



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

www.sccoplanning.com

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

NOTICE OF PUBLIC REVIEW AND COMMENT PERIOD

Pursuant to the California Environmental Quality Act, the following project has been reviewed by the County Environmental Coordinator to determine if it has a potential to create significant impacts to the environment and, if so, how such impacts could be solved. A Negative Declaration is prepared in cases where the project is determined not to have any significant environmental impacts. Either a Mitigated Negative Declaration or Environmental Impact Report (EIR) is prepared for projects that may result in a significant impact to the environment.

Public review periods are provided for these Environmental Determinations according to the requirements of the County Environmental Review Guidelines. The environmental document is available for review at the County Planning Department located at 701 Ocean Street, in Santa Cruz. You may also view the environmental document on the web at www.sccoplanning.com under the Planning Department menu. If you have questions or comments about this Notice of Intent, please contact Matt Johnston of the Environmental Review staff at (831) 454-3201

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. If you require special assistance in order to review this information, please contact Bernice Romero at (831) 454-3137 (TDD number (831) 454-2123 or (831) 763-8123) to make arrangements.

PROJECT: CHAMINADE LANE GRADING

APP #: 131108

APN(S): 025-013-43, -44, -45, -46

PROJECT DESCRIPTION: The proposed project a proposal to grade approximately 3,066 cubic yards in order to construct a single-family dwelling and associated driveway access on lot 4 of a four-lot development.

PROJECT LOCATION: Project is located on the east side of Chaminade Lane approximately 300 feet north of the intersection of Chaminade Lane and Paul Sweet Road.

EXISTING ZONE DISTRICT: Residential Agriculture (RA)

APPLICANT: Doug Locke

OWNER: Barry Swenson Builder / Green Valley Corporation

PROJECT PLANNER: Antonella Gentile, (831) 454-3164

EMAIL: Antonella.Gentile@santacruzcounty.us

ACTION: Negative Declaration with Mitigations

REVIEW PERIOD: February 27, 2014 through March 18, 2014

This project will be considered administratively by the Project Planner at the completion of the review period.



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MITIGATED NEGATIVE DECLARATION

Project: Chaminade Lane Grading

APN(S): 025-013-43, -44, -45, -46

Project Description: Proposal to grade approximately 3,077 cubic yards in order to construct a single-family dwelling and associated driveway access on lot 4 of a four-lot development.

Project Location: The project is located on the east side of Chaminade Lane approximately 300 feet north of the intersection of Chaminade Lane and Paul Sweet Road.

Owner: Barry Swenson Builder / Green Valley Corporation

Applicant: Doug Locke

Staff Planner: Antonella Gentile, (831) 454-3164

Email: Antonella.Gentile@santacruzcounty.us

This project will be considered administratively by the Project Planner at the completion of the review period.

California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and, that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment. The expected environmental impacts of the project are documented in the attached Initial Study on file with the County of Santa Cruz Clerk of the Board located at 701 Ocean Street, 5th Floor, Santa Cruz, California.

Review Period Ends: March 18, 2014

Note: This Document is considered Draft until it is Adopted by the Appropriate County of Santa Cruz Decision-Making Body

Date: 2/29/14

Todd Sexauer
TODD SEXAUER, Environmental Coordinator
(831) 454-3511



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MITIGATION MONITORING AND REPORTING PROGRAM for the

Application No. 131108, February 24, 2014

No.	Environmental Impact	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Biological Resources					
BIO-1	Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<p>Some development would take place within oak woodland habitat. In order to mitigate for impacts to oak woodland on site, the following measures shall apply:</p> <ul style="list-style-type: none"> Remaining oak trees shall be protected to the maximum extent possible per the recommendations of the project arborist in his report dated June 7, 2013 and updated November 25, 2013 (Attachment 11). Prior to final approval of the project, the project arborist shall provide the Planning Department an Oak Protection Plan. The Plan shall include the location and method of protection measures for all oaks to be retained, construction details where disturbance or development activities may impact oak root zones, and an assessment of the potential for moving any of the oaks identified for removal to another location on the subject parcel. A landscaping plan shall be provided that includes replacement oak trees for all oaks to be removed. Oaks under 6 inches DBH shall be replaced at a 1:1 ratio; oaks between 6 inches and 12 inches shall be replaced at a 2:1 ratio; oaks larger than 12 inches shall be replaced at a 3:1 ratio. All oak trees on the subject parcel shall be monitored for 5 years post project completion. Oaks that die during the 5-year period shall be replaced in kind. Annual status reports shall be submitted to the Planning Department Environmental Coordinator to ensure compliance. 	Applicant	To be monitored by the County Planning Department and Applicant.	To be implemented during project design, construction and monitoring period.
BIO-2	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 or migratory wildlife nursery sites?	<p>Removal of oak trees, discussed in C2, above, may affect nesting birds. In order to avoid impacts to raptors and migratory songbirds, tree removal activities shall be limited to the months between September 1 and February 1, if feasible.</p> <ul style="list-style-type: none"> If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests 3-4 weeks prior to site disturbance. If active raptor or migratory bird nests are found in trees to be retained, the biologist shall be required to be on site during any initial vegetation or ground disturbance activities (e.g. vegetation clearing, grading, excavation, tree pruning/removal) that could potentially impact listed species. The biologist shall be responsible for setting and maintaining the disturbance buffers from active nests during construction activities, and buffers and exclusionary measures shall be implemented only after 	Applicant	To be monitored by the County Planning Department and Applicant.	To be implemented during project design and construction.

No.	Environmental Impact	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
		consultation with CDFG. <ul style="list-style-type: none"> If no active nests are present on the subject parcel, tree removal can proceed at the project proponent's discretion. 			



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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW INITIAL STUDY

Date: February 3, 2014

Application Number: 131108

Staff Planner: Antonella Gentile

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Doug Locke

APN: 025-013-43, -44, -45, -46

OWNER: Barry Swenson Builder/Green
Valley Corporation

SUPERVISORAL DISTRICT: 1

PROJECT LOCATION: The property is located on the east side of Chaminade Lane approximately 300 feet north of the intersection of Chaminade Lane and Paul Sweet Road. See Attachment 1 for location maps.

SUMMARY PROJECT DESCRIPTION: Proposal to grade approximately 3,066 cubic yards in order to construct a single-family dwelling and associated driveway access on lot 4 of a four-lot development. See Attachment 2 for project plans.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Hydrology/Water Supply/Water Quality | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Visual Resources & Aesthetics | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Mandatory Findings of Significance |

DISCRETIONARY APPROVAL(S) BEING CONSIDERED:

- | | |
|--|---|
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Coastal Development Permit |
| <input type="checkbox"/> Land Division | <input checked="" type="checkbox"/> Grading Permit |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Riparian Exception |
| <input checked="" type="checkbox"/> Development Permit | <input checked="" type="checkbox"/> Other: Preliminary Grading Approval |

NON-LOCAL APPROVALS

Other agencies that must issue permits or authorizations:

DETERMINATION: (To be completed by the lead agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Todd Sexauer
Environmental Coordinator

2/24/14

Date

II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS

Parcel Size: 1.49 acres (APN 025-013-45); the entire property (APNs 025-013-43, -44, -45 and -46) is approximately 5.3 acres.

Existing Land Use: vacant

Vegetation: Open grassland with scattered brush, and oak, bay and eucalyptus trees.

Slope in area affected by project: 0 - 30% 31 – 100%

Nearby Watercourse: unnamed tributary stream to Arana Gulch Creek along the south border of the property.

Distance To: 40 feet minimum between disturbance area and creek centerline

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Water Supply Watershed: Arana-Rodeo

Fault Zone: no

Groundwater Recharge: n/a

Scenic Corridor: no

Timber or Mineral: n/a

Historic: no

Agricultural Resource: no

Archaeology: no

Biologically Sensitive Habitat: yes

Noise Constraint: no

Fire Hazard: no

Electric Power Lines: no

Floodplain: none mapped

Solar Access: mostly open

Erosion: yes

Solar Orientation: n/a

Landslide: yes

Hazardous Materials: no

Liquefaction: no

Other: none

SERVICES

Fire Protection: Central Fire

Drainage District: 5

School District: Pajaro Valley School District

Project Access: proposed private drive
(Lupine Lane) off Dempsey Road

Sewage Disposal: private

Water Supply: Santa Cruz Water

PLANNING POLICIES

Zone District: Residential Agriculture (RA)

Special Designation: none

General Plan: Suburban Residential (R-S)

Urban Services Line: Inside

Outside

Coastal Zone: Inside

Outside

ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

The 5.3 acre site is a hillside property vegetated with open grassland and groups of native coast live oak, coast redwood and California bay laurel trees. The property slopes steeply (with typical slope gradients ranging from 27-78%) down to the south and west, and is located on the north side of Dempsey Road, a private road off Chaminade Lane just north of its intersection with Paul Sweet Road.

The property is situated between Arana Gulch to the west and Rodeo Gulch to the east. It is part of an ancient sea cliff delineating the western marine terrace to the north and the Highway 1 marine terrace to the south. There are several sandstone outcrops with gradients over 100% along the eastern portion of the property. An unnamed tributary stream to Arana Gulch Creek borders the property to the south, paralleling Dempsey Road.

The site topography shows evidence of minor historic grading and terracing done many decades ago that appears to be remnant of the former use of the property for orchards and a former dwelling that is no longer on the now-vacant site.

Surrounding land uses include the 56.4 acre Chaminade Resort hotel property to the west and northwest, Residential Agriculture (RA) zoned land to the north and east that is primarily vacant, areas of more densely-settled single-family residential development to the southeast, and the Dominican Oaks retirement home property to the south.

PROJECT BACKGROUND:

In 2006, a Rural Density Matrix Determination (Application 06-0330) was conducted to establish the allowable density of a 5.3 acre property that includes the current project area. Lot Legality Determination 06-0708 then determined the legality of four individual parcels within the 5.3 acres property, and Certificates of Compliance were recorded. Application 07-0234 for a Lot Line Adjustment and buildability determination established the four subject parcels in their current configuration. Soils, geologic and biotic studies and septic feasibility were considered under that application.

Building application APP-131003 is currently in process for the Lot 4 (APN 025-013-45) house and retaining wall.

DETAILED PROJECT DESCRIPTION: The proposed project includes the construction of an access driveway to serve a proposed 3,225 square-foot single-family residence on Lot 4 of a 4-lot development, and associated grading for the Lot 4 residence building site and access, including a fire truck turnaround. The driveway (Lupine Lane) is designed to eventually serve up to three other parcels (APNs 025-013-43, -44, and -46) if future development is proposed. Construction of the driveway and Lot 4 building pad would require approximately 3,066 cubic yards of grading, and retaining walls where required. The total area of land disturbance is approximately 2.08 acres. Twenty-five Coast Live Oaks and two California Bay Laurel trees within the footprint of the drive and utility easement are proposed to be removed; these trees would be replaced with five-gallon Coast Live Oaks and Coast Redwoods on a 2:1 ratio. The proposed grading volume and tree removal reflects a revision to the plans that saved an additional 11 live oak trees and reduced the grading volume by over 1,000 cubic yards.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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III. ENVIRONMENTAL REVIEW CHECKLIST

A. GEOLOGY AND SOILS

Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| A. 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion (A through D): The project site is located outside of the limits of the State Alquist-Priolo Special Studies Zone (County of Santa Cruz GIS Mapping, California Division of Mines and Geology, 2001). However, the project site is located approximately 8.6 miles southwest of the San Andreas fault zone, and approximately 5.3 miles southwest of the Zayante-Vergeles fault zone. While the San Andreas fault is larger and considered more active, each fault is capable of generating moderate to severe ground shaking from a major earthquake. Consequently, large earthquakes can be expected in the future. The October 17, 1989 Loma Prieta earthquake (magnitude 7.1) was the second largest earthquake in central California history.

A geologic investigation for the project was prepared by Nolan Associates, dated December 20, 2007 and April 21, 2008, and updated June 13, 2013 (Attachment 3). The report has been reviewed and accepted by the Environmental Planning Section of the Planning Department (Attachment 4). A geotechnical investigation was prepared by Amso Consulting Engineers, dated June 15, 2012, (Attachment 5) and subsequently updated by Dees and Associates, Inc., who assumed responsibility for the proposed project in June 2013 and submitted an update to the Amso Geotechnical Investigation, dated November 21, 2012, and revised June 4, 2013 (Attachment 6).

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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The reports conclude that A) fault rupture would not be a potential threat to the proposed development; B) seismic shaking can be managed by constructing with conventional spread footings or pier and grade beam foundation systems; and C) landslide hazards can be managed by embedding the foundations in bedrock and with the recommended slough wall. Compliance with the recommendations of these reports is required by County Code Section 16.10.070.

2. 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?

Discussion: The geologic report cited above recommends a slough wall to protect from shallow landsliding and embedment of the foundations into bedrock to protect from soil creep. Compliance with the recommendations of this report is required by County Code Section 16.10.070.

3. Develop land with a slope exceeding 30%?

Discussion: There are slopes that exceed 30% in the project area. However, the proposed access road has been designed and located to avoid the slope areas that are in excess of 30% to the greatest extent possible. The small portions that fall within >30% contours would be graded and engineered in accordance with the project geotechnical engineers' recommendations in a manner that would minimize grading quantities while also minimizing the risks of erosion and instability. Compliance with the recommendations of the geotechnical engineer is required by County Code Section 16.10.070.

4. Result in substantial soil erosion or the loss of topsoil?

Discussion: Some potential for erosion exists during the construction phase of the project; however, this potential is minimal because standard erosion controls are a required condition of the project. Prior to approval of the grading and building permit, the project must have an approved Stormwater Pollution Control Plan that has been prepared by a Qualified SWPPP Developer, which would detail specific erosion and sedimentation control measures. The plan would include provisions for disturbed areas to be planted with ground cover or covered with erosion control blankets prior to project final inspection.

5. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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property?

Discussion: The geotechnical report for the project did not identify any elevated risk associated with expansive soils.

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| 6. | Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems where sewers are not available? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: A new single-family residence would be built that would take its access from the proposed driveway. The residence would use an onsite sewage disposal system, and County Environmental Health Services has determined that site conditions are appropriate to support such a system (Attachment 7).

- | | | | | | |
|----|----------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Result in coastal cliff erosion? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|----------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project is not located in the vicinity of a coastal cliff or bluff; and therefore, would not contribute to coastal cliff erosion.

B. HYDROLOGY, WATER SUPPLY, AND WATER QUALITY

Would the project:

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Place development within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated May 16, 2012, no portion of the project site lies within a 100-year flood hazard area.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated May 16, 2012, no portion of the project site lies within a 100-year flood hazard area.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Be inundated by a seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: No portion of the project site is located in an area that would be subject to inundation by a seiche, tsunami or mudflow.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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| 4. | Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project would obtain water from the City of Santa Cruz Water District, and would not rely on private well water. See Attachment 8 for confirmation from the City of Santa Cruz. The project is not located in a mapped groundwater recharge area.

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. | Substantially degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project would not discharge runoff either directly or indirectly into a public or private water supply. However, runoff from this project may contain small amounts of chemicals and other household contaminants. No commercial or industrial activities are proposed that would contribute contaminants. Potential siltation from the proposed project would be addressed through implementation of erosion control best management practices (BMPs).

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|----|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Degrade septic system functioning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There is no indication that existing septic systems in the vicinity would be affected by the project.

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 7. | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding, on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project does not include alteration to any watercourses,

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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and would be engineered so as to not alter the existing overall drainage pattern of the site. Department of Public Works (DPW) Drainage staff has reviewed and approved the proposed drainage plan.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 8. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems, or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Drainage Calculations prepared by Ifland Engineers, dated September 2009 and revised June 2013 (Attachment 9) have been reviewed for potential drainage impacts and accepted by the DPW Drainage staff. The calculations show that the proposed stormwater management system would be sufficient to control flows from the proposed development, and that the stormwater drainage system, as designed, would be adequate and sufficient for the proposed development. The runoff rate from the property would be controlled by flow restrictor discharge pipes, a detention system, infiltration trenches and landscaping. DPW staff determined that existing storm water facilities are adequate to handle the increase in drainage associated with the project. Refer to response B-5 for discussion of urban contaminants and/or other polluting runoff.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no levees or dams in the project vicinity.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 10. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: A stormwater management maintenance agreement is required by the DPW Drainage staff to maintain the drainage system. In addition, potential siltation from the proposed project would be addressed through implementation of erosion control BMPs.

C. BIOLOGICAL RESOURCES

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. 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, | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service?

Discussion: According to the California Natural Diversity Data Base (CNDDDB), maintained by the California Department of Fish and Game, the site is mapped for the potential presence of the Ohlone tiger beetle, Zayante banded grasshopper, San Francisco popcorn flower, Santa Cruz tarplant and Santa Cruz clover. However, a July 2000 Biological Constraints Analysis and a 2002 follow-up survey for special-status plants and wildlife determined that no special-status species were present on the project site. Additional surveys were conducted in 2006 and 2008 for rare plants, as detailed in the Biological Survey Update (H.T. Harvey & Associates, 5/22/08, Attachment 10). The reports concluded that there were no special status species observed in the project area.

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 2. Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: Four biotic habitats are present on the project site as identified in the Biological Survey Update referenced in C1, above: non-native grassland, coast live oak woodland, seasonal drainage and eucalyptus.

The seasonal drainage is located approximately 40 feet from the disturbance area at the closest point. Erosion and sediment controls and stormwater pollution control BMPs would be required during construction and at the completion of the Dempsey Road improvements to prevent impacts to the drainage.

Some development would take place within oak woodland habitat. In order to mitigate for impacts to oak woodland on site, the following measures shall apply:

- Remaining oak trees shall be protected to the maximum extent possible per the recommendations of the project arborist in his report dated June 7, 2013 and updated November 25, 2013 (Attachment 11). Prior to final approval of the project, the project arborist shall provide the Planning Department an Oak Protection Plan. The Plan shall include the location and method of protection measures for all oaks to be retained, construction details where disturbance or development activities may impact oak root zones, and an assessment of the potential for moving any of the oaks identified for removal to another location on the subject parcel.
- A landscaping plan shall be provided that includes replacement oak trees for

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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all oaks to be removed. Oaks under 6 inches DBH shall be replaced at a 1:1 ratio; oaks between 6 inches and 12 inches shall be replaced at a 2:1 ratio; oaks larger than 12 inches shall be replaced at a 3:1 ratio.

- All oak trees on the subject parcel shall be monitored for 5 years post project completion. Oaks that die during the 5-year period shall be replaced in kind. Annual status reports shall be submitted to the Planning Department Environmental Coordinator to ensure compliance.

3. 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 or migratory wildlife nursery sites?

Discussion: The proposed project is set back a minimum of 40 feet from the seasonal drainage to the southeast of Dempsey Road. No activities are proposed that would interfere with the movements or migrations of fish or wildlife or impede use of a known wildlife nursery site.

Removal of oak trees, discussed in C2, above, may affect nesting birds. In order to avoid impacts to raptors and migratory songbirds, tree removal activities shall be limited to the months between September 1 and February 1, if feasible.

- If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests 3-4 weeks prior to site disturbance.

- If active raptor or migratory bird nests are found in trees to be retained, the biologist shall be required to be on site during any initial vegetation or ground disturbance activities (e.g. vegetation clearing, grading, excavation, tree pruning/removal) that could potentially impact listed species. The biologist shall be responsible for setting and maintaining the disturbance buffers from active nests during construction activities, and buffers and exclusionary measures shall be implemented only after consultation with CDFG.

- If no active nests are present on the subject parcel, tree removal can proceed at the project proponent's discretion.

4. Produce nighttime lighting that would substantially illuminate wildlife habitats?

Discussion: The large subject property is currently undeveloped, but is surrounded by residential and commercial development in the general vicinity that currently generates a small amount of nighttime lighting. The proposed project is set back a minimum of 40 feet from the seasonal drainage to the southeast of Dempsey Road.

