B: The project applicant shall arrange for construction monitoring to identify any discovered tribal cultural resources. During all ground disturbing activities (excavation, grading, utility trenching, and landscaping that occurs in previously undisturbed soil), the applicant shall retain a qualified archeologist and tribal cultural resources monitor to undertake construction monitoring at the project site. The tribal cultural resources monitor shall be a representative of the Muwekma Ohlone Indian Tribe who will be given at least 5 days' notice prior to the start of ground disturbing activities. If, in the event the Muwekma Ohlone Indian Tribe is given such notice and cannot provide the required monitor in a manner mutually agreeable to the Tribe and the applicant, the applicant may retain an alternative tribal cultural resources monitor. The frequency of monitoring shall be determined based on the rate of excavation and grading activities, the materials being excavated, the depth and location of excavation, and, if found, the abundance and type of archaeological resources encountered. If the tribal cultural resources monitor determines that there is limited potential for encountering cultural resources (e.g., if remaining ground disturbing activities would only occur in areas and depths that were previously disturbed by Project construction), monitoring may be reduced or curtailed. **(Less-than-Significant Impact with Mitigation)**	During construction	Project Proponent	Qualified Archaeologist (contracted by applicant), Tribal Monitor (designated by Tribe), Project Planner of the Santa Clara County Dept of Planning and Development
	MM TCR-MIT 1C: The project applicant shall avoid, or if avoidance is not possible, appropriately handle any identified tribal cultural resources. In the event that tribal cultural resources are encountered during project construction, all activity within a 50-foot radius of the find shall be stopped, the applicant and the County's Project Manager shall be notified, and a qualified archaeologist shall examine the find. Project personnel shall not collect or move any cultural material. The archaeologist, in collaboration with the tribal cultural resources monitor, shall evaluate the find(s) to determine if it meets the definition of a tribal cultural resource and follow the further procedures outlined below:	During construction	Project Proponent	Qualified Archaeologist (contracted by applicant), Tribal Monitor (designated by Tribe), Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	i. If the find(s) is potentially a tribal cultural resource, then tribal representatives of the Muwekma Ohlone Indian Tribe shall be consulted. If, after consultation with the Muwekma Ohlone Indian Tribe, it is determined that the find(s) is a tribal cultural resource, then the find(s) shall be avoided by Project activities. If avoidance is not feasible, as determined by the County, the qualified archaeologist, in collaboration with Muwekma Ohlone Indian Tribal representative, shall make appropriate recommendations regarding the treatment and disposition of such finds, and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and reasonably agreed upon by the Muwekma Ohlone Indian Tribe, prior to resuming construction activities within the 50-foot radius. ii. If the find(s) are human remains or grave goods, the requirements of Public Resources Code Section 5097.98 and County Ordinance Code Sections B6-18 through B6-20 shall be followed. Recommendations for treatment and disposition of finds could include, but are not limited to, the collection, recordation, and analysis of any significant cultural materials, or the turning over of tribal cultural resources to tribal representatives for appropriate treatment. A report of findings documenting any data recovery shall be submitted to Northwest Information Center (NWIC). A redacted report of findings shall be submitted to the County Director of Planning and Development. **(Less-than-Significant Impact with Mitigation)**			
Impact WF-1: The project is located in a fire hazard area, and would expose occupants to risk.	**MM WF-MIT 1:** The project applicant shall site the project in the least impactful way possible in regard to wildfires. The residence shall be sited as close to Sanborn Road and to the 1500-foot elevation line as possible. No structures shall be located above the 1700-foot elevation line in order to reduce risk as wildfires burn hotter traveling up hill and at ridgelines. **(Less-than-Significant Impact with Mitigation)**	Prior to construction, during construction	Project Proponent	Fire Marshal, Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	MM WF-MIT 2: The project applicant shall design the project to meet defensible space practices, and maintain them in perpetuity. The area within 5 horizontal feet of the structure, including attached decks of stairs, shall not contain any combustible decorative structures, attached gates or fences made of combustible materials, storage structures, wood piles, woody mulch, combustible boards, combustible landscape materials (including but not limited to lumber, railroad ties, creosote- or pressure-treated wood), potted plants in combustible pots, or synthetic lawns. Mature trees shall only be allowed within 5 feet of the structure if the branches are 10 feet above the roof and 10 feet from any chimney. Irrigated and mowed grass shall be kept below a maximum height of 3 inches. All plants within 5 feet of the structure shall be irrigated, non-woody, and/or herbaceous, and are not to exceed 2 feet in height. All pots for potted plants within 5 feet of the structure shall be made of ceramics, metals, or cement. In the area from 5 feet to 30 feet horizontally from the structure (within the property boundaries), all dead plants, grass, and weeds will be removed. Dead or dry leaves will be removed on an ongoing basis. Trees shall be trimmed on an ongoing basis to keep 10 feet of distance between branches of different trees. Dead tree limbs which overhang the roof are to be removed on an ongoing basis. Grasses are to be cut to a maximum of 4 inches on an ongoing basis. **(Less-than-Significant Impact with Mitigation)**	Prior to construction, ongoing for the life of the project	Project Proponent	Fire Marshal, Project Planner of the Santa Clara County Dept of Planning and Development
	MM WF-MIT 3: The project applicant shall design the project to underground utilities. All utilities, including powerlines, shall be undergrounded. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Fire Marshal, Project Planner of the Santa Clara County Dept of Planning and Development

Environmental Impact	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	MM WF-MIT 4: The project applicant shall design the project including home hardening techniques. The project is required to comply with all WUI requirements within the California Building Code Chapter 7A. The applicant shall also propose building materials, windows, and vents which exceed these requirements. Communication equipment, including high-speed internet service, shall be fire-hardened. **(Less-than-Significant Impact with Mitigation)**	Prior to construction	Project Proponent	Fire Marshal, Project Planner of the Santa Clara County Dept of Planning and Development
	MM WF-MIT 5: The project applicant shall keep fire access clear of parked vehicles. Parking of vehicles along the fire access route, including the common driveway, fire department turnout, and fire department turnaround, shall be prohibited at all times. **(Less-than-Significant Impact with Mitigation)**	Ongoing for the life of the project	Project Proponent	Fire Marshal, Project Planner of the Santa Clara County Dept of Planning and Development
	MM WF-MIT 6: The project applicant shall provide greater than adequate water supply. At a minimum, one additional 5,000-gallon water tank beyond what is required by County and State fire regulations shall be provided on site. All water tanks and piping to the wharf hydrant shall be made of steel or similar material approved by the County Fire Marshal prior to installation. **(Less-than-Significant Impact with Mitigation)**	Ongoing for the life of the project	Project Proponent	Fire Marshal, Project Planner of the Santa Clara County Dept of Planning and Development