Proposed Mitigated Negative Declaration

Sonoma County, Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Publication Date: March 13, 2025
Public Review Period: March 13 - April 12, 2025
State Clearinghouse Number:
Permit Sonoma File Number: MNS17-0004
Prepared by: Joshua Miranda at
Phone: (707) 565-1948

Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Negative Declaration and the attached Initial Study, constitute the environmental review conducted by the County of Sonoma as lead agency for the proposed project described below:

Project Name: Shepard Subdivision

Project Applicant/Operator: Kurt Kelder

Project Location/Address: 4880 Bodega Avenue Petaluma, CA

APN: 021-110-012

General Plan Land Use Designation: Rural Residential (RR) with 3 acres per dwelling unit density

Specific/Area Plan: West Petaluma Area Plan

Zoning Designation: Agricultural Residential (AR) with 3 acre density (B6 3), Floodway (F1) Floodplain (F2) Riparian corridor with 100 and 25 foot setbacks (RC100/25), Scenic Resources (SR)

Decision Making Body: Sonoma County Project Review and Advisory Committee (PRAC)

Appeal Body: Sonoma County Planning Commission

Project Description: See Item III, below

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Table 1. Summary of Topic Areas

Topic Area	Abbreviation*	**Yes**	**No**
Aesthetics	VIS	X	
Agriculture & Forestry Resources	AG		X
Air Quality	AIR	X	
Biological Resources	BIO	X	
Cultural Resources	CUL	X	
Energy	ENERGY		X
Geology and Soils	GEO		X
Greenhouse Gas Emission	GHG		X
Hazards and Hazardous Materials	HAZ		X
Hydrology and Water Quality	HYDRO		X
Land Use and Planning	LU		X
Mineral Resources	MIN		X
Noise	NOISE	X	
Population and Housing	POP		X
Public Services	PS		X
Recreation	REC		X
Transportation	TRANS		X
Tribal Cultural Resources	TCR	X	
Utilities and Service Systems	UTL		X
Wildfire	FIRE		X
Mandatory Findings of Significance	MFS		X

RESPONSIBLE AND TRUSTEE AGENCIES

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

Table 2.**Agency**	**Activity**	**Authorization**
U. S. Army Corps of Engineers	Wetland dredge or fill Work in navigable waters	Clean Water Act, Section 401 Rivers and Harbors Act, Section 106
Regional Water Quality Control Board (San Francisco Bay)	Discharge or potential discharge to waters of the state Wetland dredge or fill	California Clean Water Act (Porter Cologen) – Waste Discharge requirements, general permit or waiver Clean Water Act, Section 404

State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
California Department of Fish and Wildlife	Lake or streambed alteration	Fish and Game Code, Section 1600
Bay Area Air Quality Management District (BAAQMD)	Stationary air emissions	BAAQMD Rules and Regulations (Regulation 2, Rule 1 – General Requirements; Regulation 2, Rule 2 – New Source Review; Regulation 9 – Rule 8 – NOx and CO from Stationary Internal Combustion Engines; and other BAAQMD administered Statewide Air Toxics Control Measures (ATCM) for stationary diesel engines
U. S. Fish and Wildlife Service (FWS) and or National Marine Fisheries Service (NMFS)	Incidental take permit for listed plant and animal species	Endangered Species Act
Native American Heritage Commission		
State Historic Preservation Office		

ENVIRONMENTAL FINDING:

Based on the evaluation in the attached Expanded Initial Study, I find that the project described above will not have a significant adverse impact on the environment, provided that the mitigation measures identified in the Initial Study are included as conditions of approval for the project and a Mitigated Negative Declaration is proposed. A Mitigation and Monitoring plan consistent with and incorporating all identified mitigation measures will be included in the project Conditions of Approval prior to final action on the application.

Joshua Miranda

Digitally signed by Joshua Miranda
DN: cn=Joshua Miranda, o=PRMD, ou=Project Review, email=joshua.miranda@sonoma-county.org, c=US

Prepared by: Joshua Miranda March 13, 2025

Initial Study

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

I. INTRODUCTION:

The project applicant, Kurt Kelder proposes to subdivide a 10-acre parcel into 3 lots, 3.02-acres, 2.36-acres, and 4.18-acres in size located on Bodega Avenue in Petaluma. A referral letter was sent to the appropriate local, state and federal agencies and interest groups who may wish to comment on the project.

This report is the Initial Study required by the California Environmental Quality Act (CEQA). The report was prepared by Joshua Miranda, Project Review Planner with the Sonoma County Permit Sonoma, Project Review Division. Information on the project was provided by the applicant, Kurt Kelder. Technical studies were provided by qualified consultants to support the conclusions in this Expanded Initial Study. Technical studies, other reports, documents, and maps referred to in this document are available for review through the Project Planner, or the Permit Sonoma (Permit Sonoma) Records Section.

Please contact Joshua Miranda, Planner, at (707) 565-1948, for more information.

II. PROJECT DESCRIPTION

The applicant proposes a Minor Subdivision to subdivide, a 10 acre parcel into three residential lots 3.02, 2.36, and 4.18 acres in size. The application does not include a request to develop the two newly created parcels. The property is developed with a single-family residence, residential accessory structure, and a accessory dwelling unit. All existing development will be located entirely within the boundaries of proposed building envelope proposed on Lot 1 (3.02 acres). A domestic well and septic system serve the residential uses. The applicant has identified a 17,700-square foot building envelope for future development and a designated septic area on proposed Lot 1. Additionally, the applicant has identified a 9,600-square foot building envelope for future development and a designated septic area on proposed Lot 2. The applicant has identified a 9,800-square foot building envelope for future development and a designated septic area on proposed Lot 3. Each lot is proposed to have its own private well. An existing private driveway off of Bodega Avenue is used to access the project site. The applicant proposes a new 20-foot wide gravel driveway from Bodega Avenue through Lot 1 to access proposed lots 2 and 3. Each lot is proposed to have its own hammerhead turnaround to improve emergency vehicle access.

III. SETTING

The 10 acre project site is located at 4880 Bodega Avenue, Petaluma, and is composed of one legal lot. It is located in the unincorporated area of Petaluma, approximately 2 miles east of the City limits of Petaluma. The surrounding uses include residential development to all sides of the project site. The site topography is generally flat. The site has frontage on Bodega Avenue.

The proposed project is a residential subdivision located in rural residential neighborhood in the unincorporated area of western Petaluma. The subject parcel has a base zoning district of Agricultural Residential with 3 acre density (AR, B6 3), Floodway (F1) Floodplain (F2) Riparian corridor with 100 and 25 foot setbacks (RC100/25), Scenic Resources (SR). The subject parcel has a General Plan Land Use designation of Rural Residential (RR) with a density of 3 dwelling units per acre.

The project is located in a “moderate” fire hazard severity zone within the State Responsibility Area. The site is served by the Gold Ridge Fire Protection District.

The property is rectangular in shape and terrain ranges in elevation between 64 feet in the northwest and 77 feet in the southeast. The property is situated on the east side of Wiggins Hill. An unnamed blue-line creek, informally known as Wiggins Creek, flows from west to east in the northern 2/3 of the parcel. A second blue-line drainage occurs along the northeastern boundary and flows into Wiggins Creek. A single man-made drainage occurs on the western boundary that flows from south to north.

Vegetation on the site is predominantly California annual grassland characterized by dense cover of non-native grasses. Non-native grasses observed include Harding grass (*Phalaris aquatica*), velvet grass (*Holcus lanatus*), wildrye (*Festuca perennis*), soft chess (*Bromus hordaeceus*), ripgut brome (*Bromus diandrus*) and wild oats (*Avena barbata*). Non-native forbs noted include wild radish (*Raphanus sativus*), cut-leaf geranium (*Geranium dissectum*), spring vetch (*Vicia sativa*), milk thistle (*Silybum marianum*), and prickly sow thistle (*Sonchus asper*). One native grass species, creeping wildrye was also observed onsite.

The site is within a Zone 1 Major Groundwater availability area, and also within a medium priority ground water basin (Petaluma Valley) where groundwater use is managed by the Petaluma Valley Groundwater Sustainability Agency.

EXISTING LEACHFIELD

EXISTING LEACHFIELD

EXISTING WELL

EXISTING SEPTIC TANK

EXISTING POND

LEGEND:

DRIP LINE/BRUSH LINE

FENCE LINE

SURVEY CONTROL POINT

UTILITY POLE

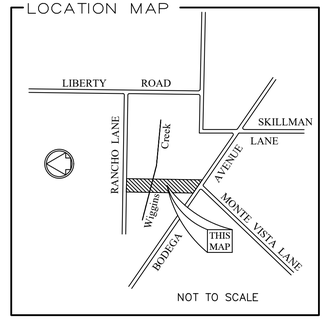
-1.4% SLOPE BAND

GENERAL NOTES

OWNER:
HENRY SHEPHERD
711 THOMPSON LANE
PETALUMA, CA 94952
EMAIL: henry_shepherd@yahoo.com

PROPERTY ADDRESS: 4880 BODEGA AVENUE
ASSESSOR'S PARCEL NUMBER: 021-110-012
GENERAL PLAN DESIGNATION:
EXISTING ZONING: AR B6 3
PROPOSED ZONING:
EXISTING USE: RURAL RESIDENTIAL
PROPOSED USE: SAME
ACREAGE: 10.0± ACRES
NUMBER OF LOTS: 3
WATER SUPPLY: INDIVIDUAL WELLS AS NEEDED
SEWAGE DISPOSAL: SUBSURFACE
CONTOUR MAPPING: BASED ON USGS QAUD

LOCATION MAP



NOT TO SCALE

WIGGINS CREEK ±20'-25' WIDE AT OHWM WITH WETLAND FRINGE

DEWITT
DN 1983-068825
APN 021-110-069
177 RANCHO LN

F2 FLOOD PLAIN

F1 FLOODWAY

UNNAMED TRIBUTARY ±10' WIDE AT OHWM

KING
DN 2003-109007
APN 013-030-063
188 RANCHO LN

EASEMENT

EXISTING FLOWLINE

632'

PROPERTY LINE, 1,627'

429'

EDWARDS TRUST
DN 2008-110489
APN 021-110-068
4850 BODEGA AVE

LOT 2
AREA=2.36
ACRES

LOT 3
AREA=4.18
ACRES

LOT 1
AREA=3.02
ACRES

DENSE GRASS

100' FROM T.O.B. WIGGINS CREEK

130' FROM T.O.B.

HOUSE SITE, 9,600 SF

HOUSE SITE, 9,800 SF

HOUSE SITE, 17,700 SF

ADU

HOUSE

MOUND SEPTIC SYSTEMS

PROPOSED WELL

TURNOUT

20' MIN. WIDE GRAVEL ROAD

SHEPHERD DRIVE

HAMMERHEAD TURNAROUND

30' CREEK SETBACK

TOP OF BANK

EXISTING FLOWLINE

POTENTIAL WETLANDS NOT FORMALLY DELINEATED OR VERIFIED BY USACE

NOISE SETBACK LINE

93.00'

EXISTING SEPTIC TANK AND LEACHFIELD

EXISTING WELL

EX. POWER POLE

PROPERTY LINE, 362'

567'

288'

PROPERTY LINE, 288'

634'

429'

PROPERTY LINE, 1,409'

347'

90.21'

112'±

STEVENSON TRUST
DN 2012-068405
APN 013-030-020
200 RANCHO LN

BURKE
DN 1999-083697
APN 021-110-013
4898 BODEGA AVE

EXISTING POND

F1 FLOODWAY AND F2 FLOOD PLAIN

DITCH 2' TO 5' WIDE AT OHWM

EXISTING ELECTRICAL UTILITY

EXISTING SEPTIC TANK AND LEACHFIELD

RIGHT-OF-WAY

BODEGA AVENUE (COUNTY ROAD 5706A)

-1.8% -2.1% -0.9% -0.9% -1.6% -6.1% -4.8% -5.3% -2.7% -2.8% -1.3% -4.1% -1.9% -0.5% -1.9% -1.6% -3.7% -3.0% -1.7% -1.4%

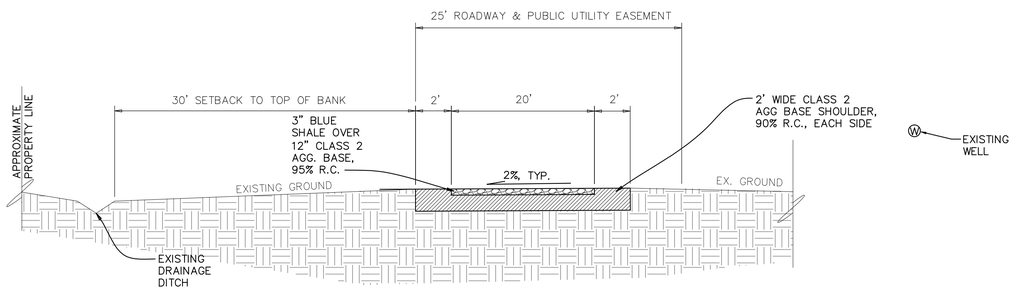
0 30 60 120

SCALE: 1"=60'

TENTATIVE MAP

SHEPHERD DRIVE SECTION-A

NTS



REVISION	DESCRIPTION	BY	DATE

KELDER ENGINEERING, INC.
CIVIL ENGINEERING - LAND PLANNING
132 S. CLOVERDALE BLVD., CLOVERDALE, CA 95425
PHONE: (707) 894-0862, FAX: (707) 894-0863

APN: 021-110-012
MNS17-0004

TENTATIVE MAP
Shepherd Subdivision
4880 Bodega Ave
Petaluma, CA 94952

Date:	08/21/24
Scale:	1"=60'
Drawn:	KTK
Job:	22-36
Sheet:	1 of 1

IV. ISSUES RAISED BY THE PUBLIC OR AGENCIES

Agency Referral

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

Tribal Consultation under AB 52

Referrals were sent to the following Tribes:

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

Permit Sonoma did not receive requests for consultation.

Public Comments

A neighborhood notice was sent to adjacent property owners prior to the publication of this document. No issues were raised by neighbors.

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

> **No Impact: The project would not have the impact described.** The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.
>
> **Less Than Significant Impact**: The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.
>
> **Less Than Significant with Mitigation Incorporated:** The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.
>
> **Potentially Significant Impact:** The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

Each question was answered by evaluating the project as proposed, that is, without considering the effect of any added mitigation measures. The Initial Study includes a discussion of the potential impacts and

identifies mitigation measures to substantially reduce those impacts to a level of insignificance where feasible. All references and sources used in this Initial Study are listed in the Reference section at the end of this report and are incorporated herein by reference.

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

1. AESTHETICS:

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

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

Comment:

The project site is located within a Scenic Corridor designated by the Sonoma County General Plan. The project site is not located on a scenic hillside, nor would it involve tree removal, construction or grading that would significantly affect a scenic vista. All proposed structures within the Scenic Corridor are subject to an increased setback or design review to ensure consistency with Scenic Corridor zoning and General Plan requirements. The project proposes building envelopes on each resulting parcel. All building envelope locations are located outside the Scenic Corridor, and all future structures would be subject to development within the proposed building envelopes. Lot 1 of the proposed subdivision is previously developed with a single-family dwelling, garage, and accessory dwelling unit. Additionally, the surrounding area is developed with single family dwellings, residential accessory uses, and some agricultural structures, future development of the resulting parcels would blend in with the existing neighborhood characteristics not resulting in adverse effects to the scenic vistas. Because future development will take place within building envelopes, outside the scenic corridor the project, and future development would match the existing neighbor characteristics there will be a less than significant impact on a scenic vista.

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
No Impact.

c) In non-urbanized areas substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Comment:

Bodega Avenue is classified as a Scenic Corridor by the General Plan and within the Scenic Resources Combining District, and a Scenic Route by the West Petaluma Area Plan. The character of the 10-acre site and surrounding lands is rural residential. The project site has an existing single-family dwelling and a garage onsite; both are located with the proposed building envelope for lot 1, and outside the Scenic Corridor setback. The surrounding parcels have similar residential buildouts of the same size, including single-family dwellings, residential accessory structures, and some agricultural structures. The proposed project does not include the development of the proposed parcels, Lots 2 and 3, but future development as permitted by the Agricultural Residential zoning district, would be compatible with the existing visual character of the area.

The visual dominance would be subordinate because the project incorporates building envelopes on Lots 1, 2, and 3, which ensure that future development will be located outside the Scenic Corridor setback and future development is subject to the Rural Residential Land Use and Agricultural Residential zoning district standards. Although future development within the envelopes will be visible from Bodega Avenue, future development would not contrast with the surroundings, but rather blend with the existing characteristics. When considering the projects high site sensitivity, and subordinate visual dominance the project would result in a less than significant impact. A standard condition of approval for projects with proposed building envelopes clarifies that all future building development must occur within the envelope.

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
Less than Significant Impact with Mitigation Incorporated.

Mitigation
Mitigation VIS-1 Exterior Lighting Plan: Note on the Map:

Prior to issuance of building permits, an exterior lighting plan shall be submitted for review by Permit Sonoma Project Review staff. Exterior lighting shall be Dark Sky compliant, or otherwise low mounted, downward casting, full-cutoff, and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted.

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

2. AGRICULTURE AND FOREST RESOURCES:

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

Would the project:

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

Comment:
The project site is not designated as Prime or Unique Farmland, or Farmland of Statewide Importance on the Important Farmland maps[1]. The developed portion of the site is designated as Other Lands, and the rest of the parcel is designated Farmland of Local Importance.

Significance Level:
No Impact.

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

Comment:
The project site is zoned AR (Agriculture and Residential), which allows for single family residential development and accessory agricultural uses. The site is not subject to a Land Conservation contract. The nearest contracted land is east of the project site approximately 0.61 miles away. The project is not expected to conflict with zoning for agricultural use or lands under a Land Conservation contract. Additionally, as a Condition of Approval, each resulting lot from the proposed subdivision will be required to record a right to farm declaration on each new parcel, that informs future property owners that farming practices occur within the vicinity.

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
No Impact.

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

Comment:

[1] California Department of Conservation, “Sonoma County Important Farmland 2016”, April 2018, https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sonoma.aspx

See the comment under section 2(c) above.

Significance Level:
No Impact

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

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

Significance Level:
No Impact.

3. AIR QUALITY:

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

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

Comment:
The project is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which is currently designated as a nonattainment area for State and federal ozone standards, the State PM_{10} standard, and State and federal $PM_{2.5}$ standards. The District has adopted an Ozone Attainment Plan and a Clean Air Plan in compliance with federal and State Clean Air Acts. These plans include measures to achieve compliance with both ozone standards. The plans deal primarily with emissions of ozone precursors (nitrogen oxides [NOx] and volatile organic compounds, also referred to as Reactive Organic Gases [ROG]). The project will not conflict with the District's air quality plans because the proposed use is well below the emission thresholds for ozone precursors (see discussion in (b) below).

Significance Level:
Less than Significant Impact.

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?

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

Comment:
As described in the current BAAQMD CEQA Guidelines[2], the BAAQMD has developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions.

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

If the project meets the screening criteria in Table 3-1 (Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes) of the BAAQMD CEQA Guidelines, the project will not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the Thresholds of Significance shown in Table 2-2 of the BAAQMD CEQA Guidelines. Additionally, operation of the proposed project would also result in a less-than-significant cumulative impact to air quality from criteria air pollutant and precursor emissions.

Based on its proposed size of 3 total rural residential lots, the proposed project is below the single-family land use construction-related screening size (114 dwelling units) and the operation criteria pollutant screening size (325 dwelling units). Following use of the screening criteria for ROG and NOx, found in the BAAQMD Air Quality Guidelines (Table 3-1), a detailed air quality study is not required, and emissions of criteria pollutants from the project would be less than significant. Furthermore, as the project would not result in a significant air quality impact, it would not result in a cumulatively considerable contribution to regional air quality impacts.

The project would not have a cumulative effect on ozone because it would not generate substantial traffic, which would result in substantial emissions of ozone precursors (ROG and NOx). The project would have no long-term effect on PM2.5 and PM10, because all surfaces would be paved gravel, landscaped or otherwise treated to stabilize bare soils, and dust generation would be minimal. However, there could be a significant short-term emission of dust (which would include PM2.5 and PM10) during construction. Mitigation Measure AIR-1 would reduce this potential impact to a less than significant level.

Although the project would generate some ozone precursors from new vehicle trips, the size of the project is small, and the project would not have a cumulative effect on ozone because it will not generate substantial traffic resulting in significant new emissions of ozone precursors (ROG and NOx).

Wood smoke from fireplaces and wood stoves are sources of fine particulate matter. Wood smoke is a major contributor to reduced visibility and reduced air quality on winter evenings in both urban and rural areas. Sonoma County building regulations limit fireplaces to natural gas fireplaces, pellet stoves and EPA-Certified wood burning fireplaces or stoves. With the restriction on fireplace design, fine particulate emissions from this project would be a less than significant impact.

Construction activities would generate dust, particulates, and emissions from construction related vehicles, resulting in potential cumulative impacts. However, Mitigation Measure AIR-1 below would address these impacts.

Significance Level:
Less than Significant with Mitigation Incorporated.

Mitigation:

Mitigation Measure AIR-1 Construction Dust and Air Quality Control: NOTE ON MAP: The following BAAQMD recommended basic construction measures and air quality control measures shall be included in the construction contract specifications for all projects onsite and implemented during construction:

a. A Construction Coordinator shall be designated by the project applicant, and a sign shall be posted on the site including the Coordinator's 24-hour phone number for public contact regarding dust, trackout, and air quality complaints. The Coordinator shall respond and take corrective action within 48 hours. The Coordinator shall report all complaints and their resolutions to Permit Sonoma staff.
b. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.

c. Trucks hauling soil, sand and other loose materials over public roads shall cover the loads, or shall keep the loads at least two feet below the level of the sides of the container, or shall wet the load sufficiently to prevent dust emissions.
d. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site.
e. Vehicle speeds on unpaved areas shall be limited to 15 miles per hour.
f. Final surfacing (i.e., pavement or concrete, gravel, landscaping) shall be completed as soon as possible after earthwork is finished, unless seeding or soil binders are used.
g. Idling time of diesel-powered construction equipment shall be limited to five minutes. Signs shall be posted reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.
h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall have a CARB-certified visible emissions evaluator check equipment prior to use at the site.

Monitoring AIR-1: Permit Sonoma staff shall verify that the AIR-1 measures are noted on the subdivision map prior to recordation and on subsequent site alteration, grading, building, and subdivision improvement plans prior to issuance of permits.

c) Expose sensitive receptors to substantial pollutant concentrations?

Comment:
Sensitive receptors are facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. Localized impacts to sensitive receptors generally occur when sources of air pollutants and sensitive receptors are located near one another. The project site is residentially zoned with limited agricultural uses and abuts other residential and agricultural parcels. The project would not expose these sensitive receptors to significant concentrations of pollutants because of the analysis above in 3(b). The proposed project would not create an incompatible situation as neither the residential use of the project site nor the neighboring uses involve stationary or point sources of air pollutants which generate substantial pollutant concentrations. Although there will be no long-term increase in emissions, during construction of future build-out there could be significant short-term dust emissions that would affect nearby residents. Dust emissions can be reduced to less than significant by Mitigation Measure AIR-1.

Significance Level:
Less than Significant with Mitigation Incorporated.

Mitigation
See Mitigation Measure AIR-1.

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

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

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

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

Significance Level:
Less than Significant Impact.

4. BIOLOGICAL RESOURCES:

Regulatory Framework

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

Federal

Federal Endangered Species Act (FESA)

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

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

The Migratory Bird Treaty Act of 1918 (MBTA)

The U.S. MBTA (16 USC §§ 703 et seq., Title 50 Code of Federal Regulations [CFR] Part 10) states it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill; attempt to take, capture or kill; possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird, or any product, whether or

not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest or egg thereof…" In short, under MBTA it is illegal to disturb a nest that is in active use, since this could result in killing a bird, destroying a nest, or destroying an egg. The USFWS enforces MBTA. The MBTA does not protect some birds that are non-native or human-introduced or that belong to families that are not covered by any of the conventions implemented by MBTA. In 2017, the USFWS issued a memorandum stating that the MBTA does not prohibit incidental take; therefore, the MBTA is currently limited to purposeful actions, such as directly and knowingly removing a nest to construct a project, hunting, and poaching.

The Clean Water Act (CWA)

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

Section 404.

As part of its mandate under Section 404 of the CWA, the EPA regulates the discharge of dredged or fill material into "waters of the U.S.". "Waters of the U.S: include territorial seas, tidal waters, and non-tidal waters in addition to wetlands and drainages that support wetland vegetation, exhibit ponding or scouring, show obvious signs of channeling, or have discernible banks and high-water marks. Wetlands are defined as those areas "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3(b)). The discharge of dredged or fill material into waters of the U.S. is prohibited under the CWA except when it is in compliance with Section 404 of the CWA. Enforcement authority for Section 404 was given to the USACE, which it accomplishes under its regulatory branch. The EPA has veto authority over the USACE's administration of the Section 404 program and may override a USACE decision with respect to permitting. Substantial impacts to waters of the U.S. may require an Individual Permit's Projects that only minimally affect waters of the U.S. may meet the conditions of one of the existing Nationwide Permits, provided that such permit's other respective conditions are satisfied. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions (see below).

Section 401.

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

<u>State</u>

California Endangered Species Act (CESA)

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

Fish and Game Code 1600-1602

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

Nesting Birds

Nesting birds, including raptors, are protected under CFGC Section 3503, which reads, "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." In addition, under CFGC Section 3503.5, "it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto". Passerines and non-passerine land birds are further protected under CFGC 3513. As such, CDFW typically recommends surveys for nesting birds that could potentially be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by project-related activities. Disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by CDFW.

Non-Game Mammals

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

California Fully Protected Species and Species of Special Concern

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

California Species of Special Concern (CSC) are broadly defined as animals not listed under the FESA or CESA, but which are nonetheless of concern to the CDFW because they are declining at a rate that could

result in listing or because they historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under the CEQA during project review.

Porter-Cologne Water Quality Control Act

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

Local

Sonoma County General Plan

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

Riparian Corridor Ordinance

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

Valley Oak Habitat (VOH) Combining District

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

Sonoma County Tree Protection Ordinance

The Sonoma County Tree Protection Ordinance (Sonoma County Code of Ordinances, Chapter 26, Article 88, Sec. 26-88-010 [m]) establishes policies for protected tree species in Sonoma County. Protected trees are defined (Chapter 26, Article 02, Sec. 26- 02-140) as the following species: big leaf maple (*Acer*

macrophyllum), black oak (*Quercus kelloggii*), blue oak (*Quercus douglasii*), coast live oak (Quercus *agrifolia*), interior live oak (*Quercus wislizenii*), madrone (*Arbutus menziesii*), oracle oak (*Quercus morehus*), Oregon oak (*Quercus garryana*), redwood (Sequoia sempervirens), valley oak (*Quercus lobata*), California bay (*Umbellularia californica*), and their hybrids.

Project Analysis

Would the project:

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

Comment:
Special-Status Species

Special-status species include those plant and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These acts afford protection to both listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (The Service) Birds of Conservation Concern, and CDFW special-status invertebrates, are all considered special-status species. Although CDFW Species of Special Concern generally have no special legal status, they are given special consideration under the California Environmental Quality Act (CEQA). In addition to regulations for special-status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918. Plant species on California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA. Bat species designated as “High Priority” by the Western Bat Working Group (WBWG) qualify for legal protection under Section 15380(d) of the CEQA Guidelines. Species designated High Priority” are defined as “imperiled or are at high risk of imperilment based on available information on distribution, status, ecology and known threats.

Endangered Species Act

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

Critical Habitat

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

Essential Fish Habitat

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

The property is developed with a single family residence, residential accessory structure, and accessory dwelling unit. The existing development is proposed to be encompassed by a 17,700 square foot building envelope on proposed lot 1. Proposed lots 2 and 3 are currently vacant, but the tentative map identifies a 9,600 square foot building envelope for lot 2, and a 9,800 square foot building envelope for lot 3. Additionally, well and private septic systems are identified onsite. A proposed 20-foot-wide gravel road, with hammer head turnarounds will serve as access to all lots.

The rectangular-shaped 10-acre parcel ranges in elevation between 64 feet in the northwest and 77 feet in the southeast and is situated on the east side of Wiggins Hill. An unnamed blue-line creek, informally known as Wiggins Creek, flows from west to east in the northern 2/3 of the parcel. A second blue-line drainage occurs along the northeastern boundary and flows into Wiggins Creek. A single man-made drainage occurs on the western boundary that flows from south to north. A pond of unknown depth occurs on the western boundary of the parcel and is off-site on private property. Surrounding land uses consist of mainly of open space lands consisting of ranches and rural residences located along Bodega Avenue.

Jane Valerius Environmental Consulting and Wildlife Research Associates prepared a habitat assessment for the project site. Information on special status plant and animal species was compiled through a review of the California Natural Diversity Data Base for the Cotati, Two Rock, Petaluma and Point Reyes NE 7.5-minute topographic quadrangles, the California Department of Fish and Wildlife's (CDFW) Special Animals List (CDFW 2020), State and Federally Listed Endangered and Threatened Animals of California (CDFW 2020), the California Native Plant Society's on-line electronic inventory of rare and endangered plants of California, and the USFWS Information on Planning and Conservation (IPaC) list (USFWS 2020).

Trish Tatarian, Wildlife Research Associates, and Jane Valerius, Jane Valerius Environmental Consulting, conducted an initial site survey of the parcel on March 7, and April 13, 2017. Jane conducted surveys for special status plants in March to April 2017 and also conducted a follow-up site

visit on April 24, 2020 to verify that site conditions had not changed.

Trish evaluated the parcel for small mammal burrows and surveyed for suitable potential habitat for nesting birds and roosting bat habitat using 8 x 42 roof-prism binoculars, noting presence of cavities, old bird nests and squirrel nests in trees. The reconnaissance-level site visit was intended only as an evaluation of on-site and adjacent habitat types, and no special status animal species surveys were conducted as part of this effort.

Jane Valerius conducted a protocol-level seasonal surveys for special status plants on March 7, April 13 and May 24, 2017. These surveys covered the flowering period for special status plants that had the potential to occur in the project area based on presence of potential habitat. Surveys were conducted in accordance with CDFW guidelines which require that all species identifiable at the time of the survey be recorded. The assessment determined that no special status plant species occur onsite, and there is potential for 4 types of Special Status animal species to occur onsite.

Special Status Plant Species
Surveys for special status plants were conducted on March 7, April 13, and May 24, 2017. These surveys covered the flowering period for special status plants that had the potential to occur within the project area based on the presence of potential habitat. No special status plants were observed during the appropriately timed surveys and none are expected to occur. The surveys were conducted in a normal rainfall year and if special status plants were present they would have been identifiable. The site is dominated by non-native grasses and forbs and the cover is very dense which would assist in precluding any special status plants to establish in the area. Several native species were observed but they were all common species with no special status.

Special Status Wildlife Species
Of the 21 special status animal species identified as potentially occurring in the vicinity of the project area, including within a 3 mile radius (CNDDB 2020), several additional species were evaluated for their potential to occur within the study area, based on: 1) review of the Information for Planning and Conservation (IPaC) for the study area (USFWS 2020), 2) the "Special Animals" list (CDFW 2020) that includes those wildlife species whose breeding populations are in serious decline, and 3) the habitat present on site. For those species with no suitable potential habitat on the site (i.e. fish), no further analysis was conducted. Several of these species have a high potential for occurrence at the project site including: California Red Legged Frog, Western Pond Turtle, Nesting Passerines, and Nesting Raptors. The remaining species were determined to be unlikely to occur onsite because of the absence of suitable habitat elements within or immediately adjacent to the project site.

California Tiger Salamander (Ambystoma californiense) (CTS)

Status: Federally listed Endangered in Sonoma County with Critical Habitat, and Draft Recovery Plan and State listed Threatened by CDFW.

The *Santa Rosa Plain Conservation Strategy* (SRPCS) (Federal Register Notice 70: 74137) was created in 2005 to mitigate potential adverse effects on listed species on the Plain (USFWS 2005). The purpose of the Conservation Strategy was threefold: (1) to establish a long-term conservation program sufficient to mitigate potential adverse effects of future development on the Plain, and to conserve and contribute to the recovery of the listed species and the conservation of their sensitive habitat; (2) to accomplish the preceding in a fashion that protects stakeholders' (both public and private) land use interests, and (3) to support issuance of an authorization for incidental take of CTS and listed plants that may occur in the course of carrying out a broad range of activities on the Plain.

General Ecology and Distribution: As adults, CTS spend most of the year underground in the burrows of California ground squirrels (*Spermophilus beecheyi*) and pocket gophers, feeding on insects (Loredo, et al. 1996; Stebbins 1985). Upland terrestrial habitat for Ambystomids is usually within 300 meters (984 feet) of aquatic breeding sites, but movements have been reported as far away as 800 meters (2,246 feet) (Trenham 2001, Madison and Farrand 1998). Following heavy winter rains

(normally December-March) adults emerge briefly to lay their eggs in ponds, preferring vernal pools, alkali sinks or cattle troughs that have muddy bottoms or contain some algal growth in the water for hiding in, but are devoid of fish. Although no studies have been conducted on the water quality requirements, it has been noted that turbid water may be preferred (reduces predation), and water quality can prevent the transformation into the adult stage.

Project Area Occurrence: No surveys were conducted for this species as part of this habitat assessment. The project area is located outside the species range. No further action is required.

California Red-legged Frog (Rana draytonii) (CRF)

Status. Federally listed Threatened with Critical Habitat, California Species of Special Concern.

General Ecology and Distribution. California red-legged frogs breed primarily in ponds, but will also breed in slow moving streams, or deep pools in intermittent streams. Inhabited ponds are typically permanent, at least 2 feet (0.6 meters) in depth, and contain emergent and shoreline vegetation. Sufficient pond depth and shoreline cover are both critical, because they provide means of escape from predators of the frogs (Stebbins 2003, Tatarian 2008). Non-breeding CRF have been found in both aquatic and upland habitats. Although the majority of individuals prefer dense, shrubby or emergent vegetation, closely associated with deep (>0.7 meters) still, or slow moving water, some individuals use habitats that are removed from aquatic habitats (Tatarian 2008).

Project Area Occurrence. No surveys were conducted for this species as part of this habitat assessment. The proposed project is within the species range. Review of occurrences within a one-mile radius, as required by the *Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog* (USFWS 2005), reveals two populations have been reported; however, that may mean that not all private lands have been surveyed for this species. This species has been reported approximately 2,744 feet east (CRF #1563) in Wiggins Creek and are known to occur in this area of Petaluma (CNDDB 2020). Although species specific surveys were not conducted at the time of the habitat assessment, because the project site is within the species range, and populations have been reported in nearby areas of Wiggins creek, presence onsite is likely. Mitigation measures Bio-1 and Bio-2 will reduce impacts to a less than significant level.

Foothill Yellow-legged Frog (Rana boylii) (FYF)

Status: Federal and State Species of Concern

General Ecology and Distribution: This species typically inhabits rocky streams, preferring streams with cobble sized substrates (Hayes and Jennings 1988). Occupied drainages range from sea level to 2,040 meters (6,700 feet) (Hayes and Jennings 1988). Streams in woodland, chaparral or forest with little to no bank vegetation cover are also preferred (Stebbins 2003). *R. boylii* prefers small to moderate sized streams with at least some cobble-sized substrate (Thomson et al. 2016).

Project Area Occurrence: No suitable aquatic habitat occurs on the site. Therefore, no further action is required.

Western Pond Turtle (Emys marmorata) (WPT)

Status: California Species of Special Concern

General Ecology and Distribution: This medium sized turtle ranges in size to just over 8 inches (21cm) with a low carapace that is generally olive, brownish or blackish (Stebbins 2003, Thomson et al. 2016). Primary habits include permanent water sources such as ponds, streams and rivers. It is often seen basking on logs, mud banks or mats of vegetation, although wild populations are wary and individuals will often plunge for cover after detecting movement from a considerable distance.

Although it is an aquatic species with webbed feet, it can move across land in response to fluctuating water level, an apparent adaptation to the variable rainfall and unpredictable flows that occur in many coastal California drainage basins (Rathbun, *et al.* 1993). In addition, it can over-winter on land or in water or remain active in the winter, depending on environmental conditions (Rathbun, *et al.* 1993; Thomson et al. 2016). Females travel from aquatic sites into open, grassy areas to lay eggs in a shallow nest (Holland 1992; Rathbun, *et al.* 1993). Nests have been reported from 2-400 meters or more away from water bodies (Thomson et al. 2016).

Project Area Occurrence: No surveys were conducted for this species as part of this habitat assessment. This species was observed in Wiggins Creek at the time of the April 13, 2017 survey. See below for further details. Although species specific surveys were not conducted at the time of the habitat assessment, because the project site is within the species range, and populations have been reported in nearby areas of Wiggins creek, presence onsite is likely. Mitigation measures Bio-1 and Bio-2 will reduce impacts to a less than significant level.

Nesting Passerines – including western meadowlark and song sparrow, among others

Status: Protected under the Federal Migratory Bird Treaty Act and CDFW Code 3503.

General Ecology and Distribution: As early as February, passerines begin courtship and once paired, they begin nest building, often around the beginning of March. Nest structures vary in shapes, sizes and composition and can include stick nests, mud nests, matted reeds and cavity nests. For example, red-winged blackbirds will build their nests in cattails, such as those in Wiggins Creek. Depending on environmental conditions, young birds may fledge from the nest as early as May and, if the prey base is large, the adults may lay a second clutch of eggs.

Project Area Occurrence: No surveys were conducted for these species as part of this habitat assessment. Several passerine (perching birds) species may nest on the site in the various habitats, including, but not limited to, western meadowlark in the grasslands, and Bewick's wren in the cattails and tall grasses on the site. A nesting bird survey shall be conducted before removal of any of these habitats, and seasonal restrictions put into place for occupied habitats, to ensure no take of individuals will occur. Although species specific surveys were not conducted at the time of the habitat assessment, because the project site is within the species range presence is likely. Mitigation measures Bio-3 will reduce impacts to a less than significant level.

Nesting Raptors – white-tailed kite (Elanus leucurus), red-shouldered hawk (Buteo lineatus), American kestrel (Falco sparverius), Cooper's hawk (Accipiter cooperi)

Status: Protected under the Federal Migratory Bird Treaty Act and CDFW 3503.5

General Ecology and Distribution: Raptors nest in a variety of substrates including, cavities, ledges and stick nests. For example, Cooper's hawks are small bird hunters, hunting on the edges of forests in broken forest and grassland habitats where passerines forage for seeds and insects. Nests occur in heavily forested areas near a water source. Research sites on nesting Cooper's hawks rarely show the nests more than a quarter of a mile away from water, whether it is a cattle tank, stream or seep (Snyder and Snyder 1975). Trees typically used by Cooper's hawks include coast live oaks, cottonwoods, and black oaks (Call 1978), as well as second growth conifer stands or deciduous riparian areas. Most raptors build stick nests, except for American kestrels that nest in cavities. In general, the breeding season for raptors occurs in late March through June, depending on the climate, with young fledging by early August.

Project Area Occurrence: No surveys were conducted for these species as part of this habitat assessment. Foraging habitat for raptors, such as white-tailed kite and red-shouldered hawk, among others, occurs throughout the project area. Although surveys were not conducted at the time of the habitat assessment, because the project site is within the species range presence can be assumed onsite. Mitigation measures Bio-3 will reduce impacts to a less than significant level.

Burrowing owl (Athene cunicularia)
Status: California Species of Special Concern

General Ecology and Distribution: Foraging and breeding habitat for burrowing owl includes native and non-native grasslands, deserts, and agricultural areas (Zarn 1974). Three habitat characteristics that comprise burrowing owl habitat include openness (lack of canopy cover), short vegetation, and burrow availability. Suitable habitat may also include areas with trees and shrubs, as long as the canopy covers less than 30 percent of the ground surface (CDFG 1995, CBOC 1993). Vegetation height has been identified as a limiting factor in occupancy (Coulombe 1971,Wesseman 1985). Burrowing owls will utilize edge habitats around agricultural fields, golf courses, and airports where there is little or sparse vegetation and raised elevations, which facilitate hunting of small rodents, birds, lizards and insects, with the main prey being Jerusalem cricket (*Stenopelmatus fuscus*). Owls have been reported foraging up to one mile from breeding areas (Haug and Oliphant 1990).

Burrows are the essential component of burrowing owl habitat (CDFG 1995, CBOC 1993) and are often the limiting factor in occupied habitat (Zarn 1974). Burrows used by burrowing owls are usually dug by small mammals, such as California ground squirrel (*Spermophilus beecheyi*), in loose soil, and are enlarged by the owls for nesting. Burrows are used repeatedly for nesting, but not necessarily by the same pair of owls (Zarn 1974). During the breeding season, several burrows may be renovated, but only one will be used per pair, with non-nest (satellite) burrows created nearby for escaping, perching and observation points (Dechant, et al. 1999). Burrowing owls exhibit high site fidelity, reusing burrows year after year (CBOC 1997).

Project Area Occurrence: No focused surveys were conducted as part of this assessment. No California ground squirrel burrows were observed within the study area. No other small mammal burrows suitable to support BUOW were observed. The closest report sighting is more than 5 miles west (CNDDB 2020). Therefore, no further action is required.

American badger – Taxidea taxus

Status: California Species of Special Concern

General Ecology and Distribution: A medium-sized carnivore, badgers rely primarily on small burrowing mammals, such as California ground squirrel and Botta's pocket gopher, as a prey source, and badger populations vary with prey availability. Males occupy larger home ranges than females (2.4 versus 1.6 square kilometers). The burrow system of a badger is complex and extensive and burrows can be as large as 9 meters long and 3 meters deep. The burrow entrance is typically about 30 cm (12 inches) wide and 20 cm (8 inches) tall and has a large mound of earth on the doorstep. Mating occurs in the summer, followed by delayed implantation, with young born in March or April of the following year. The average life span is 4-5 years.

Project Area Occurrence: This species has been reported 2 miles east (CNDDB 2020). Occupied habitat would have been observed on the site. The CNDDB indicates that suitable habitat for American badger includes the drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. American badgers need sufficient food, friable soils, and open uncultivated ground. American badgers dig their own burrows and prey on burrowing rodents. American badger can create a burrow over the course of a day and can, therefore, inhabit a site quickly. The project site contains suitable habitat for American badgers in that friable soils are present onsite and lots 2 and 3 are undisturbed, creating the potential for habitat. Impacts to badgers will be mitigated to a less than significant impact by incorporating Bio-4 below.

Roosting bats – including Townsend's big-eared bat (Corynorhinus townsendii), pallid bat (Antrozous pallidus), western red bat (Lasiurus blossevillii) and hoary bat (Lasiurus cinereus).

Within California, 25 bats species occur. Eleven of California's 25 bat species are classified as SSC (CDFW 2020). One SSC bat species that often roosts in structures or suitable trees in those areas where they occur is the pallid bat (*Antrozous pallidus*). Removal of occupied roosts without prior humane eviction or other actions approved by the CDFW would result in "take", defined under the CESA as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill".

In addition to the Proposed Endangered and SSC bat species above, non-SSC species are also afforded consideration under the California Environmental Quality Act (CEQA), primarily when significant local breeding populations may be impacted. This includes two more common and widely-distributed bat species, Yuma myotis (*Myotis yumanensis*) and Brazilian free-tailed bat (*Tadarida brasiliensis*), which can form very large colonies, often in features such as those found in buildings. *General Ecology and Distribution:* Bats in this region of California are not active year-round and their activity periods can be split into two distinct seasons, the maternity season and the winter season. During the maternity season, non-volant young (those not capable of flight) of colonial bats remain in the roost until late summer (end of August), after which they may disperse from the natal roost or remain into or throughout the winter. During the winter season, bats typically enter torpor, rousing only occasionally to drink water or opportunistically feed on insects. The onset of torpor is dependent upon environmental conditions, primarily temperature and rainfall.

California bats include colonial and solitary roosting species. Colonial bats are those that roost in groups of dozens to many thousands. *C. townsendii* roosts colonially, and often in the types of structures that occur within the SOI. Pallid bats, an SSC species, are eclectic in their roosting habitat selection, and to some extent distribution, and can be found in crevices and small cavities in rock outcrops, tree hollows, mines, caves, and a wide variety of man-made structures such as buildings, bridges and culverts, generally in lower to mid-elevation sites. This species forms maternity colonies, composed of dozens to sometimes hundreds of females and their young, and smaller bachelor colonies composed of males and not-yet reproductive females. Non-SSC species, include Brazilian free-tailed bats (*Tadarida brasiliensis*), Yuma myotis (*Myotis yumanensis*), big brown bat (*Eptesicus fuscus*), and other *Myotis* species. These species may form significant local breeding populations in roosts of sufficient size, which usually occur in buildings, bridges or culverts, but occasionally in large tree hollows.

Obligate tree-roosting bats include another SSC species that could occur in the project area; western red bat (*Lasiurus blossevillii)*. An obligate tree-roosting species, *L. blossevillii* uses tree foliage, typically of large-leafed trees such as cottonwood (*Populus fremontii*) and others, but is also associated with orchards where suitable canopy density occurs. *L. blossevillii* females roost singly and with 2-6 pups during maternity season, and there is evidence that *L. blossevillii* is often faithful to selected trees. Suitable potential tree canopy habitat is present within the alignment for this species, as well as for a non-SSC tree-roosting species, hoary bat (*Lasiurus cinereus*). Obligate tree-roosting bat species, and to some extent, colonial bats, may switch tree roosts frequently, particularly after young are volant, but are sometimes faithful for longer periods (weeks).

Potential for Occurrence: No trees are proposed for removal, and no old structures will be removed from the project site as a result of the proposed project. No suitable habitat is present onsite, therefore no impacts to special status bat species will occur.

Significance Level:
Less than Significant with Mitigation Incorporated.

Mitigation

Mitigation Measure BIO-1 California Red Legged Frog and Western Pond Turtle Preconstruction Survey: NOTE ON MAP: "The project proponent shall implement the following measures to minimize and avoid take of individual California Red Legged Frog (CRF), and Western Pond Turtle (WPT).

- Immediately prior to the start of ground disturbing activities, a pre-construction survey will be conducted in the construction area for CRF, and WPT by a USFWS –approved biologist. If CRF, and/or WPT are found the USFWS shall be notified, the project work shall stop and the relocation of the individual shall be completed with approval by the USFWS.

- A USFWS-approved biologist shall conduct an Employee Education Program for all construction personnel. At a minimum, the training will include a description of the CRF and their habitat, the importance of the species and their habitats, and the general measures that are being implemented to protect the CRF, and WPT as they relate to the project. Instruction shall include the appropriate protocol to follow in the event CRF, and WPT are found onsite.
- The number of access routes, number and size of staging areas and the total area of activity shall be limited to the minimum necessary to achieve the project goal. The Service-approved biological monitor will identify the boundaries of the work and staging area and ensure that that contractor does not disturb any ground outside the designated construction area. The contractor shall obtain approval from the monitor to go outside designated areas.

- A USFWS-approved biologist shall be present during initial grading activities. Thereafter, an onsite person shall be designated to monitor onsite compliance with all minimization measures. The USFWS-approved biologist shall ensure that this individual receives training consistent with that outlined in the Biological Opinion.

- Best Management Practices will be implemented during construction to prevent any construction debris or sediment from impacting adjacent habitat.

- During all phases of project operations, all trash that may attract CRF, and WPT predators shall be properly contained and removed from the site.

- The fueling and maintenance of vehicles and other equipment shall occur at least 20 meters from any riparian habitat or water body. “

Mitigation Monitoring BIO-1 California Red Legged Frog and Western Pond Turtle Preconstruction: Permit Sonoma staff shall review the map to ensure that the note is shown correctly on the map. Prior to issuance of any building or grading permit(s), staff shall ensure that the preconstruction survey has been complete, and the above measures, if applicable, have been complied with.

Mitigation Measure BIO-2 California Red-Legged Frog, and Western Pond Turtle USFWS Consultation: NOTE ON MAP:
“Consultation with the USFWS is recommended several months in advance of construction and may involve focused surveys by a qualified biologist to determine occupancy of the site and appropriate compensatory mitigation ratios for loss of suitable habitat. The following mitigation measures should be followed in order to mitigate for potential loss of habitat of CRF, and WPT, as described in the Programmatic Biological Opinion (USFWS 2014).

The total acreage of impacts to CRF and WPT habitat will be calculated and will include areas of hardscape and landscaping. To mitigate for loss of habitat permanent effects will be mitigated for at a minimum of 1:1,but could be increased based on consultation with USFWS, that is for every acre (or portion) lost, between one and three acres will be set aside in perpetuity. This can be at a mitigation bank or on site through a Conservation Easement between the project proponent and a third party, such as the Sonoma Land Trust.”

Mitigation Monitoring BIO-2 California Red-Legged Frog USFWS Consultation:

Permit Sonoma staff shall review the map to ensure that the note is shown correctly on the map. Prior to issuance of any building or grading permit(s), staff shall ensure that consultation with USFWS has been complete, and the above measures, if applicable, have been complied with.

Mitigation Measure BIO-3 Nesting Bird and Raptors: NOTE ON MAP:
"The following mitigation measures should be followed in order to avoid or minimize impacts to passerines and raptors that may potentially nest in the trees:

1) Grading or removal of nesting trees should be conducted outside the nesting season, which occurs between approximately February 1 and August 31.

2) If grading between August 31 and February 1 is infeasible and groundbreaking must occur within the nesting season, a pre-construction nesting bird (both passerine and raptor) survey of the grasslands and adjacent trees shall be performed by a qualified biologist within 7 days of ground breaking. If no nesting birds are observed no further action is required and grading shall occur within one week of the survey to prevent "take" of individual birds that could begin nesting after the survey.

3) If active bird nests (either passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged, as determined by a qualified biologist.

4) The radius of the required buffer zone can vary depending on the species, (i.e., 75-100 feet for passerines and 200-300 feet for raptors), with the dimensions of any required buffer zones to be determined by a qualified biologist in consultation with CDFW.

5) To delineate the buffer zone around a nesting tree, orange construction fencing shall be placed at the specified radius from the base of the tree within which no machinery or workers shall intrude.

   After the fencing is in place there will be no restrictions on grading or construction activities outside the prescribed buffer zones."

Mitigation Monitoring BIO-3 Nesting Bird and Raptors:
Permit Sonoma staff shall review the map to ensure that the note is shown correctly on the map. Prior to issuance of any building or grading permit(s), staff shall ensure that preconstruction surveys for nesting birds and raptors has been complete if applicable, and the above measures, if applicable, have been complied with.

Mitigation Measure BIO-4, Preconstruction American Badger Survey: NOTE ON MAP:

1. If feasible, conduct all ground-disturbing activities between September 1 and February 28 to avoid the natal season for American badger. If it is not feasible to conduct ground-disturbing activities to avoid natal season for American badger, complete the following:
   a. Conduct a survey by a qualified biologist for natal burrows within seven days prior to any ground-disturbing activity. The area to be surveyed will include all construction sites and staging areas, to a buffer of 50 feet outside the boundary of the disturbance area. Survey results will remain valid for a period of 21 days following the date of the survey.
   b. In the event that an active natal burrow is discovered in the surveys area, postpone all ground-disturbing construction activities within this area until the Operating Entity consults with the California Department of Fish and Wildlife to determine the appropriate size of a no-disturbance buffer. This area will be flagged and no ground-disturbing activity will be allowed to occur here until it is determined that the young have dispersed the natal burrow.

2. Outside the natal season, conduct a survey for active badger burrows within seven days prior to any ground-disturbing activity. The area to be surveyed will include all construction sites and staging areas, to a buffer of 50 feet outside the boundary of the disturbance area. Exclusion techniques will be used to passively relocate any badgers that are present in the disturbance

area or within 50 feet of project activities. Exclusion techniques, such as installation of a one-way door in the burrow entrance, would exclude badgers from entering the burrow. Burrows with exclusion techniques will be monitored to confirm badger usage has been discontinued. After badger use has been discontinued, burrows outside the disturbance area, but within 50 feet of construction activities, will be temporarily covered with plywood sheets or similar material. Burrows within the project work area will be hand-excavated and collapsed to prevent reoccupation.

3. A qualified biologist shall conduct a worker environmental awareness program to provide construction personnel with information on their responsibilities with regard to the American badger. At a minimum, the training shall describe the species and their habitat, the importance of the species and its habitat, measures that are being implemented to conserve the species, and actions to take in the event badgers are observed in the work area.

Mitigation Monitoring BIO-4:
Permit Sonoma staff shall review the map to ensure that the note is shown correctly on the map. Prior to issuance of any building or grading permit(s), staff shall ensure that measures 1-3 above are complied with prior to building or grading permit issuance.

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 Wildlife or U.S. Fish and Wildlife Service?

Comment:
The assessment found that sensitive natural communities onsite include Wiggins creek, and its associated riparian vegetation. All blue-line streams shown on USGS maps are designated for protection in the Sonoma County General Plan. Streamside conservation areas have also been established in the Riparian Corridor Combining Zones to protect riparian habitat. Land disturbance, including vegetation removal, within the designated streamside conservation area must comply with the General Plan and Riparian Corridor Ordinance policies for a specified distance from the top of the highest bank. The streamside conservation area for Wiggins creek is 100 feet. The project locates all development outside of the 100-foot streamside conservation area from Wiggins creek Because the project does not propose any disturbance within the 100-foot setback to Wiggins creek, there will be no significant impacts to riparian habitat or other sensitive natural communities.

Significance Level:
Less than Significant Impact.

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

Comment:
The United States Army Corp of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) recognize a three-parameter approach to wetland delineation where a feature must contain hydrophytic vegetation, hydric soils, and wetland hydrology. WRA, Inc conducted a formal wetland delineation on May 8,2024. No wetlands were observed on site.

WRA followed the Routine Method to evaluate the Study Area for the presence or absence of indicators of the three wetland parameters described in the *Army Corps of Engineers Wetlands Delineation Manual* (Corps Manual; Environmental Laboratory 19871) and Arid West Supplement (Corps 20082). Plant species observed in the Study Area were identified using the Jepson eFlora (Jepson Flora Project 20243). Plants were assigned a wetland indicator status according to the

National Wetland Plant List (NWPL; Corps 20224). Hydric soils were determined to be present if any of the soil samples met one or more of the hydric soil indicators described in *Field Indicators of Hydric Soils in the U.S.* (USDA 20185) that occur in the Arid West region.

The presence or absence of the primary or secondary indicators of hydrology described in the Arid West Supplement was utilized to determine if sample points within the Study Area met the wetland hydrology criterion. Areas where the sample points had positive indicators for hydrophytic vegetation, hydric soils, and wetland hydrology were considered to be wetland. Except in cases of atypical or problematic wetland situations (i.e., difficult wetland situations, as described below), sample points that lacked one or more indicators were considered to be upland. Sample point data were reported on Arid West Supplement data forms. Sample point locations were recorded using a handheld GPS unit with mapping grade accuracy. If present, wetland boundaries were mapped using a combination of indicators observed on the ground, most often corresponding to changes in topography and dominant vegetation, in addition to other indicators. A hydrologic analysis using the Antecedent Precipitation Tool (APT) (Deters 20246) was conducted to determine whether precipitation levels during the 3 months prior to the site visits were above, below, or within the 30-year average for the region as well as to determine the regional climatic conditions. Using the APT, long-term precipitation data were obtained from weather stations in the vicinity of the Study Area. Drought condition data were obtained from monthly Palmer Drought Severity Index dataset published by the National Ocean and Atmospheric Administration (NOAA 20247).

A total of six sample points were analyzed. Sample points SP-03 and SP-04 were located within the potential wetland areas identified in the 2020 and 2022 biological resources report (Wildlife Research Associates 2020, 202210,11). Sample Point SP-02 is a paired point with SP-03 to provide comparison of the potential wetland area and the adjacent upland area. The remaining sample point were located in the northern portion of the parcel, south of Wiggins Creek, to assess if any other potential wetlands may be present in the Study Area. Vegetation at each of the sample points is dominated by facultative (FAC) grasses, including creeping ryegrass, velvet grass, and Italian ryegrass. Facultative plants commonly occur as either a hydrophyte or non-hydrophyte, meaning such plants are equally likely to occur in wetlands or uplands. Soils at SP-01 met hydric soil indicator Redox Dark Surface (F6) while the remaining points did not meet a hydric soil indicator. No primary or secondary hydrology indicators were observed at any of the sample points. Based upon the observations at each of the sample points used to assess the 2020/2022 potential wetland areas (SP-02 through SP-04), the areas previously identified as potential wetlands do not meet all three parameters and therefore do not meet the Corps. Technical criteria for wetlands. Sample points SP-01, SP-04, and SP-05 were taken to observe conditions at other locations within the Study Area to determine if any other wetland areas may be present. No wetlands were observed in the Study Area.

The Study Area does include a portion of a ditch that enters the parcel at Bodega Avenue, connecting to Wiggins Creek in the north portion of the parcel. The ordinary high water mark (OHWM) of the ditch is 1 to 3 feet wide, and the top-of-bank (TOB) is 3 to 5 feet wide. There are hydrophytic plant species within the TOB including mannagrass (*Glyceria* sp.), Italian ryegrass, creeping wildrye, and curly dock (*Rumex crispus*). There was water in the ditch at the time of the May delineation. This feature would meet the Corps non-wetland waters definition as it has a bed and bank, and evidence of flow. The feature will be protected by a 30-foot setback from the top of bank. All proposed ground disturbing activities are proposed to take place outside of the 30-foot setback.

Significance Level:
No Impact.

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

Wiggins creek is a potential wildlife corridor for CRF, and WPT. Wiggins creek is not within the

potential disturbance footprint of the proposed project and project activities will be required to be setback at least 100 feet, no significant impacts to wildlife corridors for these species will occur. CRF and WPT may also seasonally disperse into uplands, typically during the night or during rain events when proposed project activities are unlikely to occur. The project would not result in any permanent barrier to dispersing given the required 100-foot setback from Wiggins creek.

The existing trees and grassland on site may provide habitat for foraging and nesting for birds and raptors, although no tree removal is proposed at this time. Many common bird species (including their eggs and young), are given special protection under the Migratory Bird Treaty Act of 1918. Impacts to migratory birds are typically avoided by removing vegetation during non-nesting season or by having a qualified biologist verify absence immediately prior to vegetation removal. Mitigation Measure BIO-3 is sufficient to address potential impacts to birds protected by the Migratory Bird Act to a level that would be less than significant.

Significance Level:
Less than Significant with Mitigation Incorporated.

Mitigation
See Mitigation Measure and Monitoring BIO-1, BIO-2, BIO-3, and BIO-4.

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

Potential impacts to biological resources have been discussed and addressed by Mitigation Measures in the preceding sections 4(a) through 4(d), consistent with policies in the General Plan and standards in the Zoning Code. With Mitigation Measures BIO-1 through BIO-4, the project will have no conflict with any local regulations protecting biological resources. Additionally, the project site is zoned with the Valley Oak Habitat Combining district, although the project would still be subject to the Sonoma County Tree Protection ordinance. However, no trees are proposed to be removed with the project. Future tree removal would be subject to the tree protection ordinance, and protected tree species would require mitigation to be removed.

Significance Level:
No Impact.

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

Comment:
The project site is not located within the area of the Santa Rosa Plain Conservation Strategy, nor within designated Critical Habitat area for CTS or CRLF. Mitigation measures BIO-1 though BIO-4 discussed above ensure that the project does not conflict with any local, regional, state, or federal conservation plans.

Significance Level:
Less than Significant with Mitigation Incorporated.

Mitigation
See Mitigation Measures BIO-1, BIO-2, BIO-3, and BIO-4 and associated monitoring.

5. CULTURAL RESOURCES:

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Comment:
Tom Origer and Associates conducted a Cultural Resources evaluation of the project site in February of 2020. The site at the time the Cultural Resource evaluation was conducted was vacant. With no structures onsite nothing onsite embodies any distinctive characteristics of a type, period, or method of construction, that would meet criteria for inclusion on the California Register.

No structure, object, or other element meeting the definition of a historical resource was found, therefore there will be no impact.

Significance Level:
No Impact.

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

Comment:
As mentioned in the discussion of section 5(a), Tom Origer and Associates conducted a cultural resources evaluation of the project site. During a field visit, no archaeological site indicators were observed in the field study or within the soil excavated by auguring. There are no known archaeological resources within the study area, however the project's proximity to Wiggins creek could still yield subsurface cultural resources as a result of construction activities. The following mitigation measure will reduce potential impacts to less than significant.

Significance Level:
Less than Significant with Mitigation Incorporated.

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

> "If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit Sonoma (Permit Sonoma) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to Permit Sonoma. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.
>
> If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify Permit Sonoma and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code."

Monitoring CUL-1: Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the above note is printed on the subdivision improvement plans, on the recorded subdivision map, and future building/grading permit plans on the project site.

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

Comment:
The cultural resources evaluation conducted by Tom Origer and Associates in 2020 did not result in the discovery of any archeological site indicators, and application of the buried sites model indicates a less than 20% probability that there will be a buried archeological site within the study area. Buried features may be uncovered during project-related construction. Mitigation Measure CUL-1 will reduce potential impacts to less than significant.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation
See Mitigation Measure and Monitoring CUL-1

6. ENERGY:

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

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

Significance Level:
Less than Significant Impact.

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

Comment:
The County of Sonoma has not adopted a local renewable energy plan; however, the General Plan includes a variety of policies intended to encourage development of renewable energy systems, while protecting sensitive resources and ensuring neighborhood compatibility. Although renewable energy is encouraged, there is no requirement to develop renewable energy sources for subdivisions resulting in a total of three lots or single family residential development projects, outside of meeting Title 24 requirements discussed above. Additionally, the project is not located in an identified area designated for renewable energy productions nor would the project interfere with the installation of any renewable energy systems. Therefore, the project would not conflict with or obstruct with applicable State and local plans for promoting use of renewable energy and energy efficiency.

Significance Level:
Less than Significant Impact.

7. GEOLOGY AND SOILS:

Would the project:

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

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

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

Comment:
The project site is not within a fault hazard zone as delineated by the Alquist-Priolo fault maps[3].

Significance Level:
No Impact.

ii. Strong seismic ground shaking?

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

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

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

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

Significance Level:

[3] California Department of Conservation, “EQ Zapp: California Earthquake Hazards Zone Application”, Accessed August 1, 2021, https://maps.conservation.ca.gov/cgs/EQZApp/app/

Less than Significant Impact.

iii. Seismic-related ground failure, including liquefaction?

Comment:
Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy material, resulting in ground failure. According to the current Sonoma County Hazard Mitigation Plan[4], the project site has a designation that ranges from very low to high susceptibility to liquefaction (Figure 8.1). All new structures are subject to engineering standards of the California Building Code. Because engineering standards are required for all permitted construction activities, potential impacts would be less than significant.

Significance Level:
Less than Significant Impact.

iv. Landslides?

Comment:
Steep slopes characterize much of Sonoma County, particularly the northern and eastern portion of the County. Where these areas are underlain by weak or unconsolidated earth materials landslides are a hazard. The project site is relatively flat and according to the Sonoma County Hazard Mitigation Plan (Figure 8.11), the project site is located in an area with very low susceptibility to landslides[5]. All structures are required to meet building permit requirements, including seismic safety standards and soil test/compaction requirements. The design and construction of new structures are subject to engineering standards of the California Building Code (CBC), which consider soil properties, seismic shaking and foundation type. Project conditions of approval require that building and grading permits be obtained for all construction and that the project meet all standard seismic and soil test/compaction requirements, therefore potential impacts from landslides are reduced to less than significant.

Significance Level:
Less than Significant Impact.

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

Comment:
Future project related construction could involve grading, cuts and fills which require the issuance of a grading permit. Improper grading, both during and post construction, has the potential to increase the volume of runoff from a site which could have adverse downstream flooding and further erosional impacts, and increase soil erosion on and off site which could adversely impact downstream water quality. Erosion and sediment control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code) and Building Ordinance (Chapter 7, Sonoma County Code) requires implementation of flow control best management practices to reduce runoff. The Ordinance requires treatment of runoff from the two-year storm event. Required inspection by Permit Sonoma staff insures that all grading and erosion control measures are constructed according to the approved plans. These ordinance requirements and adopted best management practices are specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction.

In regard to water quality impacts, County grading ordinance design requirements, adopted County

[4] "2016 Sonoma County Operational Area Hazard Mitigation Plan", Sonoma County Permit and Resource Management Department, and Fire and Emergency Services Department, September 2017
[5] Ibid

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

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

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

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

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
Less than Significant Impact.

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

Comment:
Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. According to the National Resources Conservation Service Soil Survey of Sonoma County[6], soils on the project site where new construction would occur consists of Blucher fine sandy loam and Steinbeck loam, 0 to 2, and 2 to 9 percent slopes respectively. Both soild types are not considered an expansive soil. However, on site soils have not

[6] United States Department of Agriculture, “Web Soil Survey”, Natural Resources Conservation Service, August 1, 2021, https://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/survey/

been tested for their expansive characteristics. As stated above, new structures are subject to engineering standards of the California Building Code, including standard seismic and soil test/compaction requirements. Therefore, the potential building failure impact related to expansive soils would be less than significant.

Significance Level:
Less than Significant Impact.

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

Comment:
Preliminary documentation provided by the applicant and reviewed by the Permit Sonoma indicates that the soils on site could support a septic systems on the proposed lots.

Significance Level:
Less than Significant Impact.

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

Comment:
The cultural resources evaluation conducted by professional archaeologists in February 2020 did not discover any unique paleontological or geological feature on the property, although paleontological features may be uncovered during project-related construction. Mitigation Measure CUL-1 will reduce potential impacts to less than significant.

Significance Level:
Less than Significant with Mitigation Incorporated

Mitigation
See Mitigation Measure and Monitoring CUL-1

8. GREENHOUSE GAS EMISSIONS:

Would the project:

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

Comment:
A Climate Action 2020 Plan was developed by the Sonoma County Regional Climate Plan Authority (RCPA) in 2016 but was unable to be formally adopted due to litigation. The Sonoma County Board of Supervisors adopted a Climate Change Action Resolution on May 8, 2018 which acknowledged the Climate Action 2020 Plan and resolved to "…work towards the RCPA's countywide target to reduce GHG emissions by 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050" as well as adopting twenty goals for reducing GHG emissions including increasing carbon sequestration, increasing renewable energy use, and reducing emissions from the consumption of goods and services[7]. The Bay Area Air Quality Management District (BAAQMD) has published greenhouse gas

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

significance thresholds for use by local governments in the report titled *California Environmental Quality Act Air Quality Guidelines May 2017.* For projects other than stationary sources, the greenhouse gas significance threshold is 1,100 metric tons per year.

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

Significance Level:
Less than Significant Impact

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

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

Significance Level:
Less than Significant Impact.

9. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

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

Comment:
The project proposes to subdivide a single parcel of land into three. The routine use and transport of substantial quantities of hazardous materials will not result from subdivision or subsequent development of the parcels. Any subsequent development on the site would necessitate a building permit that would require minimization measures to alleviate the risk of hazardous materials used during construction. Building and grading permits are reviewed for compliance with state and local requirements for hazardous materials.

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
Less than Significant Impact.

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

Comment:
There are no known hazardous materials sites within or adjacent to the project limits, based on a review of the following databases on March 5, 2025:

1. The State Water Resources Control Board Geotracker database[8],
2. The Department of Toxic Substances Control EnviroStor database[9] (formerly known as Calsites), and
3. The Calrecycle Solid Waste Information System (SWIS)[10].

The closest hazardous materials sites on record are LUST (Leaking Underground Storage Tank) cleanup sites, and Cleanup Program sites. All cases within one mile of the project site are closed. No impacts are expected.

Significance Level:
No Impact.

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

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

Significance Level:
No Impact.

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

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

[8] State Water Resources Control Board Geotracker, "Geotracker", State of California, Accessed July 15, 2021, https://geotracker.waterboards.ca.gov/
[9] Department of Toxic Substances Control Envirostor, "Envirostor", State of California, Accessed July 15, 2021, https://www.envirostor.dtsc.ca.gov/public/
[10] CalRecycle, "SWIS Facility/Site Search", Accessed July 15, 2021, https://www2.calrecycle.ca.gov/SolidWaste/Site/Search

on emergency response routes.

Significance Level:
No Impact.

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

Comment:
According to the Wildland Fire Hazard Area map (Figure PS-1g) in the Sonoma County General Plan, the project site is located in a State Responsibility Area (SRA) served by the Gold Ridge Fire Protection District, and is within a Moderate Fire Hazard Severity Zone.

Strong north-east "Santa Ana" winds, typical in Sonoma County, can increase the severity of wildland fire in the fall months. During fire season, gradient winds are generally out of the south/southwest at 5-10 mph, strengthening to 10-15 mph in the late afternoon. These prevailing wind conditions are not unique to the project site.

As part of the County's planning referral process, the Sonoma County Permit and Resource Management Fire Prevention Division provided conditions of approval to manage wildland fire risks. Construction of the project would be required to comply with applicable requirements included in the Board of Forestry Fire Safe Regulations as well as the California Fire Code with local amendments as adopted in Sonoma County Code Chapter 13, including but not limited to fire sprinklers, emergency vehicle access, and maintaining a dedicated fire-fighting water supply onsite. Other required standards relate to fuel modification, defensible space, road naming, and addressing. See sections 17(d) and 20(a – d) below for additional discussion of wildfire
.

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

Significance Level:
Less than Significant Impact.

10. HYDROLOGY AND WATER QUALITY:

Would the project:

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

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

A construction project disturbing one or more acres of soil is required to obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit Order 2009-0009-DWQ for Discharges of Storm Water Runoff Associated with Construction Activity[11]. Construction activities subject to this permit include clearing, grading, stockpiling, excavation, and reconstruction of

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

existing facilities involving removal and replacement. The General Permit requires submittal of a Notice of Intent (NOI) package, and development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) which, in addition to other requirements, must include Best Management Practices (BMPs) to protect the quality of stormwater runoff.

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

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

Significance Level:
Less than Significant Impact.

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

The project site is located within the Petaluma Valley groundwater basin, which is a priority groundwater basin as designated by the Department of Water Resources in accordance with the Sustainable Groundwater Management Act. The site is underlain by the Petaluma Formation, which contains abundant clay and is capable of yielding moderate amounts of water to wells. The County uses a four-tier classification system to indicate general areas of groundwater availability: Class 1 = Major Groundwater Basin, Class 2 = Major Natural Recharge Areas, Class 3 = Marginal Groundwater Availability and Class 4 = Low or Highly Variable Water Yield. The project site is located in Groundwater Availability Class 1. The project proposes two new wells to serve proposed Lot 2 and Lot 3.

A hydrogeologic study was prepared for the project by O'Connor Environmental Inc. dated November 03, 2020 (Report). The Report defined a cumulative impact area of 1,713 acres for the water budget analysis. The Report estimated groundwater storage (15,417 acre feet) and average year recharge (985 acre feet/year) to be substantially greater than proposed water demands (458 acre feet) of the cumulative impact area. Under proposed conditions, the project itself has an expected water use of 2.95 acre feet/year for residential uses.

Water level data from three monitoring wells available through the California Statewide Groundwater Elevation Monitoring program within the CIA were presented in the Report. The nearest monitoring wells are roughly 1 mile from the project site. Two of the monitoring wells indicate stable groundwater conditions, while the third shows water level declines of roughly 40 feet in the early 2000s. The Report advances that declines in the third monitoring well are a localized condition related to a high production dairy well, and decreases have not been observed at in other deeper wells within the project recharge area where static water levels appear to be stable over time.

The Report concluded that there is little potential to negatively impact groundwater supply, groundwater levels in neighboring wells, and surface waters.

Significance Level:
Less than Significant Impact.

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

i. would result in substantial erosion or siltation on- or off-site?

Comment:

Wiggins Creek, a dashed blue-line stream, runs through the rear of the project site. Site drainage generally flows toward the creek, which is at the lowest elevation on the site.

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

See section 7(b) for further discussion.

Significance Level:
Less than Significant Impact.

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

Comment:

The project is likely to result in an increase in the amount of impervious surface area on the project site due to the construction of future residential or agricultural structures. Prior to grading or building permit issuance, construction details for all post-construction storm water Best Management Practices (BMPs) shall be submitted for review and approval by the Grading & Storm Water Section of Permit Sonoma. Post-construction storm water BMPs must be installed per approved plans and specifications and working properly prior to finalizing the grading or building permits. They shall be designed and installed pursuant to the adopted Sonoma County Best Management Practice Guide. BMPs would prevent the alteration of site drainage or increase in surface runoff and avoid flooding. Project Low Impact Development techniques would include limiting impervious surfaces, dispersing development over larger areas, and creation of storm water detainment areas. Post construction storm water BMPs include filtering, settling, or removing pollutants. Through standard permitting requirements, potential flooding impacts are reduced to a less than significant level.

Significance Level:
Less than Significant Impact.

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

Comment:

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

Significance Level:
Less than Significant Impact.

:

iv. Impede or redirect flood flows?

Comment:

The area designated for future development is not located in a 100-year flood plain where construction of new structures could impede or redirect flood flows.

Significance Level:
Less than Significant Impact.

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

Comment:
The proposed project is not subject to seiche or tsunami. The project site is not located in an area subject to seiche or tsunami. Seiche is a wave in a lake triggered by an earthquake. Mudflow can be triggered by heavy rainfall, earthquakes or volcanic eruption. See discussion of landslide in 6.a.iv. above for areas with high potential for mudflow.

The project site is listed under the Flood Insurance Mapping as having both Floodway and Floodplain zoning overlays on site. The County used FEMA Flood Insurance Rate Maps to map flood hazard areas in General Plan 2020 in order to guide the placement of housing outside of flood and other natural hazard areas. The proposed building envelopes, as demonstrated on the Tentative Map are located outside of the 100-year Flood Hazard Area. No housing would be placed within a 100-year floodplain area.

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

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

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
Less than Significant Impact.

11. LAND USE AND PLANNING:

Would the project:

a) Physically divide an established community?

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

Significance Level:
No Impact.

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

Comment:
The General Plan Land Use Designation is Rural Residential with a 3-acre per dwelling unit density and the zoning district is Agriculture and Residential with the same density. The proposed subdivision of the current 10 acre parcel to three lots of 3.02, 2.36, and 4.18 acres is consistent with the overall density allocation of the project site. The project is also located within the West Petaluma Area Plan. The West Petaluma Area Plan reflects three priorities: Establish an boundary, accommodate a variety of rural lifestyles, and protect and maintain agriculture. The proposed project is consistent with the goals of the west Petaluma area plan in that the proposed project create additional lots to accommodate rural lifestyles, and is proposed in an existing rural residential zoning district that doe not infringe on agricultural uses.

By implementing the mitigation measures identified in this document, the project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect.

Significance Level:
No Impact.

12. MINERAL RESOURCES:

Would the project:

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

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

Significance Level:
No Impact.

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

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

Significance Level:
No Impact.

13. NOISE:

Would the project:

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

Comment:
The Noise Element of the Sonoma County General Plan sets forth and requires standard compliance with noise related performance standards to regulate noise affecting residential and other sensitive receptors. The proposed project would result in a two-parcel subdivision and likely the development of an additional single-family home, and potentially an accessory dwelling unit. Noise associated with single-family homes is expected to be similar to the noise levels experienced at the site currently. No substantial permanent increase in ambient noise levels in the vicinity of the project is anticipated with the occupation of an additional single-family residence and accessory dwelling unit.

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

Significance Level:
Less than Significant with Mitigation Incorporated.

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

a) All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.

b) Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. (use this if no nearby receptors, or 5:00 pm if nearby receptors) on weekdays and 9:00 a.m. and 7:00 p.m. (same note as above) on weekends and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the Permit Sonoma Project Review Division as soon as practical.

c) There will be no start up of machines nor equipment prior to 7:00 a.m, Monday through Friday or 9:00 am on weekends and holidays; no delivery of materials or equipment prior to 7:00 a.m nor past 7:00 p.m, (same note as above) Monday through Friday or prior to 9:00 a.m. nor past 7:00 p.m. on weekends and holidays and no servicing of equipment past 7:00 p.m., Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction, and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.

d) Pile driving activities shall be limited to 7:30 a.m. to 7:00 p.m. weekdays only (same note as above).

e) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.

f) The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Managers 24-hour mobile phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g. starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem.

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

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

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

Significance Level:
Less than Significant.

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

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

Significance Level:
No Impact.

14. POPULATION AND HOUSING:

Would the project:

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

Comment:
The parcel has an assigned General Plan density of 1 dwelling unit per 3 acres of land (AR B6 3), the project parcel's density currently allows for three residences and two accessory dwelling units. The project would create two additional parcels, which would be permitted one single-family residence and two accessory dwelling units each, per the assigned density. At build out, the difference between what is currently allowed and potential conditions as a result of the project is four additional accessory dwelling units, which is not substantial. The project's impact on population growth is less than significant.

Significance Level:
Less than Significant Impact.

b) Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?

Comment:
The existing residences on the property would not be displaced by the project.

Significance Level:
No Impact.

15. PUBLIC SERVICES:

Would the project:

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

i. Fire protection?

Comment:
The creation of two new residential parcels, as discussed in Section 14(a) and the potential change in maximum development of the proposed project would not require or facilitate the provision of new public facilities or services that could result in substantial adverse physical impacts. Further, any impacts associated with population growth because of the assigned density of the parcel would have been examined at the time of designation.

The Gold Ridge Fire Protection District will continue to serve this area. There will be no increased

need for fire protection resulting from the project. Sonoma County Code requires that all new development meet Fire Safe Standards (Chapter 13), which includes fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, hazardous materials management and management of flammable or combustible liquids and gases. This is a standard requirement for all new development and therefore potential impacts would be less than significant.

Significance Level:
Less than Significant Impact.

ii. Police?

Comment:
The Sonoma County Sheriff will continue to serve the project area. There will be no significant increased need for police or other public services resulting from the creation of two new residential parcels as discussed in section 14(a) and section 15(a).

Significance Level:
Less than Significant Impact.

iii. Schools?

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

Significance Level:
Less than Significant Impact.

iv. Parks?

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

Significance Level:
Less than Significant Impact.

v. Other public facilities?

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

Significance Level:
Less than Significant Impact.

16. RECREATION:

Would the project:

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

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

Significance Level:
Less than Significant impact.

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

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

Significance Level:
No Impact.

17. TRANSPORTATION:

Would the project:

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

Comment:
The project does not conflict with any adopted plans, ordinances, or policies in regards to the circulation system of Sonoma County or the local community. There are no existing bicycle or pedestrian facilities in the immediate vicinity of the project. While a Class 2 bikeway is proposed for Bodega Avenue, this project will not interfere with that proposal. In accordance with the County's guidelines for Traffic Impact Studies, the project's trip generation would be insignificant and does not necessitate a traffic impact study. As conditions of approval, Sonoma Public Infrastructure (SPI) requires the payment of Traffic Mitigation Fees, and that all monuments or signs resulting from the project meet AASHTO (American Association of State Highway and Transportation Officials) standards for sight distance.

Significance Level:
Less than Significant Impact.

b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (evaluation of transportation impacts of land use projects using vehicle miles traveled)?

Comment:

Pursuant to CEQA Guidelines Section 15064.3, subdivision (b), and applicable starting July 1, 2020, Vehicle Miles Traveled (VMT) is now the appropriate metric to evaluate transportation impacts of land use projects, superseding use of the measure of traffic congestion (i.e. Level of Service). To assist with implementation of the new CEQA practice, the Sonoma County Transportation Agency (SCTA) is in the process of developing screening and modeling tools for local jurisdictions. In the interim, the Technical Advisory provided by the Governor's Office of Planning and Research offers a threshold to screen out smaller projects from further analysis. Absent substantial evidence otherwise or inconsistency with a general plan, 110 daily vehicle trips may be assumed to have a less than significant transportation impact[12].

The density of the existing project site, as designated in the General Plan and Zoning Code, allows for three single family residences. The parcel could also have two accessory dwelling unit. The proposed subdivision would not increase the allowable density of the site, but would permit the new parcel's to each have a primary single family residence and two accessory dwelling units. The net change in maximum build out potential is four accessory dwelling units.

The Institute of Transportation Engineers (ITE) Trip Generation Manual approximates 10 daily vehicle trips for a single-family dwelling. Applying the ITE rates to each dwelling unit at maximum build out, the subdivision would increase the site's daily vehicle trip generation from 10 to 60 with the addition of the dwelling units. Total trip generation would remain well below the small project screening threshold, therefore, the project is assumed to be consistent with CEQA Guidelines Section 15064.3, subdivision (b), and is expected to have a less than significant impact on VMT.

Significance Level:
Less than Significant Impact.

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

Comment:
The project would not increase hazards due to geometric design features since it maintains the existing alignment of the public roadway. The project does not propose incompatible uses that would increase traffic-related hazards.

Significance Level:
Less than Significant Impact.

d) Result in inadequate emergency access?

Comment:
Access to the proposed lots will be from a private road off of Bodega Avenue. The project plans include hammerhead turnarounds for each resulting lot, and future development on the site will have to comply with all emergency access requirements of the Sonoma County Fire Safety Code (Sonoma County Code Chapter 13), including emergency vehicle access requirements. Project development plans are required to be reviewed by Permit Sonoma Fire Prevention services Fire Inspector during the building permit process to ensure compliance with emergency access issues.

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

Significance Level:
Less than Significant Impact.

[12] Governor's Office of Planning and Research, "Technical Advisory on Evaluating Transportation Impacts in CEQA", State of California, December 2018

e) Result in inadequate parking capacity?

Comment:
The Sonoma County Zoning Code's requirement for covered parking will ensure that off-street parking is available for the new parcel.

Significance Level:
No Impact.

18. TRIBAL CULTURAL RESOURCES:

Would the project:

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

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

Comment:

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

Significance Level:
Less than Significant with Mitigation Incorporated.

Mitigation
See Mitigation Measure and Monitoring CUL-1

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

Comment:
As mentioned in the discussion of section 5(a), Tom Origer and Associates conducted a cultural resources evaluation of the project site. During a field visit, no archaeological site indicators were observed in the field study or within the soil excavated by auguring. There are no known archaeological resources within the study area, however the project's proximity to Wiggins creek could still yield subsurface cultural resources as a result of construction activities. The following mitigation measure will reduce potential impacts to less than significant

On September 13, 2021, Permit Sonoma staff referred the project application to Native American Tribes within Sonoma County to request consultation under AB-52. No requests for consultation were received.

Significance Level:
Less than Significant with Mitigation Incorporated.

Mitigation
See Mitigation Measure and Monitoring CUL-1

19. UTILITIES AND SERVICE SYSTEMS:

Would the project:

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

Comment:
The project would not contribute to the need for construction of new water or expanded wastewater treatment facilities, other than construction of a new private septic system for Lots 2 and 3.

Significance Level:
Less than Significant Impact.

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

Comment:
Sufficient water would be provided by on-site wells which will be located in a Class 1 groundwater availability area. See section 10(b) for a discussion of impacts to groundwater supply.

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
No Impact.

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

Comment:
Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that would result from the proposed project. The addition of two additional agricultural residential lots would not create solid waste in excess of the capacity of the County's solid waste system.

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
Less than Significant Impact.

20. WILDFIRE:

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

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

Comment:
As discussed in section 9(g), the project site is designated a State Responsibility Area (SRA) and is within a "Moderate" Fire Hazard Severity Zone. Sonoma County currently does not have an adopted emergency response plan or an emergency evacuation plan for this area with which the project could conflict.

Significance Level:
No Impact.

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

Comment:
As discussed in section 9, the project site is in a designated Influence Wildland Urban Interface Zone, "Moderate" Fire Hazard Severity Zone in a State Responsibility Area. Topography, weather, and fuel (vegetation or structures) contribute to wildfire risk and behavior.

The building envelopes for all the proposed lots are on gently level terrain with slope angles below roughly 10% and were interpreted to have low potential for slope failure. With grades ranging from 0-10%, onsite slopes are unlikely to significantly exacerbate wildfire risk.

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

Significance Level:
Less than Significant Impact.

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

Comment:
The proposed three lot subdivision does not include plans for construction for the housing units on the proposed lots. In the future, the parcels may be developed with residential and agricultural structures, which would necessitate the construction of emergency water sources and other utilities, in accordance with Sonoma County Code and state law. Infrastructure improvements for future site development will require building permits, which impose standards related to fire safety and are reviewed by Sonoma County Fire and Emergency Services. In order to record the Parcel Map, the access improvements will need to be complete. The proposed access will include hammerhead turnarounds to ensure accessibility for emergency vehicles. With the application of fire safe standards, the required access improvements will have a less than significant impact on fire risk.

Significance Level:
Less than Significant Impact.

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

Comment:
Refer to section 7 (Geology and Soils).

Significance Level:
Less than Significant Impact.

21. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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

Significance Level:
Less than Significant with Mitigation Incorporated.

Mitigation
See Mitigation Measures and Monitoring VIS-1, AIR-1, BIO-1 through 4, CUL-1, and NOISE-1.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable

when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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

Significance Level:
Less than Significant Impact.

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

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

Significance Level:
Less than Significant Impact.

References

1. Sonoma County Important Farmland Map 1996. California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program.

2. Assessor's Parcel Maps, County of Sonoma

3. BAAQMD CEQA Guidelines; Bay Area Air Quality Management District; April 1999; California Air Resources Board (CARB) http://www.arb.ca.gov/

4. California Natural Diversity Database, California Department of Fish & Game. ADD LINK

5. PRMD, Sonoma County General Plan 2020 (as amended), September 23, 2008.

6. California Environmental Protection Agency - http://www.calepa.ca.gov/SiteCleanup/corteseList/default.htm; California Regional Water Quality Control Board - http://geotracker.swrcb.ca.gov/; California Dept of Toxic Substances Control http://www.dtsc.ca.gov/database/calsites/cortese_list.cfm, and Integrated Waste Management Board - http://www.ciwmb.ca.gov/SWIS/Search.asp

7. Alquist-Priolo Special Studies Zones; State of California; 1983. http://www.conservation.ca.gov/cgs/rghm/ap/Pages/official_release.aspx

8. Flood Insurance Rate Maps, Federal Emergency Management Agency https://msc.fema.gov/portal

9. Special Report 120, California Division of Mines and Geology; 1980. ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_120/SR_120_Text.pdf

10. General Plan Environmental Impact Report, Sonoma County Permit & Resource Management Department. http://www.sonoma-county.org/prmd/gp2020/gp2020eir/index.htm

11. Standard Specifications, State of California Department of Transportation, available online: http://www.dot.ca.gov/hq/esc/oe/specs_html

12. American National Standard for Tree Care Operations – Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices, Pruning (ANSI A300 (Part 1)-2008 Pruning), American National Standard Institute (ANSI) and National Arborist Association (NAA), 2008;

13. Best Management Practices: Tree Pruning, International Society of Arboriculture (ISA), 2008.

14. Valley Oak Protection Ordinance, County Code Section 26-67; Sonoma County, December 1996.

15. Heritage or Landmark Tree Ordinance, County Code Chapter 26D; Sonoma County.

16. Manual of Standards for Erosion and Sediment Control Measures, Association of Bay Area Governments; May, 1995.

17. Soil Survey of Sonoma County, California, Sonoma County, U.S. Department of Agriculture; 1972. https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/sonomaCA1972/sonomaCA1972.pdf

18. Evaluation of Groundwater Resources, California Department of Water Resources Bulletin 118; 2003. http://water.ca.gov/groundwater/bulletin118/publications.cfm

19. Sonoma County Congestion Management Program, Sonoma County Transportation Authority; December 18, 1995.

20. Sonoma County Aggregate Resources Management Plan and Program EIR, 1994.

21. Sonoma County Bikeways Plan, Sonoma County Permit and Resource Management Department, August 24, 2010.

22. Sonoma County Permit and Resource Management Department, Visual Assessment Guidelines, (no date)

23. “Sonoma County General Plan 2020 (as amended)”, County of Sonoma, September 23, 2008

24. “Sonoma County General Plan Environmental Impact Report”, County of Sonoma, January 2006.

25. “Sonoma County Municipal Code”, County of Sonoma, Accessed March 6, 2025, https://library.municode.com/ca/sonoma_county/codes/code_of_ordinances?nodeId=SONOMA_CO_CALIFORNIAMUCO. ds

Attachments

Kelder, Kurt. PE “Tentative Map, Shepard Subdivision”, Kelder Engineering, INC, August 21, 2024

Matthew O’Conner. PHD, CEG “Groundwater Report, 4880 Bodega Avenue”, O’Conner Environmental, INC., November 3, 2020

Wildlife Research Associates and Jane Valerius “Habitat Assessment, 4880 Bodega Avenue” Wildlife Research Associates and Jane Valerius Environmental Consulting, July 30, 2020

Rhiannon Korhummel “Wetland Delineation at 4880 Bodega Avenue” Wildlife Research Associates, June 6, 2024