



Proposed Mitigated Negative Declaration

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403

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

Publication Date:

Public Review Period:

State Clearinghouse Number:

Permit Sonoma File Number:

MNS23-0002

Prepared by: Joshua Miranda

Phone: (707) 565-1735

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

Project Name: Malgieri Subdivision - MNS23-0002

Project Applicant/Operator: Steven J. Lafranchi & Associates, Inc

Project Location/Address: 2514 Blucher Valley Road Sebastopol, CA

APN: 025-011-038

General Plan Land Use Designation: Rural Residential (RR) with 5 acres per dwelling unit density

Zoning Designation: Agricultural Residential (AR) with 5 acres per dwelling unit (B6 5) Riparian corridor with 200- and 50-foot setbacks (RC200/50)

Decision Making Body: Sonoma County Zoning Administrator (ZA)

Appeal Body: Sonoma County Board of Supervisors

Project Description: See Item III, below

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Table 1. Summary of Topic Areas

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

RESPONSIBLE AND TRUSTEE AGENCIES

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

Table 2. Agency	Activity	Authorization
Regional Water Quality Control Board (North Coast Region)	Discharge or potential discharge to waters of the state	California Clean Water Act (Porter Cologne) – Waste Discharge requirements, general permit or waiver
	Wetland dredge or fill	Clean Water Act, Section 404

Table 2. Agency	Activity	Authorization
State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
California Department of Fish and Wildlife	Lake or streambed alteration	Fish and Game Code, Section 1600
California Department of Fish and Wildlife (CDFW)	Impacts to natural resources, ground disturbance, vegetation removal, etc.	Protection of natural resources held in trust for the people of California; CA Fish & Game Code § 1802 (2024)
Bay Area Air District (BAAD)	Stationary air emissions	BAAD Rules and Regulations (Regulation 2, Rule 1 – General Requirements; Regulation 2, Rule 2 – New Source Review; Regulation 9 – Rule 8 – NO _x and CO from Stationary Internal Combustion Engines; and other BAAD administered Statewide Air Toxics Control Measures (ATCM) for stationary diesel engines

ENVIRONMENTAL FINDING:

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



Expanded Initial Study

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

I. INTRODUCTION:

The project applicant, Steven J. Lafranchi & Associates, Inc proposes a Minor Subdivision of an existing single 10.03-acre parcel into two lots 4.91-acres and 5.21-acres in size. A referral letter was sent to the appropriate local, state and federal agencies and interest groups who may wish to comment on the project.

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

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

II. PROJECT DESCRIPTION

The applicant proposes a Minor Subdivision to subdivide, a 10.03-acre parcel into two residential lots 4.91-acres and 5.21-acres in size. The application does not include a request to develop the newly created lot. The existing parcel is developed with one primary dwelling, an accessory dwelling unit, a storage barn, shed, additional storage building, and graded road improvements ensuring all structures are accessible by motor vehicles including driveways and parking. The existing parcel has two existing septic systems, one for the primary dwelling and one for the accessory dwelling unit. A single existing well onsite supports both dwelling units. The existing main residence and barn will be located on proposed lot 1. The existing accessory dwelling unit will become the primary residence on proposed lot 2 and will also encompass an existing shed and storage building. A proposed easement across a portion of lot 2 will allow the primary dwelling on lot 1 to continue its current septic pump line configuration. An existing well on proposed lot 2 will continue to serve both existing residences and an easement shall be recorded. Both the residences will retain independent access to Blucher Valley Rd.

PROJECT SITE AND SURROUNDING LANDS: Briefly describe the project site and surroundings:
Approx. 3 mi south of Sebastopol and approximately 6 miles west of Rohnert Park in an area characterized by large low-density parcels.

Access:

All access and egress for vehicles, trucks, and pedestrians would be via an existing improved entrance directly off of Blucher Valley Road.

Domestic wastewater disposal: Sanitary sewage would be provided via an on-site septic system.

Water supply: On-site wells

III. SETTING

The 10.03-acre project site is located at 2514 Blucher Valley Road Sebastopol and is composed of one legal parcel. It is located in the unincorporated area of Twin Hills, approximately 2.39 miles south of the City limits of Sebastopol. The surrounding uses include residential development to all sides of the project site. The site topography slopes downward to the north in the direction of Blucher Valley Road and Blucher Valley Creek. The site has frontage on Blucher Valley Road.

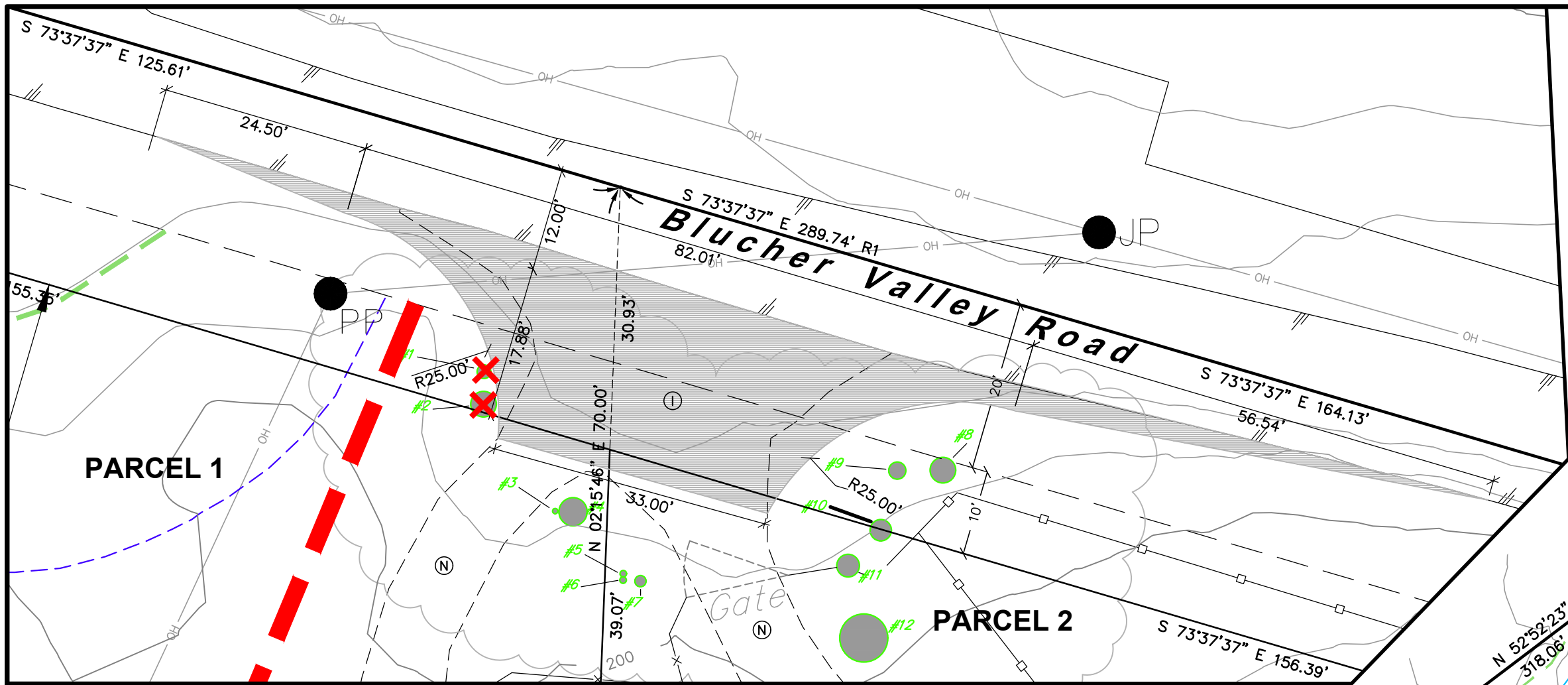
The proposed project is a residential subdivision located in rural residential neighborhood in the unincorporated area of Twin Hills. The subject parcel has a base zoning district of: Agricultural Residential (AR) with 5 acres per dwelling unit (B6 5) Riparian corridor with 200- and 50-foot setbacks (RC200/50). The subject parcel has a General Plan Land Use designation of Rural Residential (RR) with a density of 5 dwelling units per acre.

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

The topography, which varies at elevations between as little as approximately 190 feet msl near an unnamed stream in the northwest corner of the Review Area to approximately 340 feet msl at the southeast corner of the property near a deep crevice originating from past landsliding in the area. There is an intermittent stream situated along the northwestern boundary of the parcel that flows north under Blucher Valley Road and into Blucher Creek. Streamside riparian canopy is almost entirely willows, but other species are present. A significant gully area exists within the southeastern portion of the parcel, leaving a deeply incised channel entering the northeast corner

Vegetation on the site consist of five distinctive stands of vegetation or plant communities: California Annual and Perennial Grassland, North Coast Riparian Scrub, Eucalyptus, Black Oak Woodland, and Urban.

The site is within a Zone 1 Major Groundwater Basin and Zone 2 Major Natural Recharge Groundwater availability area, and also within a low priority ground water basin (Wilson Grove Formation Highlands).



TENTATIVE MAP KEY NOTES

- (A) APPROXIMATE LOCATION OF SEPTIC TANK REPLACEMENT AND LEACH LINE REPAIR PER PLANS PROVIDED BY ELSA FRICK, REHS 7166, DATED 4-12-2021, APPROVED BY PERMD WELL AND SEPTIC DATED 5-25-2021 UNDER PERMIT SEP21-0206. REPAIRS COMPLETED AND FILED ON 10-21-2021.
- (B) EXISTING TWO BEDROOM SEPTIC SYSTEM AND TANK FOR EXISTING TWO BEDROOM HOUSE TO REMAIN AS SHOWN ON THE VESTED SEPTIC DESIGN PREPARED BY ELSA FRICK, REHS 7166 (VES21-0021) DATED 6-4-2021.
- (C) PROPOSED LOCATION OF A FIVE BEDROOM SYSTEM (PRIMARY AND 200% EXPANSION) AS SHOWN ON THE VESTED SEPTIC DESIGN PREPARED BY ELSA FRICK, REHS 7166 (VES21-0021) DATED 6-4-2021. DOCUMENTS PROVIDED AS PART OF THE APPLICATION MATERIALS.
- (D) PROPOSED LOCATION OF A FIVE BEDROOM SYSTEM (PRIMARY AND 200% EXPANSION) AS SHOWN ON THE VESTED SEPTIC DESIGN PREPARED BY ELSA FRICK, REHS 7166 (VES21-0022) DATED 6-4-2021. DOCUMENTS PROVIDED AS PART OF THE APPLICATION MATERIALS.
- (E) AN INVESTIGATION BY PJC & ASSOCIATES, INC WAS CONDUCTED IN 2020. THE 75 FOOT SETBACK WAS FOUND TO BE SUFFICIENT AS NOTED IN THE PJC & ASSOCIATES, INC SLOPE STABILITY EVALUATION DATED 5-30-2020. DOCUMENTS PROVIDED AS PART OF THE APPLICATION MATERIALS.
- (F) AREA OF DEDICATION FOR PARCEL 1 (0.097 ACRES, 4,214 SF). SUBJECT TO CHANGE BASED ON DIRECTION FROM DTPW.
- (G) AREA OF DEDICATION FOR PARCEL 2 (0.171 ACRES, 7,451 SF). SUBJECT TO CHANGE BASED ON DIRECTION FROM DTPW.
- (H) NO LOT SPECIFIC DEVELOPMENT IS PROPOSED ON-SITE AS A PART OF THIS LAND DIVISION PROCESS. ALL FUTURE DEVELOPMENT SHALL BE DONE THROUGH THE PERMIT PROCESS WHERE APPLICABLE.
- (I) THE EXISTING DRIVEWAY ENTRANCE SHALL BE RECONSTRUCTED PER COUNTY OF SONOMA RURAL DRIVEWAY DRAWING NO. 815. THIS WORK REQUIRES AN ENCROACHMENT PERMIT AND NEEDS TO BE COMPLETED PRIOR TO PARCEL MAP APPROVAL.
- (J) EXISTING ACTIVE WELL. THE PROPERTY IS LOCATED IN ZONE 1. THE INTENT OF THE PROPOSED LAND DIVISION IS TO USE THE EXISTING WELL TO SERVICE BOTH PARCELS. EASEMENTS AND COVENANTS WOULD BE REQUIRED AS A CONDITION OF APPROVAL.
- (K) PROPOSED 10 FOOT WIDE PRIVATE WELL AND WATERLINE EASEMENT FOR THE BENEFIT OF PARCEL 1.
- (L) EXISTING SEPTIC LINE TO BE RELOCATED TO PARCEL 1 AS NOTED ON THE VESTED PLANS PREPARED BY ELSA FRICK, REHS 7166 (VES21-0022) DATED 6/4/2021. DOCUMENTS PROVIDED AS PART OF THE APPLICATION MATERIALS.
- (M) NO DEVELOPMENT SHALL TAKE PLACE WITHIN THESE DEFINED AREAS.
- (N) NO IMPROVEMENTS OF THE EXISTING GRAVEL DRIVEWAYS ON PROPOSED PARCELS 1 AND 2 ARE BEING PROPOSED AS PART OF THE LAND DIVISION PHASE OF THE PROJECT. NO LOT SPECIFIC IMPROVEMENTS ARE BEING PROPOSED. SEE KEYNOTE (H).

TREE TABLE

ID#	DESCRIPTION	(DBH)	CONDITION	RECOMMENDATION
*#1	REDWOOD	20"	3	REMOVE AND MITIGATE
*#2	REDWOOD	36"	3	REMOVE AND MITIGATE
*#3	REDWOOD	8"	3	PRESERVE
*#4	REDWOOD	40"	3	PRESERVE
*#5	REDWOOD	9"	3	PRESERVE
*#6	REDWOOD	9"	3	PRESERVE
*#7	REDWOOD	16"	3	PRESERVE
*#8	REDWOOD	36"	4	PRESERVE
*#9	REDWOOD	24"	4	PRESERVE
*#10	REDWOOD	30"	4	PRESERVE
*#11	REDWOOD	32"	4	PRESERVE
*#12	REDWOOD	34"	4	PRESERVE
*#13	UNKNOWN	NA	NA	PRESERVE
*#14	UNKNOWN	NA	NA	PRESERVE

*PROTECTED TREE PER COUNTY OF SONOMA TREE ORDINANCE

TREE REPLACEMENT

BASED ON THE COUNTY OF SONOMA TREE ORDINANCE ARBOREAL VALUE CHART NO.1, REPLACEMENT VALUES FOR EACH REMOVED PROTECTED TREE WERE DETERMINED BELOW.

ID#	DESCRIPTION	(DBH)	ARBOREAL VALUE
#1	REDWOOD	20"	3 POINTS
#2	REDWOOD	36"	5 POINTS
TOTAL ARBOREAL VALUE = 8 POINTS			

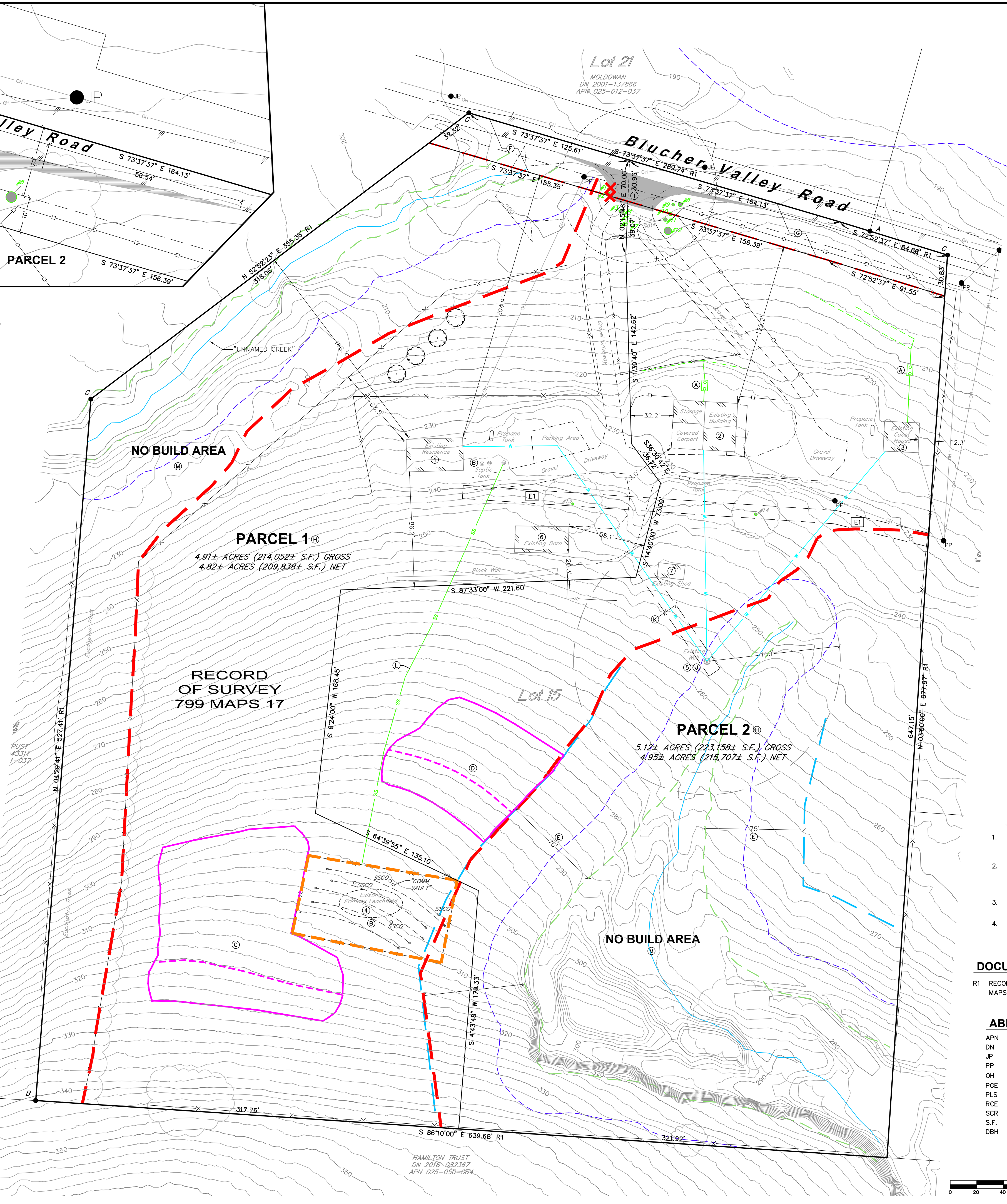
STANDARD VALUATIONS (ARBOREAL POINT VALUES):

1 POINT EQUATES TO (6) 5 GALLON TREES OR (2) 15 GALLON TREES
2 POINTS EQUATES TO (1) 24" BOX TREE

PROPOSED ON-SITE MITIGATION:

(4) 24" BOX REDWOODS - SEQUOIA SEMPERVIRENS

- NOTES:
- PROJECT WILL ADHERE TO THE COUNTY OF SONOMA CHAPTER 26 ORDINANCE, INCLUDING REQUIRED STANDARDS AND PROVISIONS STATED IN SECTIONS C & D.
 - MONITORING OF THE PROPOSED MITIGATION TREES WILL BE PERFORMED AND REPORTED ANNUALLY FOR A PERIOD OF 7 YEARS AND MAINTENANCE AS NEEDED TO ENSURE ESTABLISHMENT OF THE SPECIMENS AND TO PROMOTE THE TREES LONGEVITY OF LIFE AND GOOD HEALTH.



LEGEND

- PARCEL BOUNDARY
- SUBDIVISION LOT LINE
- CENTERLINE
- FACE OF BUILDING
- EASEMENT LIMIT
- RIPARIAN CORRIDOR SET BACK, SEE NOTE 2
- EXISTING EDGE OF GRAVEL DRIVEWAY
- EXISTING EDGE OF PAVEMENT
- EXISTING WOOD BOARD FENCE
- EXISTING BARBED WIRE FENCE
- EXISTING OVERHEAD UTILITY WIRES
- EXISTING WATER LINE
- EXISTING SEPTIC PUMP LINE
- TANK AND LEACH LINE, SEE KEYNOTE (A)
- EXISTING SEPTIC LEACH LINE
- TOP OF BANK
- 75' OFFSET TO TOP OF BANK
- NO BUILD AREA, SEE KEYNOTE (M)
- STREAM SETBACK LINE FOR RIPARIAN CORRIDORS
- EPHEMERAL STREAM
- TOP OF BANK

- DRIPLINE, APPROXIMATE
- TREE, ACTUAL SIZE AT BREAST HEIGHT (SEE EXISTING CONDITIONS FOR INFORMATION.)
- FOUND SURVEY MONUMENT, SEE MONUMENT DESIGNATIONS KEY, SHEET TM-3
- EXISTING CONTOUR PER COUNTY OF SONOMA. SEE EXISTING CONDITIONS EXHIBIT
- VESTED SEPTIC SYSTEMS. SEE KEYNOTE (D)
- EXISTING SEPTIC AREA. SEE KEYNOTE (B)
- 30 FOOT DEDICATION TO THE COUNTY OF SONOMA. SEE KEYNOTES FOR INFORMATION.
- PROTECTED TREE TO BE REMOVED
- PROPOSED 24" BOX MITIGATION REDWOOD TREE

EXISTING STRUCTURES KEY NOTES

- SINGLE FAMILY RESIDENCE 1600 SF±
2 BEDROOM
NO GARAGE
BUILT CIRCA 1986
- ACCESSORY DWELLING UNIT
2 BEDROOM
800 SF±
COVERED CARPORT
- GUEST HOUSE 550 SF±
1 BEDROOM
- EXISTING PRIMARY PRESSURE DISTRIBUTION
2 BEDROOM
- EXISTING WELL. SEE KEYNOTE "J".
- BARN (800 SF±)
- SHED (8'X20')

EXISTING EASEMENT KEY NOTES

- (E1) EXISTING 10' WIDE P&GE EASEMENT PER 87-012161, SCR

NOTES

- INFORMATION SHOWN ON THIS EXHIBIT/MAP ARE FOR PLANNING PURPOSES ONLY IN SUPPORT OF THE TENTATIVE PARCEL MAP APPLICATION. REFER TO THE PROJECT DESCRIPTION FOR ADDITIONAL INFORMATION.
- APPROXIMATE LOCATION OF THE COUNTY OF SONOMA RIPARIAN CORRIDOR 200 FOOT SETBACK FROM TOP OF BANK FROM BLUCHER CREEK PER THE COUNTY OF SONOMA PERMIT & RESOURCE MANAGEMENT DEPARTMENT "PERMIT SONOMA" GIS WEB PORTAL. SEE EXISTING CONDITIONS NOTE 7.
- A CULTURAL RESOURCES STUDY HAS BEEN PREPARED BY TOM ORIGIER & ASSOCIATES DATED MAY 18, 2023.
- A PRELIMINARY BIOLOGICAL RESOURCES REPORT HAS BEEN PREPARED BY HUFFMAN-BROADWAY GROUP, INC. DATED JANUARY 2025.

DOCUMENT REFERENCES

- R1 RECORD OF SURVEY, FILED IN BOOK 799 OF MAPS, AT PAGE 17, SONOMA COUNTY RECORDS.

ABBREVIATIONS

- APN ASSESSORS PARCEL NUMBER
- DN DOCUMENT NUMBER
- JP JOINT POLE
- PP POWER POLE
- OH OVERHEAD (UTILITY WIRES)
- PGE PACIFIC GAS AND ELECTRIC
- PLS PROFESSIONAL LAND SURVEYOR
- RCE REGISTERED CIVIL ENGINEER
- SCR SONOMA COUNTY RECORDS
- S.F. SQUARE FEET
- DBH DIAMETER BREAST HEIGHT



REVISIONS

BY

TENTATIVE PARCEL MAP

LANDS OF MALGERI TRUST

2514 BLUCHER VALLEY ROAD

SEBASTOPOL CALIFORNIA

STEVEN J. LAFRANCHI & ASSOCIATES, INC.

CIVIL ENGINEERS - LAND SURVEYORS

LAND PLANNERS - LANDSCAPE ARCHITECTS

PETALUMA THEATRE SQUARE

140 SECOND STREET, SUITE 312 PETALUMA, CALIFORNIA 94952

707-762-3122 info@sjla.com www.sjla.com

DATE: 2025.04.23

SCALE: 1"=40'

DESIGN: SJL

DRAWN: JTG

CHECK: SJL

JOB: MALGERI-BLUCHER

JOB No: 141736

SHEET

TM-4

OF 5 SHEETS

IV. ISSUES RAISED BY THE PUBLIC OR AGENCIES

Agency Referral

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

Tribal Consultation under AB 52

Referrals were sent to the following Tribes:

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

Permit Sonoma did not receive requests for consultation.

Public Comments

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

V. OTHER RELATED PROJECTS

There are no known private or public projects in the area that would affect the proposed project.

VI. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

Less Than Significant with Mitigation Incorporated: The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.

Potentially Significant Impact: The project would have the impact described, and the impact

could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

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

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:

The project is not in an area designated as visually sensitive by the Sonoma County General Plan. It is not located on a scenic hillside, nor would it involve tree removal, construction or grading that would affect a scenic vista. The proposed buildings would be screened from view from public roads and parks by existing vegetation, topography, and fencing. The viewshed of the project area as seen from public roads and parks will not substantially change as a result of the project.

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

No Impact.

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

Comment:

See section 1 (a) above.

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact with Mitigation Incorporated.

Mitigation

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

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

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

2. AGRICULTURE AND FOREST RESOURCES:

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

Would the project:

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

Comment:

The project site is not designated as Prime or Unique Farmland, or Farmland of Statewide

Importance on the Important Farmland maps¹. The developed portion of the site is designated as Grazing Lands, and the rest of the parcel is designated Other Lands.

Significance Level:

No impact.

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

Comment:

The project site is zoned AR (Agriculture and Residential), which allows for single family residential development and accessory agricultural uses. The site is not subject to a Land Conservation contract. The nearest contracted land is east of the project site approximately 0.34 miles away. The project is not expected to conflict with zoning for agricultural use or lands under a Land Conservation contract. Additionally, as a Condition of Approval, each resulting lot from the proposed subdivision will be required to record a right to farm declaration on each new parcel, that informs future property owners that farming practices occur within the vicinity.

Significance Level:

Less Than Significant Impact.

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

Comment:

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

Significance Level:

No Impact.

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

Comment:

See the comment under section 2(c) above.

Significance Level:

No Impact.

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

Comment:

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

Significance Level:

No Impact.

¹ California Department of Conservation, "Sonoma County Important Farmland 2016", April 2018, <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sonoma.aspx>

3. AIR QUALITY:

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

Would the project:

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

Comment:

The project is within the jurisdiction of the Bay Area Air District (BAAD), formerly known as and referred to as the Bay Area Air Quality District (BAAQMD) until January 22, 2025, which is currently designated as a nonattainment area for State and federal ozone standards, the State PM₁₀ standard, and State and federal PM_{2.5} standards. The District has adopted an Ozone Attainment Plan and a Clean Air Plan in compliance with federal and State Clean Air Acts. These plans include measures to achieve compliance with both ozone standards. The plans deal primarily with emissions of ozone precursors (nitrogen oxides [NO_x] and volatile organic compounds, also referred to as Reactive Organic Gases [ROG]). The project will not conflict with the District's air quality plans because the proposed use is well below the emission thresholds for ozone precursors (see discussion in (b) below).

Significance Level:

Less than Significant Impact.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?

Comment:

As described in the current BAAD CEQA Guidelines², the BAAD has developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions.

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

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

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

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

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

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

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

Significance Level:

Less than Significant with Mitigation Incorporated.

Mitigation

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

- a. A Construction Coordinator shall be designated by the project applicant, and a sign shall be posted on the site including the Coordinator's 24-hour phone number for public contact regarding dust, trackout, and air quality complaints. The Coordinator shall respond and take corrective action within 48 hours. The Coordinator shall report all complaints and their resolutions to Permit Sonoma staff.
- b. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
- c. Trucks hauling soil, sand and other loose materials over public roads shall cover the loads, or shall keep the loads at least two feet below the level of the sides of the container, or shall wet the load sufficiently to prevent dust emissions.
- d. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site.
- e. Vehicle speeds on unpaved areas shall be limited to 15 miles per hour.
- f. Final surfacing (i.e., pavement or concrete, gravel, landscaping) shall be completed as soon as possible after earthwork is finished, unless seeding or soil binders are used.
- g. Idling time of diesel-powered construction equipment shall be limited to five minutes. Signs shall be posted reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.
- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall have a CARB-certified visible emissions evaluator check equipment prior to use at the site.

Monitoring AIR-1: Permit Sonoma staff shall verify that the AIR-1 measures are noted on the

subdivision map prior to recordation and on subsequent site alteration, grading, building, and subdivision improvement plans prior to issuance of permits

c) Expose sensitive receptors to substantial pollutant concentrations?

Comment:

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

Significance Level:

Less than Significant with Mitigation Incorporated.

Mitigation

See Mitigation Measure AIR-1.

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

Comment:

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

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

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

Significance Level:

Less than Significant Impact.

4. BIOLOGICAL RESOURCES:

Regulatory Framework

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

Federal

Federal Endangered Species Act (FESA)

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

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

The Migratory Bird Treaty Act of 1918 (MBTA)

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

The Clean Water Act (CWA)

The CWA is the primary federal law regulating water quality. The implementation of the CWA is the responsibility of the U.S. Environmental Protection Agency (EPA). However, the EPA depends on other

agencies, such as the individual states and the U.S. Army Corps of Engineers (USACE), to assist in implementing the CWA. The objective of the CWA is to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” Section 404 and 401 of the CWA apply to activities that would impact waters of the U.S. The USACE enforces Section 404 of the CWA and the California State Water Resources Control Board enforces Section 401.

Section 404.

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

Section 401.

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

State

California Endangered Species Act (CESA)

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

Fish and Game Code 1600-1602

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

Nesting Birds

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

Non-Game Mammals

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

California Fully Protected Species and Species of Special Concern

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

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

Porter-Cologne Water Quality Control Act

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

Local

Sonoma County General Plan

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

Riparian Corridor Ordinance

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

Valley Oak Habitat (VOH) Combining District

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

Oak Woodland (OAK) Combining District

The Oak Woodland (OAK) Combining District is established to protect, preserve, and enhance oak trees and oak woodlands, and to implement the provisions of *Sonoma County General Plan 2020* Open Space and Resource Conservation Element Section 3.1, Policy OSRC-7I and OSRC-7m. This is achieved by prohibiting the removal of native oak trees within oak woodlands on parcels with at least one-half acre of the Oak Woodland Combining District, with limited exceptions for certain listed land uses that the county has determined promote public, health, safety, and welfare, including uses related to hazard reduction or removal, conservation, agriculture, pest control, and residential maintenance. Where proposed oak woodland removal is subject to a discretionary permit process, mitigation measures to address loss of trees would apply, such as measures to ensure no net loss of oak woodlands or, for the highest quality woodlands, would provide a unique public benefit equal to or greater than the value associated with removed oaks.

Sonoma County Tree Protection Ordinance

The Sonoma County Tree Protection Ordinance (Sonoma County Code of Ordinances, Chapter 26, Article 88, Sec. 26-88-015 establishes policies for protected tree species in Sonoma County. Protected trees are defined (Chapter 26, Article 02, Sec. 26- 02-140) as the following species: big leaf maple (*Acer macrophyllum*), black oak (*Quercus kelloggii*), blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizenii*), madrone (*Arbutus menziesii*), oracle oak (*Quercus morehus*), Oregon oak (*Quercus garryana*), redwood (*Sequoia sempervirens*), valley oak (*Quercus lobata*), California bay (*Umbellularia californica*), and their hybrids.

Project Analysis

Would the project:

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

Background:

Special-Status Species

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

Endangered Species Act

The Endangered Species Act (ESA) of 1973, as amended (16 USC 1531 *et seq.*) was enacted to provide a means to identify and protect endangered and threatened species. Under the Section 9 of the ESA, it is unlawful to take any listed species. “Take” is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting a listed species. “Harass” is defined as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. “Harm” is defined as an act which actually kills or injures fish or wildlife and may include significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding, or sheltering. Actions that may result in “take” of a

federal-listed species are subject to The Service or National Marine Fisheries Service (NOAA Fisheries) permit issuance and monitoring. Section 7 of ESA requires federal agencies to ensure that any action authorized, funded, or carried out by the agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat for such species. Any action authorized, funded, or carried out by a federal agency or designated proxy (e.g., Army Corps of Engineers) which has potential to affect listed species requires consultation with The Service or NOAA Fisheries under Section 7 of the ESA.

Critical Habitat

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

Essential Fish Habitat

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

Comment:

The Review Area was visited on April 25, 2023, December 4, 2024, and July 18, 2025, by professional biologists to develop information regarding general ecological conditions, vegetation stand identification, potential presence/absence of special status plant and animal species, and sensitive natural communities to include aquatic resources. These studies/biological surveys are summarized below.

HBG biologists Greg Huffman and Max Brier conducted a joint biological resources survey within the Review Area including the proposed Project Development Site on April 25, 2023, from 8:00 AM – 11:15 AM as part of the preliminary biotic assessment report dated July 13, 2024. Weather during the survey was appropriate for data collection as summarized below. The survey consisted of walking meandering transects throughout the Review Area to observe and identify biological resources, including vegetation stands; assess habitat potential for special status species; and identify any special status species and Sensitive Natural Communities that may be present. Representative site photographs were taken with a mobile phone. The spatial locations of observed resources were recorded using ESRI Field Maps.

During the April 25, 2023, survey of the property, Wetland Scientist Greg Huffman conducted a reconnaissance investigation of the Review Area for the presence of wetlands and other “waters of the U.S.” potentially subject to federal jurisdiction under the Clean Water Act or state jurisdiction under the Porter-Cologne Act. The review included an investigation of existing landforms, vegetation, hydrology, and soil conditions, and a preliminary review of the area for aquatic resources to include pond, lake, stream, and wetland, habitats. The review also considered if streams were present that would be subject to the jurisdiction of the CDFW pursuant to Section 1602 of the California Fish and Game Code.

Plant and wildlife species and habitat surveys were conducted in the Review Area by HBG biologist Max Brier and Greg Huffman during the April 25, 2023, survey. These surveys included observations of the composition and distribution of vegetation stands (plant communities), wildlife observations, identification of sensitive natural communities, and a comparison of site characteristics for similarity to sites known to support special status species within the area. To determine if sensitive natural communities occur within the Review Area, a detailed floristic inventory was prepared based on CDFW-CNPS Rapid Assessment methodology. Wildlife observations in the Review Area were based on visual sightings and observations of tracks, dens, and scat. A similar biological survey of the site was conducted by Gary Deghi of HBG on December 4, 2024, as part of the more detailed evaluation requested by Sonoma County. Although plant surveys were outside the blooming period for target sensitive species, remaining non-flowering plants were also identified where feasible to at least genus to include tarweeds (*Hemizonia* sp.), which, if found, would point to the need for next year late-spring sampling for the California Rare Plant Rank: 1B.2 Hayfield tarweed (*Hemizonia congesta*).

On July 18, 2025, Greg Huffman and Terry Huffman, PhD conducted an additional plant survey within the Review Area following CDFW-CNPS Rapid Assessment methodology. This survey included observations of the composition and distribution of vegetation stands and identification of sensitive natural communities.

The information and data collected in the studies listed above were used as the basis of this biological resources analysis.

Annual and Perennial Grassland

Structure. Annual and Perennial Grassland is referred to as Valley and Foothill Grassland in the California Wildlife Habitat Relationships System (CWHR) and as California Annual and Perennial Grasses and Forbs in the Vegetation and Land Cover mapping provided by Sonoma County (Figure 4). Annual grassland habitat occurs mostly on flat plains to gently rolling foothills. Annual Grassland habitats are open grasslands composed primarily of annual plant species. Many of these species also occur as understory plants in woodlands and other habitats. Structure in Annual Grassland depends largely on weather patterns and livestock grazing. Dramatic differences in physiognomy, both between seasons and between years, are characteristic of this habitat. Fall rains cause germination of annual plant seeds. Plants grow slowly during the cool winter months, remaining low in stature until spring, when temperatures increase and stimulate more rapid growth. Large amounts of standing dead plant material can be found during summer in years of abundant rainfall and light to moderate grazing pressure. Heavy spring grazing favors the growth of summer-annual forbs and reduces the amount of standing dead material. Grasslands, in general, are of conservation concern nationwide due to the loss of these habitats with conversion to agriculture and urban development.

Perennial Grassland habitats, as defined here, occur in two forms in California: coastal prairie, found in areas of northern California under maritime influence, and relics in habitats now dominated by annual grasses and forbs. Perennial Grassland habitat structure depends on the mix of plant species

at a particular site. Grazing by domestic livestock or wild herbivores can substantially alter habitat structure through reduction in plant height and removal of biomass.

Grasslands in this portion of California consist of both native and non-native grass species that typically include vegetation such as wild oat (*Avena fatua*), black mustard (*Brassica nigra*), soft brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), purple star thistle (*Centaurea calcitrapa*), dogtail grass (*Cynosurus echinatus*), blue wildrye (*Elymus glaucus*), California poppy (*Eschscholzia californica*), California goldfields (*Lasthenia californica*), Italian rye grass (*Festuca perennis*), *Nassella* sp., *Melic* sp., California plantain (*Plantago erecta*), western brackenfern (*Pteridium aquilinum*), and others.

Review Area Composition. Much of the area beyond (south of) the urban, developed portion of the Review Area is non-native Annual Grassland. Non-native Annual Grassland is the predominant community type within the subject Review Area with co-dominant grass species including wild oat, soft brome, ripgut brome, blue wildrye, and Italian rye grass.

North Coast Riparian Scrub

Structure. North Coast Riparian Scrub is referred to as Valley and Foothill Riparian in the CWHR and as Riparian Mixed Hardwood in the Vegetation and Land Cover mapping provided by Sonoma County (Figure 4). Mature riparian ecosystems include canopy trees with a canopy cover of 20 to 80 percent, a subcanopy tree layer, and an understory shrub layer. Vegetation in streamside systems often consists of species commonly found in permanently moist or riparian settings, where subsurface water is available all year. Generally, the understory is impenetrable and includes fallen limbs and other debris.

Review Area Composition. Riparian vegetation is found along the intermittent stream that traverses the northwestern corner of the Review Area. This stream flows north, passing under Blucher Valley Road and emptying into Blucher Creek which eventually flows into Laguna de Santa Rosa. The tree canopy of the intermittent stream is dominated by arroyo willow (*Salix lasiolepis*), but small numbers of other trees such as California black walnut (*Juglans hindsii*), California bay (*Umbellularia californica*), and maple (*Acer* sp.) are also present. Understory vegetation along the stream is almost exclusively California blackberry (*Rubus ursinus*), but other species such as Himalaya berry (*Rubus armeniacus*) and poison hemlock (*Conium maculatum*) are also present.

A small area of riparian habitat also occurs in the southeastern corner of the parcel within a deeply incised, eroded gully channel that enters the site near the southeast corner of the property and quickly dissipates to become a shallow depression towards the center of the south end of the parcel.

Vegetation within the incised channel includes arroyo willow, small numbers of California bay and maple, and other species such as western brackenfern and Scotch broom (*Cytisus scoparius*).

Vegetation in the shallow areas include species such as cut leaf burnwood (*Senecio glomeratus*) and non-native grasses like velvet grass (*Holcus lanatus*).

Eucalyptus

Structure. Forests of blue gum eucalyptus (*Eucalyptus globulus*) are common within the Northern California landscape. The eucalyptus trees, native to Australia, are fast-growing and quickly reach heights of more than 100 feet. The trees were mostly planted in the mid- to late-19th century to serve

as windbreaks, visual screens, and to provide firewood. Eucalyptus in California is moderately invasive as it lacks the pests and pathogens of its native Australia and stands of eucalyptus can displace native habitats. Because they are fire-prone, eucalyptus is often targeted for removal; however, eucalyptus forest often serves as nesting sites for raptors such as red-tailed hawk (*Buteo jamaicensis*) and great horned owl (*Bubo virginianus*), and, where present, are often preferred areas as wintering sites for colonies of monarch butterflies.

Review Area Composition. Eucalyptus is also referred to as simply Eucalyptus in the CWHR classification and the Vegetation and Land Cover mapping provided by Sonoma County in Figure 4. Eucalyptus is found along the western boundary of the site, where eucalyptus trees were likely at one time planted as a windbreak. Trees along the western boundary are blue gum eucalyptus, but other tree species, such as Monterey cypress (*Hesperocyparis macrocarpa*) and California bay, are also common. A dense understory consists of California blackberry, poison hemlock, and other species.

California Black Oak Woodland

Structure. In the CWHR California Black Oak Woodland is generally considered a component of Montane Hardwood Forest in the CWHR and as California Black Oak in the Vegetation and Land Cover mapping provided by Sonoma County (Figure 4). In Black Oak Woodland, black oak (*Quercus kelloggii*) dominates the broadleaf canopy or co-dominates with Douglas fir (*Pseudotsuga menziesii*), Coast Live Oak (*Quercus agrifolia*), or California bay. Pacific madrone (*Arbutus menziesii*) is often present. Stands in Sonoma County are found inland on northern exposures.

Review Area Composition. A small patch of black oak is found in the southwestern corner of the parcel. Understory vegetation is primarily California blackberry and other, mostly non-native grass and herbaceous species found in the grasslands or riparian understory.

Urban

Structure. Tree groves, common in city parks, green belts, and cemeteries, vary in height, tree spacing, crown shape, and understory conditions, depending upon the species planted and the planting design. The juxtaposition of urban vegetation types within cities produces a rich mosaic with considerable edge areas. The overall mosaic may be more valuable as wildlife habitat than the individual units in that mosaic. The structure of urban vegetation varies, with five types of vegetative structure defined: tree grove, street strip, shade tree/lawn, lawn, and shrub cover.

Review Area Composition. A row of planted Coast redwoods (*Sequoia sempervirens*) occurs along the Blucher Road frontage. Access to the site is from a gravel entrance road off Blucher Valley Road that extends into an area consisting of paving, previously graded areas, and structures (including residences and various ancillary structures, including a barn). This area would be considered an Urban habitat. The Urban habitat is shown in Figure 4 as Urban or Developed according to the Vegetation and Land Cover mapping provided by Sonoma County, and the area of this habitat shown in Figure 4 should be expanded to incorporate the land surrounding all of the structures within the northern portion of the parcel.

Vegetation within this Urban habitat consists primarily of small trees and shrubs planted around buildings for landscaping in addition to non-native grasses and herbaceous plants (forbs). Plant species in this Urban habitat include trees such as apple (*Malus* sp.), pear (*Pyrus* sp.), Japanese maple (*Acer palmatum*), Japanese cedar (*Cryptomeria japonica*), and a pine (*Pinus* sp.), and shrubs

such as rosemary (*Rosmarinus officinalis*), butterfly bush (*Buddleja davidii*), coyote brush (*Baccharis pilularis*), lavender (*Lavandula* sp.), and a variety of non-native grasses and forbs.

Special Status Plant species

Based on the database search, literature review and habitat types found in the Review Area, no special-status plant species were identified as having a potential to occur within the Review Area. Special status plant species found in this part of Sonoma County require habitat conditions not found in the Review Area. The non-native landscaping vegetation within the Urban habitat and the non-native grasslands which comprises the Proposed Development Area and that covers most of the remainder of the parcel does not provide suitable habitat for any of the special status plant species. The grasslands consist of planted dense non-native grasses that have been historically grazed and mowed for hay for decades (based on review of Google Earth Pro historical aerial imagery). This together with the steep relief (15% to 50% slopes) and soil conditions (texture, drainage, moisture, and pH) eliminated the potential for suitable habitat conditions for sensitive species found within foothill and grassland plant communities. The valley and foothill grassland is growing on Steinbeck loam soils with 15% to 50% slopes that are moderately well drained (Ksat: Moderately high (0.20 to 0.57 in/hr)) that result in dry-mesic soil conditions due to slope and soil drainage characteristics. Soils are not vernal moist, but dry quickly.

Plant species known from the area require specialized habitats such as salt, brackish, or freshwater marsh, cismontane woodland, valley and foothill grassland, coastal scrub or coastal prairie, chaparral, coniferous or broadleaf evergreen forest, or are species that are found in serpentine or other specialized soils or rock outcrops. In addition, the extensive densely growing non-native vegetation, disturbance (mowing and grazing), the lack of soil conditions needed for the target sensitive plant species, and dense riparian growth along the northwest border of the Review Area result in the Review Area not providing suitable habitats for any of the sensitive native plant species targeted by the studies. The Review Area does not contain habitat suitable for native plant species and is not expected to support special status species of plant.

No impact to special status plant species would result from the proposed land division and potential development of a single-family residence within the southwestern portion of the new parcel as planned.

Special Status Animal species

General Characteristics of Onsite Habitats. The habitats on site and in the surrounding area support many wildlife species, mostly those typically found in disturbed grassland and riparian and woodland habitats in this part of Sonoma County.

Trees like those found in the Review Area generally provide shelter and cover for a variety of amphibians, reptiles, birds, and mammals and provide foraging and breeding habitat for a variety of aquatic and terrestrial wildlife species. Riparian habitats provide food and water sources, migration and dispersal corridors, and escape, nesting, and thermal cover for an abundance of wildlife. They also provide breeding sites for amphibians and feeding areas for larger mammals such as deer. Canopy riparian trees and other vegetation provide nesting substrates for many bird species and foraging areas for both migratory and resident species. Well-developed riparian canopies also provide significant habitat in support of neotropical migrant land birds during spring and fall migration. The canopy vegetation provides shading and inputs of leaves and woody material to stream channels that provide suitable conditions for many aquatic organisms, including fish, that in Sonoma County can include species of anadromous salmonids.

Grasslands are suitable to support amphibians, reptiles, and mammals adapted to this habitat.

Grasslands provide nesting habitat for many passerine species (songbirds); foraging habitat for passerines, owls, and other raptors (birds of prey); habitat for ground-nesting birds; and habitat for small mammals with burrows that provide essential refugia for reptiles and amphibians that may disperse to uplands during terrestrial portions of their life cycle. Many species of reptiles, birds, and mammals are restricted to grasslands for specific life stages, including breeding. Special features within grasslands and woodlands such as shrubs and downed wood are also of value to wildlife. Many wildlife species use Annual Grasslands for foraging, but some require special habitat features such as cliffs, caves, ponds, or habitats with woody plants for breeding, resting, and escape cover. Many species of reptiles, birds and mammals are restricted to grasslands for their breeding habitat.

Animal Populations at the Review Area. The riparian habitat in the northwest and southeast portions of the Review Area provides wildlife habitat that includes a water source and that serves as a movement/migration corridor and foraging and breeding habitat for a variety of aquatic and terrestrial wildlife species. In addition, many of the trees in the riparian habitat and especially along the western boundary of the property are old enough to have significant cavities that could support cavity nesting birds or could serve as either winter or maternity roosts for various species of bat.

The aquatic environments within the riparian area are particularly suitable as breeding habitat for various species of amphibian that would be expected to include Pacific chorus frog (*Pseudacris regilla*), California slender salamander (*Batrachoseps attenuatus*), arboreal salamander (*Aneides lugubris*), and western toad (*Anaxyrus boreas*), among others. Reptiles were not observed during the field survey, but likely species, especially in the grasslands, would include western fence lizard (*Scoloperus occidentalis*), southern alligator lizard (*Elgaria multicarinatus*), Pacific gopher snake (*Pituophis catenifer*), and common garter snake (*Thamnophis sirtalis elegans*).

Mammals were not observed at the site during the April 25 and December 4, 2024, field reviews, but evidence of mammal use of the site included many dens of Botta's pocket gopher (*Thomomys bottae*) and California vole (*Microtus californicus*), and several dens of California ground squirrel (*Otospermophilus beecheyi*). Nest houses of dusky-footed woodrat (*Neotoma fuscipes*) were observed beneath the eucalyptus and Monterey cypress trees along the western border of the site. There were also shallow excavations (18 inches deep or less) consistent with canine predation behavior that could have been either domestic dogs or perhaps coyote. Other mammals expected at the site, especially around human habitation, would include Virginia opossum (*Didelphis virginiana*), Norway rat (*Rattus norvegicus*), house mouse (*Mus musculus*), deer mouse (*Peromyscus maniculatus*), striped skunk (*Mephitis mephitis*), and raccoon (*Procyon lotor*). Mule deer (*Odocoileus hemionus*) also likely use the site.

HBG's wildlife biologists observed a total of 45 avian species at the site during field visits to the site on April 25, 2023, and December 4, 2024. Many of the bird species observed by wildlife biologist Max Brier in the Review Area over several hours during the April 25, 2023, survey included species known to be resident in the area such as Canada goose (*Branta canadensis*), California quail (*Callipepla californica*), wild turkey (*Meleagris gallopavo*), Eurasian collared-cove (*Streptopelia decaocto*), turkey vulture (*Cathartes aura*), red-shouldered hawk (*Buteo lineatus*), red-tailed hawk (*Buteo jamaicensis*), acorn woodpecker (*Melanerpes formicivorus*), downy woodpecker (*Dryobates pubescens*), Nuttall's woodpecker (*Dryobates nuttallii*), Western flycatcher (*Empidonax difficilis*), black phoebe (*Sayornis nigricans*), Steller's jay (*Cyanocitta stelleri*), California scrub-jay (*Aphelocoma californica*), brown creeper (*Certhia americana*), red-breasted nuthatch (*Sitta canadensis*), chestnut-backed chickadee (*Poecile rufescens*), oak titmouse (*Poecile rufescens*), Bewick's wren (*Thryomanes bewickii*), Western bluebird (*Sialia mexicana*), American robin (*Turdus migratorius*), European starling (*Sturnus vulgaris*), cedar waxwing (*Bombycilla cedrorum*), house finch (*Haemorhous mexicanus*), lesser goldfinch (*Spinus psaltria*), pine siskin (*Spinus pinus*), dark-eyed junco (*Junco hyemalis*), song sparrow (*Melospiza melodia*), California towhee (*Melozona crissalis*), spotted towhee (*Pipilo*

maculatus), brown-headed cowbird (*Molothrus ater*), red-winged blackbird (*Agelaius phoeniceus*), and orange-crowned warbler (*Leiothlypis celata*). Migrant breeding birds were also observed in the April survey including ash-throated flycatcher (*Myiarchus cinerascens*), warbling vireo (*Vireo gilvus*), cliff swallow (*Petrochelidon pyrrhonota*), barn swallow (*Hirundo rustica*), Bullock's oriole (*Icterus bullockii*), yellow warbler (*Setophaga petechia*), Wilson's warbler (*Cardellina pusilla*), and black-headed grosbeak (*Pheucticus melanocephalus*). Wildlife biologist Gary Deghi observed many of the resident species during the December 4, 2024, survey along with wintering species such as ruby-crowned kinglet (*Regulus calendula*), Townsend's warbler (*Setophaga townsendi*), and yellow-rumped warbler (*Setophaga coronata*).

Many of the bird species observed during the spring (April) site survey are species that are likely nesting either within the Review Area or on neighboring properties. Agitated behavior exhibited by a pair of California towhees in the area along the stream corridor suggests they may have been nesting; however, no other signs of breeding by birds were observed on the site. The oaks, riparian corridor, large trees, and edges between multiple habitat types are all elements of excellent avian habitat for foraging and reproduction.

Special status animal species with at least a Moderate Potential for occurrence on the Review Area are discussed below: western bumble bee (*Bombus occidentalis*), California red-legged frog (*Rana draytonii*), burrowing owl (*Athene cunicularia*), and American badger (*Taxidea taxus*). None of the other animal species targeted by studies have the potential to occur on the site. This finding is made based on the habitat requirements of the target species and is based on field review of habitats present within the Review Area, and an evaluation of the suitability of on-site habitats to support these species.

Several bird species identified as USFWS Bird Species of Conservation Concern were observed on the property: oak titmouse, Bullock's oriole, and Nuttall's woodpecker. Preconstruction bird nesting surveys as required in Section 5.4 would ensure that any nests of any of the species that may be present in or near the BLD, though unlikely, would be protected from construction operations.

INSECTS

One special status insect was identified as potentially occurring in the Review Area.

Western bumble bee (*Bombus occidentalis*):

Range. This species has undergone severe declines in area of occupancy, number of occurrences, and relative abundance since the mid-20th century. Previously, it was one of the most abundant bumble bees in the western United States and Canada.

Listing Status. CESA Candidate Endangered.

Habitat. Found in a range of habitats, including mixed woodlands, farmlands, urban areas, montane meadows, and into the western edge of the prairie grasslands. Food plants include:

Ceanothus, *Centaurea*, *Chrysothamnus*, *Cirsium*, *Geranium*, *Grindellia*, *Lupinus*, *Melilotus*, *Monardella*, *Rubus*, *Solidago*, and *Trifolium*.

Threats. Ongoing threats to the species, particularly within the southern portions of its range, include pathogen spillover from commercially managed bumble bee colonies, increasingly intensive agricultural and livestock grazing and other land use practices, pesticide use, including neonicotinoid compounds, and habitat change.

Review Area Occurrence. Moderate Potential. Not observed to be present. The CNDDDB reports this species occurring within about 3.7 miles of the Review Area. The Review Area has Moderate Potential to be used for episodic foraging as several nectar producing plant species are present which are known to be used by the western bumble bee. These include Geranium (*Geranium spp.*), thistles (*Cirsium spp.*), and blackberries (*Rubus spp.*). Implementation of Mitigation Measures BIO-1 and BIO-2 would reduce the impact to Western bumble bee to a less than significant level.

CRUSTACEANS

One special status crustacean was identified as potentially occurring in the Review Area.

California freshwater shrimp (*Syncaris pacifica*):

Range. California freshwater shrimp (CFWS) occur only in a limited range within the northern San Francisco Bay Area. Specifically, this species occurs only in 17 stream segments within Sonoma, Napa and Marin Counties. CFS are found in certain lower tributaries of the Russian River including the Laguna de Santa Rosa and certain of its tributaries such as Blucher Creek.

Special-Status Listing. Federally listed Endangered, California state listed Endangered.

Habitat. CFWS prefer streams that have water flowing year-round with predominately low gradient flows. In the summer months with little precipitation and surface runoff, the flow rates can be very low with larger pools but they characteristically transport heavy runoff during the rainy winter season. Within a given stream, CFWS prefers slow-to medium-flowing pools and glide areas with overhanging banks (Barber, et. al.2009). Found in low elevation, low gradient streams where riparian cover is moderate to heavy. The species prefers shallow pools removed from the main flow.

Occurrence is restricted to perennial streams below 100 meters msl and with a gradient of less than one percent.

Threats. Habitat loss, especially as a result of overgrazing by cattle, along with chemical water pollution.

Review Area Occurrence. The nearest population of California Freshwater Shrimp is within Blucher Creek which is just on the north side of Blucher Road from the Review Area. Although this population is near to the Review Area, the tributary ephemeral stream that passes through the northwest corner of the Review Area lacks many of the elements that constitute suitable habitat for the species (e.g., shallow pools removed from the main flow of perennial streams). There is No Potential for the species to occur within the Review Area. Therefore, the project's impact on California freshwater shrimp would be less than significant.

FISH

No special-status fish species was identified as potentially occurring in the Review Area. Therefore, there would be no project impact to special status fish species or their habitat.

AMPHIBIANS

One special-status amphibian species was identified as potentially occurring in the Review Area.

California red-legged frog (*Rana draytonii*):

Range. Native historical range extended from southern Mendocino County in northwestern California south (primarily west of the Cascade-Sierra crest) to northwestern Baja California (Shaffer et al. 2004).

Special-Status Listing. Federally listed as threatened, CDFW Species of Special Concern (CDFW 2024).

Habitat. California red-legged frogs (CRLF) have been observed in aquatic and terrestrial habitats, including marshes, streams, lakes, reservoirs, ponds and other permanent, or near permanent, sources of water. Although they occur in ephemeral streams or ponds, CRLF are expected to thrive in permanent deep-water pools with dense stands of overhanging willows and emergent vegetation, and suitable sites for basking. However, they have been observed in various aquatic environments, including stock ponds and artificial pools with little to no vegetation. California red-legged frogs are usually observed near water but can move long distances over land between water sources during the rainy season.

The life cycle and patterns of movement of the CRLF have evolved along with the local California climate of wet, cool winters and dry, warm summers. With the onset of the winter rains, CRLF move from dry season refuges to ponds and streams that can support breeding and successful tadpole development. Tadpoles generally take until late summer or early fall to complete metamorphosis, and then the maturing young frogs (metamorphs) move to aquatic areas to take cover from predators.

Adult frogs often remain year-round at perennial ponds with deep water, but some depart for dry season refuges once breeding is over. Juveniles (frogs that are older than metamorphs but not yet sexually mature) disperse widely over the landscape during the first winter and will take residence in almost any water source. During the dry months of summer and fall, CRLF seek suitable dry season refuge sites that may include deep water holes in drying streams, springs and spring boxes, seeps, and small mammal burrows (especially in or near vegetation). However, CRLF must hydrate at least every couple of days to survive. Thus, such small mammal refuge sites must be close to a permanent water source for frogs to rehydrate. To find these refuges, frogs will travel several hundred yards where suitable refuges are abundant and up to three miles in moist coastal areas. Often, long distance movements are in a relatively straight line over hills and drainages between the beginning and end points.

Threats. Factors contributing to local declines include wetland destruction and degradation or fragmentation, urbanization, residential development, reservoir construction, stream channelization, livestock grazing of riparian vegetation, off-road vehicle activity, drought, overharvesting, and exotic fishes (bass, mosquitofish) and possibly bullfrogs. Conversion of habitat to more permanent ponds is an important threat (as this allows breeding waters to be invaded by non-native predators). Habitat characteristics and good leaping ability may render these frogs less vulnerable to bullfrog predation, although in many areas red-legged frogs coexist with bullfrogs.

Review Area Occurrence. Moderate Potential. CRLF is known to occur in the general vicinity of the Review Area, with a specific 2009 occurrence noted in the CNDDDB of an individual from an intermittent stream in Bloomfield, a location that is approximately 1.7 miles from the Review Area. The intermittent stream passing through the northwest corner of the Review Area provides marginally suitable habitat for CRLF. Although vegetation consists of growth of non-native species throughout the onsite grasslands, many dens of Botta's pocket gopher were found throughout the Review Area and dens of California ground squirrel were found in the eastern portion of the site, and these could provide suitable refugial sites by CRLF during their seasonal movements. Habitat for CRLF within the

Review Area is not optimal, but use of the site by CRLF cannot be ruled out. Implementation of Mitigation Measure BIO-3 would reduce the impact to CRLF to a less than significant level.

REPTILES

One special-status reptile species was identified as potentially occurring in the Review Area.

Northwestern pond turtle (*Emys marmorata*):

Range. Range extends from Washington or British Columbia to central California.

Special-Status Listing. CDFW Species of Special Concern and Proposed for federal listing as threatened.(CDFW 2025). Note. that CNDDDB uses the species scientific name *Emys marmorata* is synonymous with *Actinemys marmorata*.

Habitat. Northwestern pond turtles occupy ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. The turtles prefer aquatic habitats with calm waters, vegetated banks and emergent logs or rocks to use as basking sites. The turtles also rely on suitable upland areas of scrub and woodlands for aestival refugia and may use upland habitats up to 0.5 km from water for activities such as egg-laying. Pond turtles living in streams may vacate flood-prone areas during the rainy season. Northwestern pond turtles occur broadly in suitable habitats throughout the state of California.

Threats. Distribution and abundance have declined as a result commercial exploitation for the pet trade, habitat loss and degradation, introduced species, and (locally) disease.

Review Area Occurrence. Moderate Potential. The nearest occurrence of northwestern pond turtle noted in the CNDDDB is a record from 2009 of as many as 14 individuals present at a pond along Tremari Road just east of Bloomfield Road, a location that is approximately 1.6 miles from the Review Area. The intermittent stream passing through the northwest corner of the Review Area contains marginally suitable habitat for northwestern pond turtle. Upland habitat for northwestern pond turtles within the Review Area is not optimal, but use of the site by the turtle as refugial habitat or even nesting cannot be ruled out. If northwestern pond turtles were present in the onsite stream, a turtle could wander into the onsite uplands within the Review Area. Implementation of Mitigation Measure BIO-4 would reduce the impact to Northwestern Pond turtle to a less than significant level.

BIRDS

One special-status avian species was identified as potentially occurring in the Review Area and is discussed below.

Burrowing Owl (*Athene cunicularia*):

Range. Widespread distribution in North America.

Special-Status Listing. CDFW Species of Special Concern (CDFW 2024). CDFW adopted survey protocol and mitigation guidelines for burrowing owls as described in a March 7, 2012, Staff Report (CDFW 2012).

Habitat. Burrowing owls are small terrestrial owls commonly found in open grassland ranging from western Canada to portions of South America. Burrowing owl habitat can be found in annual and perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Burrowing owls are a subterranean nester, and in California, burrowing owls most commonly use burrows of

California ground squirrel, but they also may use man-made structures, such as cement culverts; cement, asphalt, or wood debris piles; or openings beneath cement or asphalt pavement. Burrowing owls may use a site for breeding, wintering, foraging, and/or migration stopovers during migration. While foraging, owls will perch on raised burrow mounds or other topographic relief such as rocks, tall plants, fence posts, and debris piles to attain better visibility. Occupancy of suitable burrowing owl habitat can be verified at a site by an observation of at least one burrowing owl, or, alternatively, presence of "decoration" at or near a burrow entrance which can include molted feathers, cast pellets, prey remains, eggshell fragments, or excrement.

Threats. Habitat alteration is causing population declines. The loss of grassland habitat and suitable burrows has been compounded by a reduction in prey populations, and concurrent increases in predation, vehicle collisions, expansion of renewable energy, and severe weather events.

Review Area Occurrence. Moderate Potential. No burrowing owls were observed during field reviews conducted by HBG wildlife biologists during the nesting season in April of 2023 or during the winter season in December of 2024. The nearest records of burrowing owl in the CNDDDB are of individuals noted about 3 miles west of the Review Area near Carroll Road in the 1980s. Although the grasslands in Review Area are highly disturbed, there is some evidence of ground squirrel burrows within the grasslands in the eastern portion of the site. With the apparent presence of ground squirrels on the property, the presence of burrowing owls in the future cannot be ruled out. There is a Moderate Potential for the site to be used for episodic foraging or even nesting by burrowing owls. Implementation of Mitigation Measure BIO-5 would reduce the impact to burrowing owl to a less than significant level.

MAMMALS

One special-status mammal species was identified as potentially occurring in the Review Area.

American Badger (*Taxidea taxus*):

Range. Large range in the western and central U.S., southern Canada, and northern and central Mexico; relatively common over much of range.

Special-Status Listing. CDFW Species of Special Concern (CDFW 2024).

Habitat. The CNDDDB indicates that suitable habitat for American badger includes the drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. American badgers need sufficient food, friable soils, and open uncultivated ground. American badgers dig their own burrows and prey on burrowing rodents. American badger can create a burrow over the course of a day and can, therefore, inhabit a site quickly.

Threats. American badger has declined substantially in areas converted from grassland to intensive agriculture and where colonial rodents such as ground squirrels have been reduced or eliminated. The species is also threatened by collisions with vehicles and by direct persecution.

Review Area Occurrence. Moderate Potential. The nearest record of American badger in the CNDDDB is from reports of multiple sightings over a 30-year period by a landowner along Blank Road in Sebastopol which is approximately 2.5 miles from the Review Area. American badger was not observed to be present in the Review Area, however, suitable habitat for American badger occurs within the onsite grassland habitat. The presence of ground squirrel dens and larger excavations in the eastern portion of the site that may indicate foraging efforts by canids illustrate the onsite soils are

suitable for denning, however none of the observed excavations were compressed in the manner of a badger's excavations nor deep enough to support this species. The potential future presence of American badger on the site cannot be ruled out. Implementation of Mitigation Measure BIO-6 would reduce the impact to American Badger to a less than significant level.

Significance Level:

Less than Significant with Mitigation Incorporated.

Mitigation

Mitigation Measure BIO-1. Western Bumble Bee:

NOTE ON THE MAP AND IMPROVEMENT PLANS: "A qualified biologist shall conduct a clearance survey for all species of bumble bees, including the Western bumble bee within 48 hours of the start of any ground disturbing activities related to initiation of construction. The qualified biologist shall also be present during vegetation mowing and/or removal activities associated with commencement of construction. If bumble bees, including western bumble bee is observed, the bee or bees shall be allowed to disperse out of the construction area before continuing construction. A final monitoring report shall be submitted to the County within 30 days of the completion of ground disturbing activities.

Mitigation Monitoring BIO-1 Western Bumble Bee:

Permit Sonoma staff shall review the map to ensure that the note is shown correctly, and on the plans related to the development permits before Permit Sonoma will allow recordation of the map. Prior to issuance of any building or grading permit(s), staff shall ensure that an agreement is in place with a qualified biologist to survey for Western Bumble Bee within 48 hours of initiating construction. Prior to issuance of building or grading permits, staff shall verify that surveys and construction monitoring have been conducted and that any measures recommended by the biologist to avoid sensitive habitat or species, as identified in the monitoring report, have been complied with.

Mitigation Measure BIO-2. Western Bumble Bee:

Incorporate nectar-producing plants favored by Western bumble bee into the landscaping plan for the new residential structure such as Geranium (*Geranium spp.*), thistles (*Cirsium spp.*), and blackberries (*Rubus spp.*)

Mitigation Monitoring BIO-2 Western Bumble Bee:

Prior to building permit issuance Permit Sonoma shall verify that landscaping plans for new residential structures include nectar-producing plants.

Mitigation Measure BIO- 3. California Red-Legged Frog (CRLF):

NOTE ON THE MAP AND IMPROVEMENT PLANS: "Within 48 hours of initiation of construction and/or other ground disturbance that may occur in advance of building construction, a qualified biologist shall conduct a preconstruction survey of all areas proposed for residential development to search for any CRLF that may be using upland areas of the site. The qualified biologist will remain onsite at the commencement of construction to monitor any ground disturbing work associated with initial grading activities to ensure that CRLF are not harmed. If a CRLF is found within a construction area, the work will be halted until the frog has left the area of its own volition. A final monitoring report shall be submitted to the County within 30 days of the completion of ground disturbing activities."

Mitigation Monitoring BIO- 3. California Red-Legged Frog (CRLF):

Prior to allowing the map to record Permit Sonoma staff shall review the map to ensure that the note

is shown correctly on the map. Prior to issuance of any building or grading permit(s), staff shall ensure that the preconstruction survey for California Red Legged Frog has been completed. . Prior to issuance of building or grading permits, staff shall verify that construction monitoring has been conducted and that any measures recommended by the biologist to avoid sensitive habitat or species, as identified in the monitoring report have been complied with.

Mitigation Measure BIO-4. Northwestern Pond Turtle:

NOTE ON THE MAP AND IMPROVEMENT PLANS: “Within 48 hours of initiation of construction and/or other ground disturbance that may occur in advance of building construction, a Qualified Biologist shall conduct a preconstruction survey for the northwestern pond turtle and their nests. If northwestern pond turtle or their nests are detected at any time, CDFW shall be notified immediately, and the Qualified Biologist shall relocate the turtle to appropriate habitat nearby. Turtle nests shall be avoided.”

Mitigation Monitoring BIO-4. Northwestern Pond Turtle:

Prior to allowing the map to record Permit Sonoma staff shall review the map to ensure that the note is shown correctly on the map. Prior to issuance of any building or grading permit(s), staff shall ensure that the preconstruction survey for the Northwestern Pond Turtle has been completed, and the above measures, if applicable, have been complied with.

Mitigation Measure BIO- 5. Burrowing Owl:

NOTE ON THE MAP AND IMPROVEMENT PLANS: “Within 48 hours of initiation of construction and/or other ground disturbance that may occur in advance of building construction, a pre-construction survey for burrowing owl shall be conducted within the Review Area and a minimum of 150 meters from the building envelope (BLD) to the extent properties are accessible. Surveys shall be conducted by a qualified Biologist following the CDFW staff report (CDFW 2012), including survey methods and Biologist qualifications, to establish the status of burrowing owl in the Review Area. If no burrowing owls are detected during the pre-construction survey, no further action is necessary. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed in accordance with previously described methods.

- If burrowing owl is found to occupy the Review Area during the nonbreeding season (September 1 to January 31), occupied burrows shall be avoided by establishing a no-disturbance buffer zone marked by orange construction fencing a minimum of 100 feet around the burrow. Buffers may be increased to address site specific conditions using the impact assessment approach described in the CDFW 2012 staff report. If a qualified Biologist determines that the location of an occupied burrow(s) may be impacted even with a 100-foot buffer, or the burrow(s) are in a location(s) in the Review Area where a buffer cannot be established without preventing the proposed project within the Review Area from moving forward, then a passive relocation effort may be instituted to relocate the individual(s) out of harm’s way pursuant to a Burrowing Owl Exclusion Plan prepared in accordance with the CDFW 2012 staff report. The applicant will coordinate the Burrowing Owl Exclusion Plan with CDFW and provide habitat mitigation consistent with the 2012 CDFW Staff Report.
- If burrowing owl is found to be present during the breeding season (February 1 to August 31), the proposed project ground-disturbing activities within the Review Area shall follow the CDFW 2012 staff report recommended avoidance protocol whereby occupied burrows shall be avoided with a no-disturbance buffer of between 50 meters and 500 meters depending on time of year and disturbance level, as described in the 2012 CDFW staff report. This breeding season buffer zone shall remain until the young have fledged or an unsuccessful nesting attempt is documented.

- A final monitoring report shall be submitted to the County within 30 days of the completion of ground disturbing activities.”

Mitigation Monitoring BIO-5. Burrowing Owl:

Prior to allowing the map to record Permit Sonoma staff shall review the map to ensure that the note is shown correctly on the map. Prior to issuance of any building or grading permit(s), staff shall ensure that the preconstruction survey for the Burrowing Owl has been completed, and the above measures, if applicable, have been complied with. Prior to issuance of building or grading permits, staff shall verify that installation of avoidance buffers and/or relocation efforts, if applicable, have been conducted and that any measures recommended by the biologist to avoid sensitive habitat or species, as identified in the final monitoring report, have been complied with.

Mitigation Measure BIO- 6. American Badger:

NOTE ON THE MAP AND IMPROVEMENT PLANS: “Within 48 hours of initiation of construction and/or other ground disturbance that may occur in advance of building construction, a qualified biologist shall conduct a survey to determine the locations of any active winter or natal American badger dens within the Review Area. Potential badger dens located during the survey shall be evaluated (typically with remote cameras) to determine activity status. Any natal dens determined to be used by American badger shall be avoided and a 100-foot buffer marked with orange construction fencing shall be established around the dens until it is determined by the qualified biologist that the den is no longer active, and the young are no longer dependent upon the den for survival. If an individual badger is determined to be using a non-natal den (from June through February), the den shall be protected with construction fencing until the badger has left the den on its own accord, as determined by the biologist through monitoring of the den and/or the use of motion-detection cameras. Once it is determined that the den is vacant, the den can be excavated and upon confirmation that the den is not occupied, the den can be collapsed and construction can commence. A final monitoring report shall be submitted to the County within 30 days of the completion of ground disturbing activities.”

Mitigation Monitoring BIO-6. American Badger:

Prior to allowing the map to record Permit Sonoma staff shall review the map to ensure that the note is shown correctly on the map. Prior to issuance of any building or grading permit(s), staff shall ensure that the preconstruction survey for the American Badger has been completed, and the above measures, if applicable, have been complied with. Prior to issuance of building or grading permits, staff shall verify that installation of avoidance buffers or den exclusions, if applicable, has been conducted and that any measures recommended by the biologist to avoid sensitive habitat or species, as identified in the final report, have been complied with.

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

Comment:

Four sensitive natural communities documented in the CNDDDB database occur within 10 miles of the Review Area. Coastal and Valley Freshwater Marsh, Coastal Brackish Marsh, Northern Hardpan Vernal Pool and Northern Vernal Pool communities. None of these communities were found to occur within the project site.

Further discussion on the potential wetlands is included in section 4(c) below.

Significance Level:

No Impact.

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

Regulatory Framework

The Army Corps of Engineers (Corps) regulates “Waters of the United States”, including adjacent wetlands, under Section 404 of the federal Clean Water Act. Waters of the United States include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or foreign commerce. Potential wetland areas are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the Clean Water Act. Areas that are inundated for sufficient duration and depth to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as “other waters” and are often characterized by an ordinary high water mark (OHWM). The discharge of dredged or fill material into a Waters of the U.S. (including wetlands) generally requires a permit from the Corps under Section 404 of the Clean Water Act.

“Waters of the State” are regulated by the Regional Water Quality Control Board (Water Board) under the State Porter-Cologne Water Quality Control Act. 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. RWQCB jurisdiction includes “isolated” wetlands and waters that may not be regulated by the ACOE under Section 404 (such as roadside ditches). Section 401 of the Clean Water Act specifies that any activity subject to a permit issued by a federal agency must also obtain State Water Quality Certification (401 Certification) that the proposed activity will comply with state water quality standards. If a proposed 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:

Of the four sensitive natural communities documented in the CNDDDB within 10 miles of the Review Area (Coastal and Valley Freshwater Marsh, Coastal Brackish Marsh, Northern Hardpan Vernal Pool and Northern Vernal Pool communities), none occur within the Review Area.

The unnamed stream channel that traverses the northwest corner of the Review Area is potentially subject to regulation by the U.S. Army Corps of Engineers under Section 404 of the federal Clean Water Act, the North Coast Regional Water Quality Control Board under the Porter-Cologne Water Pollution Control Act and the CDFW under Section 1602 of the California Fish and Game Code. Additionally, a deeply incised channel associated with prior landsliding that enters the site near the southeast corner of the property and quickly dissipates to become a shallow depression towards the center of the south end of the Review Area is assumed to contain habitats subject to the regulatory authority of the same federal and state agencies. It is assumed that the creek in the northwest corner of the site and the incised channel in the southeast portion of the site would be preserved under any development plan for the site and protected by setbacks as required by Section 26.65.030 of the Sonoma County Code.

The southeast portion of the property would not be developable in any event due to the presence of unstable soils due to the history of landsliding. Biological constraints on the project site include the riparian creek corridor in northwest and the channel in the southeast protected by setbacks of 200 feet as determined from the top of bank of Blucher Creek as required by the Sonoma County Code section 26-65. The project includes “No Build Areas” in many areas extending beyond the outer boundary of the stream setbacks to provide additional assurance that there is no encroachment into biologically important areas. County development standards do not allow development within

wetlands or stream channels, therefore no impacts to wetlands would result from the proposed lot split and subsequent potential development of a single-family residence in the proposed BLD.

Significance Level:

No Impact.

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

Comment:

Several common bird species use the project site. Many common bird species (including their eggs and young), are given special protection under the Migratory Bird Treaty Act of 1918 (Migratory Bird Act). The mitigation measures recommended below are sufficient to address impacts to birds protected by the Migratory Bird Act.

If feasible, remove vegetation and conduct ground-disturbing activities only between September 1 and February 15 to avoid bird-nesting season. If it is not feasible to remove vegetation outside of bird-nesting season, the following Mitigation Monitoring BIO-8 will reduce impacts to a level that would be less than significant.

Bats have the potential to roost in existing vacant or underutilized buildings, other man-made structures, and could be present within structures. Mature trees may show evidence of cavities and/or exfoliating bark that could serve as roost sites for populations of bats or could harbor solitary bats. In general, significant impacts to bats prohibited under the Fish and Game Code could result from disruption of an occupied non-breeding bat roost or the loss of a maternity colony of bats. This may occur through direct disturbance from destruction of a roost site during removal or pruning of trees or an indirect disturbance causing behavioral alterations due to construction noise or vibration, or by increased human activity in the area. A future development project in the Review Area could affect trees that could harbor bat populations within the riparian zone if an access or outfall needed to be constructed there. In addition, a future project could require removal of the existing house, barn, or other ancillary structures, which could provide suitable habitat for bats. A bat habitat assessment conducted by a bat biologist prior to construction could determine if suitable habitat for bats occurs the site and allow development of mitigation strategies to achieve humane removal of bat populations if present. Implementation of Mitigation Measure BIO-8 would reduce the impact to Bats to a less than significant level.

Significance Level:

Less than Significant with Mitigation Incorporated.

Mitigation

Mitigation Measure BIO-7. Nesting Birds:

NOTE ON THE MAP AND IMPROVEMENT PLANS: “A preconstruction nesting bird survey shall be conducted by a qualified biologist if grading or vegetation removal occurs during the bird nesting season (February 1-August 31). The survey should be conducted within 48 hours prior to the start of work. The survey should include the entire BLD footprint and areas immediately adjacent to the project work area. If the survey indicates the presence of nesting birds, a buffer should be placed around the nest and marked with orange construction fencing within which no work will be allowed until the young have successfully fledged or the nest has otherwise become inactive. The size of the nest buffer will be determined by the qualified biologist and will be based on the nesting species, its sensitivity to disturbance, and the context of the nest location. In general, typical buffer widths range from 500 feet for large raptors such as buteos, 250 feet for small raptors such as accipiters, and 100 feet for passerines (songbirds) and other bird species. Buffers may be increased or decreased, as

appropriate by a qualified biologist. No construction or earth-moving activity shall occur within the established buffer zone until it is determined by the biologist that the young have fledged or that the nesting cycle is otherwise determined to be complete based on monitoring of the active nest. A final monitoring report shall be submitted to the County within 30 days of the completion of ground disturbing activities.”

Mitigation Monitoring BIO-7. Nesting Birds:

Permit Sonoma staff shall review the map to ensure that the note is shown correctly, and on the plans related to the development permits before Permit Sonoma will allow recordation of the map. Prior to issuance of building permits, or grading permit staff shall verify that installation of avoidance buffers and nest monitoring, if applicable, has been conducted and that any measures recommended by the biologist to avoid sensitive habitat or species, as identified in the final monitoring report, have been complied with.

Mitigation Measure BIO-8. Roosting Bats:

NOTE ON THE MAP AND IMPROVEMENT PLANS: “Structures. A qualified bat biologist shall conduct a habitat assessment and surveys for special status species of bats prior to any structure removal. The survey methodology shall include an initial habitat assessment and survey several months before project construction, to facilitate sufficient time to implement the exclusion plan described below, and the types of equipment used for detection.

If required, a bat exclusion plan shall be submitted to CDFW for approval if bats are detected within structures during the above survey. The plan shall be implemented prior to project construction and allow bats to leave the structures unharmed. The plan shall: (1) recognize that both the maternity and winter roosting seasons are vulnerable times for bats and require exclusion outside of these times, generally between March 1 and April 15 or September 1 and October 15 when temperatures are sufficiently warm, and (2) identify suitable areas for excluded bats to disperse or require installation of appropriate dispersal habitat, such as artificial bat houses, prior to project construction, and include an associated management and monitoring plan with implementation funding.

Tree Removal. Prior to any tree removal, a qualified bat biologist shall conduct a habitat assessment for bats. The habitat assessment shall be conducted a minimum of 30 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, or exfoliating bark for colonial species, and suitable canopy for foliage-roosting species). Trees without suitable habitat for bats can be removed. If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. Trees with suitable bat habitat may be removed only if: a) presence of bats is presumed, or documented during the surveys described below and removal using the two-step removal process detailed below occurs during seasonal periods of bat activity from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified bat biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or complete visual examination of roost features that establish absence of roosting bats.

If a two-step removal is used, two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under direct supervision and instruction by a qualified bat biologist with experience conducting a two-step methodology, tree removal limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed. If construction occurs during the

non-breeding period (typically from June through February).

A final monitoring report shall be submitted to the County within 30 days of the completion of structure removal or tree removal activities.”

Mitigation Monitoring BIO-8. Roosting Bats:

Permit Sonoma staff shall review the map to ensure that the note is shown correctly, and on the plans related to the development permits before Permit Sonoma will allow recordation of the map. Prior to issuance of any building or grading permit(s), staff shall ensure that the preconstruction survey for the Roosting Bats has been completed, and the above measures, if applicable, have been complied with. Prior to issuance of any building or grading permit(s), staff shall verify that installation of exclusion measures from the exclusion plan and tree cavity monitoring, if applicable, have been conducted and that any measures recommended by the biologist to avoid sensitive habitat or species, as identified in the final monitoring report, have been complied with.

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

Comment:

The project parcel does not conflict with any local policies or ordinances protecting biological resources, such as the Riparian Corridor Ordinance, Sonoma County Tree Protection Ordinance or the Sonoma County Oak Woodland Protection Ordinance. The parcel does have oak woodland in the southwest corner of the property, however, this area is less than one half acre and does not meet the threshold to apply a Oak woodland protection combining district. Additionally, any future development on this parcel would be subject to the Sonoma County Tree Protection Ordinance (Sec. 26-88-015). The parcel has the Riparian Corridor combining district, requiring a 200-foot minimum streamside conservation area and a 50-foot setback for agricultural cultivation from the top of bank of Blucher Creek. This riparian corridor set back encompasses ±0.4 acres in the northeast corner of the parcel. Development in the area, including the driveway to proposed lot two would be subject to Sonoma County Riparian Corridor Ordinance requirements prior to development permits being issued.

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:

Habitat Conservation Plans and natural community conservation plans are site-specific plans to address effects on sensitive species of plants and animals. The project site is not located in an area subject to a habitat conservation plan or natural community conservation plan. There are very few Habitat Conservation Plans in Sonoma County-they would only affect certain land in timber production areas in the northwest county (for spotted owl) and in the lower Petaluma River/Sonoma Creek watershed (for saltmarsh harvest mouse/black rail/clapper rail).

Significance Level:

No Impact.

5. CULTURAL RESOURCES:

Would the project:

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

Comments:

Tom Origer and Associates conducted a Cultural Resources evaluation of the project site in April of 2023. The study area consists of structures considered to be modern and older. Twentieth-century maps depict a building within the study area by 1942, and aerial images show a second house on the property by 1965. The third house and the outbuildings are modern constructions. The two older houses are not likely to be associated with important events or people, are simple constructions that do not display distinctive characteristics of a style and would not yield important information that could not be obtained by other means; therefore, these buildings would not meet criteria for inclusion on the California Register.

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

Significance Level:

No Impact.

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

Comment:

As mentioned in the discussion of section 5(a), Tom Origer and Associates conducted a cultural resources evaluation of the project site. During a field visit, no archaeological site indicators were observed in the field study or within the soil excavated by auguring. There are no known archaeological resources on the site, but the project could uncover such materials during future construction. Although the project has a low possibility of containing unrecorded archaeological sites and no impacts to archaeological resources are anticipated, the County has a standard “accidental discovery” condition of approval that work be halted if unanticipated buried cultural resources are encountered during construction. The condition is applied to all permits that involve ground disturbance, and requires that the following notes be printed on all grading and building permit plans involving ground disturbing activities:

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

be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code.”

Therefore, the proposed project would not result in substantial adverse change in the change in the significance of archaeological resource as defined in CEQA Guidelines Section 15064.5.

Significance Level:
Less than Significant.

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

Comment:
The cultural resources evaluation conducted by Tom Origer and Associates did not result in the discovery of any archeological site indicators, and application of the buried sites model indicates a less than 1% probability that there will be a buried archeological site within the study area. In the unlikely event the site contains a burial site, compliance with Section 11-14-050 of the Sonoma County Construction Grading and Drainage Code and the accidental discovery standard condition noted above would ensure necessary steps are taken to protect the resource.

Significance Level:
Less than Significant.

6. ENERGY:

Would the project:

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

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

Significance Level:
Less than Significant Impact.

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

Comment:
The County of Sonoma has not adopted a local renewable energy plan; however, the General Plan includes a variety of policies intended to encourage development of renewable energy systems, while protecting sensitive resources and ensuring neighborhood compatibility. Although renewable energy is encouraged, there is no requirement to develop renewable energy sources for subdivisions resulting in a total of two lots or single-family residential development projects, outside of meeting Title 24 requirements discussed above. Additionally, the project is not located in an identified area

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

Significance Level:

Less than Significant Impact.

7. GEOLOGY AND SOILS:

Would the project:

- a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
- i. **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Comment:

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

Significance Level:

No Impact

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

Comment:

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

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

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

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

Significance Level:

Less than Significant Impact.

iii. Seismic-related ground failure, including liquefaction?

Comment:

Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy material, resulting in ground failure. According to the current Multi-Jurisdictional Hazard Mitigation Plan³, the project site has a designation that ranges from very low to medium susceptibility to liquefaction (Figure 8.1). All new structures are subject to engineering standards of the California Building Code. Because engineering standards are required for all permitted construction activities, potential impacts would be less than significant.

Significance Level:

Less than Significant Impact.

iv. Landslides?

Comment:

Steep slopes characterize much of Sonoma County, particularly the northern and eastern portion of the County. Where these areas are underlain by weak or unconsolidated earth materials landslides are a hazard. The project site is relatively flat and according to the Multi-Jurisdictional Hazard Mitigation Plan (Figure 8.11), the project site is located in an area with very low susceptibility to landslides⁴. All structures are required to meet building permit requirements, including seismic safety standards and soil test/compaction requirements. The design and construction of new structures are subject to engineering standards of the California Building Code (CBC), which consider soil properties, seismic shaking and foundation type. Project conditions of approval require that building and grading permits be obtained for all construction and that the project meet all standard seismic and soil test/compaction requirements, therefore potential impacts from landslides are reduced to less than significant.

Significance Level:

Less than Significant Impact.

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

Comment:

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

³ "2016 Sonoma County Operational Area Hazard Mitigation Plan", Sonoma County Permit and Resource Management Department, and Fire and Emergency Services Department, September 2017

⁴ Ibid

specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction.

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

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

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

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. According to the National Resources Conservation Service

Soil Survey of Sonoma County⁵, soils on the project site consist of four (4) different soil types within the Review Area. Soil types are Blucher fine sandy loam, overwash, 0 to 2 percent slopes in the portion of the site nearest to Blucher Valley Road; Steinbeck loam, 15 to 30 percent slopes, eroded, through much of the middle of the site; Steinbeck loam, 30 to 40 percent slopes, eroded, within the southern portion of the site; and Steinbeck loam, 30 to 50 percent slopes, within the southwestern corner of the site. The soil types are not considered an expansive soil. However, on site soils have not been tested for their expansive characteristics. As stated above, new structures are subject to engineering standards of the California Building Code, including standard seismic and soil test/compaction requirements. Therefore, the potential building failure impact related to expansive soils would be less than significant.

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

The cultural resources evaluation conducted by professional archaeologists in April 2023 did not discover any unique paleontological or geological feature on the property, although paleontological features may be uncovered during project-related construction. Mitigation Measure CUL-1 will reduce potential impacts to less than significant.

Significance Level:

Less than Significant with Mitigation Incorporated.

Mitigation

See Mitigation Measure and Monitoring CUL-1

8. GREENHOUSE GAS EMISSIONS:

Would the project:

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

Comment:

A Climate Action 2020 Plan was developed by the Sonoma County Regional Climate Plan Authority

⁵ United States Department of Agriculture, "Web Soil Survey", Natural Resources Conservation Service, August 1, 2021, <https://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/survey/>

(RCPA) in 2016 but was unable to be formally adopted due to litigation. The Sonoma County Board of Supervisors adopted a Climate Change Action Resolution on May 8, 2018 which acknowledged the Climate Action 2020 Plan and resolved to "...work towards the RCPA's countywide target to reduce GHG emissions by 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050" as well as adopting twenty goals for reducing GHG emissions including increasing carbon sequestration, increasing renewable energy use, and reducing emissions from the consumption of goods and services⁶. The Bay Area Air Quality Management District (BAAQMD) has published greenhouse gas significance thresholds for use by local governments in the report titled *California Environmental Quality Act Air Quality Guidelines May 2017*. For projects other than stationary sources, the greenhouse gas significance threshold is 1,100 metric tons per year.

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

9. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

⁶ Permit and Resource Management Department, "Climate Change Action Resolution", County of Sonoma, May 8, 2018, http://sonoma-county.granicus.com/MetaViewer.php?view_id=2&clip_id=784&meta_id=242232

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

There are no known hazardous materials sites within or adjacent to the project limits, based on a review of the following databases on December 11, 2025:

1. The State Water Resources Control Board Geotracker database⁷,
2. The Department of Toxic Substances Control EnviroStor database⁸ (formerly known as Calsites), and
3. The Calrecycle Solid Waste Information System (SWIS)⁹.

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

Significance Level:

No Impact.

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

⁷ State Water Resources Control Board Geotracker, "Geotracker", State of California, Accessed July 15, 2021, <https://geotracker.waterboards.ca.gov/>

⁸ Department of Toxic Substances Control Envirostor, "Envirostor", State of California, Accessed July 15, 2021, <https://www.envirostor.dtsc.ca.gov/public/>

⁹ CalRecycle, "SWIS Facility/Site Search", Accessed July 15, 2021, <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>

Comment:

The project site is not within the Airport Referral Area as designated by the Sonoma County Comprehensive Airport Land Use Plan.

Significance Level:

No Impact.

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

Comment:

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

Significance Level:

No Impact.

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

Comment:

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

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

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

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

Significance Level:

Less than Significant Impact.

10. HYDROLOGY AND WATER QUALITY:

Would the project:

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

Comment:

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

A construction project disturbing one or more acres of soil is required to obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit Order 2009-0009-DWQ for Discharges of Storm Water Runoff Associated with Construction Activity¹⁰. Construction activities subject to this permit include clearing, grading, stockpiling, excavation, and reconstruction of existing facilities involving removal and replacement. The General Permit requires submittal of a Notice of Intent (NOI) package, and development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) which, in addition to other requirements, must include Best Management Practices (BMPs) to protect the quality of stormwater runoff.

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

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

Significance Level:

Less than Significant Impact.

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

Comment:

The County uses a four-tier classification system to indicate general areas of groundwater availability: Class 1 = Major Groundwater Basin, Class 2 = Major Natural Recharge Areas, Class 3 = Marginal Groundwater Availability Area, and Class 4 = Low or Highly Variable Water Yield. The project site is located within a Class 1 and Class 2 Groundwater Availability Area and is not located within a Priority Groundwater Basin or Public Trust Review Area. An existing well serves the existing development onsite and will continue to serve the existing structures. Any future proposed wells will be subject to the Sonoma County Water Well Construction Standards under Section 25B of the Sonoma County Code, which applies water conservation requirements to all private well permits submitted after October 4, 2022.

The project site is subject to Sonoma County Storm Water Low Impact Development (LID) regulations. Prior to issuance of grading and/or building permits, the project applicant will be required to submit a Stormwater Control Plan for small projects/single family dwellings for review and approval

¹⁰ State Water Resources Control Board, "2009-0009-DWQ CONSTRUCTION GENERAL PERMIT", California Environmental Protection Agency, September 26, 2018, https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

by Permit Sonoma staff. This requirement reduces potential impacts to the quality and quantity of post-construction storm water discharges, which includes minimizing impervious surfaces and limiting soil compaction that could interfere with groundwater recharge.

The above requirements reduce potential impacts to sustainable groundwater management to a less than significant level

Significance Level:

Less than Significant Impact.

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

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

Comment:

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

See section 7(b) for further discussion.

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

iv. Impede or redirect flood flows?

Comment:

The area designated for future development is not located in a 100-year flood plain where future construction of new structures could 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:

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

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

11. LAND USE AND PLANNING:

Would the project:

a) Physically divide an established community?

Comment:

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

Significance Level:

No Impact.

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

Comment:

The General Plan Land Use Designation is Rural Residential with a 5-acre per dwelling unit density and the zoning district is Agriculture and Residential with the same density. The proposed subdivision of the current 10.03- acre parcel to two lots of 4.91 and 5.12 acres is consistent with the overall density allocation of the project site.

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

Significance Level:

No Impact.

12. MINERAL RESOURCES:

Would the project:

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

Comment:

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

Significance Level:

No Impact.

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

Comment:

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

Significance Level:

No Impact.

13. NOISE:

Would the project:

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

Comment:

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

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

Significance Level:

Less than Significant with Mitigation Incorporated.

Mitigation

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

- a) All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- b) Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. (use this if no nearby receptors, or 5:00 pm if nearby receptors) on weekdays and 9:00 a.m. and 7:00 p.m. (same note as above) on weekends and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the Permit Sonoma Project Review Division as soon as practical.
- c) There will be no start up of machines nor equipment prior to 7:00 a.m, Monday through Friday or 9:00 am on weekends and holidays; no delivery of materials or equipment prior to 7:00 a.m nor past 7:00 p.m, (same note as above) Monday through Friday or prior to 9:00 a.m. nor past 7:00 p.m. on weekends and holidays and no servicing of equipment past 7:00 p.m., Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction, and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.
- d) Pile driving activities shall be limited to 7:30 a.m. to 7:00 p.m. weekdays only (same note as above).
- e) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas

and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.

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

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

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

Comment:

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

Significance Level:

Less than Significant 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:

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

Significance Level:

No Impact.

14. POPULATION AND HOUSING:

Would the project:

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

Comment:

The parcel has an assigned General Plan density of 1 dwelling unit per 5 acres of land (AR B6 5), the project parcel's density currently allows for two residences and two accessory dwelling units. The project would create one additional lot, which would be permitted one single-family residence and two accessory dwelling units each, per the assigned density. At build out, the difference between what is currently allowed and potential conditions as a result of the project is two additional accessory dwelling units, which is not substantial. The project's impact on population growth is less than significant.

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

No Impact.

15. PUBLIC SERVICES:

Would the project:

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

Comment:

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

The Gold Ridge Fire Protection District will continue to serve this area. There will be no increased need for fire protection resulting from the project. Sonoma County Code requires that all new development meet Fire Safe Standards (Chapter 13), which includes fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, hazardous materials management and management of flammable or combustible liquids and gases. This is a standard requirement for all new development and therefore potential impacts would be less than significant.

Significance Level:

Less than Significant Impact.

ii. Police?

Comment:

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

Significance Level:

Less than Significant Impact.

iii. Schools?

Comment:

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

Significance Level:

Less than Significant Impact.

iv. Parks?

Comment:

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

Significance Level:

Less than Significant Impact.

v. Other public facilities?

Comment:

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

Significance Level:

Less than Significant Impact.

16. RECREATION:

Would the project:

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

Comment:

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

Significance Level:

Less than Significant impact.

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

Comment:

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

Significance Level:

No Impact.

17. TRANSPORTATION:

Would the project:

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

Pursuant to CEQA Guidelines Section 15064.3, subdivision (b), and applicable starting July 1, 2020, Vehicle Miles Traveled (VMT) is now the appropriate metric to evaluate transportation impacts of land use projects, superseding use of the measure of traffic congestion (i.e. Level of Service). To assist with implementation of the new CEQA practice, the Sonoma County Transportation Agency (SCTA) is in the process of developing screening and modeling tools for local jurisdictions. In the interim, the Technical Advisory provided by the Governor's Office of Planning and Research offers a threshold to screen out smaller projects from further analysis. Absent substantial evidence otherwise or inconsistency with a general plan, 110 daily vehicle trips may be assumed to have a less than significant transportation impact¹¹.

The density of the existing project site, as designated in the General Plan and Zoning Code, allows for two single family residences. The resulting lot could also have two accessory dwelling unit. The proposed subdivision would not increase the allowable density of the site, but would permit the new lots to each have a primary single family residence and two accessory dwelling units.

The Institute of Transportation Engineers (ITE) Trip Generation Manual approximates 10 daily vehicle trips for a single-family dwelling. Applying the ITE rates to each dwelling unit at maximum build out, the subdivision would not increase the site's daily vehicle trip generation from 20. Total trip generation would remain well below the small project screening threshold, therefore, the project is assumed to be consistent with CEQA Guidelines Section 15064.3, subdivision (b), and is expected to have a less than significant impact on VMT.

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

d) Result in inadequate emergency access?

Comment:

Access to the proposed lots will be from a private road off of Blucher Valley Road. The project has been conditioned to comply with all emergency access requirements of the Sonoma County Fire Safety Code (Sonoma County Code Chapter 13), including emergency vehicle access requirements. Project development plans are required to be reviewed by Permit Sonoma Fire Prevention services Fire Inspector during the building permit process to ensure compliance with emergency access issues.

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

Significance Level:

¹¹ Governor's Office of Planning and Research, "Technical Advisory on Evaluating Transportation Impacts in CEQA", State of California, December 2018

Less than Significant Impact.

e) Result in inadequate parking capacity?

Comment:

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

Significance Level:

No Impact.

18. TRIBAL CULTURAL RESOURCES:

State Regulations

CEQA requires that a lead agency determine whether a project could have a significant effect on historical resources and tribal cultural resources (PRC Section 21074 [a][1][A]-[B]). A historical resource is one listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR, PRC Section 21084.1), a resource included in a local register of historical resources (PRC Section 15064.5[a][2]), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (PRC Section 15064.5[a][3]).

If a project can be demonstrated to cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to permit any or all these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC, Section 21083.2[a], [b], and [c]).

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the NRHP or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired (CEQA Guidelines Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion or eligibility for inclusion in the CRHR (CEQA Guidelines Section 15064.5[b][2][A]).

California Public Resources Code

Section 5097.5 of the California PRC states: No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor. As used in this PRC section, "public lands" means lands owned by or under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, local agencies are required to comply with PRC 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

Codes Governing Human Remains

The disposition of human remains is governed by Health and Safety Code Section 7050.5 and PRC sections 5097.94 and 5097.98 and falls within the jurisdiction of the Native American Heritage Commission (NAHC). If human remains are discovered, the county coroner must be notified within 48 hours, and there should be no further disturbance to the site where the remains were found. If the coroner

determines the remains are Native American, the coroner is responsible to contact the NAHC within 24 hours. Pursuant to PRC Section 5097.98, the NAHC will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

Would the project:

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

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

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

Comment:

California Native American tribes were notified according to Public Resources Code section 21080.3.1 on March 5, 2025. Permit Resource Management Department (PRMD) staff referred the project application to Native American Tribes within Sonoma County to request consultation under AB52. Notifications were sent to the Cloverdale Rancheria of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Torres Martinez Desert Cahuilla Indians, Mishewal Wappo Tribe of Alexander Valley, Middletown Rancheria Band of Pomo Indians, Lytton Rancheria of California, Kashia Pomo Stewarts Point Rancheria, and Federated Indians of Graton Rancheria.

In March of 2023, Permit Sonoma staff referred the project application to Native American Tribes within Sonoma County to request consultation under AB-52. No requests for consultation were received.

Although no impacts are anticipated, the County standard "Accidental Discovery" Condition of Approval applies to previously undiscovered TCR's or unique archaeological resources that may be accidentally encountered during project implementation.

Significance Level:

Less than Significant.

19. UTILITIES AND SERVICE SYSTEMS:

Would the project:

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

effects?

Comment:

The project would not contribute to the need for construction of new water or expanded wastewater treatment facilities.

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

No Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

20. WILDFIRE:

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

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

Comment:

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

Significance Level:

No Impact.

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

Comment:

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

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

Refer to section 7 (Geology and Soils).

Significance Level:

Less than Significant Impact.

21. MANDATORY FINDINGS OF SIGNIFICANCE:

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

Comment:

Potential project impacts on special-status plant and fish/wildlife species, and habitat are addressed in section 4. Implementation of the required mitigation measures (Mitigation Measures BIO-1 through 8) would reduce these potential impacts to a less than significant level. Potentially significant impacts to aesthetics, air quality, and noise are reduced to a less than significant level through implementation of Mitigation Measures VIS-1, AIR-1, and NOISE-1.

Significance Level:

Less than Significant Impact.

Mitigation

Mitigation See Mitigation Measures and Monitoring VIS-1, AIR-1, BIO-1 through 8, and NOISE-1.

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

Comment:

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

Significance Level:

Less than Significant Impact.

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

Comment:

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

Significance Level:
Less than Significant Impact.

References

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5. PRMD, Sonoma County General Plan 2020 (as amended), September 23, 2008.
6. California Environmental Protection Agency - <http://www.calepa.ca.gov/SiteCleanup/corteseList/default.htm>; California Regional Water Quality Control Board - <http://geotracker.swrcb.ca.gov/>; California Dept of Toxic Substances Control http://www.dtsc.ca.gov/database/calsites/cortese_list.cfm, and Integrated Waste Management Board - <http://www.ciwmb.ca.gov/SWIS/Search.asp>
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13. Best Management Practices: Tree Pruning, International Society of Arboriculture (ISA), 2008.
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20. Sonoma County Aggregate Resources Management Plan and Program EIR, 1994.
21. Sonoma County Bikeways Plan, Sonoma County Permit and Resource Management Department, August 24, 2010.
22. Sonoma County Permit and Resource Management Department and Department of Transportation and Public Works Traffic Guidelines, 2014
23. Sonoma County Permit and Resource Management Department, Visual Assessment Guidelines, (no date)
24. Sonoma County Permit and Resource Management Department Noise Guidelines, 2017
25. Sonoma County Water Agency, Sonoma Valley Groundwater Management Plan, 2007 and annual reports. <http://www.scwa.ca.gov/svgw-documents/>
26. Sonoma County Water Agency, Santa Rosa Plain Groundwater Management Plan, 2014. http://www.water.ca.gov/groundwater/docs/GWMP/NC-5_SRP_SonomaCoWaterAgency_GWMP_2014.pdf

Attachments

Steven J. Lafranchi. PLS, PE "Tentative Parcel Map for the Lands of Malgieri Trust", Steven J. Lafranchi & Associates, INC, April 23, 2025

Greg Huffman "Preliminary Biological Resources Report, 2514 Blucher Valley Road" Huffman-Broadway Group, INC, August, 2025