



County of Santa Cruz

PLANNING DEPARTMENT

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

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

www.sccoplanning.com

NOTICE OF INTENT TO ADOPT A MITIGATED 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 Todd Sexauer of the Environmental Review staff at (831) 454-3511.

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 Shawver at (831) 454-3137 to make arrangements.

PROJECT: Sohl Residence

APP #: 141097

APN(S): 063-061-28

PROJECT DESCRIPTION: The proposed project is to construct a 1,583 square foot single family dwelling with an attached 440 square foot garage on an existing vacant parcel that is located in the Bonny Doon Zayante Sandhills.

PROJECT LOCATION: The proposed project is located on the north side of Alta Vista Road, approximately 1,960 feet west of Martin Road, within the community of Bonny Doon, in unincorporated Santa Cruz County. Santa Cruz County is bounded on the north by San Mateo County, on the south by Monterey and San Benito counties, on the east by Santa Clara County, and on the south and west by the Monterey Bay and the Pacific Ocean.

EXISTING ZONE DISTRICT: RA (Residential Agriculture)

APPLICANT: Valerie Hart

OWNER: Steven Sohl

PROJECT PLANNER: Lezanne Jeffs

EMAIL: Lezanne.Jeffs@santacruzcounty.us

ACTION: Negative Declaration with Mitigations

REVIEW PERIOD: April 23, 2018 through May 22, 2018

This project will be considered at a public hearing before the Zoning Administrator. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.



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MITIGATED NEGATIVE DECLARATION

Project: Sohl Residence

APN(S): 063-061-28

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Owner: Steven Sohl

Applicant: Valerie Hart

Staff Planner: Lezanne Jeffs, (831) 454-2480

Email: Lezanne.Jeffs@santacruzcounty.us

This project will be considered at a public hearing before the Zoning Administrator. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.

California Environmental Quality Act Mitigated Negative Declaration Findings:

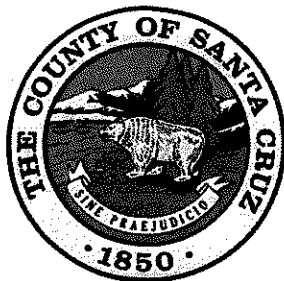
Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; 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: May 22, 2018

Date: 4-18-18



TODD SEXAUER, Environmental Coordinator
(831) 454-3511



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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY/ENVIRONMENTAL CHECKLIST

Date: April 17, 2018

Application Number: 141097

Project Name: Sohl Residence

Staff Planner: Lezanne Jeffs

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Valerie Hart (formerly
Frauke Zajac)

APN(s): 063-061-28

OWNER: Steven Sohl

SUPERVISORAL DISTRICT: Third

PROJECT LOCATION: The proposed project is located on the north side of Alta Vista Road, approximately 1,960 feet west of Martin Road, within the community of Bonny Doon, in unincorporated Santa Cruz County. Santa Cruz County is bounded on the north by San Mateo County, on the south by Monterey and San Benito counties, on the east by Santa Clara County, and on the south and west by the Monterey Bay and the Pacific Ocean.

SUMMARY PROJECT DESCRIPTION:

The proposed project is to construct a 1,583 square foot single family dwelling with an attached 440 square foot garage on an existing vacant parcel that is located in the Bonny Doon Zayante Sandhills.

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

DISCRETIONARY APPROVAL(S) BEING CONSIDERED:

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

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g., permits, financing approval, or participation agreement):

<u>Permit Type/Action</u>	<u>Agency</u>
Habitat Conservation Plan/Take Permit	United States Fish and Wildlife Service
Incidental Take Permit	California Department of Fish and Wildlife

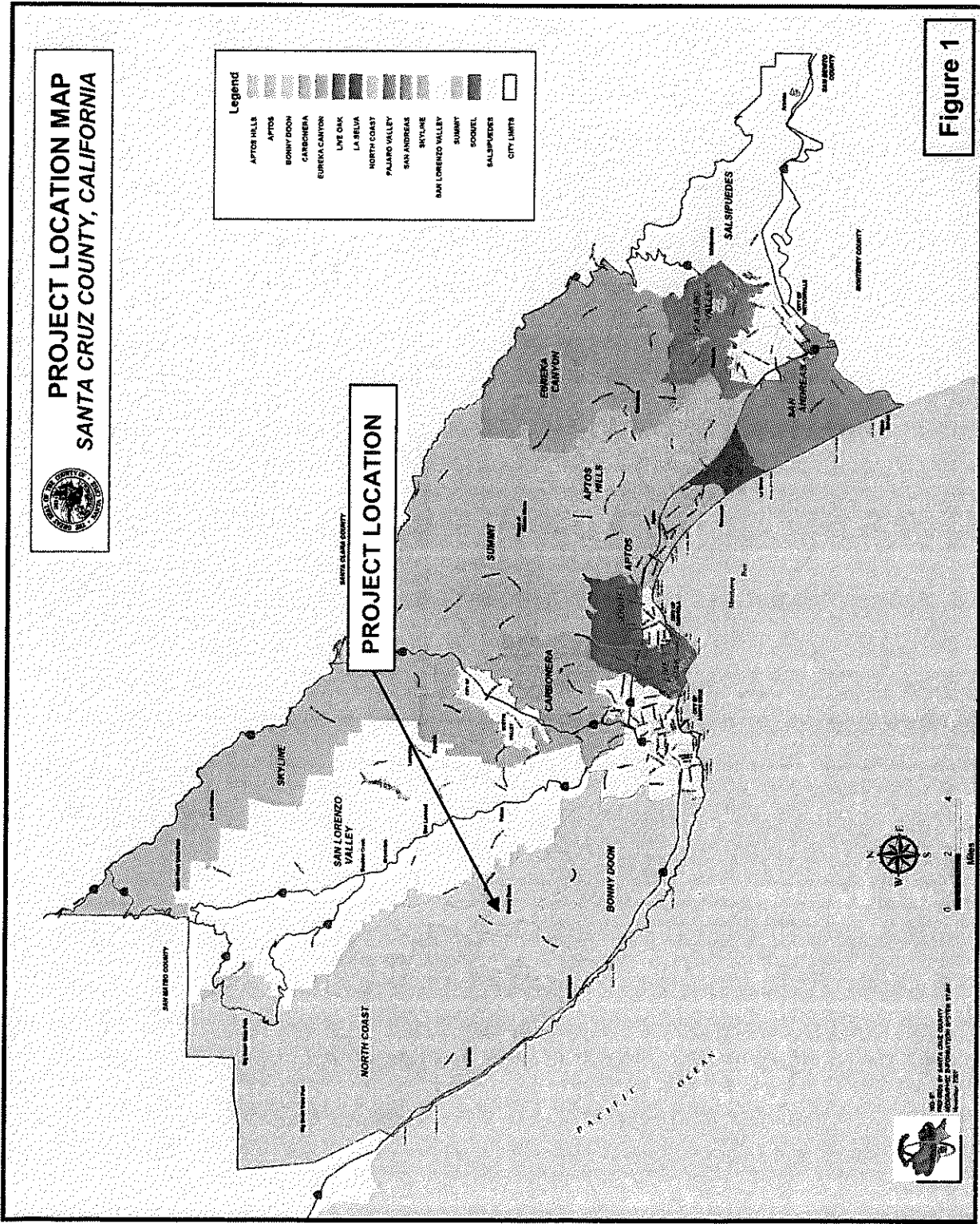
DETERMINATION:

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.

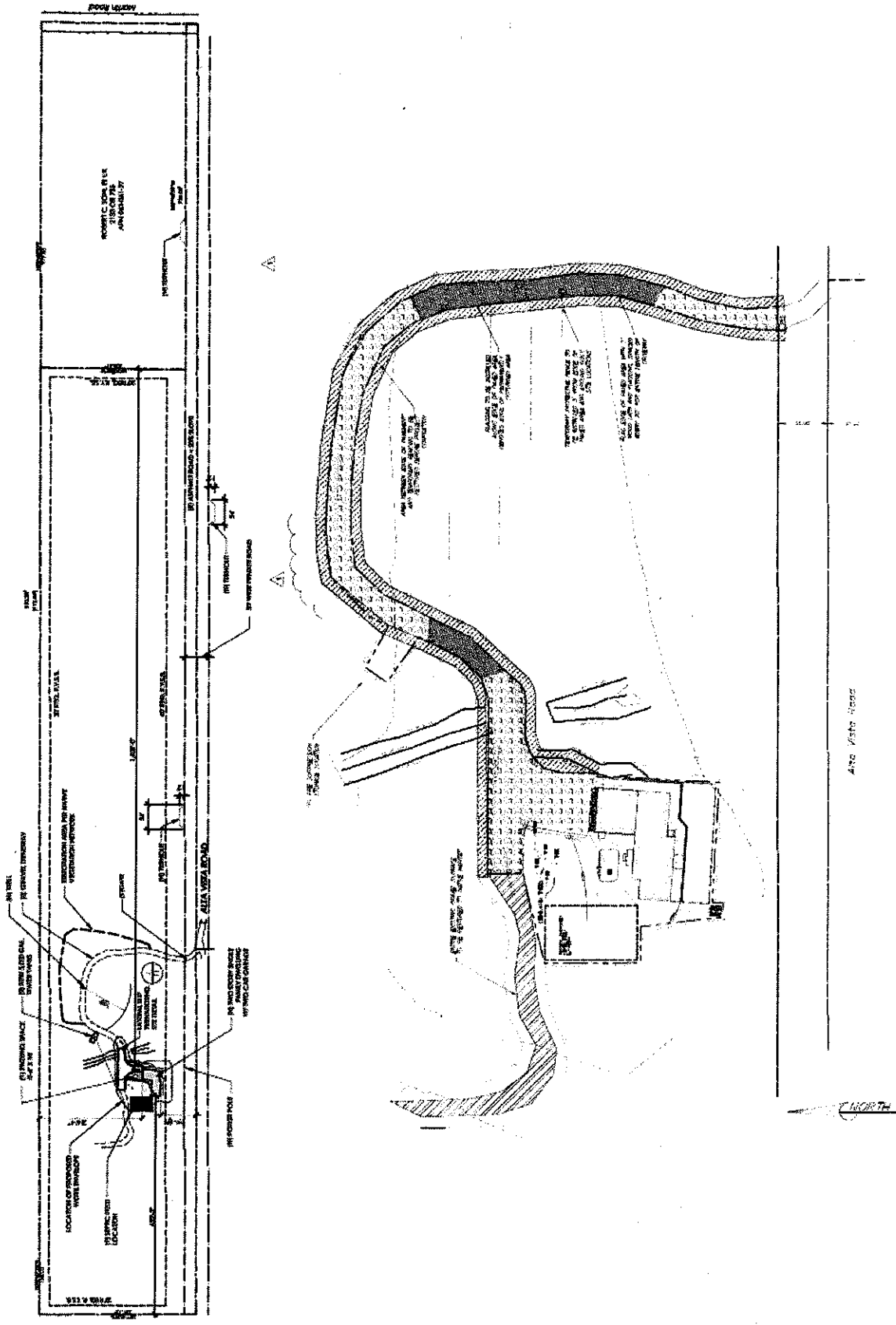
TODD SEXAUER, Environmental Coordinator

Date





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Project Site Plan

Figure 2



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II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS:

Parcel Size (acres): 14.9
 Existing Land Use: Vacant residential parcel
 Vegetation: Sandhills habitat
 Slope in area affected by project: 0 - 30% 31 - 100% N/A
 Nearby Watercourse: Mill Creek (tributary)
 Distance To: 1,240 feet

ENVIRONMENTAL RESOURCES AND CONSTRAINTS:

Water Supply Watershed:	Yes	Fault Zone:	Not Mapped
Groundwater Recharge:	Yes	Scenic Corridor:	Martin Road
Timber or Mineral:	Not Mapped	Historic:	No structure
Agricultural Resource:	Not Mapped	Archaeology:	Not Mapped
Biologically Sensitive Habitat:	Sandhills	Noise Constraint:	None
Fire Hazard:	Critical Fire	Electric Power Lines:	None
Floodplain:	Not Mapped	Solar Access:	Adequate
Erosion:	Not Mapped	Solar Orientation:	Adequate
Landslide:	Not Mapped	Hazardous Materials:	None
Liquefaction:	Not Mapped	Other:	No

SERVICES:

Fire Protection:	Santa Cruz County Fire	Drainage District:	Outside
School District:	Bonny Doon/ Santa Cruz	Project Access:	Alta Vista Road
Sewage Disposal:	Septic	Water Supply:	Well

PLANNING POLICIES:

Zone District:	RA (Residential Agriculture)	Special Designation:	None
General Plan:	R-R (Rural Residential)		
Urban Services Line:	<input type="checkbox"/> Inside	<input checked="" type="checkbox"/> Outside	
Coastal Zone:	<input checked="" type="checkbox"/> Inside	<input type="checkbox"/> Outside	

ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

Natural Environment

Santa Cruz County is uniquely situated along the northern end of Monterey Bay approximately 55 miles south of the City of San Francisco along the Central Coast. The

Pacific Ocean and Monterey Bay to the west and south, the mountains inland, and the prime agricultural lands along both the northern and southern coast of the county create limitations on the style and amount of building that can take place. Simultaneously, these natural features create an environment that attracts both visitors and new residents every year. The natural landscape provides the basic features that set Santa Cruz apart from the surrounding counties and require specific accommodations to ensure building is done in a safe, responsible and environmentally respectful manner.

The California Coastal Zone affects nearly one third of the land in the urbanized area of the unincorporated County with special restrictions, regulations, and processing procedures required for development within that area. Steep hillsides require extensive review and engineering to ensure that slopes remain stable, buildings are safe, and water quality is not impacted by increased erosion. The farmland in Santa Cruz County is among the best in the world, and the agriculture industry is a primary economic generator for the County. Preserving this industry in the face of population growth requires that soils best suited to commercial agriculture remain active in crop production rather than converting to other land uses.

PROJECT BACKGROUND:

The subject property is an approximately 650,879 square foot (15 acre) rectangular parcel which includes a narrow strip of land that extends eastwards to Martin Road. The parcel is accessed via Alta Vista Lane, a private right-of-way that runs westwards from Martin Road along the southern edge of the parcel. The property is located in the community of Bonny Doon, and also within the Coastal Zone.

Bonny Doon is a loosely defined rural community that lies between Empire Grade to the northeast and the Pacific Ocean to the southwest, from San Vicente Creek on the northwest to the Santa Cruz City border on the east. The larger Bonny Doon area is characterized by rural dwellings and estates set within a landscape that includes redwood forests on the inland slopes, coastal chaparral on hillsides close to the ocean, Zayante Sandhills habitat at higher elevations in the northeast, and a range of agricultural uses from arable crops, mostly on the coastal terraces, as well as vineyards and horse pastures.

The project site is located in the Bonny Doon Zayante Sandhills, a unique community of plants and animals found only on outcrops of Zayante sands. Due to their limited geographic range and narrow habitat specificity, the endemic communities and species of the Sandhills are naturally extraordinarily rare and include several federally listed endangered species of both plants and animals. Within 1,000 feet of the property on three sides, to the north, south and east, is the Bonny Doon Ecological Reserve. To the north of the subject parcel, within the preserve area, is a rocky peak known as the Lone Star Peak or the "moon rocks", and a ridge of higher ground with exposed sandstone outcrops extends southwards from this peak,

crossing the parcel close to its eastern edge. The central and eastern portions of the parcel have similar concentrations of rare and endangered species as within the Bonny Doon Ecological Reserve. At the western edge of the parcel, although still within the Sandhills habitat area, the vegetation changes and there is an area of mixed evergreen forest and stands of Coast Live Oak as well as small areas of open meadow.

In April 2006 a complaint was received by the Santa Cruz County Planning Department alleging that unauthorized land clearing had been done on the subject parcel. Site inspections showed that an area of approximately one acre had been cleared and that a rock driveway providing access to a potential building site had been installed. Subsequently a Notice of Violation was recorded on the parcel. In order to resolve the violation a Restoration Plan with a 5-year monitoring and maintenance plan was prepared by Valerie Haley of Native Vegetation Network. This Restoration Plan was initially required to cover restoration of the entire disturbed area. However, an allowance was made that a portion of the cleared area that made up the rock access road and the potential building site, could be left disturbed until the restoration of the remainder of the parcel was complete and the property owner came in with a proposal for future dwelling on the parcel. This allowance was made to reduce the potential impacts to Mount Hermon June beetles that are present on the subject parcel. It was made clear to the property owner, based upon a signed stipulation order (07-008, dated 4/26/2007), that the areas that were not restored would be considered new development by the County as part of a future application for a dwelling on the subject parcel, and would be included in the total allowed disturbance area of one-quarter acre that could be permitted. It was also made clear that any disturbed portions of the site beyond that one-quarter acre would have to be restored as a component of the development process. As part of this future submittal, a plan prepared by a civil engineer identifying the areas that have been disturbed, the areas to be restored, and the areas that will remain disturbed was required.

Following completion of the 5-year monitoring and maintenance plan in 2011, a final letter was prepared by Native Vegetation Network which concluded that the restoration program was on schedule and had met the vast majority of the established performance criteria and that with ongoing maintenance as specified, the restoration criterion would have been met.

Because the proposed dwelling would be located within the Bonny Doon Zayante Sandhills habitat, the proposed project has the potential to jeopardize the continued existence of listed species or destroy or adversely modify critical habitat that is associated with listed species. These species include the Mount Hermon June beetle (MHJB), Zayante Band-Winged grasshopper, Ben Lomond spineflower, Santa Cruz wallflower, Santa Cruz Cypress, Silverleaf manzanita and Ben Lomond buckwheat. During a presence-absence survey in 2008 by Dr. Jodi McGraw, Ecologist, the Mount Hermon June beetle (MHJB) was found on the property. However, based upon site reconnaissance

by Valerie Haley of the Native Vegetation Network it was determined that there would be no additional take of any other federally listed species for the construction of the proposed home.

In February 2014, a Low-Effect Habitat Conservation Plan (HCP) for the Endangered Mount Hermon June Beetle for APN 063-061-26” was prepared by Richard A. Arnold Ph.D. This plan, which provides measures for mitigating adverse effects on the MHJB for activities associated with the site preparation and construction of a new single-family residence, revegetation associated with installation of a well and water pipeline, and vegetation management of the protected habitat area of the property, was approved by the United States Fish and Wildlife Service. The HCP addressed the area of the proposed home but did not include the area of the rock driveway which had been represented as “existing”. It also failed to address any other federally listed species on the site.

In June 2014 an application was submitted for a Coastal Development Permit for the construction of a single-family dwelling on the parcel. The submitted plans, initially prepared by Frauke Zajack and later finalized by Valerie Hart, Drafting and Design, include preliminary plans for the proposed dwelling and for the other required site improvements, together with a proposed Habitat Protection Plan. The application also included Biotic Reports, prepared by Valerie Haley of the Native Vegetation Network to address potential impacts to the sensitive habitat and all special status species due to the proposed residential development. This report, in conjunction with the HCP, was accepted by the County Of Santa Cruz Environmental Planning section. All required measures to mitigate and minimize for project impacts, including protection of existing vegetation, vegetation management, habitat enhancement, and restoration of disturbed habitat, included in the Biotic Report, as well as the required mitigation and monitoring program from the HCP prepared by Richard A. Arnold Ph.D., are included into the final project plans.

On October 24, 2017 a minor amendment request was submitted to the United States Fish and Wildlife Service (USFWS) to address the area of the unrecognized rock driveway, installed in 2006, that was not included in the a the 2014 HCP prepared by Richard A. Arnold Ph.D. Based upon County requirements which include: the purchase of additional conservation credits to compensate for impacts throughout the anticipated impact area, the restoration of previously disturbed habitat, and the recording of a deed restriction that limits all further development on the parcel, it was determined by Chad Mitcham, Fish and Wildlife Biologist for the USFWS, that proposed project is in compliance with the federal Endangered Species Act and that no additional action was required.

In October 2017, the applicant also contacted the Monica Oey of the California Department of Fish and Wildlife (CDFWS) to determine whether there were any additional requirements from the State regarding the area of the rock driveway. Based upon a determination by the