



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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

**KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR**  
<http://www.sccoplanning.com/>

### NOTICE OF DETERMINATION

**To:**

County of Santa Cruz  
Clerk of the Board  
701 Ocean Street, Room 500  
Santa Cruz, CA 95060

Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, CA 95812-3044

**Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

**State Clearinghouse Number (if applicable):** 2014012044

**Project Title:** Nelson Road Reestablishment

**Project Applicant:** County of Santa Cruz

**Project Location:** Postmile marker 2.0, Nelson Road, in the Scotts Valley area.

**Project Description:**

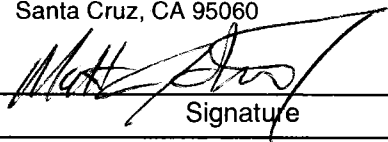
The proposed project is the removal of the temporary access road crossing, restoration of the crossing area, and reestablishment of the permanent road adjacent to the previous alignment, Ruins Creek and the toe of the 2011 landslide. The scope of the work for the entire project shall consist of the following: excavation and backfill (2,675 cubic yards), two mechanically stabilized earth backfill (MSE) retaining walls, drainage culvert improvements, asphalt concrete pavement, erosion control, restoration of the creek channel, and removal of approximately 220 feet of the existing temporary bypass road where it crosses Ruins Creek, with associated upland and riparian revegetation,.

This is to advise that the County of Santa Cruz has approved the above described project on 2/20/2014 and has made the following determinations regarding the above described project: (Date)

1. The project [  will  will not ] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures [  were  were not ] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [  was  was not ] adopted for this project.
5. A statement of Overriding Considerations [  was  was not ] adopted for this project.
6. Findings [  were  were not ] made pursuant to the provisions of CEQA.

This is to certify that the Final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at the following location:

County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, CA 95060

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Environmental Coordinator  
Title

2/20/2014  
\_\_\_\_\_  
Date

February 28, 2014

Date Received for Filing at Clerk of the Board



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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

**KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR**

<http://www.sccoplanning.com/>

## MITIGATED NEGATIVE DECLARATION

**Project: Nelson Road Reestablishment**

**APN(S): 070-011-28**

**Project Description:** The proposed project is the removal of the temporary access road crossing, restoration of the crossing area, and reestablishment of the permanent road adjacent to the previous alignment, Ruins Creek and the toe of the 2011 landslide. The scope of the work for the entire project shall consist of the following: excavation and backfill (2,675 cubic yards), two mechanically stabilized earth backfill (MSE) retaining walls, drainage culvert improvements, asphalt concrete pavement, erosion control, restoration of the creek channel, and removal of approximately 220 feet of the existing temporary bypass road where it crosses Ruins Creek, with associated upland and riparian revegetation.

**Project Location: Postmile marker 2.0, Nelson Road, in the Scotts Valley area.**

**Applicant: County of Santa Cruz**

**Staff Planner: Matt Johnston**

**This project will be** This project will be administratively considered by the project planner after the comment period is complete.

### 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 Planning Department located at 701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz, California. A digital copy of the document can be reviewed at the following web address:

<http://www.sccoplanning.com/>

### Required Mitigation Measures or Conditions:

- None  
 Are Attached

Review Period Ends: **February 19, 2014**

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

Date: 1/15/14

  
\_\_\_\_\_  
**MATT JOHNSTON, Environmental Coordinator**  
(831) 454-3201

NAME: Nelson Road Reestablishment  
APPLICATION: 131330  
A.P.N: County Right of Way, 070-011-28

### **NEGATIVE DECLARATION MITIGATIONS**

- A. In order to ensure that the mitigation measures and conditions set forth in the proposed project description are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: The project engineer, project contractor supervisor, Santa Cruz County Environmental Planning staff, and project biologists. Results of pre-construction biotic surveys will be collected at that time and all protection measures shall be inspected.
- B. Work done in and around the active channel has the potential to impact water quality. In order to prevent impacts to water quality, in channel work associated with the removal of the temporary bypass shall be timed to be completed when the channel is dry, and all erosion and sediment control measures shall be in place prior to the first predicted rain event.
- C. Suitable nesting habitat for special-status and non-listed, native bird species is present on the study area. Direct removal of vegetation, noise and other disturbance during construction, could adversely impact nesting birds, if present, which could result in nest abandonment. In order to reduce potential impacts to special-status and non-listed, native bird species to less than significant, the following mitigations shall be implemented:
  - 1. If work in any project site area must commence during the breeding season (February 1 to August 31), a qualified biologist shall conduct a pre-construction breeding bird survey throughout areas of suitable habitat within 300 feet of the work area within 15 days prior to the onset of any construction activity. If bird nests are observed within a project work area or surrounding buffer, an appropriate buffer zone shall be established around all active nests to protect nesting adults and their young from construction disturbance. The size and configuration of buffer zones shall be determined by a qualified biologist in consultation with CDFG based on the site conditions and the species potentially impacted. Work within the buffer zone shall be postponed until all the young are fledged, as determined by a qualified biologist.
- D. In order to reduce potential impacts from the accidental release of hazardous materials into the riparian corridor, the following mitigation would be implemented: A spill prevention and response plan including all appropriate products will be available at the project site during the course of construction activities, and the staging area(s) will be a minimum of 50 feet from any stream.
- E. In order to reduce the impacts on the residents in the project vicinity due to excessive noise, operation of heavy machinery and other construction-related activities that may generate loud noises will be limited to between the hours of 8:30 A.M. and 4:30 P.M.



# County of Santa Cruz

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR  
www.sccoplanning.com

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW INITIAL STUDY

Date January 13, 2014

Application Number: 131330

Staff Planner: Matt Johnston

### I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

**APPLICANT:** Santa Cruz County  
Department of Public Works

**APN(s):** 070-011-28, County Right of Way

**OWNER:** Eclectia and Santa Cruz County

**SUPERVISORAL DISTRICT:** Bruce  
McPherson Fifth District

**PROJECT LOCATION:** The project is located at the terminus of the County maintained portion of Nelson Road, in the unincorporated portion of Santa Cruz County, near the City of Scotts Valley. From Highway 17 south, exit Mt Herman Road west. At the far end of the city limits, turn right on Lockhart Gulch, and right onto Nelson Road. Continue 2 miles to the slide.

### **SUMMARY PROJECT DESCRIPTION:**

The proposed project is the removal of the temporary access road crossing, restoration of the crossing area, and reestablishment of the permanent road adjacent to the previous alignment, Ruins Creek and the toe of the 2011 landslide. The scope of the work for the entire project shall consist of the following: excavation and backfill (2,675 cubic yards), two mechanically stabilized earth backfill (MSE) retaining walls, drainage culvert improvements, asphalt concrete pavement, erosion control, restoration of the creek channel, and removal of approximately 220 feet of the existing temporary bypass road where it crosses Ruins Creek, with associated upland and riparian revegetation (Attachment 1).

**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 type="checkbox"/> Grading Permit                |
| <input type="checkbox"/> Rezoning               | <input checked="" type="checkbox"/> Riparian Exception |
| <input type="checkbox"/> Development Permit     | <input type="checkbox"/> Other:                        |

**NON-LOCAL APPROVALS**

Other agencies that may issue permits or authorizations:

Regional Water Quality Control Board (Section 401)

US Army Corp of Engineers (Nationwide Permit #27)


California Department of Fish and Wildlife (Streambed Alteration Agreement)

**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.

  
\_\_\_\_\_  
Matthew Johnston  
Environmental Coordinator

11/15/14  
\_\_\_\_\_  
Date

## II. BACKGROUND INFORMATION

### EXISTING SITE CONDITIONS

Parcel Size: NA

Existing Land Use: Residential, public works facilities (streets, sewer, open space)

Vegetation: Riparian trees (alder, willows) and understory, oak woodland

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

Nearby Watercourse: Ruins Creek

Distance To: A portion of the project would occur within the active channel of Ruins Creek and along the adjacent streambanks. The majority of the new roadway would be at the toe of the slide in ruderal scrub and oak woodland habitat.

### ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Water Supply Watershed: Yes

Groundwater Recharge: No

Timber or Mineral: No

Agricultural Resource: No

Biologically Sensitive Habitat: Yes

Fire Hazard: Yes

Floodplain: Yes

Erosion: Yes

Landslide: Yes

Liquefaction: No

Fault Zone: No

Scenic Corridor: No

Historic: No

Archaeology: No

Noise Constraint: No

Electric Power Lines: Yes

Solar Access: Yes

Solar Orientation: Multiple aspects

Hazardous Materials: No

Other:

### SERVICES

Fire Protection: Scotts Valley

School District: N/A

Sewage Disposal: N/A

Drainage District: Zone 6

Project Access: Nelson Road

Water Supply: N/A

### PLANNING POLICIES

Zone District: Agricultural (A), and County

Right of Way

General Plan: Mountain Residential (R-M)

Urban Services Line:  Inside

Coastal Zone:  Inside

Special Designation:

Outside

Outside

### ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

The project is the reestablishment of Nelson Road at the toe of a large slide that covered the existing roadway. Nelson Road is a rural road that runs parallel to Ruins Creek in a valley in the Santa Cruz Mountains. The area between the existing roadway and the creek channel was used by the residents as a goat corral and small barn adjacent to a mature riparian corridor. The 2011 slide that covered the road damaged the goat area as well. The proposed project would remove the damaged structures and reestablish the roadway along the toe of the debris flow. The project would also remove the temporary bypass from the stream channel and restore it to native riparian habitat.

## **PROJECT BACKGROUND:**

Nelson Road at post mile 2.0 was blocked by a massive landslide on March 21, 2011, during the March 2011 Storms Event. The roughly 350-foot-long section of blocked road lies just south of Sky Meadow Lane (a private roadway) and provides access to over 30 residences north of the landslide.

Immediately following the slide, a temporary emergency access bypass was installed across Ruins Creek to provide vehicular access to the residents living upstream of the slide. A Focused Engineering Geologic Investigation was prepared by Pacific Geotech Engineering in December of 2011 (Attachment 2). This investigation considered various alternatives to reestablishing Nelson Road and identified two preferred alternatives; finding an alternative access to the valley beyond the slide that avoids the slide area completely, or reestablishing the roadway between Ruins Creek and the toe of the slide. The first option would formalize the existing emergency bypass through the center of a private community who have expressed opposition to this option and could only be done through eminent domain. It would result in the permanent impacts to the riparian corridor that would otherwise be avoided, would create non-conforming setback issues on the existing houses that are currently conforming to County codes, and would put a roadway through what was a communal children's play area. The second alternative avoids sensitive habitat to a greater degree and is supported by the community.

## **DETAILED PROJECT DESCRIPTION:**

The permanent bypass road would be constructed between Ruins Creek and the toe of the 2011 landslide.

The scope of the work would consist of the following: excavation and backfill, two mechanically stabilized earth backfill (MSE) retaining walls, drainage improvements, energy dissipaters, asphalt concrete pavement, erosion control, revegetation, and removal of approximately 220 feet of the existing temporary bypass road where it crosses Ruins Creek.

The two mechanically stabilized earth backfill (MSE) retaining walls include a 35-foot long wall between the road and the creek and 325-foot long wall on the upland side of the road.

The project would require removing one live oak tree and several dead trees, as well as removal of a willow patch and limb trimming of other trees. The new road would not require any work within the creek channel, but removal of the temporary creek crossing would require removal of the culvert and rip rap in the channel. The project is expected to take approximately 12 weeks to complete.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

**III. ENVIRONMENTAL REVIEW CHECKLIST**

**A. GEOLOGY AND SOILS**

Would the project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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):** A Focused Engineering Geologic Investigation was prepared by Pacific Geotech Engineering in December of 2011 (Attachment 2). The report makes some recommendations regarding surface water control and location of the proposed roadway that have been incorporated into the project design. The incorporation of these measures ensures the potential for impacts to people or structures would be less than significant.

All of Santa Cruz County is subject to some hazard from earthquakes and the project site is likely to be subject to strong seismic shaking during the life of the improvements. However, the project site is not located within or adjacent to a County or state mapped fault zone, therefore the potential for ground surface rupture is low.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:** The proposed project is the reestablishment of a roadway through a slide debris apron, which is inherently unstable. The Geologic report identifies measures to stabilize or avoid the area of proposed roadway alignment to a degree that the potential for failure is less than significant. These measures have been incorporated into the proposed project, therefore, this impact would be considered less than significant.

3. Develop land with a slope exceeding 30%?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

**Discussion:** No improvements are proposed on slopes in excess of 30%.

4. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

**Discussion:** The potential for erosion exists during the construction phase of the project and shortly thereafter. A Stormwater Pollution Prevention Plan is a requirement of the proposed project and would address the potential for storm-related sediment erosion. In addition, erosion and sediment control Best Management Practices (BMP's) would be installed and monitored during and after construction activities are completed.

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 property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

**Discussion:** There is no indication that the development site is subject to substantial risk caused by expansive soils.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

**Discussion:** This project does not include the use of any on-site sewage disposal system.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

- |    |                                  |                          |                          |                          |                                     |
|----|----------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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:

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** This reach of Ruins Creek is not mapped for flood hazard on any of the flood maps; therefore, no development is proposed to be placed within a mapped 100-year flood hazard area. The proposed project includes the removal of the temporary stream crossing, which would be a beneficial impact on channel capacity, and the construction of an energy dissipater above the average high water mark.

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

**Discussion:** The project proposed would remove a culvert, RSP, and fill material from within a 100-year flood hazard area.

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

**Discussion:** While this project area has been inundated by debris from a slide, there is no drainage or source of water that might lead to a debris flow, and the project is well outside of any coastal influence.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project involves the reestablishment of a roadway and would not

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

impact groundwater supplies or recharge.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project involves the reestablishment of a roadway and would not impact any public or private water supplies.

- |    |                                    |                          |                          |                          |                                     |
|----|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 area 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 removal of the temporary stream crossing would reestablish the historic drainage within the Ruins Creek channel. Measures identified in the geologic report to divert sheet flow away from the debris slope in order to minimize surface water infiltration into the existing landslide mass are minor in nature and would have no effect on flood peak levels in Ruins Creek. They include filling cracks and smoothing the surface to encourage sheet flow away from the slide mass.

- |   |  |                          |                          |                          |                                     |
|---|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** This project would not create or contribute any runoff beyond the existing roadway.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 | <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
--------------------------------------	--	------------------------------------	-----------

dam?

**Discussion:** There are no levees or dams associated neither with this project nor in the vicinity of the project that could be impacted by work proposed.

10. Otherwise substantially degrade water quality?

**Discussion:** Removal of the temporary crossing would take vehicles out of the riparian corridor. This is a beneficial impact on water quality.

**Potentially Significant Impact 1:** Work done in and around the active channel has the potential to impact water quality.

**Mitigation Measure 1:** In channel work associated with the removal of the temporary bypass shall be timed to be completed when the channel is dry, and all erosion and sediment control measures shall be in place prior to the first predicted rain event.

With the implementation of this measure, the impact of the proposed projects upon water quality would be less than significant.

### 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, or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service?

**Discussion:** A Biotic Report was prepared for this project by Biotic Resources Group, dated August 12, 2013 (Attachment 3). This report has been reviewed and accepted by the Planning Department (Environmental Section). The biotic report determined that there was no indication that listed plants or animals would be present in the project location, but that there was potential for impacts to nesting birds, and potential downstream impacts to steelhead.

**Potentially Significant Impact 1:** Suitable nesting habitat for special-status and non-listed, native bird species is present on the study area. Direct removal of vegetation, noise and other disturbance during construction, could adversely impact nesting birds, if present, which could result in nest abandonment.

**Mitigation Measure 1:** If work in any project site area must commence during the breeding season (February 1 to August 31), a qualified biologist shall conduct a pre-construction breeding bird survey throughout areas of suitable habitat within 300 feet of the work area within 15 days prior to the onset of any construction activity. If bird nests

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

are observed within a project work area or surrounding buffer, an appropriate buffer zone shall be established around all active nests to protect nesting adults and their young from construction disturbance. The size and configuration of buffer zones shall be determined by a qualified biologist in consultation with California Department of Fish and Wildlife (CDFW) based on the site conditions and the species potentially impacted. Work within the buffer zone shall be postponed until all the young are fledged, as determined by a qualified biologist.

Ruins Creek is a tributary to Bean Creek and the San Lorenzo River, both known to support steelhead and coho salmon. Downstream barriers prevent anadromous fish from reaching the project site, and the intermittent nature of the stream in this reach precludes the presence of resident trout.

**Potential Significant Impact 2:** Sediment associated with the roadway construction or the removal of the crossing could have an impact on downstream fish habitat.

**Mitigation Measure 2:** In channel work associated with the removal of the temporary bypass shall be timed to be completed when the channel is dry, and all erosion and sediment control measures shall be in place prior to the first predicted rain event. With the implementation of this measure, the impact of the proposed projects upon downstream fish habitat would be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The project biotic report identifies impacts to 2,850 square feet of riparian habitat and oak woodland for construction access and roadway clearance, and 500 square feet of impact to the channel related to the removal of the stream crossing. The proposed project includes a restoration and revegetation plan that includes the planting of at least 100 willow stakes, 5 dogwood trees, and 15 oak trees to replace the single willow tree and five oak trees to be removed. It also includes native shrub species and seed mix sufficient to cover all exposed soils, with shrubs planted at 3, 6, or 8-foot on center depending upon the species. With the limited area of impact, the reestablishment of the stream channel where the crossing is to be removed and the revegetation of all exposed soils that result from the project, the impacts to oak woodland and riparian habitat are determined to be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. Interfere substantially with the movement of any native resident or | <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
--------------------------------------	--	------------------------------------	-----------

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 riparian corridor functions as a wildlife corridor even though fish are not present. However, given the limited scope of in-channel work and the avoidance otherwise of the corridor, and the restoration of the channel and revegetation of the associated riparian and upland habitat, the impacts to migration or species movements would be considered less than significant.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Produce nighttime lighting that would substantially illuminate wildlife habitats? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project would not produce any nighttime lighting.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. | Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The biotic report and associated wetland delineation identified two small patches on in-channel wetlands both upstream and downstream of the temporary crossing. The report determined that the project would not impact these wetlands. The removal of the stream crossing will take place within the jurisdiction of the Army Corps of Engineers, and a Nationwide Permit #27 for aquatic habitat restoration would be obtained.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Conflict with any local policies or ordinances protecting biological resources (such as the Sensitive Habitat Ordinance, Riparian and Wetland Protection Ordinance, and the Significant Tree Protection Ordinance)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The portions of the proposed project that require a riparian exception from the County Planning Department encompass the removal of the temporary crossing and the construction of a retaining wall to support the reestablished roadway. In order to comply with the Riparian Ordinance, the following findings would have to be made:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

1. That there are special circumstances or conditions affecting the property.  
*This finding can be made in that the existing public access cross through private property and the existing right f way can be reestablished.*
2. That the exception is necessary for the proper design and function of some permitted or existing activity on the property.  
*This finding can be made in that the retaining wall is necessary for the proper design and function of the proposed roadway. The permit that allowed the temporary bypass required that it be removed with the reestablishment of the roadway.*
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located.  
*This finding can be made in that the removal of the crossing will be beneficial to downstream properties and habitat by removing an artificial impediment to stream flow and taking vehicular traffic out of the riparian corridor.*
4. That the granting of the exception, in the Coastal Zone, will not reduce or adversely impact the riparian corridor, and there is no feasible less environmentally damaging alternative.  
*This project is not located within the Coastal Zone.*
5. That the granting of the exception is in accordance with the purpose of this chapter, and with the objectives of the General Plan and elements thereof, and the Local Coastal Program Land Use Plan.  
*This project has been designed to enhance the riparian habitat and reestablish safe access to residents in the Upper Ruins Creek Watershed, in accordance with the objectives of the General Plan.*

By securing a Riparian Exception from the County Planning Department, this project would be in conformance with all County codes.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

**D. 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 Department 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:

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

**Discussion:** The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition, the project does not contain Farmland of Local Importance. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Farmland of Local Importance would be converted to a non-agricultural use. No impact would occur from project implementation.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The project site is zoned agricultural, and the area that the proposed road alignment would take was used for the raising of goats. However, the slide impacted this area such that the infrastructure and space used for the animals was covered to a large extent by slide debris and was no longer useful for this purpose. Additionally, the project site's land is not under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract. The impact is considered to be less than significant.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

Government Code Section 51104(g))?

**Discussion:** The project is not adjacent to land designated as Timber Resource.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No forest land occurs on the project site or in the immediate vicinity. No impact is anticipated.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project would not change access to the upper Nelson Road area. Therefore, no impact is anticipated from project implementation.

### E. MINERAL RESOURCES

Would the project:

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

**Discussion:** The site does not contain any known mineral resources that would be of value to the region and the residents of the state. Therefore, no impact is anticipated from project implementation.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project site is zoned agricultural, which is not considered to be an Extractive Use Zone (M-3) nor does it have a Land Use Designation with a Quarry Designation Overlay (Q) (County of Santa Cruz 1994). Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan would occur as a result of this project.

