County of Sonoma
Permit & Resource Management Department

permit SONOMA

Proposed Mitigated Negative Declaration

Publication Date:	March 15, 2021
Public Review Period:	March 15, 2021 to April 15 2021
State Clearinghouse Number:	########
Permit Sonoma File Number:	**MNS15-0002**
Prepared by:	Justin Klaparda
Phone:	(510) 845-7549

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

Project Name: Woods Penngrove Minor Subdivision

Project Applicant/Operator: Ray Woods

Project Location/Address: 6171 Old Redwood Highway, Penngrove, CA 94951

APN: 047-082-023

General Plan Land Use Designation: Urban Residential

Zoning Designation: Rural Residential District (RR), with a density of two dwelling units per acre.

Decision Making Body: Sonoma County Project Review and Advisory Committee

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
Agricultural & Forest Resources	AG		X
Air Quality	AIR	X	
Biological Resources	BIO	X	
Cultural Resources	CUL		X
Energy	ENE		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	TRAF	X	
Tribal Cultural Resources	TCR		X
Utility and Service Systems	UTL		X
Wildfire	WILD		X
Mandatory Findings of Significance			

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. Although no tribe has requested consultation under Public Resources Code section 21080.3.1, section 5 below includes a list of the tribes that have been contacted regarding the project.

Table 2. Agencies and Approvals Required

Agency	Activity	Authorization
State Water Resources Control Board	Generating storm water (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
Bay Area Air Quality Management District (BAAQMD)	Stationary air emissions	
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

ENVIRONMENTAL FINDING:

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

_____

Prepared by Justin Klaparda Date:

_____

Ray Woods (Applicant) Date:

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Initial Study

I. INTRODUCTION:

Ray Woods, with the assistance of Adobe Associates, Inc., is applying for a Minor Subdivision Permit to subdivide one existing parcel at 6171 Old Redwood Highway, Penngrove, California, to create three (3) new parcels (lots). The project site is a 1.59-acre parcel (APN 047-082-023) located directly south of the intersection of Old Redwood Highway and Penngrove Avenue and designated for residential use; the parcel currently contains a single-family house and accessory structures. Land uses surrounding the project site consist of occupied residences to the north, south, east, and west with vacant residential lots to the northwest and southwest. Most of the project site gently slopes from south to north while the northern edge of the property significantly steepens and leads to an embankment along the intersection of Old Redwood Highway and Penngrove Avenue.

The proposed 1.59-acre, three-lot subdivision would consist of the following: lot 1 at 0.51-acre, lot 2 at 0.54-acre, and lot 3 at 0.54-acre. A new shared private driveway off Penngrove Avenue would provide access to the three proposed lots along the western boundary of the property. The new driveway would be developed with a turnout and turnaround meeting fire safe standards. The project does not include construction of any structures; however, future residential development on the created lots consistent with the zoning code can be expected.

This report is the Initial study required by the California Environmental Quality Act (CEQA). The report was prepared by Justin Klaparda, Environmental Planning Associate with MIG. Information on the project was provided by Ray Woods and David Brown of Adobe Associates, Inc. Other reports, documents, maps, and studies referred to in this document are available through the Sonoma County Permit and Resources Department (Permit Sonoma).

Please contact Justin Klaparda, Project Planner, at (510) 845-7549, for more information.

II. SITE LOCATION AND SETTING

The proposed minor subdivision would be located at 6171 Old Redwood Highway (Figure 1). The project site is currently developed with an existing single-family residence, detached garage, shed, well, and water tower. The 1.59-acre parcel has a zoning designation of Rural Residential (RR) and 2-acre Dwelling Unit Combining District (B6). This project setting is mostly residential, located 0.5 miles west of downtown Penngrove. The project site is served by a private septic system; water to the existing residence is provided by Penngrove Water Company (public). The property is served by the Rancho Adobe Fire Protection District. The property is well screened from adjacent public roads by intervening tree cover and vegetation. Currently access is via Old Redwood Highway through a private compacted gravel driveway on the northeast corner of the site. Storm water on the property generally flows in a northerly direction toward a swale along the property line adjacent to Penngrove Avenue. The nearest recorded waterway is Lichau Creek, a blue-line creek, which is located approximately 425 feet to the east of the property. No wetlands exist on the property. Of the three proposed lots, lots 1 and 2 do not have existing public utilities and would require connection to the public water company and local sanitation district.

III. PROJECT DESCRIPTION

Ray Woods proposes a minor subdivision to convert one existing parcel into three separate lots located at 6171 Old Redwood Highway, in Penngrove, California. The lot sizes proposed are: lot 1 at 0.51-acre, lot 2 at 0.54-acre, and lot 3 at 0.54-acre. The project site is in the Penngrove Area Plan. The project would include earthwork, grading, and paving to construct a new driveway and retaining wall. The project would also involve the installation of a new 18" culvert and underground utilities as well as tree and grass removal to accommodate the new driveway and turnaround. In total, the proposed improvements would disturb an area of approximately 5,000 square feet. Project grading for the new driveway is anticipated to involve a maximum cut of 320 cubic yards (CY) and a maximum fill of 8 CY, with a fill area of 500 square feet (SF). Eventually, future development is anticipated; up to two new primary single family residences and accessory structures would be constructed within the building envelopes on two of the newly created lots identified on the map.

The proposed approximately 360-foot-long paved private driveway, located on the western property border, would provide access from the proposed new lots to the public right of way at Penngrove Avenue and would have a turnout and turnaround to provide for circulation of emergency vehicles and trucks. The driveway would be 12 feet in width and improved with 2-foot shoulders. Driveways to future individual residences would be designed as part of future development plans for each of the two undeveloped lots, subject to review and approval by Sonoma County. As part of the project, two 1.5-inch water service lines will be installed from the existing Penngrove Water Company water main (located in the Penngrove Avenue right of way) to provide for future service of the two undeveloped lots, and these lines would be capped until future connection is required. Also, two 4-inch sanitary sewer lines would be installed to provide for future sewage connection to the two undeveloped lots, from the Penngrove Sanitation Zone sewer main on Penngrove Avenue.

Figure 1. Project Vicinity Map

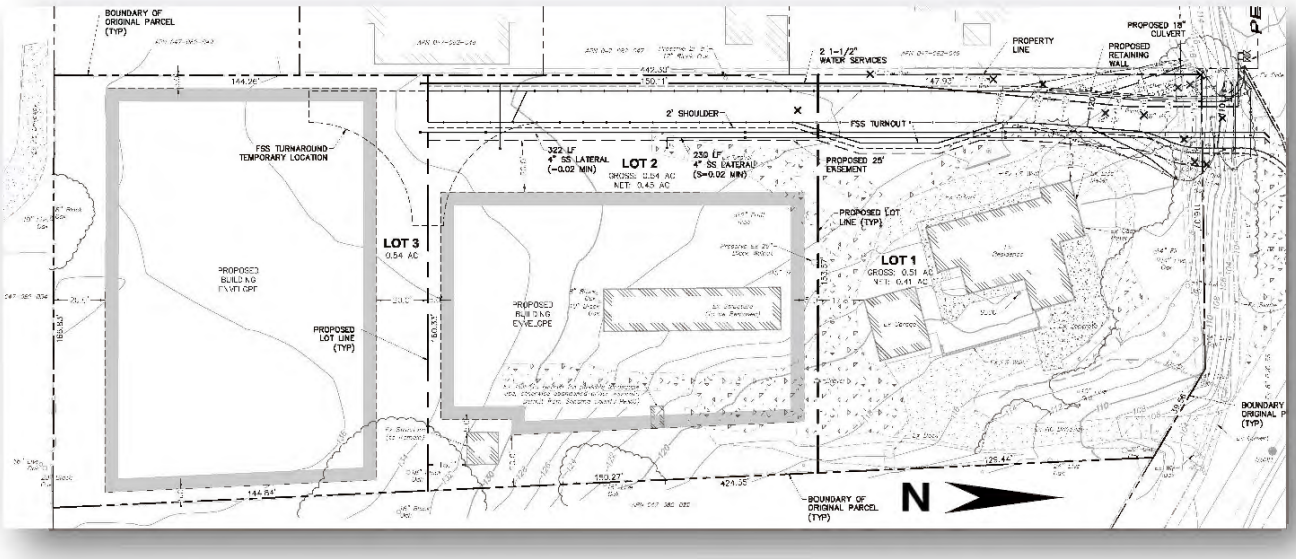

Figure 2. Site Plan

Figure 3. Site Topography Map

Figure 4. Site Aerial Photograph

Existing Uses: The project site is currently comprised of one lot that supports a single-family residence occupied by the applicant/owner. The property also contains a detached garage, shed structure (previously a hen house), well, and water tower; these features are shown in Figure 2: Site Plan. As shown on Figure 2, a few of the accessory structures (e.g., hen house, water tower) are located on proposed future lot 2. The hen house would require demolition prior to development of a future residence; the water tower could possibly be retained.

Topography: The topography of the site gently slopes downhill from south to north for most of the property. At the northern edge of the property, along the intersection of Old Redwood Highway and Penngrove Avenue, the slope significantly steepens. The highest elevation is 136 feet above sea level at the southern edge of the property, and the lowest elevation is 110 feet above sea level at the northern edge of the property. As depicted in Figure 3: Site Topography Map, roughly half of the site has slopes ranging from 0 to 10 percent, and about half has steeper slopes ranging from 10 to 50 percent, with significantly steep slopes (greater than 50 percent) on a small portion at the north end. The existing residence is predominantly located on slopes of 0 to 10 percent. The building envelope on proposed lot 2 would be sited on mixed slopes between 0 to 10 percent and 10 to 50 percent while the building envelope on proposed lot 3 would be sited on slopes between 0 to 10 percent.

Drainage: The project site drains via sheet flow from south to north towards a drainage swale that runs along Old Redwood Highway and Penngrove Avenue. As described in the project application statement,[1] onsite storm water would be anticipated to flow in a northerly direction towards the existing drainage swale (at the northern property boundary); runoff from the new driveway would also flow in a northerly direction, and both would drain into the existing swale. A new culvert would be installed underneath the proposed new driveway at the northwest corner of the project boundary.

Vegetation: The southern half of the project site is covered almost entirely with disturbed grassland. The northern half of the project site is covered by disturbed grassland and several trees (oak woodland habitat). Trees species onsite consist of Black Oak, Tree of Heaven, Black Walnut, Coast Live Oak,

[1] Ray Woods, 2015. *Tentative Parcel Map Woods Penngrove Minor Subdivision Project Proposal Statement,* May 31, 2015.

Douglas Fir, and Deodar Cedar. The project would remove 13 trees, of which 10 would be over 9" in diameter. Tree removal would be necessary to accommodate the new driveway.

Proposed Buildings and Uses: The project does not propose any buildings. It is anticipated that the three-lot subdivision will be used for two new single-family residential homes in the future.

Parking: All parking would be onsite. Currently, vehicles park on compacted gravel areas along the existing eastern driveway. Parking associated with the two new residences would be specified as part of each future, proposed building plan.

Access: Vehicle access would be via the new driveway, directly off Penngrove Avenue along the western boundary of the property. An easement would be filed for the driveway to grant legal access to the two newly created lots. As described above, the new driveway would be approximately 360 feet long and 12 feet wide at most sections, with a 20-foot-wide entrance and turnout and turnaround provisions for emergency vehicle circulation, to meet County Fire standards. The turnout would be located on lot 1, near the proposed lot line between lots 1 and 2 (i.e., approximately the midpoint of the driveway); the hammerhead turnaround would be located at the end of the new driveway, between lots 2 and 3. The existing driveway, on the eastern boundary of the site and serving the existing single-family residence, would remain. Sonoma County Department of Transportation and Public Works (DTPW) would require the project to ensure that both driveways are improved to conform to American Association of State Highway and Transportation Officials (AASHTO) standards.

Wastewater disposal: Sanitary sewage would be provided by the Sonoma County Water Agency through existing public sanitary sewer services.

Water supply: Water service for the three proposed lots would be provided by the public Penngrove Water Company. Two 1.5-inch water service lines would be installed to connect the existing water main (located in the Penngrove Avenue right of way) to the two new lots. These lines would be temporarily capped until future connection is needed (i.e., when either or both lots are developed).

Sewage: The project (all three lots) would be served by the Penngrove Sanitation Zone sewer main on Penngrove Avenue. Two 4-inch sanitary sewer lines would be installed to provide future sewage connect to lots 2 and 3.

Landscaping: There is no proposed landscaping plan nor are landscaping improvements currently anticipated.

Grading and Earthwork: In total, the proposed improvements would disturb an area of approximately 5,000 square feet. Project grading for the new driveway is anticipated to involve a maximum cut of 320 cubic yards and a maximum fill of 8 cubic yards, with a fill area of 500 square feet.

Construction: No residential construction is proposed as part of this project; the construction schedule of the access driveway and supporting utilities has not been determined.

IV. ISSUES RAISED BY THE PUBLIC OR AGENCIES

A referral packet was circulated on July 16, 2015 to inform and solicit comments from relevant local and state agencies and special interest groups anticipated to have interest in the project. As of July 20, 2020, the project planner received responses from the following Sonoma County departments: Permit Sonoma Health, the Natural Resources Geologist, the Department of Transportation and Public Works, Fire and Emergency Services, Permit Sonoma Grading and Stormwater Section, Permit Sonoma Sanitation Division, and Sonoma County Surveyor. The only issue raised by Sonoma County departments was the request by the Department of Transportation and Public Works to have the existing culvert, which is sited underneath the existing driveway to lot 1, examined and cleaned, and replaced if necessary. The department also requested that the ditch that drains to and away from the culvert be cleaned. These measures are incorporated into the project and conditions of approval. The referral responses included

several project subdivision permit conditions of approval. The project planner did not receive referral responses from any state or federal agencies. Four letters were received from tribal entities none of whom requested further consultation.

A neighborhood notification letter was sent on August 27, 2015 to residents within 300 feet of the subject property. The project planner has not received public comment on the proposed project.

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 are given:

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

Less Than Significant Impact: The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

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

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

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

The Project Applicant 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:

A scenic vista is a public view from a particular location or a series of views along a roadway or trail. Scenic vistas often provide views of natural undisturbed land, but may also include natural and developed areas, or even developed and unnatural areas such as the scenic view of a rural historic town and surrounding agricultural lands.

General Plan and Zoning Ordinance

The purpose of the Sonoma County General Plan Open Space and Resource Conservation Element[2] is "to *preserve the natural and scenic resources which contribute to the general welfare and quality of life for the residents of the county and to the maintenance of its tourism industry*." The scenic resources within the General Plan includes three categories: scenic highway corridors, community separators, and scenic landscape units.

The project site is not in an area defined as visually sensitive as defined by the County General Plan or Zoning Ordinance, or within a community separator or scenic landscape unit. The northern portion of the project site faces the public right of way along Old Redwood Highway and Penngrove Avenue, and includes ruderal grassland, shrubbery, and several mature trees. Tree species on site provide vegetative buffering and consist of Black Oak, Tree of Heaven, Black Walnut, Coast Live Oak, Douglas Fir, and Deodar Cedar. As shown on Figure 3, the northern boundary of the site also is the steepest part (>50 percent grade) of the property. Because of the slope, vegetation, and trees, the project site is well screened from the public right of way. Furthermore, the proposed building envelopes are proposed to be sited on the southern portion of the property, approximately 180 feet from Old Redwood Highway and about 170 feet from Penngrove Avenue, and would not be visible from the public right of way due to the steep bank and vegetation along the northern property boundary. The visual character of the proposed development would be consistent with the surrounding parcels (all rural single-family residences).

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:

State scenic highways refer to those highways that are designated by the California Department of Transportation Program[3] as scenic. As shown on Sonoma County General Plan Figure OSRC-5e, Open Space Map Santa Rosa and Environs, the project site is not adjacent to an identified scenic highway corridor as defined by the State or County. The project site is not located near or on a designated state scenic highway. The nearest state scenic highway to the project site is Highway

[2] Sonoma County Permit and Resource Management Department, 2008. *Sonoma County General Plan 2020, Open Space and Resource Conservation Element,* Amended August 9, 2016.
[3] California Department of Transportation. *California Scenic Highway Mapping System,* http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm, accessed June 20, 2020.

116 at the City of Cotati, which is approximately 3 miles northwest of the project.[4]

Significance Level:

No Impact

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

Comment:

The project is subject to the Penngrove Area Plan and would be consistent with the Urban Residential land use designation and Rural Residential zoning district for the site. Future homes constructed in the proposed subdivision would need to be consistent with the property's underlying Rural Residential (RR) zoning development requirements. As discussed in Sonoma County Code Section 26.18.005, the RR zoning is used to preserve the rural character and amenities of those lands best utilized for low density residential development pursuant to Section 2.2.2 of the general plan. Rural residential uses are intended to take precedence over permitted agricultural uses, but the district does not allow agricultural service uses. The rural residential zoning district may also be applied to lands in other land use categories where it is desirable to use zoning to limit development.[5] Existing Land uses surrounding the property are residential.

The County has developed Visual Assessment Guidelines[6] to provide guidance for the assessment of visual impacts in the preparation of initial studies and environmental impact reports. The site is not located in a zone designated to protect scenic resources. According to the Visual Assessment Guidelines, the property has Moderate Sensitivity because of the existing slopes:

> *Moderate: The site or portion thereof is within a rural land use designation or an urban designation that does not meet the criteria above for low sensitivity, but the site has no land use or zoning designations protecting scenic resources. The project vicinity is characterized by rural or urban development but may include historic resources or be considered a gateway to a community. This category includes building or construction sites with visible slopes less than 30 percent or where there is significant natural features of aesthetic value that is visible from public roads or public use areas (i.e. parks, trails etc.).*

The site has areas with slopes above 30 percent along the property's front (northern) property line; however, no new structures or building envelopes are proposed within this steeply sloped area as part of this subdivision. Furthermore, the building envelopes on lots 2 and 3 generally avoid the steepest areas of the project site and are located on the southern portion of the project site that is visually screened by existing vegetation and topography. And, while nine trees would be removed in the northwest corner of the property to allow for the new project driveway, the majority of trees and vegetation along northern property boundary would remain and provide ample screening.

The County's Visual Assessment Guidelines also evaluate the visual dominance of the project by comparing the form, line, color, texture, and night lighting with its surroundings. As depicted if Figures 4 and 5, the project site is minimally visible from the nearby public right of ways, Penngrove Avenue and Old Redwood Highway. The project (when ultimately developed with single-family homes) would be characterized as "Subordinate" because the project and future residences would be minimally visible from public view due to intervening natural vegetation and topographical features (slopes). The

[4] Caltrans. Map Viewer website, "California Scenic Highways," accessed June 20, 2020. https://www.arcgis.com/home/webmap/viewer.html?layers=f0259b1ad0fe4093a5604c9b838a486a
[5] Chapter 26, Sonoma County Zoning Regulations, accessed June 20, 2020.
[6] Sonoma County, 2020. *Visual Assessment Guidelines*. http://sonomacounty.ca.gov/PERMIT SONOMA/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/, accessed June 20, 2020.

project is also compatible to the residential character of the surrounding area. While the new project driveway would be visible from the public right of way, this project feature is considered visually subordinate with its surroundings. The new driveway would not attract attention because there would be little contrast between it and surrounding features in the area. Subordinate is defined as:

> *Subordinate: Project is minimally visible from public view. Element contrasts are weak – they can be seen but do not attract attention. Project generally repeats the form, line, color, texture, and night lighting of its surroundings.*

Figure 5. View of Project Site from Penngrove Avenue

Figure 6. View of Project Site from Old Redwood Highway

The project's effect on visual character or quality was determined based on County "Visual Assessment Guidelines" Table 3 – Thresholds of Significance for Visual Impact Analysis.

Table 3. Thresholds of Significance for Visual Impact Analysis

Sensitivity	Visual Dominance			
	Dominant	***Co-Dominant***	***Subordinate***	***Inevident***
Maximum	Significant	Significant	Significant	Less than significant
High	Significant	Significant	Less than significant	Less than significant
Moderate	Significant	Less than significant	Less than significant	Less than significant
Low	Less than significant	Less than significant	Less than significant	Less than significant

Considering the project site's moderate visual sensitivity and the project's subordinate visual dominance, the project would be considered to have a less than significant effect on the existing visual character or quality of the site and its surroundings.

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 proposed project could result in the construction of two new single-family homes, in addition to the existing single-family residence. The new homes would be required to comply with applicable zoning and design regulations, and design review of the project would evaluate nighttime lighting and exterior materials. Lighting associated with the future single-family residences is not anticipated to be noticeable from neighboring properties because the future development would be residential in nature, screened by intervening vegetation, trees, and topography, and subject to Permit Sonoma review. The project would not create a new source of substantial light or glare that would adversely affect day or nighttime view in the area,

Significance Level:

Less than Significant Impact

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, as identified by the California Department of Conservation Division of Land Resource Protection Farmland Mapping and Monitoring Program, does not have a farmland designation. The Sonoma County Important Farmland 2016 Map[7] identifies the project site as Urban and Built-up Land and Other Land.

At one point in time the project areas was once part of a larger property that supported a chicken ranch as evident by the existing shed structure which served as a hen house and water tower. [8] This project site does not currently support chicken ranching or other agricultural operations. There is no change in the land use or zoning as proposed and the primary use of the site would remain residential. Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

Significance Level:

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[7] California Department of Conservation, 2020. *Sonoma County Important Farmland,* ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/son16.pdf, accessed on June 22, 2020.

[8] Roop, William, M.A., 2017. *A Cultural Resources Evaluation of the Woods Penngrove Minor Subdivision, 6171 Old Redwood Highway, Penngrove, Sonoma County, California,* November.

No Impact

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

Comment:

The project site does not include zoning for agricultural use and the project site is not subject to a Williamson Act Land Contract.

Significance Level:

No Impact

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

Comment:

The project site is not in a Timberland Production zoning district as designated by the Permit Sonoma GIS Site Evaluation Tool.[9] The project would not cause a rezoning of forest land.

Significance Level:

No Impact

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

Comment:

The project site is not designated as forest land, and the project would not convert forest land to non-forest land use. Construction of the project driveway would require the removal of 13 trees. However, project related tree removal does not constitute loss or conversion of forest land.

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. As discussed in Section 2.a, the project site does not currently support agricultural activities.

Significance Level:

No Impact

[9] Sonoma County. Permit Sonoma GIS. "Zoning and Land Use," accessed June 22, 2020. https://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=06ac7fe1b8554171b4682dc141293962

3. AIR QUALITY:

The methodologies and assumptions used in preparation of this section follow the CEQA Guidelines developed by the Bay Area Air Quality Management District (BAAQMD), as revised in May 2017 (BAAQMD 2017). Information on existing air quality conditions, federal and state ambient air quality standards, and pollutants of concern was obtained from the U.S. Environmental Protection Agency (U.S. EPA), California Air Resources Board (CARB), and BAAQMD.

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

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 the state and federal $PM_{2.5}$ standard. BAAQMD 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 following discussion considers whether the proposed project would conflict with or obstruct implementation of an applicable air quality plan maintained by BAAQMD.

In April 2017, the BAAQMD adopted its 2017 Clean Air Plan: Spare the Air, Cool the Climate (Clean Air Plan), which provides the BAAQMD's framework for ensuring air quality standards would be attained and maintained in the Bay Area in compliance with state and federal requirements. The 2017 Clean Air Plan is a multi-pollutant plan focused on protecting public health and the climate. Specifically, the primary goals of the 2017 Clean Air Plan are to:

- Attain all state and national quality standards;
- Eliminate disparities among Bay Area communities in cancer health risk from toxic area and contaminants; and
- Reduce Bay Area Greenhouse Gas (GHG) Emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050.

The Clean Air Plan includes increases in regional construction, area, mobile, and stationary source activities and operations in its emission inventories and plans for achieving attainment of air quality standards. Chapter 5 of the Clean Air Plan contains BAAQMD's strategy for achieving the plan's climate and air quality goals. This control strategy is the backbone of the Clean Air Plan. It identifies 85 distinct control measures designed to comply with state and federal air quality standards and planning requirements, protect public health by reducing emissions of ozone precursors, PM, and Toxic Air Contaminants (TACs), and reduce greenhouse gas emissions. The 85 control measures identified in the Clean Air Plan are grouped by nine economic based "sectors": Agriculture, Buildings, Energy, Natural and Working Lands, Stationary Sources, Super GHGs, Transportation, Waste, and Water. Most of the 85 control measures are implemented at the local and regional level by municipal or County government and the BAAQMD and thus are not directly applicable to the proposed project. The proposed project would not conflict with or obstruct implementation of the BAAQMD Clean Air Plan because: 1) It does not include significant sources of ozone precursor emissions, PM, or TACs (see also discussion b) and c) below); and 2) it would not exacerbate or increase disparities in cancer risks from TAC emissions.

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?

Comment:

State and Federal standards have been established for the following "criteria pollutants": ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and particulates (PM_{10} and $PM_{2.5}$). The pollutants NOx (nitrogen oxides) and reactive organic gases (ROG) form ozone in the atmosphere in the presence of sunlight. The principal source of ozone precursors is vehicle emissions, although stationary internal combustion engines are also considered a source.

BAAQMD's CEQA Air Quality Guidelines (May 2017) contain 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. Consistent with BAAQMD's guidance, if all of the screening criteria are met by a proposed project, then the project would result in a less than significant air quality impact, and the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions.

The project would create a three-parcel subdivision and enable construction of two additional single-family homes. Based on its size, 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). Therefore, emissions of criteria pollutants from the project would be less than significant.

Although the project would generate some ozone precursors from new vehicle trips, because of the small size of the project, the project would not generate substantial traffic that would result 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. However, Sonoma County building regulations limit fireplaces to natural gas fireplaces, pellet stoves and EPA-Certified wood burning fireplaces or stoves. With these County restrictions on fireplace design, fine particulate emissions from this project would be a less than significant impact.

Short-term emission of dust (which would include $PM_{2.5}$ and PM_{10}) during construction would be limited due to the small scale of project construction activities and limited construction duration. These emissions would be reduced to a level of non-significance due to compliance with dust control measures required by County Code Section 11.14.120(A) for grading and construction activity. In addition, application of BAAQMD best management practices (Mitigation Measure AIR-1 below) would ensure that $PM_{2.5}$ and PM_{10} emissions would not exceed BAAQMD construction-related thresholds.

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 also 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). Finally, the project would have no long-term effect on $PM_{2.5}$ and PM_{10}, because all surfaces would be paved, graveled, landscaped, or otherwise treated to stabilize bare soils, and dust generation would be minimal.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measure AIR-1:

The following BAAQMD BMPs shall be included in the project:

a. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) two times per day during construction and adequately wet demolition surfaces to limit visible dust emissions.
b. Cover all haul trucks transporting soil, sand, or other loose materials off the project site.
c. Use wet power vacuum street sweepers at least once per day to remove all visible mud or dirt track-out onto adjacent roads (dry power sweeping is prohibited) during construction of the proposed project.
d. Vehicle speeds on unpaved roads/areas shall not exceed 15 miles per hour.
e. Complete all areas to be paved as soon as possible and lay building pads as soon as possible after grading unless seeding or soil binders are used.
f. Minimize idling time of diesel-power construction equipment to five minutes and post signs reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.
g. Maintain and properly tune all construction equipment in accordance with manufacturer's specifications and have a CARB-certified visible emissions evaluator check equipment prior to use at the site.
h. Post a publicly visible sign with the name and telephone number of the construction contractor and County staff person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the BAAQMD to ensure compliance with applicable regulations.

Mitigation Monitoring:

Mitigation Monitoring AIR-1:

County staff shall ensure that these construction period air quality measures are listed on all site alteration, grading, building, or improvement plans prior to issuance or grading or building permits.

With implementation of the above mitigation measure, the proposed project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation.

c) Expose sensitive receptors to substantial pollutant concentrations?

Comment:

Sensitive receptors include hospitals, schools, convalescent facilities, and residential areas. As described above in Section 3.b, due to the limited size of the project (a three parcel subdivision and potential future construction and operation of two additional single-family homes), the project would not contribute to a significant impact related to construction or operational air quality impacts.

As discussed in section 3.a, the project would not result in a long term increase in criteria pollutants, however, construction activities would result in short term dust emissions that could affect residents immediately neighboring the project site to the north, south, east, and west, all within 200 feet. However, dust emissions would be reduced to a less than significant level with County Code compliance and Mitigation Measure AIR-1, described in item 3.b above.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

Implement **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, nor located near an odor generating source that may affect the use and would have no odor impact. 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. Furthermore, the anticipated future residential development of two additional homes is not expected to create a long-term operational source of odor.

Significance Level:

Less than Significant Impact

4. BIOLOGICAL RESOURCES:

This section provides an analysis of potential impacts to biological resources on the project site, including sensitive habitats, special-status plant and wildlife species, and protected trees. A Biological Resource Assessment was prepared for the project site in December 2019 by Ms. Lucy Macmillan, the project biological consultant.[10] The report provides an overview of the biological resources on the project site, including special-status plant and wildlife species and sensitive habitats. The report is based on a site visit conducted by Lucy Macmillan on November 21, 2019. Based on information and data collected and analyzed, mitigation measures are provided herein to minimize and/or avoid potential biological resource impacts in accordance with the CEQA Guidelines. Mitigation measures are recommended to avoid, minimize, or compensate for these potential impacts to reduce them to a less than significant level. The analysis of potential project impacts follows the checklist items from Appendix G of the California Environmental Quality Act (CEQA) guidelines.

Would the project:

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

Regulatory Framework

The following discussion identifies federal, state, and local environmental regulations that serve to protect sensitive biological resources and are 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 the 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 U.S. Fish and

[10] Macmillian, Lucy, M.S., 2019. *Biological Resources Assessment, 6171 Old Redwood Highway, Penngrove, Sonoma County, California (APN 047-082-023),* December.

Wildlife Service (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 link to a federal permitting process. 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.

Critical Habitat
Critical habitat is a term defined in the FESA 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 FESA requires federal agencies to consult with USFWS to conserve federally listed threatened or endangered 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 many cases, this level of protection is similar to that already provided to species by the FESA 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.

Migratory Bird Treaty Act of 1918 (MBTA)
The Federal Migratory Bird Treaty Act (MBTA) (16 USC. 703 et seq.), Title 50 Code of Federal Regulations (CFR) Part 10, prohibits taking, killing, possessing, transporting, and importing of migratory birds, parts of migratory birds, and their eggs and nests, except when specifically authorized by the Department of the Interior. As used in the act, the term "take" is defined as meaning, "to pursue, hunt, capture, collect, kill or attempt to pursue, hunt, shoot, capture, collect or kill, unless the context otherwise requires." With a few exceptions, most birds are considered migratory under the MBTA. Disturbances that cause nest abandonment and/or loss of reproductive effort or loss of habitat upon which these birds depend would be in violation of the MBTA.

California Endangered Species Act (CESA)
CESA protect state-listed threatened and endangered species. The California Department of Fish and Wildlife (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.

California Fully Protected Species and Species of Special Concern
The classification of California "fully protected" (CFP) 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 to focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under CEQA during project review.

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 Section 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 protect 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 nongame mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission.” The nongame 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 CFGC.

Other Special-Status Plants – California Native Plant Society
The California Native Plant Society (CNPS), a non-profit plant conservation organization, publishes and maintains an Inventory of Rare and Endangered Vascular Plants of California in both hard copy and electronic version (http://www.cnps.org/cnps/rareplants/inventory/).

The Inventory employs the California Rare Plant Ranking (CRPR) to assign plants to the following categories:

1A Presumed extinct in California
1B Rare, threatened, or endangered in California and elsewhere
2 Rare, threatened, or endangered in California, but more common elsewhere
3 Plants for which more information is needed – A review list
4 Plants of limited distribution – A watch list

Additional endangerment codes are assigned to each taxon as follows:
1 Seriously endangered in California (over 80% of occurrences threatened/high degree of immediacy of threat)
2 Fairly endangered in California (20-80% occurrences threatened)
3 Not very endangered in California (<20% of occurrences threatened, or no current threats known)

CRPR 1A, 1B, and 2 plants consist of plants that may qualify for listing by state and federal agencies. As part of the CEQA process, such species should be fully considered, as they meet the definition of threatened or endangered under the Native Plant Protection Act and Sections 2062 and 2067 of the CFGC. CRPR 3 and 4 species are considered to be plants about which more information is needed or that are uncommon enough that their status should be regularly monitored. Such plants may be eligible or may become eligible for state listing, and CNPS and CDFW recommend that these species be evaluated for consideration during the preparation of CEQA documents.

Native Plant Protection Act
The Native Plant Protection Act (NPPA) was created in 1977 with the intent to preserve, protect, and enhance rare and endangered plants in California (CFGC Sections 1900 to 1913). The NPPA is administered by CDFW, which has the authority to designate native plants as endangered or rare and to protect them from "take." CDFW maintains a list of plant species that have been officially classified as endangered, threatened, or rare. These special-status plants have special protection under California law, and projects that directly impact them may not qualify for a categorical exemption under the CEQA Guidelines.

Comment:

According to the Biological Resource Assessment, the project site contains one primary habitat type: undeveloped-ruderal grassland that occupies the southern portion of the property. The northern portion of the property consists of a driveway, an existing single-family residence, a detached garage, and accessory structures. The northern boundary of the property also supports several trees, including mature coast live oak (*Quercus agrifolia*), black oak (*Quercus kelloggii*), black walnut (*Juglans nigra*), douglas fir (*Pseudosuga menziesii*), and deodor cedar (*Cedrus deodara*).

Special-Status Species
The potential for occurrences of special-status plant and wildlife species were evaluated based on the habitat requirements of each species relative to the conditions observed during the site visit conducted by biologist Lucy Macmillan on November 21, 2019. Species without suitable habitat present whose known ranges are beyond the project site were eliminated from further evaluation and are not included in the biologist's report. The following species were determined to have a potential to occur on the project site based on habitats found on the project site, CNDBB occurrences within a five-mile radius of the project site, and observations of site conditions made during the biological surveys.

Special-Status Plants
- Bent-flowered fiddleneck (Amsinckia lunaris) – low potential for occurrence
- Round-leaved filaree (California macrophylla) – low potential for occurrence
- Baker's larkspur (Delphinium bakeri) – low potential for occurrence
- Tiburon buckwheat (Eriogonum luteolum var. canium) – low potential for occurrence
- Fragrant fritillary (Fritaillaria lilacea) – low potential for occurrence
- Congested-headed gilia (Hemizonia congesta ssp. congesta) – low to moderate potential for occurrence
- Marin western flax (Hesporolinon congestum) – low potential for occurrence
- Thin-lobed horkelia (Horkelia tenuiloba) – low potential for occurrence
- Burke's goldfields (Lasthenia burkei) – low potential for occurrence

Special-Status Wildlife
- California tiger salamander (Ambystoma californiense) – occurrence over three miles southwest of the site
- Pallid bat (*Antrozous pallidus*) – potential for occurrence in existing buildings onsite
- Townsend's big-eared bat (Corynorhinus townsendii) – potential for occurrence in existing buildings onsite

- American badger (Taxidea taxus) – low potential for occurrence

Potential impacts and associated impact avoidance, minimization, and mitigation measures are discussed below.

Special-Status Plant Species

Special-status plants are defined here to include: (1) plants that are federal- or state-listed as rare, threatened, or endangered, (2) federal and state candidates for listing, (3) plants assigned a Rank of 1 through 4 by the CNPS Inventory, and (4) plants that qualify under the definition of "rare" in the California Environmental Quality Act (CEQA) Guidelines, Section 15380 (Endangered, Rare, or Threatened Species).

The Biological Resource Assessment determined that project site provides no suitable habitat for special-status plant species that were evaluated for their potential occurrence, based on the distance of the project site to previously recorded occurrences in the region, lack of typical vegetation types, disturbed habitat conditions, topography, elevation, soil types, and other species-specific habitat requirements.

One special-status plant species has a low to moderate potential to occur on the project site and is discussed below:

Congested-headed hayfield tarplant (*Hemizonia congesta* ssp*. congesta*) has been assigned a CRPR Rank of 1B.2 by CNPS, occurs in valley and foothill grassland, and has a documented blooming period from April through November. Per the Biological Resource Assessment, the grassland habitat on the project site is considered marginally suitable to support congested-headed hayfield tarplant.

During the November 21, 2019 site visit, the project biologist noted that much of the northern portion of the site is already disturbed with existing hardscape, compact gravel, and buildings. The biologist also noted that the southern portion of the site contains non-native grassland that is patchy and highly disturbed with ornamental plantings and invasive species, and therefore not likely to support special-status species such as the Congest-headed hayfield tarplant. The biologist determined that due to the disturbed nature of the project site, there is a low likelihood for the occurrence of special-status plant species and impacts to protected plant species would not be expected.

Significance Level:

Less than Significant Impact

Special-Status Wildlife Species

Special-status wildlife species include those species listed as endangered or threatened under the FESA or CESA; candidates for listing by the USFWS or CDFW; California fully protected and species of special concern; non-game mammals protected by Sections 4150-4155 of the CFGC; and nesting birds protected by the CDFW under CFGC Sections 3503 and 3513.

Based on a review of the USFWS, CNDDB, and CDFW, an assessment of the types of habitats on the project site, and knowledge of sensitive species within Sonoma County, the biologist determined that three special-status wildlife species have a moderate potential to occur on or near the project site. These species include: California tiger salamander (*Ambystoma californiense*), pallid bat (*Antrozous pallidus*), and Townsend's big-eared bat (*Corynorhinus townsendii*). This determination took into consideration the presence of essential habitat requirements for the species, the presence of known occurrences within five miles of the project site, and/or the project site's location within the species' known range of distribution.

California Tiger Salamander--Federal Endangered Species, State Threatened Species.
The project site is located within the known range of the Sonoma County "Distinct Population Segment" (DPS) of the California tiger salamander (CTS). Under the FESA, USFWS has designated

approximately 47,383 acres (19,175 hectares) of land as critical habitat for the Sonoma County DPS of CTS under the revised Final Rule (USFWS 2011). The project site is within this mapped critical habitat. CTS is also state-listed as a threatened species under the CESA. Proposed projects may not impact CTS without incidental take authority from both USFWS and CDFW.

Within the DPS, the project site falls within the Santa Rosa Plain, which is a conservation area that supports specific state and federally listed animal species. Specific resource agency rules/regulations were created that govern how projects must evaluate impacts to wetlands and listed animal habitat. For instance, the Santa Rosa Plain Conservation Strategy was created by USFWS with the goal of recovering and conserving CTS. Per the Biological Resource Assessment, the California tiger salamander (*Ambystoma californiense*) is regarded as having a low potential to occur on the project site due to a lack of suitable breeding or estivation habitat. Because the project site has documented occurrences within a five-mile radius, the project site is situated within areas designated as "Potential CTS Range (source; USFWS)" under the Santa Rosa Plain Conservation Strategy

CTS occurs in grasslands and low-elevation foothill regions in California (generally below 1500 feet AMSL) where it uses seasonal aquatic habitats for breeding. CTS breed in natural vernal pools and occupy substantial areas surrounding the breeding pool as adults. CTS spend most of their time in the grasslands surrounding breeding pools. They survive hot, dry summers by living underground in burrows (such as those created by Botta's pocket gopher [*Thomomys bottae*] and deep cracks or holes in the ground) where the soil atmosphere remains near the water saturation point. During wet periods, the salamanders may emerge from refugia and feed in the surrounding grasslands. CTS may disperse into uplands up to 1.3 miles from breeding ponds.

The project site is located on the southeastern edge of the Sonoma County critical habitat for this species, within the Santa Rosa Plain Conservation Strategy Map in "Potential CTS Range", and is within a CTS conservation area. Due to the disturbed nature of the project site and the fencing surrounding the project site, the potential for CTS to occur within the boundaries of the project site is low. However, the December 2019 Biological Resource Assessment could not definitely establish whether the fencing provides an absolute and complete barrier to CTS dispersal. The report suggested several measures to minimize impacts to CTS. Although there is a low probability that the project would impact CTS, USFWS and CDFW require standard mitigation for projects with potential for CTS impact. Mitigation Measures BIO-1 (Conduct Worker Awareness Training), BIO-2 (Mitigation for Permanent Loss of CTS Habitat), and BIO-3 (Conduct Pre-construction Surveys and Impact Avoidance Measures for California Tiger Salamander) would be implemented to avoid inadvertent take and reduce potential impacts to a less than significant level.

Pallid bat--CDFW Species of Special Concern and Western Bat Working Group High Priority. The pallid bat is found in a variety of low elevation habitats throughout California. It selects a variety of day roosts including rock outcrops, mines, caves, hollow trees, buildings, and bridges. Night roosts are usually found under bridges, but also in caves, mines, and buildings. Pallid bats are highly sensitive to anthropogenic disturbance. Unlike most bats, pallid bats primarily feed on large ground-dwelling arthropods and are somewhat unique among local bats in that they may forage on the ground. There is moderate potential for this species to occur on the project site. There is marginal roosting habitat within the hollows of coast live oaks and valley oaks on the project site, although pallid bats may roost in these locations. While not all these trees would be expected to provide the conditions appropriate for maternity colonies or hibernaculum (a shelter for hibernating), they may nonetheless support bat use (i.e., day roosts). The site is currently developed with an unused poultry barn and water tower, both of which may provide suitable roost habitat for pallid bats. Project development, including the construction of access roads and installation of utilities for the subdivision, could result in the direct loss of roosting habitat. In addition, the project may result in the degradation of foraging habitat, and temporary disturbance during construction including noise, air turbulence, dust, and ground vibration. Bats that forage near the ground could be subject to crushing or disturbance by vehicles driving at dusk, dawn, or during the night. Implementation of Mitigation Measure BIO-5 would reduce this potential impact to a less than significant level.

Townsend's western big-eared bat--State Candidate, CDFW Species of Special Concern and

Western Bat Working Group High Priority.
The Townsend's western big-eared bat ranges throughout western North America. At a local level, these bats are associated with the presence of caves. However, this species can also be found roosting within human-made structures such a mines and buildings. Specifically, these bats can be found in the open, hanging from walls and ceilings in the open. Males typically roost in the spring and summer months while females typically roost in the spring months at maternity to give birth. Female big-eared bats typically roost with their young until the end of the summer or early fall. These species typically forage along edge of habitats near streams and wooded areas on moths and other insects. As mentioned above, the site currently is developed with two structures (old poultry barn and water tank) that could potentially serve as locations for roosting; the poultry barn would be removed as part of the project. Other project development, including the construction of access roads and installation of utilities for the subdivision, could result in the direct loss of roosting habitat. In addition, the project may result in the degradation of foraging habitat, and temporary disturbance during construction including noise, air turbulence, dust, and ground vibration. Bats that forage near the ground could be subject to crushing or disturbance by vehicles driving at dusk, dawn, or during the night. Implementation of Mitigation Measure BIO-5 would reduce this potential impact to a less than significant level.

Other Protected Nesting Birds.
Vegetation communities on the project site provide suitable nesting habitat for common as well as special-status songbird and raptor bird species. Nesting birds may nest within trees, shrubs, grasses, shallow scrapes on bare ground, and man-made structures on the project site. If construction activities occur during the avian breeding season (generally February 1 through August 31), injury to individuals or nest abandonment could occur. In addition, noise and increased construction activity could temporarily disturb nesting or foraging activities, potentially resulting in the abandonment of nest sites. The loss of an active nest of common or special-status bird species would be considered a violation of Fish and Game Code Sections 3503, 3503.5, and 3513. This would be considered a significant impact pursuant to the CEQA Guidelines. Implementation of Mitigation Measure BIO-4 would reduce impacts to nesting birds to a less than significant level.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

Mitigation Measure BIO-1: Conduct Environmental Awareness Training for Construction Employees

Prior to beginning construction activities (including, but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), a qualified biologist[11] shall develop and conduct an environmental awareness training program for crew members who are involved in project construction. The training shall describe the importance of sensitive biological resources, including potential CTS estivation habitat, songbird and/or raptor nest sites, and nearby state and federal jurisdictional habitats. The biologist shall also explain the importance of other responsibilities related to the protection of wildlife during construction such as inspecting open trenches and looking under vehicles and machinery prior to moving them to ensure there are no lizards, snakes, small mammals, or other wildlife that could become trapped, injured, or killed in construction areas or under equipment.

The environmental awareness program shall be provided to all construction personnel to brief them

[11] A qualified biologist is an individual who possesses, at a minimum, a bachelor's or advanced degree, from an accredited university, with a major in biology, zoology, wildlife biology, natural resources science, or a closely related scientific discipline, at least two years of field experience in the biology and natural history of local plant, fish, and wildlife resources present at the project site, and knowledge of state and federal laws regarding the protection of sensitive and endangered species.

on the life history of special-status species or adjacent to the project site, the need to avoid impacts to sensitive biological resources, any terms and conditions required by state and federal agencies, and the penalties for not complying with biological mitigation requirements. If new construction workers are added to the project, the contractor and/or their project manager(s) shall ensure that all personnel receive the mandatory training before starting work. An environmental awareness handout that describes and illustrates sensitive resources to be avoided during project construction and identifies all relevant permit conditions will be provided to each person.

Mitigation Measure BIO-2: Mitigation for Permanent Loss of CTS Habitat
As described in the "Programmatic Biological Opinion for the United States Army Corps of Engineers (USACE) Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain, California (USACE File Number 223420N)," the applicant shall pay compensatory mitigation through two methods for loss of CTS habitat that will be permanently impacted on the project site:

1. Purchasing credits for acreage of habitat permanently impacted at an CDFW and USFWS-approved conservation or mitigation bank
2. Creation of a protected preserve of the same (or larger) acreage of habitat permanently impacted within CTS habitat, developed using the guidelines provided in the Programmatic Biological Opinion and at discretion and approval of both CDFW and USFWS

Because the project site is over 1.3 miles from a known breeding site, the applicant shall be required to compensate for mitigation at a 0.2:1 ratio of habitat permanently impacted through the purchase of habitat mitigation credits at a USFWS and CDFW-approved mitigation bank or through the purchase, enhancement, and protection of an off-site property subject to the requirements of the Programmatic Biological Opinion. Unless otherwise noted in consultation with USFWS, the project areas designated as developed (hardscape) within the project site shall not be considered potentially impacted CTS habitat or included in required mitigation as per the Programmatic Biological Opinion.

Mitigation Measure BIO-3: Conduct Pre-construction Surveys and Impact Avoidance Measures for California Tiger Salamander

Although no suitable aquatic habitat for CTS is within the project site, to ensure that no CTS are located underground on the project site prior to commencement of project activities, a qualified biologist with a USFWS-issued 10(a)(1)(A) recovery permit shall conduct an upland habitat survey according to the guidelines outlined in the "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding on of the California Tiger Salamander." Any CTS discovered during this survey shall be relocated by the permitted qualified biologist to the nearest CDFW and USFWS-approved suitable habitat, to be determined prior to the onset of the upland field survey.

In addition to an upland survey and any translocation plan, the following measures from the Santa Rosa Plain Conservation Strategy shall also take place during project implementation:

a) Prior to construction, fencing shall be installed to exclude CTS from entering the project site. Fences with ramps may be required to allow any CTS onsite to move into an adjacent habitat offsite. In these cases translocation may occur and would be determined on a case-by-case basis.
b) Before the start of work each morning, the biological monitor shall check for animals under any equipment such as vehicles and stored pipes. The biological monitor shall check all excavated steep-walled holes or trenches greater than one foot deep for any CTS. If any CTS is found, work shall stop and shall not recommence until USFWS and CDFW are notified, all applicable permits have been received, and CDFW and USFWS have approved a translocation plan. No unauthorized take of CTS shall occur as a result of project implementation.
c) An erosion and sediment control plan shall be implemented to prevent impacts of construction on habitat outside the work areas (see Section 7.b, Geology and Soils).
d) Access routes and number and size of staging and work areas shall be limited to the minimum necessary to achieve the project goals. Routes and boundaries of the roadwork shall be clearly

marked prior to initiating construction/grading.
e) All foods and food-related trash items shall be enclosed in sealed trash containers at the end of each day, and removed completely from the site once every three days.
f) No pets shall be allowed anywhere in the project site during construction.
g) A speed limit of 15 mph on dirt roads shall be maintained.
h) All equipment shall be maintained such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents.
i) Hazardous materials such as fuels, oils, solvents, etc., shall be stored in sealable containers in a designated location that is at least 200 feet from aquatic habitats. All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 200 feet from any aquatic habitat.
j) Grading and clearing shall be conducted between April 15 and October 15, of any given year, depending on the level of rainfall and/or site conditions.
k) Project areas temporarily disturbed by construction activities shall be re-vegetated with native plants approved by USFWS/CDFW.

Mitigation Measure BIO-4: Nesting Bird Avoidance or Conduct Pre-construction Surveys
The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related vegetation removal and site disturbance:

a) To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.

b) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. In addition, the qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest on the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (e.g., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted on the project site and within 100 feet of the construction limits for nesting non-raptors and 500 feet for nesting raptors, as feasible; these areas shall be considered nest protection buffer zones. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven (7) days, an additional nesting bird survey shall be performed.

c) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall take place within 100 feet of non-raptor nests and 500 feet of raptor nests. Monitoring by a qualified biologist shall be required to ensure compliance with California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the 100-foot/500-foot nest protection buffer zones or nests within the vicinity of the project site showing signs of distress from project construction activity, as determined by the qualified biologist, shall be monitored daily during the duration of project construction for changes in breeding behavior. If changes in behavior are observed (e.g., distress, disruptions), the nest protection buffer zone shall be immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffer zones may be reduced if the qualified biologist determines in coordination with CDFW that construction activities would not be likely to adversely affect the nest. If buffers are reduced, twice-weekly monitoring may need to be conducted, as determined by the qualified biologist, to confirm that construction activity is not resulting in detectable adverse effects on nesting birds or their young. The qualified

biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact. Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.

Following completion of pre-construction nesting bird surveys (if required), a report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction-related activities that have the potential to disturb any active nests during the nesting season.

Mitigation Measure BIO-5: Conduct Pre-Construction Bat Roost Surveys

A qualified wildlife biologist (as defined under Mitigation Measure BIO-1) shall conduct a pre-construction bat survey of all trees located within 50 feet of the project site (where access is feasible) to determine if the trees provide suitable roost habitat (e.g., snags, large trees, trees with cavities or flaking bark, leafy trees) and to search for evidence of bat use (e.g., guano, urine staining, smells associated with bats, sounds indicating bat presence). The survey shall be conducted at dawn or dusk and no more than 30 days prior the initiation of construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, and grading). If no evidence of bat roosts is found, then no further action is required.

If evidence of bat use is found, then nighttime acoustic surveys shall be conducted to determine whether a site is occupied. The survey shall determine if the roost is a maternity roost (if construction work is being performed during the bat maternity season, which is typically May 1 through August 31), hibernacula, or day roost. If a maternity roost is present, delay of the construction may be necessary until after the roost is vacated, or a disturbance exclusion buffer of at least 50 feet would be established around the maternity roost, or as determined by a qualified biologist in coordination with CDFW. If non-maternity bat roosts are detected/observed within trees to be removed as a result of project construction, impact avoidance measures shall be undertaken to clear the bats prior to tree removal activities in consultation with CDFW. Measures to exclude bats from occupied roosts may include but not be limited to disturbance of roosting individuals through introduction of light and/or noise to create an undesirable setting and to encourage the bats to vacate the roost. Access points shall be sealed to prevent re-entry of bat species. Project construction may commence upon final approval by CDFW and the County.

Mitigation Monitoring:

Mitigation Monitoring BIO-1 through BIO-5:

The County shall not issue a grading permit until the applicant has submitted evidence to the County that Mitigation Measures BIO-2, BIO-3, BIO-4, and BIO-5 have been completed to USFWS and/or CDFW satisfaction (if agency involvement is required). In addition, prior to issuance of any grading permit(s), the County shall review and approve the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive species (i.e., active nest and/or roost protection buffers) which shall be noted on the final project plans. If CTS or roosting bats are found during the pre-construction surveys, then a copy of CDFW's written concurrence with proposed impact avoidance measures or a copy of CDFW's 2018 Incidental Take Permit (ITP) shall be provided to Sonoma County prior to the commencement of grading on the project site.

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

Regulatory Framework

Sensitive Natural Communities

Sensitive natural communities are vegetation communities and habitats that are either unique in constituent components, of relatively limited distribution in the region, or of particularly high wildlife value. These communities may or may not necessarily contain special-status species. Sensitive natural communities are usually identified in local or regional plans, policies or regulations, or by CDFW (e.g., California Natural Diversity Database - CNDDB) or the USFWS. The CNDDB identifies a number of natural communities as rare, which are given the highest inventory priority. Impacts to sensitive natural communities and habitats must be considered and evaluated under the CEQA Statute and Guidelines.

California Oak Woodland Statute
In September 2004, State Bill 1334 was passed and added to the State Public Resources Code as Statute 21083.4, requiring Counties to determine in their CEQA documents whether a project in its jurisdiction may result in a conversion of oak woodlands that would have a significant effect on the environment. In addition, if the County determines that a project may result in a significant impact to oak woodlands, the County shall require one or more of the following mitigation alternatives to mitigate for the impact:

1) Conserving oak woodlands through the use of conservation easements.
2) Plant an appropriate number of trees, including maintaining the plantings and replacing dead or diseased trees. Required maintenance of trees terminates seven years after the trees are planted. This type of mitigation shall not fulfill more than half of the mitigation requirement for the project. This type of mitigation may also be used to restore former oak woodlands.
3) Contribute funds to the Oak Woodlands Conservation Fund.
4) Other mitigation measures developed by the County.

The CFGC (Section 1361) defines oak woodland habitat as "an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover."

Comment:

Sensitive vegetation communities include riparian habitats or other natural communities identified in local or regional plans, policies, or regulations, or designated by the USFWS, NOAA Fisheries, and CDFW. As discussed in the project biological resource assessment, the subject property does not include any creek or wetland areas. However, there is one natural vegetation community, oak woodland, that occurs on the northern boundary of the project site. Oak woodland vegetation communities are protected by state law (Public Resources Code Section 21083.4, see directly above) and represent an important sensitive natural vegetation community that is relatively common within Sonoma County. Project-related impacts to this vegetated community would include the removal of 13 trees (coast live oak, tree of heaven, douglas fir, and deodar cedar). An Arborist Assessment Report[12] was conducted for the project that recommends management practices to protect trees to be preserved during construction. These practices include the implementation of a tree protection zone and installation of protection fencing to protect trees to be protected from construction activities such as trenching, excavating, grading, or compacting. These measures are incorporated into the project as conditions of approval. Of these 13 trees, 10 are over 9 inches in diameter and protected by the Sonoma County Tree Protection Ordinance. Compliance with the Tree Protection Ordinance requires the applicant to adhere to all general provisions, tree protection methods during construction, and compensatory mitigation requirements by Sonoma County. Through compliance with the Tree Protection Ordinance, impacts to oak woodland would be less than significant (see Section 4.e).

Significance Level:

Less than Significant Impact

[12] Bush, Amy, 2015. *Arborist Assessment Report, Woods Penngrove Minor Subdivision*, September.

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?

Regulatory Framework

Federal

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. 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 (State Water 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 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.

National Pollutant Discharge Elimination System (NPDES)

The NPDES program requires permitting for activities that discharge pollutants into waters of the United States. This includes discharges from municipal, industrial, and construction sources. These are considered point-sources from a regulatory standpoint. Generally, these permits are issued and monitored under the oversight of the State Water Resources Control Board (SWRCB) and administered by each regional water quality control board. Construction activities that disturb one acre or more (whether a single project or part of a larger development) are required to obtain

coverage under the state's General Permit for Dischargers of Storm Water Associated with Construction Activity. All dischargers are required to obtain coverage under the Construction General Permit. The activities covered under the Construction General Permit include clearing, grading, and other disturbances. The permit requires preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices (BMPs) with a monitoring program. The project would require coverage under the Construction General Permit.

State

Porter-Cologne Water Quality Control Act
The Porter-Cologne Water Quality Act (Porter-Cologne Act) (California Water Code § 13260) requires "any person discharging waste, or proposing to discharge waste, within any region that could affect the "Waters of the State" to file a report of discharge with the RWQCB through an application for waste discharge. Waters of the State are defined by the Porter-Cologne Act as "any surface water or groundwater, including saline waters, within the boundaries of the state." The RWQCB protects all waters in its regulatory scope, but has special responsibility for isolated wetlands and headwaters. These water bodies have high resource value, are vulnerable to filling, and may not be regulated by other programs, such as Section 404 of the CWA. If a project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the Water Board has the option to regulate the dredge and fill activities under its state authority through its Waste Discharge Requirements (WDR) program.

Comment:

On November 21, 2019, a jurisdictional wetland delineation was conducted at the project site by biologist Lucy Macmillan. The project site was surveyed on foot to identify and map potential jurisdictional wetland features on the project site. No potential federal or state jurisdictional wetland features were identified on the project site. The biological resource assessment also concludes that because the site is at a relatively higher elevation as compared to surrounding parcels and has silty loam soils, water drains well.

While no wetland features are present on site, a blue-line waterway, Lichau Creek, associated with the Petaluma River corridor is located approximately 425 feet east of the project site boundary. As described below under the Hydrology section (Section 10), this feature would not be directly impacted by the proposed project. Permit Sonoma requires the project applicant to prepare a grading plan and drainage plan which include performance standards and BMPs for pre-construction, construction, and post-construction to prevent and/or minimize the discharge of pollutants, including sediment, from the project site to offsite jurisdictional areas, including Lichau Creek. Therefore, potential indirect impacts to Lichau Creek would be avoided or minimized to a less than significant level through compliance with County requirements for construction projects.

Significance Level: Less than Significant Impact

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

Comment:

Wildlife corridors are linear and/or regional habitats that provide connectivity between or to other naturally vegetated open spaces. Wildlife corridors can consist of a sequence of stepping-stones across the landscape (e.g., discontinuous areas of habitat such as isolated wetlands), continuous lineal strips of vegetation and habitat (e.g., riparian strips and ridge lines), or they may be parts of larger habitat areas selected for their known or likely importance to local wildlife. Providing functional habitat connectivity between natural areas is essential to sustaining healthy wildlife populations and allowing for the continued dispersal of native plant and animal species. The regional movement and

migration of wildlife species has been substantially altered due to habitat fragmentation over the past century. This fragmentation is most commonly caused by development of open areas, which can result in large patches of land becoming inaccessible and forming a virtual barrier between undeveloped areas. Roads associated with development, although narrow, may result in barriers to smaller or less mobile wildlife species. Habitat fragmentation results in isolated islands of habitat, which affects wildlife behavior, foraging activity, reproductive patterns, immigration and emigration or dispersal capabilities, and survivability.

In the area of the project site, remaining open spaces are fractured by urbanization and other developments that include landscaping and fencing, or that are otherwise actively used by humans. The subject property is mostly surrounded by residential development and uses. Directly east of the of the project site, across Old Redwood Highway, there is a 0.5-acre open space area that could potentially support wildlife movement through the adjacent Lichau Creek. However, this open space area is separated from the project site by residential development and roadways. Movement of wildlife species between the project site and undeveloped habitat is expected to be limited due to the lack of physical linkages and existing barriers (e.g., fences and roads). Although limited movement of common species may infrequently occur between the project site and surrounding open space areas, such movement is very unlikely to result in eventual movement of wildlife populations to intact preserved habitats. Therefore, the project site is not considered a major wildlife movement corridor or habitat linkage, and construction of the subdivision would not prevent wildlife from passing through the region. Project-related impacts to wildlife corridors or wildlife nursery sites would be considered less than significant.

Significance Level:

Less than Significant Impact

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

Regulatory Framework

Sonoma County General Plan
The *Sonoma County General Plan 2020* (Sonoma County 2008) Land Use Element and Open Space & Resource Conservation Element both contain goals, objectives, and policies to protect natural resource lands including, but not limited to, biotic areas, special-status species habitat, marshes and wetlands, sensitive natural communities, and habitat connectivity corridors, as summarized below.

Biotic Habitat Areas
The 2020 General Plan Open Space and Resource Conservation Element provides policies for protection of biotic habitats both within and outside the designated areas. Currently available information on the location and value of native habitats and sensitive resources is incomplete and changes over time as sites are assessed, new occurrences are reported, and additional locations are identified. As more habitat mapping information becomes available in the future, changes in designations will be considered along with possible policy changes. Regular collection and updating of reliable information and refinement of best management practices are necessary to protect the County's biotic resources over the long term. Following are the types of biotic habitat addressed by Policies OSRC-7a through 7u in this section that are pertinent to the proposed project:

Special-Status Species Habitat
Special-status species are plant and animals which are listed or candidate species under the Federal or State Endangered Species Acts and other species considered rare enough to warrant special consideration. Reported occurrences of special-status species are compiled by the California Natural Diversity Data Base (CNDDB) of the CDFW and are routinely updated as new information becomes available. Detailed surveys are typically necessary to confirm the presence or absence of special-status species.

Sensitive Natural Communities
CDFW has identified certain natural habitats as sensitive natural communities which are rare and vulnerable to further loss. Sensitive natural communities identified in Sonoma County include coastal salt marsh, brackish water marsh, freshwater marsh, freshwater seeps, native grasslands, several types of forest and woodland (including riparian, valley oak, Oregon white oak, black oak, buckeye, Sargent cypress, and pygmy cypress), old growth redwood and Douglas fir forest, mixed serpentine chaparral, coastal scrub, prairie, bluff, and dunes. Many of these communities support populations of special-status species and are important to native wildlife.

Habitat Connectivity Corridors
Maintaining and improving opportunities for habitat connectivity throughout the County are essential for protecting biodiversity and sustaining native plant and animal populations. Linkages and corridors are needed to allow movement across the landscape and to connect wetlands and other important habitat areas to undeveloped lands and permanent open space. Important linkages and corridors include lands south of Glen Ellen connecting Sonoma Mountain and the Mayacamas Range and lands connecting the Laguna de Santa Rosa to agricultural areas south of Highway 116. It should be noted that riparian corridors also provide habitat connectivity.

Sonoma County Ordinances

Tree Protection
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. Projects shall be designed to minimize the destruction of protected trees. With development permits, a site plan shall be submitted that depicts the location of all protected trees greater than nine inches (9″) and their protected perimeters in areas that will be impacted by the proposed development, such as the building envelopes, access roads, and leachfields. 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. Lot line adjustments, zoning permits, and agricultural uses are exempt from this requirement.

Protection of Watercourses
Construction grading and drainage within, adjacent to, or involving the alteration of watercourses shall comply with the provisions of Ordinance Number 5819 (Sonoma County Code of Ordinances, Chapter 23, Article II, Sec. 11.16.110), any necessary state and federal permits, approvals, or authorizations, and the following requirements.

A. Flood carrying capacity. The flood carrying capacity of any altered or relocated portion of a watercourse shall be maintained.
B. Obstruction of watercourses. Watercourses shall not be obstructed unless an alternate drainage facility complying with Section 11.14.040.B is installed.
C. Fills within watercourses. Fills placed within watercourses shall have protection against erosion.
D. Streams in closed conduits. Except for stream crossings, streams shall not be placed in closed conduits. Stream crossings shall be limited to the minimum width necessary to cross the stream.
E. Heavy equipment. Heavy equipment shall not cross or disturb channels of actively flowing streams unless best management practices referenced or detailed in the department's best management practices for construction grading and drainage are in place.
F. Materials storage. Materials that could contribute to pollution shall not be deposited or stored in or adjacent to a watercourse. (Ord. No. 6219, § I (Exh. A), 12-19-2017)

Removal of Trees and Other Vegetation
Construction grading and drainage shall not remove or disturb trees and other vegetation except in

compliance with the department's best management practices for construction grading and drainage and the approved plans and specifications. Construction grading and drainage shall be conducted in compliance with the following requirements.

A. The limits of work-related ground disturbance shall be clearly identified and delineated on the approved plans and specifications and defined and marked on the site to prevent damage to surrounding trees and other vegetation.
B. Trees and other vegetation within the limits of work-related ground disturbance that are to be retained shall be identified and protected from damage by marking, fencing, or other measures. (Ord. No. 6219, § I (Exh. A), 12-19-2017)

Comment:

With implementation of Mitigation Measures BIO-1 through BIO-6, the project would be consistent with Sonoma County General Plan 2020 Land Use Element and Open Space & Resource Conservation Element goals, policies, and objectives to protect natural resources and lands including, but not limited to, watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors.

The Sonoma County Tree Protection Ordinance designates 'protected' trees as defined by Chapter 26, Article 02, Sec. 26- 02-140 and provides mandatory standards and regulations for effects on protected trees. The proposed project would result in the removal of, and potential damage to, a minimum of 13 protected trees, including coast live oak, tree of heaven, douglas fir, and deodar cedar, 10 of which have a circumference greater than nine inches (9"). The applicant shall be required to adhere to all general provisions, tree protection methods during construction, and compensatory mitigation requirements of the Sonoma County Tree Protection Ordinance, including planting replacement trees or paying in-lieu fees for use by the County to acquire and protect stands of native trees in preserves or place trees on public lands.

Significance Level:

Less than Significant 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 plan area of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

Significance Level:

No Impact

5. CULTURAL RESOURCES:

A cultural resource was prepared for the applicant by William Roop of Archaeological Resource Service ("A Cultural Resources Evaluation of the Woods Penngrove Minor Subdivision," November 13, 2017).[13] The report reviewed information on file with the Regional Office of the California Historical Resources Information System (CHRIS); determined the presence or absence of previously recorded cultural resources; reviewed historic resource references to evaluate the potential for historic era archaeological

[13]Archaeological Resource Service, *A Cultural Resources Evaluation of the Woods Penngrove Minor Subdivision, 6171 Old Redwood Highway, Penngrove, Sonoma County, California,* William Roop and Misty Mikuls, June 2017.

deposits; contacted the Native American Heritage Commission to determine the presence or absence of Sacred Lands on the project site; contacted Native American organizations designated under the Native American Heritage Commission; conducted a surface reconnaissance of the project site to locate any visible signs of potentially significant historic or prehistoric cultural deposits; and described all work accomplished and make recommendations for possible further action. The following cultural resources analysis is based on Information taken from that report.

Would the project:

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

Comments:

According to the cultural resource study, there are no previously recorded historic resources within the project area. None of the existing structures, including the existing single-family residence, detached garage, shed structure (previously a hen house), well, and water tower, are considered historic resources. The proposed construction and improvements, including removal of existing structures onsite, would not result in an impact to historic resources.

Significance Level:

No Impact

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

Comment:

The project area is located on the eastern edge of the ethnographic territory of the Coast Miwok. However, as discussed in the cultural resource study, a records search from the California Historical Resources Information System (CHRIS), an archaeological field survey, and a Native American Sacred Lands File Search with the California Native American Heritage Commission (NAHC) were conducted and indicated no archaeological resources or Native American Artifacts within the project area. Research by Archaeological Resource Service also referred to an older study of the project area (Frederickson and French 1974, S-00100) that indicated no cultural resources had been previously identified. In addition, as part of the cultural resource study, five local Native American tribes were contacted regarding further information; no responses were received.

While undiscovered archaeological resources may still be accidentally encountered during project construction, Section 11-14-050 of the Sonoma County Grading Ordinance establishes uniformly applied development standards to reduce the potential for impact to cultural resources to a less than significant level by requiring that all work be halted in the vicinity where human remains or archaeological resources are discovered during construction grading and drainage Similarly, if archaeological resources or suspected archaeological resources are discovered, the Director of Permit Sonoma shall notify the State Historic Preservation Office and Northwest Information Center at Sonoma State University and the permittee shall retain a qualified archeologist to evaluate the find to ensure proper disposition of the archaeological resources or suspected archaeological resources. The director shall provide notice of the find to any tribes that have been identified as having cultural ties and affiliation with the geographic area in which the archaeological resources or suspected archaeological resources were discovered, if the tribe or tribes have requested notice and provided a contact person and current address to which the notice is to be sent. Although there are no known archaeological resources on the site, the project could uncover such materials during construction. The following measure will reduce the impact to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation Measure CULT-1

All building and/or grading permits shall have the following note printed on plan sheets:

NOTE ON MAP:

In the event that cultural resources are discovered at any time during grading, scraping or excavation within the property, all work should be halted in the vicinity of the find. Artifacts associated with prehistoric sites may include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. The Permit Sonoma - Project Review Staff shall be notified. Permit Sonoma Staff should consult with the appropriate tribal representative(s) from the tribes known to Permit Sonoma to have interests in the area to determine if the resources qualify as Tribal Cultural Resources (as defined in Public Resource Code § 21074). If determined to be a Tribal Cultural Resource, Permit Sonoma would further consult with the appropriate tribal representative(s) and project proponents in order to develop and coordinate proper protection/mitigation measures required for the discovery. Permit Sonoma may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by Permit Sonoma - Project Review Staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Evaluation and mitigation shall be at the applicant's sole expense.

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.

Mitigation Monitoring CULT-1:

Action: Stop work if any artifacts or human remains are encountered; include notes on all site plans.

Implementing Party: Project Applicant

Timing: prior to and during ground disturbing activities and project construction

Monitoring Party: Permit Sonoma

Failure by the Permit-Holder to comply with these requirements shall be considered a violation of the Use Permit and may result in the modification or revocation proceedings of the said Minor Subdivision Permit.

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

Comment:

According to the cultural resource study, no cemeteries or burial sites have been identified on the project site. The site would be disturbed by grading and construction activities. However, based on the cultural resource analysis conducted by Archaeological Resource Service, there is a low potential for buried archaeological resources or human remains on the project site. As described in Mitigation Measures CULT-1, all grading and building permits plans involving ground disturbing activities shall

include the following notes:

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

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation

Implement **Mitigation Measure CULT-1**

Mitigation Monitoring:

Implement **Mitigation Monitoring CULT-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 is in an area with electricity and natural gas service. The project site contains a single-family home which is currently served by utilities. Because the proposed subdivision of the project site could eventually result in development of two additional single-family homes, project electricity and natural gas consumption could ultimately increase. In accordance with California Energy Code Title 24, the proposed project would not use energy in a wasteful manner because It would comply with minimum Title 24 efficiency standards for household appliances, water and space heating and cooling equipment and insulation for doors, pipes, walls and ceilings. Title 24 also requires that residential projects adhere to additional standards regarding HVAC, water heating, building envelope, and lighting.

Significance Level:

Less than Significant Impact

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

Comment:

As discussed in Section 6.a, construction and operation of the proposed project would comply with Sonoma County Ordinance 7D1-2-, which pertains to Chapter 7 of the Sonoma County Code for energy efficiency, and Title 24, Part 6 of the California Code of Regulations, Building Energy Efficiency Standards.

Significance Level:

No 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.

Comment:

The project is not within an earthquake fault hazard zone, as defined by the Alquist-Priolo fault maps.[14]

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. The nearest fault, Rodgers Creek, is approximately 3.9 miles to the northeast of the project site. This proximity indicates that the intensity of ground shaking and damage from anticipated future earthquakes in the project area is categorized as 'Very Strong' according to the County's General Plan Public Safety Element.[15]

All construction activities would be required to meet the California Residential Code regulations for seismic safety, including designing all earthwork, cuts and fills, drainage, pavements, utilities, foundations and structural components in conformance with the specifications and criteria contained in the project final geotechnical report. Grading plans and design shall be completed and submitted to Permit Sonoma prior to project approval. Standard County development procedures include review and approval of construction plans prior to the issuance of a building/grading permit.

In addition, as required by the building code, the geotechnical engineer would be required to submit an approval letter for the engineered grading plans prior to issuance of the grading permit. Also, prior to final issuance of the grading permit and the acceptance of the improvements or issuance of a certificate of occupancy, the geotechnical engineer would be required to inspect the construction work and certify to Permit Sonoma that the improvements have been constructed in accordance with the geotechnical specifications. All work would be subject to inspection by Permit Sonoma for

[14] California Geologic Survey. California Department of Conservation, "Earthquake Zones of Required Investigation Map," accessed July 7, 2020. https://maps.conservation.ca.gov/cgs/EQZApp/app/

[15] Sonoma County. General Plan 2020, "Earthquake Ground Shaking Hazard Areas Figure PS-1a" accessed July 7, 2020. https://sonomacounty.ca.gov/PERMIT SONOMA/Long-Range-Plans/General-Plan/Public-Safety-Earthquake-Ground-Shaking-Hazard-Areas/

conformance with all applicable code requirements and approved improvement plans.

Significance Level:

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 ground failure. Areas of Sonoma County most at risk of liquefaction are along San Pablo Bay and in alluvial valleys. The project site is located within a very low Susceptibility Liquefaction area, as classified by the Sonoma County's GIS Tool. According to the project Biological Resource Assessment, per the Natural Resources Conservation Service (NRCS) Web Soil Survey, project site soils are in the Cotati series, which consist of moderately well-drained fine sandy loams with a clay subsoil. In addition, the project site is not located within a high liquefaction hazard area according to the Sonoma County General Plan 2020 Public Safety Element (Figure PS-1c, "Liquefaction Hazard Areas").[16]

Significance Level:

Less than Significant Impact

iv. Landslides?

Comment:

Where areas with steep slopes are underlain by weak or unconsolidated earth materials landslides are a hazard. Most of the project site has minimal slope, between 0 – 10 percent; portions of the project site are sloped between 10 – 50 percent on lot 2, however, the entire project site is also is located in Landslide Susceptibility Class 2 (few landslides) on General Plan Public Safety Element Figure PS-1d. The project is therefore considered to have a minimal potential for landslides.

Pursuant to General Plan Policy PS-1f and as part of standard County development procedures discussed in item 7.a.ii. above, a site-specific geotechnical report would be required for the project for foreseeable future residential construction, which would address potential landslide hazards by indicating necessary design measures to reduce geotechnical risks.

Significance Level:

Less than Significant Impact

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

The project includes grading, cuts and fills to accommodate the new driveway for the subdivision and would require a grading permit. The project proposes a maximum cut of 320 CY and a maximum fill of 8 CY for a net cut of 312 CY. The fill area would be 500 SF. Although grading would be necessary for future construction of the two new residences, because no applications have been submitted,

[16] Sonoma County. General Plan 2020 Public Safety Element, "Liquefaction Hazard Areas Fig. PS-1c," accessed July 7, 2020. https://sonomacounty.ca.gov/PERMIT SONOMA/Long-Range-Plans/General-Plan/Public-Safety-Liquefaction-Hazard-Areas/

exact grading estimates are not currently available. However, based generally on conceptual building envelopes as shown in Figure 4 it can be roughly estimated that approximately 20,000 SF, at some depth determined by future calculations, would need to be graded for the future construction of the two residences Improper grading 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 would ensure that all grading and erosion control measures are constructed according to the approved plans. These ordinance requirements and adopted best management practices are designed to maintain potential water quantity impacts at a less than significant level during and post construction.

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

For post construction water quality impacts, adopted grading permit standards and best management practices may require control of storm water through detention/retention and/or infiltration methods. Other adopted water quality best management practices include storm water treatment devices based on filtering, settling, or removing pollutants. These construction standards are 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 also require compliance with all standards and regulations adopted by the State and Regional Water Quality Control Board, such as the Standard Urban Storm water 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. For further discussion of related issues (such as maintenance of required post construction water quality facilities), please see to the Section 10, Hydrology and Water Quality.

If project construction occurs during wet weather, storm water could carry soils through the existing drainage swale along the northern boundary of the site, through an existing culvert, and potentially offsite into local storm drains along Old Redwood Highway. Standard construction erosion control measures at the project site (ABAG, 1995), which would be required as conditions of approval, would minimize this effect.

In addition, as a condition of project approval, the applicant would be required to submit an Erosion and Sediment Control Plan prepared by a registered professional engineer as a part of the grading plan. The plan would be required to contain all applicable items in the Grading Permit Required Application Contents (GRD-004) handout, including how the best management practices (BMPs) to be implemented, limits of disturbed areas and total work, vegetated areas to be preserved, and pertinent details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the environment, such as temporary erosion control measures to be used during construction of cut and fill slopes, excavation for foundations, and other grading operations at the site to prevent discharge of sediment and contaminants into the drainage system. The Erosion and Sediment Control Plan would also be required to include the following measures which shall be printed on applicable building, grading, and improvement plans:

a. Throughout the construction process, ground disturbance shall be minimized, and existing

vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations), shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.

b. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms and check dams. Fill slopes shall be compacted to stabilize. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.
c. All erosion control measures shall be installed according to the approved plans prior to the onset of the rainy season but no later than October 15th. Erosion control measures shall remain in place until the end of the rainy season but may not be removed before April 15th. The applicant shall be responsible for notifying construction contractors about erosion control requirement.

The Erosion and Sediment Control Plan would be subject to review and approval of Permit Sonoma prior to the issuance of a grading permit. In addition, the Applicant would be required to inspect all project storm water BMPs annually and submit the results to Permit Sonoma annually (including but not limited to the Inspection and Maintenance Checklists, photo evidence of BMP existing conditions, and a report of any maintenance activity, remediation, or replacement of BMP features). With application of these erosion control measures, the risk of erosion from the project (including erosion from project construction) would be less than significant.

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 located in an area with deposits of sand and gravel overlying the Petaluma Formation, and a basement structure comprised of Franciscan Complex. As discussed in Section 7.a, the project site is not in a landslide prone area or fault zone and is not subject to a high potential for liquefaction and ground shaking. The design and construction of new structures is not proposed as a part of this project; however, two future residences are reasonably foreseeable as a result of the project, which would be subject to the engineering standards of the California Building Code (CBC), which considers seismic shaking and foundation type. Project 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. Therefore, the project would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project.

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 direct or indirect risks to life or property?

Comment:

Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. The project site contains Cotati series soils that, depending

on their depth, have from low to high potential for shrink-swell, which could result in soil expansion.[17] Before issuance of a building permit for possible new residences, a final geotechnical report would be required as part of standard County development procedures (see item 7.a.ii) and would include an analysis of expansive soil hazards and recommended stabilization measures. With implementation of measures of the County development procedures and Uniform Building Code, combined with conformance with standard CBC and other applicable State and local regulations (all of which shall be required as conditions of approval for the project), potential hazards from 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 wastewater disposal systems where sewers are not available for the disposal of waste water?

Comment:

The project site served by the Penngrove Sanitation Zone public sewer. No septic tank or alternative water disposal systems are proposed as part of the project.

Significance Level:

No Impact

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

Comment:

Paleontological resources include fossil remains, as well as fossil localities and rock or soil formations that have produced fossil material. During the surface reconnaissance that was conducted for the Archaeological Resource Service (prepared November 13, 2017), all accessible parts of the project area were observed and no unique paleontological or geologic features were identified. Also see Section 5.b, Cultural Resources, for a discussion of the standard conditions of approval related to accidental discovery of paleontological resources. Implementation of these conditions would reduce the impact of construction activities on unknown paleontological resources to a less than significant level by prescribing the necessary handling and notification procedures in case of the accidental discovery of unanticipated buried resources.

Significance Level:

Less than Significant Impact

8. GREENHOUSE GAS EMISSIONS:

The methodologies and assumptions used in preparation of this section follow the CEQA Guidelines developed by the Bay Air Quality Management District (BAAQMD), as revised in May 2017 (BAAQMD

[17] Permit Sonoma GIS Zoning and Land Use Active Map, https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=06ac7fe1b8554171b4682dc141293962, accessed November 10, 2020

2017).

Would the project:

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

Comment:

construction of the project, greenhouse gas emissions (GHGs) would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The BAAQMD does not have a quantitative threshold of significance for construction-related GHG emissions.

For operations, the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines provides standards for screening potential air quality impacts based on different land uses. BAAQMD 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 a detailed air quality assessment of project air pollutant emissions (including greenhouse gases) would not be needed. Projects below the applicable screening criteria shown in Table 3-1 of the BAAQMD CEQA Guidelines would therefore not exceed the 1,100 MT of CO2e/yr GHG threshold of significance for projects other than permitted stationary sources.

Because the proposed project is below the operational GHG single-family screening size (56 dwelling units), the project would not be expected to generate GHG emissions that exceed the BAAQMD significance threshold, and therefore this impact would be considered less than significant.

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 County does not have an adopted Climate Action Plan but has established GHG reduction goals within an adopted a Climate Change Action resolution (May 8, 2018) *"to support a county-wide framework for reducing greenhouse gas emissions and to pursue local actions that support the identified goals therein."*[18] The County's resolution demonstrates commitment to working towards the Regional Climate Protection Authority's (RCPA) countywide greenhouse gas (GHG) emissions reduction targets: 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

The resolution includes the following goals:

- Increase building energy efficiency
- Increase renewable energy use
- Switch equipment from fossil fuel to electricity
- Reduce travel demand through focused growth
- Encourage a shift toward low-carbon transportation options
- Increase vehicle and equipment fuel efficiency
- Encourage a shift toward low-carbon fuels in vehicles and equipment

[18] Sonoma County, Long-Range Plans, "Climate Change Action Resolution," https://sonomacounty.ca.gov/PERMIT SONOMA/Long-Range-Plans/Climate-Change-Action-Resolution/, accessed July 21, 2020.

- Reduce idling
- Increase solid waste diversion
- Increase capture and use of methane from landfills
- Reduce water consumption
- Increase recycled water and graywater use
- Increase water and waste-water infrastructure efficiency
- Increase use of renewable energy in water and wastewater systems
- Reduce emissions from livestock operations
- Reduce emissions from fertilizer use
- Protect and enhance the value of open and working lands
- Promote sustainable agriculture
- Increase carbon sequestration
- Reduce emissions from the consumption of goods and services

In addition, Sonoma County's Climate Change Action resolution also has the goal of increasing resilience by pursuing local actions that support the following goals:

- Promote healthy, safe communities
- Protect water resources
- Promote as sustainable, climate-resilient economy
- Mainstream the use of climate projections

By implementing current county codes, the project would be consistent with local or state plans, policies, or regulations adopted for the purpose of reducing emissions of greenhouse gases.

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 is proposing to subdivide one parcel into three lots to support two additional single-family homes. The property is currently developed with a single-family residence. During construction and operation at the project site, small amounts of potentially hazardous materials would likely be used such as fuel, lubricants, and cleaning materials. Proper use of materials, in accordance with local, state, and federal requirements and as required in the construction documents, would minimize the potential for accidental releases or emissions from hazardous materials. In addition, as a standard County procedure, project construction contracts would be required to comply with Sonoma County Fire Code regulations, specifically Chapter 13-17, for storage of flammable liquids and Chapter 29 of the Sonoma County Municipal Code regulations related to hazardous materials management (protection of surface waters pursuant to Caltrans Standard Specifications, or functional equivalent). Project construction contracts would also be required to specify procedures in the event of a spill of hazardous materials (i.e., Contractor responsible for immediately calling emergency number 9-1-1 to report spill, taking appropriate actions to contain spill to prevent further migration of hazardous materials, contacting County to verify appropriate clean-up procedures). With existing General Plan policies and Federal, State, and local regulation and oversight of hazardous materials, the potential threat to public health and safety for the environment from hazardous materials transport, use or

disposal would represent a less than significant impact.

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:

As discussed in Section 9.a., above, the proposed project would not include major quantities of construction-related and operational hazardous materials.

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 site is within approximately 0.28 miles west of the Penngrove Elementary School. However, as discussed in Section 9.a., above, the project (a proposed three-lot residential subdivision) would not generate hazardous emissions or use hazardous materials (except for typical household hazardous materials such as pesticides, propane cylinders or tanks, auto batteries and other batteries, paint and paint thinners, cleaners, fluorescent lamps, and medications). The project site is also separated from Penngrove Elementary School by Old Redwood Highway. This separation would act as a practical buffer for typical residential hazardous materials listed above.

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 on or adjacent to the project, based on a review of the following databases on July 7, 2020.

1. The State Water Resources Control Board GeoTracker database,[19]
2. The Department of Toxic Substances Control EnviroStor database (formerly known as Calsites),[20] and

[19] State Water Resources Control Board GeoTracker Database, http://geotracker.waterboards.ca.gov/, accessed on July 7, 2020.
[20] The Department of Toxic Substances Control EnviroStor Database, http://www.envirostor.dtsc.ca.gov/public/, accessed on July 7, 2020.

3. The California Integrated Waste Management Board Solid Waste Information System (SWIS).[21]

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 site is not within an airport land use plan as designated by Sonoma County. The nearest airport, Petaluma Municipal Airport, is over 5 miles south of the project site.

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 Emergency Operations Plan[22] that was adopted in December, 2014. There is no separate emergency evacuation plan for the County, however, the project would generate an insignificant amount of traffic and therefore would not change existing circulation patterns. See Section 17, Transportation, for discussion of emergency access.

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 Sonoma County General Plan (Figure PS-1g, Wildland Fire Hazard Areas), the proposed project area is located within a State Responsibility Area (SRA) and is designated a Moderate fire hazard severity zone.[23] As noted in the General Plan Public Safety Element (p. PS-14), *"The Moderate Hazard Severity Zone includes: a) wildland areas of low fire frequency supporting modest fire behavior; and b) developed/urbanized areas with a very high density of non-burnable surfaces and low vegetation cover that is highly fragmented and low in flammability."*

As part of the County's planning referral process, the Fire Department provided conditions of approval to manage wildland fire risks; construction of the project would be required to conform to County Fire

[21] The California Integrated Waste Management Board of Solid Waste Information System (SWIS), https://www2.calrecycle.ca.gov/SWFacilities/Directory, accessed on July 7, 2020.
[22] Sonoma County Emergency Operations Plan, http://sonomacounty.ca.gov/DEM/Public-Reports/Operational-Area-Emergency-Operations-Plan/, accessed September 1, 2020
[23] Sonoma County FHSZ Map, http://www.fire.ca.gov/fire_prevention/fhsz_maps_sonoma, accessed July 7, 2020

Safe Standards (County Code Chapter 13) related to emergency access, minimum emergency water supply, fuel modification and defensible space, sprinklers, and road naming and addressing. In addition, pursuant to Public Resource Code 4442, the Applicant would be required to include a note on all construction plans that internal combustion engines be equipped with an operational spark arrester, or the engine must be equipped for the prevention of fire. The project would be required to conform to California Building Code requirements (Chapter 7A), which include use of ignition-resistant construction methods and materials, minimum fire-resistance construction standards, fire sprinklers, and minimum fire separation distance. In addition, because the project is in an SRA, it would need to comply with California Fire Code standards for construction in a Wildland-Urban Interface Fire Area (Chapter 49) as well as Chapter 13 of the Sonoma County Code, which among other items require maintaining and managing vegetation and fuels around buildings and structures.

Specifically, Chapter 13A of the Sonoma County Code, Abatement of Hazardous Vegetation and Combustible Material, provides requirements that can be applied to parcels, if deemed necessary by the County, to reduce wildfire risks, such as:

1) Maintain a thirty-foot defensible space around all buildings/structures.
    a. The grass needs to be cut six (6") inches or less.
    b. The tree branches need to be limbed up six (6') feet from the ground.
2) Additional defensible space outward to one hundred feet (100') from all buildings and surroundings, neighboring structures may be required depending on the property slope, fuel load and/or fuel type.
    a. Fuel load - Amount of vegetation.
    b. Fuel type – Type of vegetation.
3) Remove all portions of trees within ten feet (10') of chimney and/or stove pipe outlets.
    a. Property owners are responsible for maintaining trees year-round.
    b. Trees need to be cut ten feet (10') away from chimney in any direction.
4) Maintain trees adjacent to or overhanging a structure free of dead/dying wood.
    a. Cut the trees back and remove any dead or dying wood.
5) Maintain the roof of any structure free of leaves, needles, or other dead/dying wood.
    a. Remove any leaves, needles, branches, or debris from the roof and/or gutters.
6) Remove all tree limbs within six feet (6') of the ground.
    a. Remove lower hanging tree branches from the ground up to six feet (6').
7) Remove dead/dying vegetation from the property.
    a. Remove any and all dead/dying vegetation from the property.

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 ground water quality?

Comment:

The project side does not contain any wetlands, riparian corridors, or bodies of water. The subject property is at a higher elevation in relation to the surrounding parcels. According to the project Biological Resource Assessment, per the Natural Resources Conservation Service (NRCS) Web Soil Survey, the site is on silty loam soils. This soil composition along with the fact the site is on relatively high elevation allow for good drainage conditions. The project site drains through sheet flow from

south to north toward a drainage swale along Old Redwood Highway and Penngrove Avenue (the northern property boundary). It is anticipated that storm water on the parcels will continue to flow in a northerly direction towards the existing drainage swale and that runoff from the new driveway will also continue to flow in a northerly direction before joining at the existing swale.

The project site is located in the Petaluma River watershed. [24] The closest body of water to the project is Lichau Creek, a blue-line creek, that is located approximately 425 feet to the east of the project site. This southwest flowing creek is approximately nine miles long and discharges into the Petaluma River. According to the Sonoma County Zoning Ordinance and GIS Tool, the section of Lichau Creek closest to the project site is designated as a Riparian Corridor with 50-foot setback requirements, however, the project site is more than 50 feet from the creek and would not disturb the riparian corridor. Lichau Creek is separated from the project site by five residential properties and Old Redwood Highway. Because of the distance, existing drainage swale and residential development between the site and the waterway, potential water discharge or runoff from the project site to Lichau Creek (and Petaluma River Watershed) is not be expected. Water bodies in the Petaluma River watershed are listed under the Clean Water Act Section 303(d) (per the 2014 and 2016 List) due to impairments to water quality by several pollutants.

Permit Sonoma requires the project applicant to prepare a grading and drainage plan in conformance with Chapter 11 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.

Permit Sonoma requires projects implementing Low Impact Development (LID) techniques to employ a site design strategy of BMPs that mimics the pre-development site hydrology through features that promote storm water infiltration, interception, reuse, and evapotranspiration. LID techniques include use of small scale landscape based BMPs such as vegetated natural filters and bioretention areas (e.g., vegetated swales and rain gardens) to treat and filter storm water runoff. LID also requires preservation and protection of sensitive environmental features such as riparian buffers, wetlands, woodlands, steep slopes, native vegetation, valuable trees, flood plains, and permeable soils.

As a condition of project approval, the applicant would be required to submit a final Storm Water Low Impact Development Submittal (SWLIDS), for County review and approval. In addition, the Best Management Practices (BMPs) identified in the SWLIDS would be required to be installed and working properly, prior to issuance of grading or building permits.

The project would include the construction of a new driveway that would include an 18-inch culvert to ensure flow of storm water would not be encumbered through an existing drainage swale which exists along the northern boundary of the property.

As a condition of approval, Public Works has requested that the applicant evaluate the existing culvert along the existing property driveway that enables passenger vehicles to enter and exit the public road. Specifically, the Public Works comment letter requested that the culvert cleaned or replaced as necessary; this request has been incorporated as a condition of approval for the project. Also, see Section 7.b, Geology and Soils, for a discussion of standard county erosion control measures.

Application of these standard County and State storm water requirements and County conditions of approval would reduce project storm water runoff impacts to less than significant.

Significance Level:

Less than Significant Impact

[24] Sonoma County, Permit Sonoma GIS, "Cannabis Site Evaluation," accessed September 2, 2020

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

Comment:

Water for the project site would be supplied from the Penngrove Water; groundwater would not be used. As part of the project, two 1.5-inch water service lines will be installed from the existing Penngrove Water Company water main (located in the Penngrove Avenue right of way) to serve the two new lots. These lines will be capped for future connection to the two new residences.

The proposed project would increase impervious surfaces at the project site. As previously described in Section 10.a, storm water is anticipated to flow in a northerly direction towards an existing swale through vegetation which increases the time of concentration and, in turn, reduces runoff. Onsite storm water runoff would be captured by permanent BMPs to reduce pollution from leaving the site.

Given the limited size of the project site, incorporation of storm water BMPs, and that the project site would not use groundwater supplies, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

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 or through the addition of impervious surfaces, in a manner which would:

(i) result in substantial erosion or siltation on- or off-site;

Comment

Please see Sections 7.b and 10.a for a discussion of potential erosion impacts and reduction measures. The County grading ordinance design requirements, adopted County grading standards and best management practices (such as silt fencing, straw wattles, construction entrances to control soil discharges, primary and secondary containment areas for petroleum products, paints, lime and other materials of concern, etc.), mandated limitations on work in wet weather, and standard County grading inspection requirements, are specifically designed to maintain potential water quality impacts at a less than significant level during project construction, Therefore, construction activities associated with the proposed project are not anticipated to alter the existing drainage pattern of the site or area in a way that would result in downstream erosion and/or sedimentation. All construction activities are required to adhere to Sonoma County Code Sections 11-14-040 requiring that BMPs be incorporated in project activity to control surface water runoff.

As discussed in Sections 7.b and 10.a, prior to beginning grading or construction, the applicant is required to prepare an erosion and sediment control plan and storm water low impact development submittal, including BMPs for erosion control during and after construction and permanent drainage and erosion control measures, pursuant to Chapter 11 of the County Code.

In accordance with Section 11-14-040 of the County Code, drainage facilities and systems are required to prevent or minimize soil loss through the use of storm drain culverts (pipes), storm drain inlets and outlets, storm drain outfalls, energy dissipators, flow dispersion, check dams, rolling dips, critical dips, proper location and sizing of culverts, revegetation of exposed or disturbed slopes,

minimizing cross drains through road outsloping, minimizing the use of artificial slopes, and other BMPs referenced or detailed in the County's BMPs for construction grading and drainage.

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:

There are no blue line streams on the project site and the parcel is not in the 100-year flood zone based on the online Sonoma County GIS tool According to FEMA, the project is not within a Special Flood Hazard Area (SFHA) which is an, "area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year." These areas are also depicted on the zoning maps with the F1- Flood Zone and F2 – Flood Plain Combining Zones (General Plan 2020 PS-1e). Because the project site is not in 100-year floodplain and there is no other potential source of flood water in the project vicinity, the project would not result in onsite or offsite flooding.

In addition, the project would not significantly increase the rate or amount of surface runoff because of project compliance with County Code, which as discussed in Sections 7.b and 10,a, requires the applicant to develop storm water low impact development (SWLID) submittals and adhere to construction and operational Best Management Practices. The Best Management Practices 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 Best Management Practices include filtering, settling, or removing pollutants.

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:

Storm water treatment Best Management Practices will address potential for water quality impacts and shall also address water quantity through storm water flow control Best Management Practices. Storm water treatment Best Management Practices shall be designed to treat storm events and associated runoff to the 85-percentile storm event in accordance with County standards. Storm water treatment Best Management Practices shall be designed to treat storm events and associated runoff to the channel forming discharge storm event which is commonly referred to as the two-year 24-hour storm event.

The location of the storm water Best Management Practices are site specific and depend on details of future development. The type and approximate size of the selected storm water Best Management Practices would be in accordance with the adopted Sonoma County Best Management Practice Guide.

As discussed above and in Section 7, Geology and Soils, at the time of submitting of a grading, drainage, or building permit application for future development on the project site, a final drainage report for each parcel would need to be submitted for review. A typical drainage report would include

a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all existing and proposed drainage facilities. The drainage report shall abide by County drainage standards. This standard County development procedure would ensure that project runoff effects would be less than significant.

Significance Level:

Less than Significant Impact

(iv) impede or redirect flood flows?

Comment:

Elevation on the site range from approximately 110 to 136 feet above mean sea level (msl). There is no potential for flooding on the site. In addition, because the site is at an elevation higher than neighboring parcels and, as described in Section 10.c, the parcel is not in the 100-year flood zone or Special Flood Hazard Area (SFHA), development of the project site would not impede or redirect flood flows.

Significance Level:

No Impact

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

Comment:

According to the Sonoma Plan General Plan Figure PS-1f[25], the project site is not in the 100-year flood zone, Special Flood Hazard Area (SFHA), or in an area that would be subject to flooding as a result of levee or dam failure. The project site is not located in an area subject to seiche (which is defined by the National Ocean Service of NOAA as "a standing wave oscillating in a body of water") or tsunami because it is over 16 miles east of the Pacific Ocean. .

Significance Level:

No Impact

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

Comment:

As described above in Section 10.b,, water would be supplied to the project site by Penngrove Water Company; groundwater would not be used at the project site. In addition, project compliance with standard County Code and other development requirements, described in Sections 7.b and 10.a, to ensure protection of water quality. Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Significance Level:

Less than Significant Impact

[25] Sonoma County. General Plan 2020 Safety Element. "Dam Failure Inundation Hazard Areas, Figure PS-1f," accessed September 2, 2020.

11. LAND USE AND PLANNING:

Would the project:

a) Physically divide an established community?

Comment:

The project proposes the subdivision of an existing parcel and therefore would not physically divide a community. The project proposes an extension of an existing driveway but otherwise does not propose 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. In addition, future residential development on the site as a result of the project would also not physically divide an established community or impair mobility.

Significance Level:

No Impact

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

Comment:

The proposed project would result in the development of a three-parcel subdivision and potentially two additional single-family homes. The Sonoma County General Plan Land Use Map identifies the project site as Urban Residential – 2, which allows two dwelling units per acre on a given parcel of land. The Zoning Ordinance designations for the project site include the following: Rural Residential District (RR), Combining District (B6) 2 DU - two dwelling units per acre.

The proposed project would result in the same land use on the project site that currently exists, with three lots on which each would support one dwelling unit. The project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect. The project would be consistent with the following goals, policies, and objectives in the Sonoma County General Plan:

- Protection against intensive development of lands constrained by natural hazards and proliferation of growth in areas where there are inadequate public services and infrastructure (General Plan Land Use Element 2.7- Natural Resource Land Use Policy): The project site is not constrained by steep slopes, biotic or scenic areas, poor soils or water, geologic hazards, or fire and flood prone areas. No new public services or infrastructure are needed to serve the project with the exception of pipeline extensions for water and sewer to serve the two future residences.
- The project is designed in harmony with the natural and scenic qualities of the local area (Policy LU-12g), as project is well screened from roads and other properties by existing trees and vegetation.
- Preservation of biotic and scenic resources (General Plan Goal LU-10, Objective LU-10.1, Goal OSRC-2, Objective OSRC-2.1, Objective OSRC-2.2, Objective OSRC-2.3, Policy OSC-2d, Goal OSCR-3, Policy OSRC-3a, Policy OSRC-3b, Policy OSRC-3c, Goal OSRC-6, Objective OSRC-6.1, and Policy OSRC-6a): The project would be consistent with regulations pertaining to avoiding biotic resources and would also be largely consistent with regulations

designed to maintain the scenic qualities of the area. (See Section 1, Aesthetics, and Section 4, Biological Resources for further discussion).

- Wastewater (General Plan Policy LU0-8a): The project would comply with regional waste discharge requirements and County regulations to minimize storm water, surface water and groundwater pollution.
- Protection of Water Resources (General Plan Goal LU-8, Objective LU-8.1, Goal, Policy LU-8a): The project would be consistent with regulations pertaining to protecting Sonoma County's water resources and would also be largely consistent with regulations designed to avoid long term declines in available groundwater resources or water quality.
- Noise (General Plan Goal NE-1): Project construction and operations would not exceed the general plan noise standards Table NE-2 (See Section 12, Noise, for further discussion).

The project would also be consistent with the following goals, policies, and objectives in the Penngrove Area Plan:

- The project does not interfere with important biotic or natural features, scenic resources or managed areas which could provide open space (Penngrove Area Plan, Open Space Policy V.B.)
- The project does not increase demand on groundwater resources and recharge areas (Penngrove Area Plan, Open Space Goal IV.A.)
- The project does not propose or enable future encroachment within the designated 50-foot riparian corridor setback of Lichau Creek (Penngrove Area Plan, Preservation of Natural Resources, Riparian Corridor Policy (1)).

Significance Level:

Less than Significant 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:
According to online Sonoma County GIS data, the project site is not located within a known mineral resource deposit area. 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).[26] According to the State, the project is classified as MRZ-1, which includes *"Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources."* [27]

Significance Level:

No Impact

[26] Sonoma County Aggregate Resources Management Plan, http://sonomacounty.ca.gov/PERMIT SONOMA/Long-Range-Plans/Aggregate-Resource-Management/, accessed September 2, 2020.

[27] California Geologic Survey Special Report 205, Update of Mineral Land Classification: Aggregate Materials in the North San Francisco Bay Production-consumption region, Sonoma, Napa, Marin, and Southwestern Solano Counties, California (California Geological Survey, 2013); Plate 1A, Plate 1B, and Plate 1C.

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) (Sonoma County Aggregate Resources Management Plan, as amended 2010 and Sonoma County Zoning Code). No locally-important mineral resources are known to occur at the site.

Significance Level:

No Impact

13. NOISE:

Would the project result in:

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 proposed project, creation of a three-parcel subdivision and future development of two additional single-family homes, would generate noise levels similar to the current noise levels at the site, which currently supports a single-family residence. No substantial permanent increase in ambient noise levels in the vicinity of the project is anticipated with the potential future addition of two single-family homes.

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

Significance Level:

Less than Significant with Mitigation Incorporated

Mitigation:

Mitigation Measure NOISE-1:

Construction activities for this project shall be restricted as follows:

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 5:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. 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 startup 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 5:00 p.m., Monday through Friday or prior to 9:00 a.m. nor past 5:00 p.m. on weekends and holidays and no servicing of equipment past 5:00 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 5:00 p.m. weekdays only.

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 applicant shall designate a construction 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.

Mitigation Monitoring:

Mitigation 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. 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. (Ongoing)

b) Generation of excessive ground borne vibration or ground borne noise levels?

Comment:

The project includes construction activities that may generate minor ground borne vibration and noise. These levels would not be significant because they would be short-term and temporary, and would be limited to daytime hours as outlined in Mitigation Measure NOISE-1.

Significance Level:

Less than Significant Impact

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:

The project site is not within the Airport Referral Area, as designated by the Sonoma County Comprehensive Airport Land Use Plan.[28] The project site is not within the vicinity of a private airstrip or within two miles of a public airport or public use airport. Petaluma Municipal Airport is the nearest airport to the project and over five miles to the south. The project, therefore, would not expose people residing or working in the project to excessive noise levels.

Significance Level:

No Impact

14. POPULATION AND HOUSING:

Would the project:

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

Comment:

The project would create a three-parcel subdivision, with the existing single-family residence remain on its portion of the subdivision (Lot 1), and the two future residences anticipated to be developed on the new lots (Lot 2 and Lot 3). These two potential new residences would not represent a substantial amount of homes and therefore would not induce substantial population growth. The project is within the projected population growth of the county's General Plan and is consistent with the applicable residential land use designation (Urban Residential) and zoning classification (Rural Residential).

Significance Level:

Less than Significant Impact

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

Comment:

No housing or people would be displaced by the project and no off-site replacement housing is proposed to be constructed.

Significance Level:

No Impact

15. PUBLIC SERVICES:

Would the project:

[28] Sonoma County. "Sonoma County Airport Referral Area," accessed July 9, 2020. https://sonomacounty.ca.gov/PERMIT SONOMA/Long-Range-Plans/Comprehensive-Airport-Land-Use/Sonoma-County-Airport/

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

Comment:

Construction of the project, as shown in the discussion that follows, would not involve substantial adverse physical impacts associated with provision of public facilities or services and the impact would be less than significant. As discussed in Section 14.a, the anticipated residential growth is accounted for by the General Plan; and, any increase in public service demands would also be accounted for. Therefore, project would not necessitate the need for construction of any new public facilities or the alteration of any public facilities and would cause no effects on the performance objectives for any public services.

i. Fire protection?

Comment:

The project would be located in the Rancho Adobe Fire Protection District (FPD) Local Response Area. The project was sent on referral to the Rincon Valley FPD on July 16, 2015.

The County Fire Marshal reviewed the project description and plan on August 26, 2015 and required that the project comply with Fire Safe Standards, including that the proposed project comply with the County's Fire Code (Chapter 13) and that prior to occupancy, written approval that the required improvements have been installed shall be provided to Permit Sonoma from the County Fire marshal/Local Fire Protection District. Specifically, the County Fire Marshal requested the project comply with standards involving fire access roads, appropriate signage and building numbering, names on roads, emergency water supply, appropriate setbacks, vegetation management, hazardous materials management and management of flammable or combustible liquids and gases. Because none of the conditions and/or requirements requires construction of new or expanded fire protection/EMS facilities, project impacts on fire protection/EMS would be considered less than significant.

Significance Level:

Less than Significant Impact

ii. Police?

Comment:

The Sonoma County Sheriff would continue to serve this area. There would be no increased need for police protection resulting from the project.

The proposed project would create part-time jobs for the construction work of the proposed minor subdivision (e.g., driveway construction, utility undergrounding, culvert expansion) and potential construction work for the two future residences anticipated to be developed. The two future single-family houses would not constitute a substantial amount of new housing and would not induce substantial population growth. Existing police protection facilities would be adequate to serve the project and additional Sheriff's Department facilities would not be needed.

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. Although two future residences are anticipated as a result of the project, the number of school-aged children from these new residences would not be substantially large enough to require new schools.

Significance Level:

Less than Significant Impact

iv. Parks?

Comment:

Construction of the project would not involve substantial adverse physical impacts associated with parks. The project would not alter or impede any existing or future park plans as the project does not propose a substantial increase in housing or population.

In addition, Sonoma County Code Chapter 20 provides for payment of parkland mitigation fees from all new residential development to meet General Plan Objective OSRC-17.1: "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. Each of the two future residences would be responsible individually for paying the required park development fee.

Significance Level:

Less than Significant Impact

v. Other public facilities?

Comment:

The project would be served by the Penngrove water and sewer facilities. As discussed in Section 19.a, the project would not require expansion of these utility facilities. Expansion or construction of additional types of public facilities, such as community centers, libraries, or other municipal centers, is not anticipated as a result of the development of this project.

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:

Although the project does not propose construction of new residences, it is reasonably foreseeable that future development of two additional single-family residences would occur, but this would not be likely to result in activities that would cause or accelerate substantial physical deterioration of parks or recreational facilities. Although these two future residences could increase visitation of neighborhood and regional park facilities, the increase would not represent a significant increase, and project impacts on existing neighborhood and regional parks or other recreational facilities would be minimal.

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 proposed project does not involve construction of recreational facilities. See item 16.a. above.

Significance Level:

No Impact

17. TRANSPORTATION:

Would the project:

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

Comment:

The Sonoma County General Plan Circulation and Transit Element includes adopted objectives for roadway system operations. According to existing and proposed provided by the Institute of Traffic Engineers, the project would be anticipated to result in an increase of approximately 19 average daily vehicle trips. [29] Average traffic volume counts for Penngrove Avenue and Old Redwood Highway have been recorded in the County of Sonoma Traffic Volume GIS.[30] Penngrove Avenue has an average volume of 857 trips per day and Old Redwood Highway has an average volume of 10,844 trips per day.

Penngrove Avenue is a rural residential road with no shoulders, fencing, or other physical separation from surroundings. Old Redwood Highway is a major collector, with limited shoulders, some sidewalks, a bike lane (see below), and a crosswalk at Old Adobe Road, about fifty feet southeast of the existing project driveway.

Pedestrian and Bicycle Facilities – Near the project site, Old Redwood Highway is improved with

[29] Trip Generation Rates from the 8th Edition ITE Trip Generation Report, http://www.fdot.gov/planning/systems/programs/SM/tripgen/trip-generation-9th-ed-vs-8th-edition-analysis%20(1).xls accessed on November 10, 2020.
[30] Transportation & Public Works, County of Sonoma Traffic Volume GIS tool, https://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=d7d74af9e42c4218891eb0ddbfeae292, accessed 7/10/20.

dedicated Class II bike lanes in the northbound and southbound directions. In addition, a Class II bike lane is planned for Adobe Road between Old Redwood Highway and Lynch Road, which would be accessible from the project site after crossing Old Redwood Highway.[31] There is a sidewalk opposite the project site along the northeast side of Old Redwood Highway that provides pedestrian access between Rainshine Court and Old Adobe Road; however, near the project site, Penngrove Avenue does not have either sidewalks or bike lanes.

Transit Stops - The project site vicinity is served by Sonoma County Transit (SCT). The closest bus stop is at Old Redwood Highway/Old Adobe Road, approximately 80 feet north of the project site and across the street.[32]

Traffic Conclusions. The project is not proposing a significant increase in traffic, and traffic resulting from the project would not be expected to substantially affect existing traffic operations. As discussed below in section 17.c, the applicant would be required by County Transportation and Public Works to ensure that the sightlines, road material, and width for both the existing and proposed driveways meet American Association of State Highway and Transportation Officials (AASHTO) and County design standards. Therefore, because project operations and design would not interfere with bicycle, pedestrian, or transit facilities, the proposed project would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities. In addition, the County would require the project, as a condition of approval, to pay a development fee (Traffic Mitigation Fee), per Chapter 26, Article 98 of the County Code.

Significance Level:

Less than Significant Impact

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

Comment:

Traffic impacts under CEQA have traditionally been assessed based on increases in intersection delay measured by Level of Service (LOS). However, with the passage of SB 743, transportation impacts under CEQA are now to be measured based on the vehicle miles traveled (VMT) generated by a project (effective July 1, 2020).

Sonoma County has not yet adopted a VMT standard, nor has the County adopted a policy or threshold of significance regarding VMT. As with other cities and counties throughout the state that have not established VMT standards and thresholds, the Governor's Office of Planning and Research (OPR) "Technical Advisory on Evaluating Transportation Impacts in CEQA" (2018) is used in the interim to determine if the project's VMT may or may not cause a transportation impact. According to the guidelines, the screening threshold indicates that projects that generate or attract fewer than 110 trips per day "generally may be assumed to cause a less than significant transportation impact."

As discussed earlier in Section 17.a, the proposed project is anticipated to generate an increase of approximately 19 average daily vehicle trips using standard trip generation rates from the Institute of Transportation Engineers (ITE). Because the project is anticipated to generate an average daily trip count below the 110 average daily trip threshold, it is reasonable to conclude that the project will have a less than significant impact on VMT. Therefore, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact.[33]

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[31] Sonoma County Transportation Authority, SCTA Countywide Bicycle and Pedestrian Master Plan Appendices, Updated 2014.
[32] Sonoma County Transit, http://sctransit.com/maps-schedules/, accessed July 10, 2020.
[33] OPR, "Technical Advisory on Evaluating Transportation Impacts in CEQA," https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf, accessed November 10, 2020.

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 proposes to a new driveway to serve the three subdivided lots. The existing driveway along the eastern boundary of the site would remain. The new driveway would be approximately 360 feet long and 12 feet wide at most sections, and would include a turnout and a turnaround for emergency vehicles. The entrance would be 20 feet wide. Sonoma County Fire Safe Standards require that all driveways exceeding 150 feet in length shall have a turnout constructed approximately at the midpoint of the driveway and a turnaround constructed within 50 feet of residential buildings the driveway serves. The project as designed would meet both of those requirements.

Sightlines from the east and west approaching the new driveway could be obscured by existing tall vegetation. However, the project is proposing to remove vegetation and trees along the driveway entrance, which would improve sightlines for motorists and pedestrians and remove potential safety hazards by making vehicles entering and exiting the site visible from Penngrove Avenue and Old Redwood Highway. The entrance of the driveway would be designed to be at grade with Penngrove Avenue and Old Redwood Highway (for approximately 30 feet), which would make visibility good for pedestrians, bicyclists, and other motorists.

As a condition of approval, the project would be required to conform to American Association of State Highway and Transportation Officials (AASHTO) standards, or as otherwise specified by the Department of Transportation and Public Works (DTPW), for driveway safety improvements for both the existing and the new driveways and would be required to submit for DTPW review and approval sightline drawings that demonstrate adequate sight distances.

In addition, because the project is in a rural residential area, hazards to motorists, bicyclists, and pedestrians could occur during construction activities. While temporary construction-related impacts would cease upon completion of the project, mitigation would reduce the impact to a less than significant level.

Significance Level:

Less than Significant Impact with Mitigation Incorporated

Mitigation:

Mitigation Measure TRANS-1:

The applicant shall submit a *Construction Period Traffic Control Plan* to the County for review and approval. The plan shall include traffic safety guidelines compatible with Section 12 of the Caltrans Standard Specifications (“Construction Area Traffic Control Devices”) to be followed during construction. The plan shall also specify provision of adequate signing and other precautions for public safety to be provided during project construction. The applicant/contractor shall notify local emergency services prior to construction to inform them that traffic delays may occur, and also of the proposed construction schedule.

Mitigation Monitoring:

Mitigation Monitoring TRANS-1:

Prior to approval of a grading permit, the County shall review the project *Construction Period Traffic Control Plan.* During construction, the County shall periodically verify that the traffic control plan provisions are being implemented.

d) Result in inadequate emergency access?

Comment:

The project site is located at the intersection of Old Redwood Highway and Penngrove Avenue, which are County-maintained roads serving approximately 100 residential parcels. The project proposes a minimum 12-foot wide access driveway that would extend into the site from Penngrove Avenue. Along the new driveway, a fire safety turnout and turnaround are proposed for emergency vehicle circulation As discussed in Section 17.c and Section 20, County review and approval of the project driveways, turnouts, and turnarounds would be required to ensure compliance with the California Fire Code, as adopted and amended by Sonoma County Code. Project compliance with County Fire Safe Standards involving access and circulation provisions (Sonoma County Code Chapter 13) and Fire Department approval of project compliance, would help ensure adequate emergency access.

Significance Level:

Less than Significant Impact

18. TRIBAL CULTURAL RESOURCES:

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:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k),
or
b) 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 discussed in Section 5.b., the results of a cultural resources records search of the California Historical Resources Information System (CHRIS), an archaeological field survey, and a Native American Sacred Lands File Search through the Native American Heritage Commission indicate that there are no known Traditional Cultural Resources (TCR) or unique archaeological resources associated with TCRs located within the project site. In addition, no responses were received from any of the five local Native American tribes contacted regarding further information. As also discussed in Section 5.b., compliance with the County Code would reduce potential impacts related to cultural resources to less than significant levels. Therefore, the proposed project would result in no substantial adverse change in the significance of TCRs or unique archaeological resources, as defined in CEQA Guidelines Section 15064.5. As described in Section 5.c, the grading ordinance (County Code section 11-14-050) would also apply to previously undiscovered TCRs or unique archaeological resources that may be accidentally encountered during project implementation.

Therefore, impacts regarding tribal cultural resources are less than significant.

Significance Level:

Less than Significant impact

19. UTILITIES AND SERVICE SYSTEMS:

Would the project:

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

Comment:
The project is located in an area served by public utilities which also serve the existing onsite residence. As such, the project would not result in the relocation or construction of new electric, natural gas, or telecommunication facilities. The project would use a public water source, the Penngrove Water Company, and two 1.5-inch water service lines would be installed from the existing Penngrove Water Company water main (located in the Penngrove Avenue right of way) to serve the two new lots. These lines would be capped until future connection is needed. (public). Domestic wastewater disposal would be provided by the Penngrove Sanitation Zone through an existing sanitary sewer. Two 4-inch sanitary sewer lines would be installed to connect lots 2 and 3 to the Penngrove Sanitation Zone sewer main (located on Penngrove Avenue). These improvements are typical for new residential development and would be regulated through the standard grading and building permit process. Any design or modifications to the existing public water system and/or wastewater system associated with future residential construction would need to be submitted for County review and approval. Construction impacts have been analyzed in Section 3, Air Quality; Section 4, Biological Resources; Section 5, Cultural Resources; Section 7, Geology and Soils; and Section 10, Hydrology and Water Quality of this document.

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:

The subdivision would allow for the future construction of up to two additional single-family residences and would create a minor increase in water demand. As discussed previously, the project would use water supplied from the Penngrove Water Company (public). Prior to construction of these residences, the future homebuilders would be required to obtain an agreement from the Penngrove Water Company ("will-serve" letter) stating the provider is able to serve project water needs.

Permit Sonoma provides water use estimates for residential dwellings; per their Water Supply, Use

and Conservation Assessment Guidelines.[34] These guidelines estimate that dwellings with unspecified landscaping demand 0.5 acre-feet of water a year. Therefore, future development of two new residences would account for a 1.0 acre-foot per year increase in water use. According to the Sonoma County Water Agency (SCWA), in the 2019-2020 fiscal year, SCWA delivered 197.1 acre-feet of water to the Penngrove Water Company.[35] So, future development of two new residences would represent an approximately 0.5 percent increase in annual water use. In addition, the SCWA Urban Water Management Plan (2015)[36] also states that "…the Water Agency has adequate water supply through the 2040 planning horizon of this Plan, except for single-dry years, starting after 2020."

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:

The project would be served by the Penngrove Sanitation Zone for wastewater treatment and sewage disposal needs. According the Penngrove Sanitation Zone's website, the zone serves 475 acres and the equivalent of 546 single-family residences.[37] The project would allow for residential construction of two new homes and the existing home would convert its water treatment from septic to sewer use, through the Penngrove Sanitation Zone. Therefore, the project could increase service demands by approximately 0.5 percent compared to current wastewater treatment demand for the zone.

The Permit Sonoma Sanitation Department also reviewed the project and prescribed conditions of approval for the project that indicated the Penngrove Area Zone would have enough capacity to serve the three residences associated with the project. The Sanitation Department requires that the applicant obtain Sewer Connection Permits for each lot (residence) in the subdivision before any structure on the lot can be occupied.

Significance Level:

Less than Significant 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 an existing solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted

[34] Sonoma County. "8-2-1 Water Supply, Use and Conservation Assessment Guidelines," accessed September 3, 2020. http://sonomacounty.ca.gov/PERMIT SONOMA/Policies-and-Procedures/8-2-1-Water-Supply-Use-and-Conservation-Assessment-Guidelines/

[35] Sonoma County Water Agency, Water Delivery Data, https://www.sonomawater.org/water-delivery-data, accessed August 20, 2020.

[36] Sonoma County Water Agency. Final 2015 Urban Water Management Plan, accessed September 3, 2020. https://www.sonomawater.org/uwmp

[37] Sonoma Water. Penngrove Sanitation Zone, accessed September 3, 2020. https://www.sonomawater.org/psz

collection and disposal of the waste that would result from the proposed project. The future addition of two single-family homes would not create a substantial increase in solid waste beyond the capacity of the County's solid waste system.

Significance Level:

No Impact

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

Comment:

Sonoma County has an existing solid waste management program that provides solid waste collection and disposal services for the entire County. The program can accommodate the potential addition of two residences in collection and disposal of the waste that could result from the subdivision.

Significance Level:

No Impact

20. WILDFIRE

The proposed project is located in a state responsibility area. The potential for significant wildfire impact is less than significant because the project site is located in a Moderate Fire Severity Zone. The nearest Fire Station is the Rancho Adobe Fire District at 11000 Main Street in the Penngrove, approximately 0.5 miles to the southeast of the project site.

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

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

Comment:

There is no adopted emergency response or evacuation plan for this area. The proposed project includes access improvements that comply with County standards that will support emergency services response to proposed home sites and evacuation in the event of an emergency.

As discussed in section 17.d, the project site is served by Old Redwood Highway and Penngrove Avenue. The project access driveway would be a minimum of 12 feet wide, with 2-foot shoulders, and would serve the proposed three project parcels; the driveway would extend from Penngrove Avenue about 360 feet. The project would also include a vehicle turnaround and turnout area as part of the driveway.

The project would be required to comply with the standards identified in Sonoma County Code Chapter 13 (Sonoma Fire Safety Ordinance) and County Fire Safe Standards, and to conform to State Building Code requirements as outlined in Section 9.g above. These requirements include, among other items, emergency access provisions. Many of these requirements were adopted after the 2017 fires in Sonoma County to provide additional protection, such as specific defensible space requirements for the first 30 feet and defensible space requirements that extend out to 100 feet. While these defensible space requirements are intended to assist in preventing the spread of fire, they can also facilitate access by emergency responders in order to fight a fire on site.

Project compliance with County Fire Safety Standards and review by the Rancho Adobe FBD would ensure that the project would have a less than significant impact related to emergency response and evacuation planning.

Significance Level:

Less than Significant Impact

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

Comment:

The project site has slopes that range from 0 percent to 10 percent or 10 percent to 50 percent and the highest elevation is 136 feet above sea level at the southern edge of the property and the lowest elevation is 110 feet above sea level at the northern edge of the property. Most of the property is relatively flat, with slopes between 0 to 10 percent. However, the slope of the project frontage along Old Redwood Highway and Penngrove Avenue varies between 10 to 50 percent. Slopes could augment fire intensity; However, County and State development standards establish defensible space requirements around structures that would offset the increased risk presented by topographic conditions.

The County implements the fire safety standards of the Uniform Fire Code, National Fire Code, and Uniform building Code through the Sonoma County Fire Safety Ordinance, Chapter 13. These establish minimum fire safe standards to ensure that all new development within the unincorporated area of the county would provide a basic level of fire protection around itself making it easier and safer for fire fighters to fight wildland and structure fires. The portions of section 13A-4 that may be applicable to the proposed project include, but are not limited to:

1) Maintain a thirty-foot defensible space around all buildings/structures.
    a. The grass needs to be cut six (6”) inches or less.
    b. The tree branches need to be limbed up six (6’) from the ground.
2) Additional defensible space outward to one hundred feet (100’) from al buildings and surroundings, neighboring structures may be required depending on the property slope, fuel load and/or fuel type.
    a. Fuel load – Amount of vegetation.
    b. Fuel type – Type of vegetation.
    c. Property Slope – Steepness of property.
3) Remove all portions of trees within ten feet (10’) of chimney and/or stove pope outlets.
    a. Property owners are responsible for maintain trees year-round.
    b. Trees need to be cut ten feet (10’) away from the chimney in any direction
4) Maintain trees adjacent to or overhanging a structure free of dead/dying wood.
    a. Remove any leaves, needles, branches, or debris from the roof and/or gutters.
5) Maintain the roof of any structure free of leaves, needles, or other dead/dying wood.
    a. Remove any leaves, needles, branches, or debris from the roof and/or gutters.
6) Provide street address numbers that are clearly visible from the roadside, minimum height: Four inches (4”).
    a. The address numbers should be posted on the house.
    b. If the house sits back from the street, post the address at the beginning of the driveway and on the house.
    c. The address numbers should be in a contrasting color for visibility.
7) Remove all tree limbs within six feet (6’) of the ground.
    a. Remove lower hanging tree branches from the ground up six feet (6’).
8) Remove dead/dying vegetation from property.

a. Remove any and all dead/dying vegetation from the property.

Strong north-east "Santa Ana" winds can increase the severity of wildland fire in the fall months. During fire season, winds are generally out of the south/southwest at 5-10 mph, strengthening to 10-15 mph in the late afternoon.[38] These winds are categorized as a moderate breeze on the Beaufort Scale and is described as "Dust, leaves, and loose paper lifted, small tree branches move." These prevailing wind conditions are common in Sonoma County and will not result in unique factors that exacerbate wildfire risks.
Significance Level:

Less than Significant Impact

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, 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 project would create a 12-foot-wide and approximately 360-foot-long access driveway that would connect the three subdivided parcels to Penngrove Avenue. The access driveway includes a turnout and turnaround for vehicles as well as 2-foot shoulders. The project site currently has existing power poles and existing overhead utilities. The project would have a less than significant impact. Refer to Section 19.a for further discussion regarding utilities.

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:

As discussed in Section 19.a (Utilities) and Section 7(Geology and Soils) the existing and proposed site conditions would not expose people or structures to significant risks involving downslope or downstream flooding, landslides, runoff, post-fire instability, or drainage changes. The project is not located in a flood zone, will adhere to County standards and BMPs to minimize erosion, and is not in a landslide prone area.

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

[38] "Sonoma County Community Wildfire Protection Plan", pg 13. accessed July 15, 2020.

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 (Biological Resources). Implementation of the required mitigation measures (Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5) would reduce these potential impacts to a less than significant level. Potential project impacts on cultural resources are evaluated in Section 5 (Cultural Resources); these impacts would be less than significant, with no mitigation required. Potential project impacts on Tribal Cultural Resources are addressed in Section 18 (Tribal Cultural Resources); these impacts would be less than significant, with no mitigation required.

Significance Level:

Less than Significant with Mitigation Incorporated

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 cumulative impacts related to air quality, biological resources, noise, and transportation, but mitigation measures included in this Initial Study would reduce the project's contribution to these cumulative impacts to less than significant levels (i.e., not cumulatively considerable).

Significance Level:

Less than Significant with Mitigation Incorporated

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

Comment:

Proposed project construction and operation have the potential to cause substantial adverse impacts on human beings, both directly and indirectly. However, all potential impacts and adverse effects on human beings (e.g., resulting from air quality, biological resources, noise, and transportation) were analyzed, would be less than significant with the mitigation measures identified in this Initial Study, and would be incorporated into the project.

Significance Level:

Less than Significant with Mitigation Incorporated

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